1. **Declarations of Pecuniary Interest under the Municipal Conflict Of Interest Act**

2. **Delegations**

   2.1 **PDL-CPL-16-50,** Monitoring Change in the Central Transit Corridor –2015 Annual Report

      i. Jeff Casello, University of Waterloo

---

### Consent Agenda Items

Items on the Consent Agenda can be approved in one motion of Committee to save time. Prior to the motion being voted on, any member of Committee may request that one or more of the items be removed from the Consent Agenda and voted on separately.

3. **Request to Remove Items from Consent Agenda**

4. **Motion to Approve Items or Receive for Information**

   4.1 Snyder's Road Improvements, Village of Baden, Township of Wilmot from Christian Street to Gingerich Road - Information Package in Advance of the Public Consultation Centre #2 (Information)
4.2 **PDL-LEG-16-75**, Authorization to Expropriate Lands (1st Report) For The Construction of a Roundabout at the Intersection of Fischer-Hallman Road (Regional Road 58) and Bleams Road (Regional Road 56), in the City Of Kitchener

**Recommendation:** See page 37-39

4.3 **PDL-LEG-16-78**, Authorization to Expropriate Lands (1st Report) for Improvements to King Street (Regional Road 15) and Weber Street (Regional Road 8), City of Waterloo

**Recommendation:** See page 47-48

4.4 Cambridge East IUS Water Supply Class Environmental Assessment Public Consultation Centre #2 (Information)

4.5 William Street and Strange Street Water Supply Systems Class Environmental Assessment - Public Consultation Centre No. 4 (Information)


**Recommendation:**


---

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

**Design and Construction**

5.1 **TES-DCS-16-20**, Weber Street Reconstruction, Queen Street to Borden Avenue, City of Kitchener – Approval of Project

**Recommendation:**

That the Regional Municipality of Waterloo approve the Recommended Design Concept for proposed improvements on Weber Street (Regional Road 8) from Queen Street (Regional Road 53) to Borden Avenue as outlined in TES-DCS-16-20.

**Rapid Transit**

5.2 **TES-RTS-16-05**, ION Update (Information)
5.3 **TES-RTS-16-06, ION Project: Infrastructure Ontario – Second Amendment Agreement**

**Recommendation:**

That the Regional Municipality of Waterloo (the Region) approve entering into an Agreement with Ontario Infrastructure and Lands Corporation (IO) to amend the existing Amended Memorandum of Understanding (MOU). This is required to reflect additional services that are being provided for the remainder of construction and the implementation phase of the ION project. This MOU increases the upset fee limit by $1,190,826 to a new upset limit of $4,199,362 plus applicable taxes as described in Report No. TES-RTS-16-06 dated November 22, 2016.

**Reports – Planning Development and Legislative Services**

**Community Planning**

5.4 **PDL-CPL-16-51, Update on Master Environmental Servicing Plan for East Side Lands (Stage 2) and Request to Commence Regional Official Plan Amendment**

**Recommendation:**

That Regional Council initiate a Regional Official Plan Amendment and authorize staff to schedule a public meeting in 2017 under the Planning Act to obtain input from the community on a proposed amendment to the Regional Official Plan which would consider expansion of the Urban Areas of the City of Cambridge and the Township of Woolwich.

5.5 **PDL-CPL-16-52, Regional Response to Bill 39 – Proposed Amendments to the Aggregate Resources Act**

**Recommendation:**

That the Regional Municipality of Waterloo take the following actions with respect to the Province’s proposed Bill 39 - Aggregate Resources and Mining Modernization Act, 2016:

a) forward Report PDL-CPL-16-52, dated November 22, 2016 to the Ministry of Natural Resources and Forestry as its response to Bill 39 regarding the Province’s proposed amendments the Aggregate Resources Act; and
b) request the Province to continue to seek input from municipalities and other stakeholders on any future proposed amendments to the Regulations or Provincial Standards under the Aggregate Resources Act to implement the legislative changes proposed in Bill 39.

6 Information/Correspondence

6.1 Council Enquiries and Requests for Information 149

7. Other Business

8. Next Meeting – December 6, 2016

9. Adjourn
<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Description</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Planning and Works Committee</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>December 6, 2016</td>
<td>1:00 p.m.</td>
<td>Planning and Works Committee</td>
<td>Council Chamber 2nd Floor, Regional Administration Building 150 Frederick Street Kitchener, Ontario</td>
</tr>
<tr>
<td>January 10, 2017</td>
<td>9:00 a.m.</td>
<td>Planning and Works Committee</td>
<td>Council Chamber 2nd Floor, Regional Administration Building 150 Frederick Street Kitchener, Ontario</td>
</tr>
<tr>
<td><strong>Transportation and Environmental Services</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tuesday, November 22, 2016</td>
<td>5:00 p.m. – 7:00 p.m.</td>
<td>William Street and Strange Street Water Supply Systems Class Environmental Assessment Public Consultation Centre No. 4</td>
<td>Region of Waterloo Public Health and Social Services Building 99 Regina Street South, 5th Floor Waterloo, Ontario</td>
</tr>
<tr>
<td>Thursday, November 24, 2016</td>
<td>5:30 p.m. – 8:00 p.m.</td>
<td>Snyder’s Road Improvements from Christian Street to Gingerich Road, Village of Baden, Township of Wilmot - Public Consultation Centre #2</td>
<td>Township of Wilmot Offices Wilmot Community Room 60 Snyder's Road Baden, Ontario</td>
</tr>
<tr>
<td>Monday, December 5, 2016</td>
<td>6:00 p.m. – 8:00 p.m.</td>
<td>Cambridge East IUS Water Supply Class Environmental Assessment - Public Consultation Centre No. 2</td>
<td>Grand River Conservation Authority - Auditorium 400 Clyde Road, Cambridge, Ontario</td>
</tr>
</tbody>
</table>
Region of Waterloo
Planning Development and Legislative Services
Community Planning

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

Date: November 22, 2016  File Code: D10-20

Subject: Monitoring Change in the Central Transit Corridor – 2015 Annual Report

Recommendation:
For information

Summary:
In conjunction with the implementation of ION, the Region of Waterloo launched a program to monitor the Central Transit Corridor (CTC). The year 2011, when ION was announced, was chosen as the baseline year from which to measure change. Sixteen indicators were chosen to reflect the economic, social and environmental characteristics of the corridor. Data was collected and analyzed, and a baseline report was published: Report PDL-CPL-15-56, Monitoring Change in the Central Transit Corridor – Baseline Report, dated November 17, 2015.

The Region has now produced the first annual monitoring report of this program. Of the sixteen indicators, twelve will be reported on annually. The report also includes the first of the “themed indicators” which further expand upon the dimensions in the monitoring report. This year’s theme focuses on the environment by looking at the characteristics of trails and publically-accessible green spaces in the corridor. The complete report is available in the Council library as well as from Planning, Development and Legislative Services and on the Region’s website.

The CTC monitoring program is planned to continue until at least 2021 and will allow the Region to report through project announcement to early operation phases. In collaboration with the University of Waterloo, academic research investigating the influence of ION is also in progress.
Report:

The Region recognized the importance of monitoring the Central Transit Corridor (CTC) over time in order to understand the changing nature of the social, economic and environmental characteristics of the corridor and to document and learn from the changes. Report P-13-123, Central Transit Corridor Community Building Strategy: 2013/2014 Edition, dated December 3, 2013, included a recommendation to establish and implement baseline metrics pertaining to transit investment in the Central Transit Corridor and to report back to Council with periodic updates.

To provide the baseline metrics, Report PDL-CPL-15-56, Monitoring Change in the Central Transit Corridor – Baseline Report, dated November 17, 2015 was produced. That report provided data for 16 indicators for the baseline year of 2011, the year that ION was announced. It also included data for the period up to 2014, the year that marked the start of construction in the corridor.

The “Monitoring Change in the Central Transit Corridor – 2015 Annual Report” is the first annual update report.

Central Transit Corridor Monitoring Program

The goals of the CTC monitoring program are to measure and report on changes happening in the CTC, to provide an indication of the influence of ION, and to encourage discussion about the nature of the changes. The initial component of the CTC monitoring program was the establishment of a set of key indicators to measure the base state of the CTC prior to the establishment of ION until at least 2021, after ION has been constructed, opened for service, and is functioning within the community.

The indicators provide a lens for monitoring the achievement of ION’s dual goals of moving people and shaping our communities. As described in the baseline report, there are three types of indicators:

- **Baseline indicators**: A total of 16 indicators were chosen for their ability to comprehensively describe key aspects of the corridor.
- **Annual indicators**: Of the 16 indicators, annual data is available for 12. The remaining four indicators will be reported as data sources are updated.
- **Themed indicators**: These indicators are developed each year to more fully explore a topic area, or theme. In 2016, the theme was “the environment”, and two new indicators were developed: “trails” and “public open spaces”. These are in addition to the baseline indicator of the environment, “emissions”. The proposed theme for 2017 is “investment”.

Results for these indicators are summarized in Attachment 1.
Overview of Monitoring Results

The stages of project implementation through which we are monitoring can generally be summarized as:

- Post-ION announcement (2011-2014),
- Construction (2015-2017),
- ION service start (2018), and

These stages are not discrete – for example, although ION was announced in 2011, there was anticipation of its approval by council in the years leading up to the final council decision. However, they are generally useful to understand the changes occurring in the corridor.

The “Monitoring Change in the Central Transit Corridor – 2015 Annual Report” represents the CTC in the ION construction phase which started in August 2014 with BRT lane upgrades, relocation of utility infrastructure, replacement of municipal water and wastewater distribution and collection infrastructure projects, and construction of the ION infrastructure, all being undertaken concurrently. This report shows the indicators for 2015, which represents the first full year of construction. This phase is expected to taper in 2017.

The first full year of construction has shown variable results in the indicators. During the disruption associated with construction of ION there has been a tapering of transit ridership, a decrease in the percentage of bus boardings and alightings within the corridor, and an increase in per capita air emissions. These results reflect local influences, including service adjustments, student busing arrangements, and transit fare increases as well as broader provincial trends such as declining fuel costs and higher levels of car ownership.

The indicators are also showing favourable results from recent years of investment in the corridor. For example, apartments that were initiated after the 2011 announcement of ION are now reaching the stage of occupancy, contributing to an increase in population and a corresponding increase in assessment value. An increase in affordable units has also been noted, in part due to the number of small apartment units coming on-stream. A moderate increase in the number of restaurants has also been documented. At the same time, the number of calls for police services relating to public perception of safety appears to be increasing, which is not unexpected considering the increase in population and street activity.

Investment, measured in dollar value of building permits, is highly variable as it is influenced by the number of large projects that go forward concurrently in any given year. Building activity in the corridor moderated in 2015 after the record residential and non-residential activity in the previous year.
There are many influences, including ION, on each of these indicators. The extent to which ION is affecting the changes in the corridor is being researched by the University of Waterloo. In addition, the Region has recently initiated a project that will in part investigate the effectiveness of incentives in the CTC.

This report also further examines the theme of “the environment”. Publically accessible green spaces and trails are important for a healthy, active community. Within the corridor there were almost 80 kilometres of trails and pathways and 400 hectares of publically-accessible green spaces in over 150 locations, ranging from small parkettes to large conservation areas of over 100 hectares in size. Since the announcement of ION, the trail network has increased in length, for example, through the addition of the Spur Line Trail.

The data presented in this report is the best available at the time of publication. Data is typically acquired from external agencies, and occasionally changes over time. For example, housing cost data that has been published by Canada Mortgage and Housing Corporation (CMHC) will no longer be available as of 2015. In order to continue to monitor housing affordability, the local real estate boards were approached, and agreed to provide this data. However, there were different methods of data collection between these agencies. In order to provide consistency over time, the real estate board provided data back to 2011, our base year, and the whole time series was recalculated for this report. All such changes to indicators over the course of the monitoring program are fully documented.

For a more detailed discussion of these findings and the factors that may influence change in the corridor, please refer to the full Monitoring Change in the Central Transit Corridor – 2015 Annual Report which is available in the Councillor’s library or from Planning, Development and Legislative Services or on the Region’s website.

**Relationship with University of Waterloo Researchers**

The University of Waterloo, with support from municipal partners including the Region of Waterloo and funding from Social Sciences and Humanities Research Council (SSHRC), continues to work on a three-year project called “Light Rail Transit and Core Area Intensification: Unpacking Causal Relationships,” led by Dr. Dawn Parker and Dr. Jeff Casello with aid from PhD, Masters, and undergraduate students from the University. Related projects that support further research on the impacts of LRT include: surveys on developer attitudes and rental market values, the development of a microsimulation model named the Waterloo Regional Model (WARM) to understand the interaction between land-market processes and the transportation system, and statistical regression models to estimate residential preferences in Kitchener-Waterloo. The WARM model complements the CTC monitoring project through research findings relating to investment, mode choice, land use mix, and housing affordability.
Ongoing Work:

Development of the baseline indicators and collection of the 2011 baseline data was the first step in the CTC monitoring program, and this first annual report is the second. Next steps include:

- ongoing annual monitoring,
- development of the “investment” theme indicators as proposed for 2017, and
- continued collaboration with the University of Waterloo in the “Unpacking Causal Relationships Study.

Area Municipal Consultation/Coordination:

The Cities of Kitchener, Cambridge and Waterloo were consulted in the initiation phase of this report. The Region hosted a meeting to describe the proposed monitoring project. It was agreed that the Region would monitor the Central Transit Corridor, and that any monitoring of the individual rapid transit station areas would be undertaken by the respective municipality.

Corporate Strategic Plan:

Monitoring of the Central Transit Corridor directly addresses Focus Area 2: Growth Management and Prosperity (Manage growth to foster thriving and productive urban and rural communities) including Strategic Objective 2.1. Encourage compact, livable urban and rural settlement form.

Financial Implications: Nil.

Other Department Consultations/Concurrence:

Departments across the Region of Waterloo, as well as the Waterloo Regional Police Services participated in the creation of this annual report.

Attachments:

Attachment 1 – Summary of Indicators for Monitoring Change in the Central Transit Corridor (2011-2015)

Prepared By: Virginia Hang, Student Planner
Margaret Parkin, Manager, Planning Information and Research

Approved By: Debra Arnold, Regional Solicitor & Director, Legal Services
Attachment 1 – Summary of Indicators for Monitoring Change in the Central Transit Corridor (2011-2015)

<table>
<thead>
<tr>
<th>Dimension</th>
<th>Indicator</th>
<th>Metric</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobility</td>
<td>Transit Ridership</td>
<td>Number of trips made using Grand River Transit (million)</td>
<td>19.7</td>
<td>21.3</td>
<td>22.0</td>
<td>21.6</td>
<td>20.3</td>
</tr>
<tr>
<td></td>
<td>Daily Transit Activity</td>
<td>Per cent of daily average transit activity which occurred in the CTC</td>
<td>67%</td>
<td>65%</td>
<td>67%</td>
<td>64%</td>
<td>63%</td>
</tr>
<tr>
<td>Sustainable Modes of Transportation</td>
<td>Transit Mode Share</td>
<td>Per cent of mode of travel share which was on transit across the CTC</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>5%</td>
</tr>
<tr>
<td></td>
<td>Active Transportation</td>
<td>Per cent of mode of travel share which was pedestrian and cyclist in the CTC</td>
<td>5%</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Walkability</td>
<td>Per cent of population living in &quot;high&quot; or “very high” walkable areas in the CTC</td>
<td>55%</td>
<td>56%</td>
<td>56%</td>
<td>57%</td>
<td>57%</td>
</tr>
<tr>
<td>Vibrant Communities</td>
<td>Land Use Mix</td>
<td>Per cent of all regional land uses which were found in the CTC</td>
<td>69%</td>
<td>69%</td>
<td>69%</td>
<td>69%</td>
<td>69%</td>
</tr>
<tr>
<td></td>
<td>Population</td>
<td>Per cent of Region’s residents who live in the CTC</td>
<td>17.5%</td>
<td>17.6%</td>
<td>17.8%</td>
<td>18.0%</td>
<td>18.1%</td>
</tr>
<tr>
<td>Building Community</td>
<td>Cultural Vibrancy</td>
<td>Number of arts and culture establishments in the CTC</td>
<td>722</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Restaurants</td>
<td>Per cent of the Region’s restaurants in the CTC</td>
<td>50%</td>
<td>51%</td>
<td>52%</td>
<td>52%</td>
<td>52%</td>
</tr>
<tr>
<td>Heritage</td>
<td>Heritage Resource Retention</td>
<td>Number of demolition permits on pre-1920 and designated built</td>
<td>13</td>
<td>34</td>
<td>12</td>
<td>9</td>
<td>12</td>
</tr>
</tbody>
</table>
### Investment Activity

<table>
<thead>
<tr>
<th>Heritage Resources in the CTC</th>
<th>Dollar value of building permits in the CTC for new construction (million)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$486</td>
</tr>
</tbody>
</table>

### Assessment Value

<table>
<thead>
<tr>
<th>Assessed value of properties in the CTC (billion)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$10.0</td>
</tr>
</tbody>
</table>

### Environment

<table>
<thead>
<tr>
<th>Emissions</th>
<th>Tonnes of net air emissions per capita in Cambridge, Kitchener and Waterloo</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2.52</td>
</tr>
</tbody>
</table>

### Crime and Safety

<table>
<thead>
<tr>
<th>Perception of Safety</th>
<th>Per cent of people in Cambridge, Kitchener and Waterloo who perceive that their downtowns are safe at night</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>65%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Calls for Service</th>
<th>Per cent of police calls for service which were related to potential public perception in the CTC</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>40%</td>
</tr>
</tbody>
</table>

### Inclusive Community

<table>
<thead>
<tr>
<th>Home Ownership Affordability</th>
<th>Per cent of housing transactions which were affordable to low and moderate income households in the CTC</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>55%</td>
</tr>
</tbody>
</table>

### Monitoring the Environment (2015)

<table>
<thead>
<tr>
<th>Dimension</th>
<th>Indicator</th>
<th>Metric</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environment</td>
<td>Trails and Pathways</td>
<td>Length of trails and pathways in the CTC</td>
<td>78 km</td>
</tr>
<tr>
<td></td>
<td>Public Greenspaces</td>
<td>Area of public greenspaces in the CTC</td>
<td>398 ha</td>
</tr>
</tbody>
</table>
Snyder’s Road Improvements  
Village of Baden, Township of Wilmot

**What:** Reconstruction of Snyder’s Road  
**Where:** From Christian Street to Gingerich Road  
**Why:** To Repair Pavement, Underground Infrastructure and Enhance Pedestrian and Cycling Facilities  
**When:** Construction in 2018  
**Who:** Region of Waterloo Project Manager  
Mr. Ken Brisbois, C.Tech  
Region of Waterloo  
Phone: (519) 575-4606  
Email: kbrisbois@regionofwaterloo.ca

Public Consultation Centre #2  
Thursday, November 24, 2016, 5:30 p.m. to 8:00 p.m.  
Township of Wilmot Offices, Wilmot Community Room,  
60 Snyder’s Road, Baden

**We Want Your Input!**  
There’s a Comment Sheet at the Back of this Package. Please Fill it Out and Share Your Comments with Us.
Reconstruction Area Map

Baden

REGIONAL ROAD No. 1
Snyder's Road
(Christian Street to Gingerich Road)
TOWNSHIP OF WILMOT
1. **What is the Purpose of this Public Consultation Centre?**
   The Region of Waterloo is planning to reconstruct Snyder’s Road, the main street in Baden, from Christian Street to Gingerich Road in 2018.
   This is the 2\textsuperscript{nd} scheduled Public Consultation Centre (PCC) for this project. The purpose of this 2\textsuperscript{nd} PCC is to present more information in response to the feedback received at the first Public Consultation Centre in November of 2015.

2. **Who is Directing this Project?**
   The planning of these infrastructure improvements is being undertaken by a “Project Team” consisting of staff from the Region of Waterloo, the Township of Wilmot and Township of Wilmot Councillor Barry Fisher. The Region has retained the consulting engineering firm of Walter Fedy to assist with the planning, design and contract administration of this project.

3. **Why is the Region doing this Project?**
   There are a number of needs driving this project, as follows:
   
   i) **Deteriorated Road Condition**
   The pavement condition is fair to poor on most sections of Snyder’s Road. In general, the deterioration is simply due to the age of the asphalt combined with areas of poor drainage.
   
   ii) **Underground Services Replacement**
   Underground storm sewers require replacement due to poor condition and also to ensure they are capable of carrying the flows in future storm events. Also new curb and gutter and storm sewer is required from Schneller Drive to Gingerich Road to replace the ditches and driveway culverts which will improve the overall drainage in the area.
   
   iii) **Pedestrian Needs**
   New sidewalk is required on the south side of Snyder’s Road from Schneller Drive easterly to the village limits, just west of Gingerich Road as currently there is no facility in this area. Also, deteriorated sidewalk from Christian Street to Schneller Drive is to be replaced with new sidewalk. In addition, the construction of a centre refuge island immediately west of Schneller Drive is proposed to allow pedestrians to cross the road one half at a time and only have to wait for gaps in one direction of traffic at a time.
   
   iv) **Cycling Needs**
   There are currently no designated cycling lanes on Snyder’s Road east of...
Information Package  
Snyder’s Road Improvements  
Christian Street to Gingerich Road

Christian Street to Gingerich Road. This corridor is however identified as a designated cycling route in the Region’s Active Transportation Master Plan and accordingly cycling facilities are being considered as part of this project.

The Township of Wilmot has also requested that the Region consider the construction of cycling facilities as part of the proposed reconstruction of Snyder’s Road as a part of an initiative to provide cycling connections between the towns and hamlets in Wilmot Township.

4. What Feedback was Received at Public Consultation Centre #1?

In November 2015, the first Public Consultation Centre (PCC #1) was held at the Township of Wilmot Offices in Baden. At PCC #1, a proposed design was presented to receive comments from the residents, property owners and the general public. The design presented at PCC #1 included:

• Complete replacement of the pavement structure and most of the concrete curbs on both sides of Snyder’s Road;

• Widening to accommodate the construction of new 1.50 metre wide “on-road” cycling lanes on both sides from Christian Street to Foundry Street (to match the on-road cycling lanes to the west on Snyder’s Road);

• Widening to accommodate the construction of new 1.50 metre “segregated” cycling lanes (separated from traffic by a roll-over curb) on both sides from Foundry Street to Gingerich Road (to provide a traffic calming and speed reduction effect on this section of Snyder’s Road);

• Replacement of the existing storm sewers from Foundry Street to Sandhills Road;

• Urbanization of Snyder’s Road from Schneller Drive to Gingerich Road including the installation of new storm sewer and curb and gutter to replace the ditches and driveway culverts;

• Installation of new sidewalk on the south side of Snyder’s Road from Schneller Drive easterly to the village limits, just west of Gingerich Road;

• Replacement of deteriorated sidewalk from Christian Street to Schneller Drive with new sidewalk;

• Construction of a new westbound left turn lane at Schneller Drive;
Information Package
Snyder’s Road Improvements
Christian Street to Gingerich Road

• Construction of a centre refuge island immediately west of Schneller Drive to allow pedestrians to cross the road one half at a time and only have to wait for gaps in one direction of traffic at a time;

• Extension of the north side sidewalk (west of Schneller Drive) easterly 70 metres to connect to the new pedestrian refuge island;

• Installation of new boulevard trees where space permits.

As a result of PCC #1, twenty (20) written comments were received. The following summarizes the main comments received. (The Project Team responses to these concerns are provided in Section 5.)

i) Loss of Parking

Based on the comments from PCC#1, the Project Team has reviewed the proposed design, conducted additional surveys, and modified the proposed parking as describes in the following sections.

Appendix ‘A’ includes drawings showing the Project Team’s Preferred Design Concept for Snyder’s Road.

Ten (10) written comments were received that are not in favour of losing parking within the project limits to accommodate cycling lanes and sidewalk. The reasons were varied and included:

• Congestion on side streets
• Further travel for disabled people
• Study was not representative of actual conditions (weekends, holidays, special events)
• Inconvenient
• No need for new sidewalk
• Keep more parking since helps to slow traffic
• Widen side streets to accommodate parking

ii) Pedestrian Refuge Island / Speeding / Sidewalk Need

Seven (7) written comments were received regarding the proposed pedestrian refuge island (west of Schneller Drive), and speeding. Comments included:

• Introduction of a centre refuge island will not slow traffic entering/leaving Baden
• Incorrect location – should be installed at Mars Convenience
• Will not be used – waste of money
Information Package
Snyder’s Road Improvements
Christian Street to Gingerich Road

- Suggests speed checking machine or police enforcement
- No need for new sidewalk

iii) Snow Removal

Six (6) written comments were received that expressed concern with snow removal and/or snow storage for the following reasons:

- Proposed design will Increase the amount of road to be plowed and reduce space where snow can be stored
- Concerns with ability to plow with roll-over curb and pedestrian refuge island present
- Who will clear snow on new sidewalks not adjacent to houses?
- Visibility/sightline issues with snow accumulation.

iv) Cycling Facilities

Six (6) written comments received were concerned with the proposal to install cycling facilities. The reasons included:

- Objection to idea that cyclist’s rights are taking precedence.
- Segregated bike lanes do not make sense for the number of residents that use them
- Statistics were not collected on cycling use; bike lanes not cost efficient
- A 2-way off-road path would be better than segregated bike lane
- Will there be a bylaw to use bike lane instead of sidewalk? Will there be an age requirement as young children may fall into traffic?

5. Project Team Responses to Concerns From PPC #1

i) Loss of Parking

Original Parking Concept

The design presented at PCC#1 included the reinstatement of all existing parking spaces in front of commercial properties so that boulevard parking would remain available to patrons of these establishments.

The design did however include removal of the unmarked on-street parking on the south side of Snyder’s Road, in order to accommodate the new cycling lanes. The Project Team recognized that the removal of the south-side parking may inconvenience adjacent residents, however most of the fronting driveways are deep enough or wide enough to accommodate multiple parked cars. In addition, with the exception of the section east of Sandhills Road, there are numerous
sidestreets that would be available for overflow parking.

In addition, as part of the planning for this project, the Project Team had surveyed the existing parking usage to determine the current demand for parking. The survey was completed over two separate periods (in May and September/October 2015) and included both weekday and Saturday parking counts and the results of the survey showed that the existing available on-street parking spaces are not heavily used.

**Additional Parking Surveys**

In response to the public comment at PPC#1 that the parking survey did not account for parking demand during special events, the Project Team undertook additional parking studies in July and August of 2016 to capture parking usage during a number of special events. Parking counts were completed during the Castle Kilbride Festival on Thursday July 21st and the Firefighters baseball tournament at Adam Beck Park on Saturday August 6th. The surveys counted the number of vehicles parked on Snyder’s Road every 15 minutes during these events.

**Proposed Additional Parking**

As a result of the 2016 parking counts taken during events, the Project Team is now recommending that additional parking be included in the proposed design. The results of the additional parking survey and the recommended changes to proposed parking are as follows:

| Castle Kilbride Festival, Thursday, July 21 2016  
(Parking between Christian and Foundry) |
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Existing spaces available</strong></td>
</tr>
<tr>
<td>9 boulevard spaces, 0 on-street spaces</td>
</tr>
</tbody>
</table>
Information Package
Snyder’s Road Improvements
Christian Street to Gingerich Road

<table>
<thead>
<tr>
<th>Firefighters Baseball Tournament, Saturday, August 6 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Parking on Snyder’s near Sir Adam Beck Park)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Existing spaces available</th>
<th>Maximum parking during event</th>
<th>PPC #1 proposal</th>
<th>Revised proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 on-street spaces</td>
<td>9 on-street spaces</td>
<td>0 on-street spaces</td>
<td>No change (overflow parking available on Schneller Drive and Whiting Way)</td>
</tr>
</tbody>
</table>

As shown in the first table above, a maximum of 23 vehicles parked at any one time on Snyder’s Road in the vicinity of Castle Kilbride during the July festival. There are only 9 boulevard spaces available, therefore 14 vehicles were illegally parked on the street. The Project Team has re-visited the design and is now suggesting that 4 additional boulevard parking spaces be constructed directly in front of Castle Kilbride in the grassed boulevard area. In addition, 4 other spaces could be constructed on the south side of Snyder’s Road in the boulevard area. The additional 8 spaces would result in a total of 17 available parking spaces for Castle Kilbride event parking. Any additional vehicles could park on sidestreets, for example, on Mill Street (directly opposite the Castle property on the south side) or on Livingston Boulevard (which is located 100 metres west of the Castle property driveway).

Near Sir Adam Beck Park, parking is currently permitted on the south side of Snyder’s Road. During the August baseball tournament, 9 vehicles used this parking area. With the addition of cycling lanes, there is no opportunity to provide parking in this section of Snyder’s Road without a loss of trees and grassed boulevards. The Project Team has reviewed this situation and is recommending that parking not be provided on Snyder’s Road in this area due to the impacts on adjacent properties that would be required. It is felt that overflow parking from any park events could be found on adjacent sidestreets, including Schneller Drive/Schneller Court (which circles around the park and has 2 direct pedestrian connections into the park) and Whiting Way (across Snyder’s Road on the north side, opposite the park entrance).
iii) Pedestrian Refuge Island / Speeding / Sidewalk Need

Pedestrian Refuge Island

In other locations around the Region of Waterloo and elsewhere, it has been proven that the narrowing of lanes and the introduction of physical elements within and adjacent to the roadway (for example pedestrian refuge islands and landscaping) does help in reducing vehicle speeds through a corridor. The Project Team therefore feels that the pedestrian refuge island in addition to other traffic-calming measures (trees, narrower lanes, adjacent cycling lanes) will serve a useful purpose on Snyder’s Road to reduce speeding.

A number of locations were investigated to install pedestrian refuge islands including near the Mars Convenience store. However, in this location, the right-of-way is limited and there are a number of driveways where a refuge island would conflict with driveway access. The proposed location that is viable is at Schneller Drive opposite the left turn lane area; this is the area where speeding is most prevalent so the presence of an island here would encourage lower speeds.

Speeding

It is believed that vehicles currently exceeding the speed limit along Snyder’s Road are doing so in large part to the existing wide-open road design (i.e. wide expanse of asphalt and lack of vertical elements like curbs) that contributes to motorists feeling more comfortable driving at increased speeds, as opposed to the posted speed limit. The use of radar devices and police enforcement are not permanent solutions to speeding as police resources are limited. The use of “YOUR SPEED IS….” signage has been found to be not effective once motorists become accustomed to seeing the signs.

The proposed design incorporates speed reducing aspects including two 3.35m wide asphalt vehicle lanes throughout the project with a narrow (0.7m) “rollover” curb on each side, and a 1.50m segregated bike lane behind the rollover curb (from Foundry Street to Gingerich Road) and a 1.5m on-road bike lane from Foundry Street to Christian Street. A 1.5m wide concrete sidewalk is included adjacent to the segregated bike lane, as well as landscaped boulevards or the on-street parking in the boulevards. It is believed that all of these added elements will provide forms of traffic calming and help reduce speeds on Snyder’s Road.
Sidewalk Need

New sidewalk is proposed as part of this project on the south side of Snyder’s Road from Schneller Drive easterly to the village limits, just west of Gingerich Road. In addition, the existing north-side sidewalk will be extended easterly 70 metres to connect to the new pedestrian refuge island at Schneller Drive. New sidewalk will also be installed on the short section of Sandhills Road to connect to the existing sidewalk on Stiefelmeyer Crescent. These installations will provide a continuous sidewalk network for the neighborhood.

In addition, the extension of new sidewalk easterly from Schneller Drive to the village limits will service the existing residential properties that currently front onto the paved shoulder area now, which will be eliminated with the introduction of curb and gutter. Any pedestrians from these residential properties that currently use the paved shoulder will be able to use the new sidewalk. The introduction of all planned new sidewalk is consistent with the Region of Waterloo’s Active Transportation Master Plan, Pedestrian Charter and Corridor Design Guidelines.

iv) Snow Removal

On the section of Snyder’s Road from Christian Street to Foundry Street, the width of the pavement is only changing marginally with the addition of on-road cycling lanes so snow accumulation and removal would be the same as exists currently. From Foundry Street to Gingerich Road, the road platform is to be widened to include segregated cycling lanes. There will be a remaining boulevard width of 0.8-1.0 metres which is generally adequate to accommodate snow storage on a 2-lane Regional roadway with cycling lanes.

In response to the noted concern, the Region is able to plow roads that include roll-over curb and pedestrian islands as is done in a number of other areas throughout the Region of Waterloo. The cycling lanes would be cleared in a separate later operation after the initial roadway pass.

As with all sidewalk installations in the Township of Wilmot, snow removal on all sidewalks is the responsibility of the abutting landowner as per Township By-Law 84-72.

v) Cycling Facilities

Need for Cycling Lanes

The Region’s Active Transportation Master Plan designates Snyder’s Road as a planned cycling route. In addition, the Township of Wilmot has requested that the
Region include cycling facilities as part of the proposed reconstruction of Snyder’s Road to support the Township’s initiative to provide cycling connections through and between all of the towns and hamlets in Wilmot Township. Statistics for existing cycling use on Snyder’s Road were not taken into consideration since the goal is to provide these facilities to support and encourage more “active” transportation and modes other than driving.

**Type of Cycling Facility**

On projects where new cycling facilities are planned, the Project Team has a number of different options to consider including: painted on-road cycling lanes; “segregated” cycling lanes (separated from traffic by a wide roll-over curb); and multi-use trails which provide combined use for pedestrians and cyclists in the boulevards.

Multi-use trails provide the greatest separation to adjacent vehicles and accordingly afford the most comfort for cyclists. However, the presence of numerous driveways on Snyder’s Road precludes the use of a multi-use trail due to the conflict points with drivers exiting driveways and cyclists travelling in both directions on the trail.

Segregated cycling lanes are separated from the adjacent traffic lane, typically by a 0.7 metre wide mountable “roll-over” curb. Where space permits on Snyder’s Road, this type of cycling lane is recommended by the Project Team as the most appropriate type of cycling facility to provide cyclist comfort and encourage more cycling. The Regional right-of-way is wide enough between Foundry Street and Gingerich Road to accommodate segregated cycling lanes. In addition, speeding has been identified by the Project Team as an on-going local concern on this particular section of Snyder’s Road and the presence of curbs between the vehicle lane and the cycling lane will have a traffic calming effect on motorists and help to reduce speeds in this area. Segregated cycling lanes typically cost more to construct and maintain than on-road cycling lanes.

Between Christian Street and Foundry Street, the Project Team is recommending on-road cycling lanes to provide a consistent cycling facility to match the existing 5 km of on-road cycling lanes that currently exist from Christian Street westerly into New Hamburg.

**Young Children on Sidewalks**

Children on bicycles (and their accompanying parents/guardians) are legally permitted to ride on sidewalks in Ontario. The Township of Wilmot’s Trail Master
Information Package
Snyder’s Road Improvements
Christian Street to Gingerich Road

Plan (January, 2015) also confirms that young children may utilize sidewalks for cycling purposes.

Additional Information

Please refer to Appendix B for more information on the cycling facility selection. Appendix includes more details on the different types of cycling facilities that were considered for this project.

Note: The following sections 6-17 provide general project information that was previously included in the original PCC#1 Information Package.

6. How is this Project Being Planned?

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

7. How Do the Improvements Being Considered Relate to the Objectives of the Regional Transportation Master Plan, the Regional Active Transportation Master Plan and the Regional Transportation Corridor Design Guidelines?

The Region of Waterloo’s Transportation Master Plan (RTMP) is a high-level strategic plan that assesses existing and future traffic patterns and volumes throughout the entire Regional road network to determine the short and long-term needs for road improvements. The RTMP does not identify any need to widen Snyder’s Road in Baden beyond the existing two travel lanes. The RTMP, through its vision of sustainability, also supports measures that will improve the cycling and pedestrian networks in the project area.

The Regional Active Transportation Master Plan recommends that cycling lanes and sidewalks be provided on this section of Snyder’s Road.

The Context Sensitive Regional Transportation Corridor Design Guidelines (CDG) is a planning policy document that guides the design of Regional Roads. The CDG identifies design parameters for necessary features within road allowances such as vehicular lanes, cycling lanes, sidewalks and boulevards. According to the CDG, the middle section of Snyder’s Road (from Foundry Street to Brubacher Street) is classified as a “Neighbourhood Connector - Main Street”. Under this classification, this section of Snyder’s Road should be designed to include active transportation modes including walking and cycling. The other two
sections of Snyder’s Road (from Christian Street to Foundry Street and from Brubacher Street to Gingerich Road) are classified as a “Rural Village - Main Street” and the CDG states they should be designed to include a focus on moving vehicles, with provisions for cyclists and pedestrians to complete connections to other specific areas and routes.

As a fundamental part of these classifications therefore, Snyder’s Road needs to be designed to support active transportation modes including walking and cycling. The implementation of the features identified in the Active Transportation Master Plan and the Corridor Design Guidelines will enable all road users, including cyclists and pedestrians, an opportunity to travel without obstructions within this community and beyond.

8. **How will the Proposed Improvements Enhance the Pedestrian Environment on this Project?**

All old deteriorated sidewalk within the project limits will be removed and replaced with new concrete sidewalk to match the existing width. From Schneller Drive easterly, it is proposed that the rural cross-section be converted to an urbanized cross-section with new storm sewers and curbs replacing the ditches and culverts, along with the addition of sidewalk on the south side from Schneller Drive to the last residential driveway, west of Gingerich Road. In addition, a short section of new sidewalk will also be installed on the west side of Sandhills Road to connect internally to the existing subdivision sidewalk network. Raised tactile domes will also be provided at all intersection sidewalk ramps to assist visually impaired pedestrians.

9. **Who will be Responsible for Winter Maintenance of the New Sidewalks?**

There are areas of new sidewalk proposed to be constructed as part of this project on Snyder’s Road where no sidewalk exists today. As with all sidewalk installations in the Township of Wilmot, snow removal on all sidewalks is the responsibility of the abutting landowners as per Township of Wilmot By-Law 84-72.

10. **Will the Posted Speed be Changed?**

The posted speed limits will remain as they currently exist. The Project Team feels however that the introduction of the segregated cycling lanes east of Foundry Street, a pedestrian refuge island and new tree plantings will help promote slower speeds; research has shown that “vertical” elements (i.e. curbs, islands, trees) have a positive calming effect on driver behaviour.
11. **Is Any Private Property Required for this Project?**

The intent of the design process is to minimize the need to acquire property; however, in order to implement the proposed improvements the Region will need to acquire some property from several abutting property owners.

In areas where property is required, the property owner would be contacted directly by the Region of Waterloo’s Land Purchasing Officer. Compensation would be provided at fair market rates based on recent similar area sales. The plans presented at this Consultation Centre show the proposed property acquisition that will likely be required. Please refer to Appendix “C” for further information on the property acquisition process.

12. **Will any Heritage Resources be Impacted by this Project?**

A large number of designated and listed heritage resources, as well as many unrecognized pre-1900’s homes/buildings along Snyder’s Road were identified within the project limits at the onset of this project. The Project Team has developed the proposed improvements to avoid impacts to these structures.

The Regional Heritage Planning Advisory Committee will be providing heritage related comments as the project proceeds through public consultation, as well as preliminary and detailed design.

Finally, during detailed design and approaching construction, the Region will be working with a consultant to conduct a precondition assessment/survey of all homes/buildings, including those identified as heritage resources, that directly front Snyder’s Road to document existing conditions of the structures prior to the works taking place in 2018. These surveys are very important in identifying and documenting the existing conditions prior to construction to help resolve any claims in the unlikely event that there is accidental damage of any kind as a result of the construction.

13. **When will Construction Occur? Will there be Detours?**

Construction on Snyder’s Road is tentatively scheduled to commence in 2018. The Region’s Transportation Capital Program is reviewed annually and the timing of projects may change depending on several factors.

Pedestrian access will be maintained at all times. Where the sidewalk is close to deep excavations, the sidewalk will be separated from the work area by temporary fencing. Signage will be erected in order to direct pedestrians through the project area.
The Wilmot Fire Department, Waterloo Regional Police and Ambulance Services will all be advised of the traffic restrictions during the construction period.

As is customary during Regional Road reconstruction projects, motorists will be advised of the construction timing and traffic restrictions through advance signage and through information on the Region’s web site.

The overall length of the project is over 2.5km and construction will take a number of months to complete. The work would be undertaken in multiple stages to minimize the overall disruption to residents, businesses and their customers, and all other road users. At least one lane of traffic in one direction will be maintained at all times during the construction. Detours would be put in place as required via Gingerich Road, Foundry Street and Nafziger Road.

A detailed construction staging plan will be developed during the detailed design stage of this project and area property owners will be provided with details of the construction timing, staging and traffic management plans well in advance of construction.

14. How will Access to Properties be Maintained During Construction?

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

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

Property and business owners are asked to contact the Project Manager if they have any concerns in relation to access, signage or other issues during the project so it can be determined if reasonable changes or modifications can be made.

15. Can my Existing Water Service be Upgraded?

Replacement of the existing distribution watermain within Snyder’s Road is not
being proposed as part of this project and, as such, water service replacements are not planned. If property owners wish to increase the size of the water service to their property beyond the standard 19mm size (i.e. to achieve increased flow) they may choose at their own cost to have this work included during this project. Undertaking these improvements in conjunction with the proposed construction typically results in cost savings to the property owner as compared to undertaking the work independently at another time in the future. Subject to a mutual agreement between the Township of Wilmot and the property owner, existing water services may be upgraded from the mains under the road to the property line at the property owner’s expense.

If you do wish to discuss an increase in the size of your water service, please indicate so on your comment sheet. From this information, staff will contact you at a later date to discuss your plans and any further requirements.

Additionally, property owners may wish to consider replacing the water service on their private property (i.e. between the property line and their building) during the construction activities. Property owners can inquire to arrange this work directly with the Region’s Contractor on-site during construction but it cannot be guaranteed that the Contractor will be able to accommodate this additional work request.

16. **Can my Existing Sanitary Service be Upgraded?**

Replacement of the existing sanitary sewer within Snyder’s Road is not being proposed as part of this project and, as such, sanitary service replacements are not planned. If property owners wish to increase the size of the sanitary service to their property beyond the standard 100mm size (i.e. to achieve increased flow) they may choose at their own cost to have this work included during this project. Undertaking these improvements in conjunction with the proposed construction typically results in cost savings to the property owner as compared to undertaking the work independently at another time in the future. Subject to a mutual agreement between the Township of Wilmot and the property owner, existing sanitary services may be upgraded from the sanitary sewer main under the road to the property line at the property owner’s expense.

If you wish to discuss an increase in the size of your sanitary service, please indicate so on your comment sheet. From this information, staff will contact you at a later date to discuss your plans and any further requirements.

Additionally, property owners may wish to consider replacing the sanitary service on their private property (i.e. between the property line and their building) as part of this construction. Property owners can inquire to arrange this work directly with
the Region’s Contractor on-site during construction but it cannot be guaranteed that the Contractor will be able to accommodate this additional work request.

17. **What is the Estimated Cost of this Project? How will it be Funded?**

The Region of Waterloo is funding the roadworks portion of this project from its Roads Rehabilitation Reserve Fund. The budget for the proposed roadworks including road reconstruction, new sidewalk, on-road and segregated cycling facilities as well as driveway and boulevard restoration, is $5,755,000. The Township is funding the costs for replacement of deteriorated existing sidewalk replacement as well as a share of the storm sewer replacement at a total estimated cost of $120,000.

**Note:** The preceding sections 6-17 provide general project information that was previously included in the original PCC#1 Information Package.

18. **What are the Next Steps for this Project?**

Prior to finalizing the recommended design of this project for Regional Council’s approval, the Project Team is again asking for the public’s input on the improvements being considered. This second Public Consultation Centre (PCC) provides the public with an additional opportunity to ask questions, provide suggestions, and make comments. The Project Team will use the comments obtained from the two PCCs to refine the proposed design in conjunction with other technical data.

19. **When will a Final Decision be Made?**

The Project Team will review all of the public comments received for this project and use them as input for identifying a Recommended Design for Regional Council’s approval. In advance of Council’s approval meeting, letters will be sent to all adjacent property owners and tenants (as well as to all members of the public specifically registering at either of the PCCs) so that anyone wishing to speak to Councillors about this project can do so before final approval.

20. **How will I Receive Further Notification Regarding this Project?**

Adjacent property owners, tenants and members of the public registering at the PCCs will receive all forthcoming public correspondence, and will be notified in advance of all future meetings.
21. **How Can I Provide My Comments?**

In order to assist the Project Team in addressing any comments or concerns you might have regarding this project, we ask that you fill out the attached Comment Sheet and leave it in the comment box provided at the registration table. Alternatively you can mail, fax or e-mail your comments to the Project Team member listed below, no later than Friday, December 16, 2016.

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

Ken Brisbois, Project Manager  
Region of Waterloo  
150 Frederick Street, 6th Floor  
Kitchener, ON N2G 4J3  
Telephone: (519) 575-4606  
Fax: (519) 575-4430  
Email: bkenneth@regionofwaterloo.ca

Dan Schipper, Project Manager  
Walter Fedy  
675 Queen Street S., Suite 111  
Kitchener, ON N2M 1A1  
Telephone: (519) 576-2150  
Fax: (519) 576-5499  
Email:dschipper@walterfedy.com

22. **How Can I View Project Information Following This PCC #2?**

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

SNYDER'S ROAD RECONSTRUCTION
(CHRIStIAN STREET TO FOUNDRY STREET)
TYPICAL CROSS SECTION - MAINTAINING SOUTH CURB LINE

SNYDER'S ROAD RECONSTRUCTION
(FOUNDRY STREET TO GINGERICH)
TYPICAL CROSS SECTION - SEGREGATED BIKE LANES
OPTION 2
Appendix B-1
Cycling Options

Not Recommended for Snyder’s Road

TYPES OF CYCLING FACILITIES

MULTI-USE TRAILS
- Most comfortable facility for recreational cyclists
- Located within the boulevard of a roadway, generally parallel to the road
- Cyclists share with pedestrians and other modes of active transportation
- Minimum width of 3.0 m, preferred width is 4.6 m
- Minimum width of separation from back of curb of roadway is 6.6 m

DESIGN CONSIDERATIONS
- Suitable for back-lotted, suburban corridors with few driveways and side street intersections
- Cyclists approach from both directions, therefore there is a risk of cyclists going unnoticed by motorists turning in/out of driveways and side street intersections
- May be located on one or both sides of road
- Separation from motor vehicles provides level of comfort for non-cyclists and less confident cyclists
- Higher speed of cyclists may decrease comfort of pedestrians

PROJECT SPECIFICS
- Due to the high number of driveways, multi-use trails are not proposed for Snyder’s road improvements
- Region’s active transportation master plan identifies corridor as “constrained.” Right-of-way not wide enough to allow for construction of trail without removal of parking facilities
Appendix B-2
Cycling Options

Recommended for Snyder’s Road

TYPES OF CYCLING FACILITIES

ON-Road BIKE Lanes
Proposed from Christian Street to Foundry Street

- Designates a portion of the roadway to be used by cyclists
- Minimum width of 1.25 m, desirable width is 1.5 m
- Delineation from traveled lanes provided through usage of painted pavement markings and signage

DESIGN CONSIDERATIONS

- Typically implemented along urban roads with higher traffic volumes than local roadways (i.e., annual average daily traffic >2000 vehicles per day)
- Typically used with posted maximum speed >50 km/h but ≤70 km/h
- Typically provided on both sides of two-way streets
- Generally suited towards cyclists of all skill and confidence levels, though less confident cyclists may feel less comfortable due to possibility of motorists encroaching on cycling lane

PROJECT SPECIFICS - CHRISTIAN ST. TO FOUNDRY ST.

- Insufficient space for multi-use trails or segregated bike lanes
- 1.5 m on-road bike lanes proposed from Christian Street to Foundry Street to provide continuity with the existing on-road bike lanes west of Christian Street
- Annual average daily traffic between Christian and Foundry >1000 vehicles per day
- Posted maximum speed is 50 km/h
Appendix B-3  
Cycling Options

Recommended for Snyder’s Road

**TYPES OF CYCLING FACILITIES**

- **Segregated Bike Lanes**
  - More comfortable for recreational cyclists than on-road bike lanes.
  - Designates a portion of the roadway to be used by cyclists.
  - Minimum width of 1.5 m, width of 2.6 m would allow for passing within the lane.
  - Separation from traveled lanes provided through use of physical barriers such as curbs, bollards, or medians.
  - Varies based on available width of right-of-way, vehicular speed, volume, and type.
  - More desirable where moderate to high cycling facility use is anticipated, justifying increased costs of physical separation and maintenance.

**Design Considerations**
- Typically implemented along urban roads with higher traffic volumes than local roadways (i.e., annual average daily traffic > 2000 vehicles per day).
- Typically used with posted maximum speed > 40 km/h but ≤ 79 km/h.
- Typically provided on both sides of two-way streets.
- Suited towards cyclists of all skill and confidence levels.
- May encourage non-cyclists and casual cyclists to ride due to increased comfort with physical separation from vehicle lane.

**Project Specifics - Foundry St. to Gingerich Rd.**
- 1.5 m segregated bike lanes proposed from Foundry Street to Gingerich Road.
- Physical separation to be provided by way of mountable curb.
- Intersection at Foundry Street provides an ideal location to transition from on-road bike lanes (west of Foundry Street) to segregated bike lanes.
- Annual average daily traffic between Foundry and Gingerich > 4000 vehicles per day.
- Significantly higher volumes at Foundry Street intersection (≥ 9000 vehicles per day) and Gingerich Road (≥ 7500 vehicles per day).
-Posted maximum speed is 50 km/h from 50 m west of Bremnerman Drive to Sandhills Road and 60 km/h from Sandhills Road to Snyder’s Road.
-Vehicles often travel at speeds higher than posted, limit in this section.
- Segregated bike lanes with mountable curbs reduce paved surface width and can reduce vehicular speeds.
Comment Sheet

Regional Municipality of Waterloo

Snyder’s Road Improvements

Christian Street to Gingerich Road

Village of Baden, Township of Wilmot

Public Consultation Centre #2

Please complete and hand in this sheet so that your views can be considered for this project. If you cannot complete your comments today, please take this home and mail, fax or e-mail your comments by December 16, 2016 to:

Mr. Ken Brisbois, C. Tech
Project Manager
Region of Waterloo
150 Frederick Street, 6th Floor
Kitchener, ON N2G 4J3
Phone: (519) 575-4606
Fax: (519) 575-4430
Email: kbrisbois@regionofwaterloo.ca

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

☐ YES  ☐ NO

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

☐ YES  ☐ NO

Comments or concerns regarding this project:

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Information Package
Snyder’s Road Improvements
Christian Street to Gingerich Road

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Name: ________________________________________________________________
Address: ______________________________________________________________
Postal Code ___________________________________________________________
Phone: _________________________ Email: ________________________________

Collection Notice:

All comments and information received from individuals, stakeholder groups and agencies regarding this project are being collected to assist the Region of Waterloo in making a decision. Under the “Municipal Act”, personal information such as name, address, telephone number, and property location that may be included in a submission becomes part of the public record.
Region of Waterloo
Planning Development and Legislative Services
Legal Services

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

Date: November 22, 2016  File Code: L07-90

Subject: Authorization To Expropriate Lands (1st Report) For The Construction of a Roundabout at the Intersection of Fischer-Hallman Road (Regional Road 58) and Bleams Road (Regional Road 56), In The City Of Kitchener

Recommendation:

That The Regional Municipality of Waterloo direct and authorize the Regional Solicitor to take the following actions with respect to the expropriation of lands for the construction of a new roundabout at the intersection of Fischer-Hallman Road (Regional Road 58) and Bleams Road (Regional Road 56), in the City of Kitchener, in the Region of Waterloo as detailed in report PDL-LEG-16-75 dated November 22, 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 construction of a new roundabout at the intersection of Fischer-Hallman Road (Regional Road 58) and Bleams Road (Regional Road 56) and described as follows:

Fee Simple Partial Taking:

1. Part of Lot 2, Registrar’s Compiled Plan 1469, being Part 1 on Plan 58R-19075, Part of PIN 22728-0963 (LT) (1255 Fischer-Hallman Road, Kitchener);

2. Part of Lot 4, Registrar’s Compiled Plan 1469, being Part 3 on Plan 58R-19075, Part of PIN 22728-0037 (LT) (1375 Bleams Road, Kitchener);

3. Part of Lot 2, Registrar’s Compiled Plan 1483, being Part 7 and 14 on Plan 58R-19075, Part of PIN 22724-0006 (LT) (1198 Fischer-Hallman Road, Kitchener);
4. Part of Lot 2, Registrar’s Compiled Plan 1483, being Parts 8 and 9 on Plan 58R-19075, Part of PIN 22724-0006 (LT) (1198 Fischer-Hallman Road, Kitchener);

5. Part of Lot 1, Registrar’s Compiled Plan 1483, being Part 11 on Plan 58R-19075, Part of PIN 22724-0007(LT) (Corner of Bleams Road and Fischer-Hallman Road, 1198 Fischer-Hallman Road, Kitchener);

6. Part of Lot 3, Registrar’s Compiled Plan 1483, being Part 15 on Plan 58R-19075, Part of PIN 22724-0008(LT) (Part of vacant land, Bleam’s Road, Kitchener);

7. Part of Lot 1, Registrar’s Compiled Plan 1471, being Part 17 on Plan 58R-19075, Part of PIN 22607-0011(LT) (1250 Fischer-Hallman Road, Kitchener);

8. Part of Lot 2, Registrar’s Compiled Plan 1471, being Part 27 on Plan 58R-19075, Part of PIN 22607-0012(LT) (1270 Fischer-Hallman Road, Kitchener)

Temporary Easement:

1. Part of Lot 2, Registrar’s Compiled Plan 1469, being Part 2 on Plan 58R-19075, Part of PIN 22728-0963 (LT) (1255 Fischer-Hallman Road, Kitchener)

2. Part of Lot 4, Registrar’s Compiled Plan 1469, being Part 4 on Plan 58R-19075, Part of PIN 22728-0037 (LT) (1375 Bleams Road, Kitchener);

3. Part of Lot 2, Registrar’s Compiled Plan 1483, being Parts 10 and 13 on Plan 58R-19075, Part of PIN 22724-0006 (LT) (1198 Fischer-Hallman Road, Kitchener);

4. Part of Lot 1, Registrar’s Compiled Plan 1483, being Part 12 on Plan 58R-19075, Part of PIN 22724-0007(LT) (Corner of Bleams Road and Fischer-Hallman Road, 1198 Fischer-Hallman Road, Kitchener);

5. Part of Lot 3, Registrar’s Compiled Plan 1483, being Part 16 on Plan 58R-19075, Part of PIN 22724-0008(LT) (Part of vacant land, Bleam’s Road, Kitchener)

6. Part of Lot 1, Registrar’s Compiled Plan 1471, being Parts 18, 19, 20, 21, 22, 23, 24 and 25 on Plan 58R-19075, Part of PIN 22607-0011(LT) (1250 Fischer-Hallman Road, Kitchener);

7. Part of Lot 2, Registrar’s Compiled Plan 1471, being Part 26 on Plan 58R-19075, Part of PIN 22607-0012(LT) (1270 Fischer-Hallman Road, Kitchener)
Permanent Easement:

1. Part of Block 45, Registered Plan 58M-408, being Parts 5 and 6 on Plan 58R-19075, Part of PIN 22727-4894(LT) (1201 Fischer-Hallman Road, Kitchener);

2. Part of Lot 1, Registrar’s Compiled Plan 1471, being Parts 19, 20, 22, 23 and 25 on Plan 58R-19075, Part of PIN 22607-0011(LT) (1250 Fischer-Hallman Road, Kitchener)

2. Serve notices of the above application(s) required by the Expropriations Act;

3. Forward to the Chief Inquiry Officer any requests for a hearing that may be received;

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; and

6. Do all things necessary and proper to be done, and report thereon to Regional Council in due course.

Summary:

NIL

Report:

Regional Council approved the construction of a new roundabout at the intersection of Fischer-Hallman Road (Regional Road 58) and Bleams Road (Regional Road 56), in the City of Kitchener (the “Project”) in December 2012. The Environmental Assessment (EA) was approved by the Ministry of the Environment in February 2013. The Project EA investigated the need to address roadway and traffic operational improvements for Fischer-Hallman Road from Ottawa Street to Bleams Road and approved intersection improvements at the six intersections within the corridor including: Ottawa Street and Fischer-Hallman Road; Activa Avenue and Fischer-Hallman Road; Cotton Grass Street and Fischer-Hallman Road; Westmount Road/Max Becker Drive and Fischer-Hallman Road; Rockwood Road and Fischer-Hallman Road; and Bleams Road and Fischer-Hallman Road. The Fischer-Hallman Road widening improvements and other intersection improvements from Ottawa Street to Rockwood Road were completed in 2016. A roundabout was approved for the intersection of Bleams Road and Fischer-Hallman Road.
The detailed design of the Project is presently underway with construction planned for 2019.

It has become necessary to initiate the expropriation process for the interests required in order to meet the Project timeline for utility relocations, an Archaeological Study, demolition of a barn and garage, which must all take place prior to overall Project construction in the spring of 2019. Negotiations are underway with those property owners whose properties will be affected by these early works and activities.

Real Estate Staff have made efforts to contact the owners and representatives for all the properties affected by the Project to discuss the Region’s property requirements and advise of the necessity of advancing the initiation of the expropriations. All owners have been contacted via written correspondence and, in most cases, verbally and by way of in-person meetings. Communications included the assurance that, notwithstanding the commencement of the expropriation process, Regional staff and Regional representatives will make every effort to complete negotiated agreements of purchase and sale before the spring of 2019, and thereafter continue to negotiate amicable settlement agreements for all interests acquired through expropriation. Written correspondence to the owners and their representatives included information sheets on the Region’s property acquisition process and the expropriation process.

Corporate Strategic Plan:

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

Financial Implications:

The Region’s approved 2016 Transportation Capital Program includes a budget of $2,465,000 in 2016, $5,360,000 in 2017-2018 for RR#56 Bleams Road at Fischer Hallman Road (project 07145) 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” - Project Area
Appendix “B”- Corporate Profiles
Appendix “C”- Expropriation Information Sheet
Appendix “A”

Legend

- Fee Simple
- Temporary Easements
- Permanent Easements
- Permanent & Temporary Easements

Fisher-Hallman Rd and Bleams Rd

Produced by:
Information and Technology Services - GIS
120 Frederick Street
Waterloo, Ontario N2J 4J3
© Regional Municipality of Waterloo, 2016
Author: Elizabeth Sablon
Appendix “B”

Vacant Land - Bleams Road, Kitchener
Owner: Deerfield Homes Ltd.
Annual Return: October 16, 2016
Directors/Officers: Peter Armbruster; Chris Drakos; Domenico-Antonio Giovinazzo; Laurie Klassen
Ontario Business Corporation

Corner of Bleams Road and Fischer-Hallman Road, 1198 Fischer-Hallman Road, Kitchener
Owner: 1943615 Ontario Limited.
Annual Return: January 18, 2016
Directors/Officers: Bernard Nimer
Ontario Business Corporation

1255 Fischer-Hallman Road, Kitchener
Owner: Big Spring Farms Limited
Annual Return: Not Available
Directors/Officers: William Edward Henhoeffer; John Gary Henhoeffer; Robert Joseph Henhoeffer
Ontario Business Corporation

1201 Fischer-Hallman Road, Kitchener
Owner: Williamsburg (Gas Station) Inc.
Annual Return: April, 30, 2016
Directors/Officers: Robbie R. Schlegel; James M. Schlegel
Ontario Business Corporation

1250 Fischer-Hallman Road, Kitchener
Owner: Wam Fischer Hallman GP Inc.
Initial Ontario Return: May 18, 2016
Directors/Officers: Laurie Anderson, Darren Durstling
Alberta Business Corporation (Extra Provincial)
The following information is provided as a general overview of the expropriation process and is not legal advice. For complete information, reference should be made to the Ontario Expropriations Act as well as the more detailed information in the Notices provided under that Act.

**Expropriation Information Sheet**

**What is Expropriation?**

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

Usually the governmental authority is able to buy the land required for a project through a negotiated process with the affected property owners. Sometimes, however, the expropriation process must be used in order to ensure that the land is obtained within a specific timeline. Put simply, an expropriation is the transfer of lands or an easement to a governmental authority for reasonable compensation, including payment of fair market value for the transferred lands, without the consent of the property owner being required. In the case of expropriations by municipalities such as the Region of Waterloo, the process set out in the Ontario *Expropriations Act* must be followed to ensure that the rights of the property owners provided under that Act are protected.

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

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

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

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

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

If Council approves the expropriation then, within 3 months of this approval, the Region of Waterloo must register a Plan at the Land Registry Office that describes the expropriated lands. The registration of this Plan automatically transfers title of the lands to the Region of Waterloo, instead of by a Deed signed by the property owner.

Within 30 days of registration of the Plan, the Region of Waterloo must serve a Notice of Expropriation on the affected property owner advising of the expropriation. Within 30 days of this Notice, the property owner may serve the Region of Waterloo with a Notice of Election selecting the valuation date under the *Expropriations Act* for calculation of the compensation.
• In order to obtain possession of the expropriated lands, the Region of Waterloo must also serve a Notice of Possession setting out the date that possession of the land is required by the Region of Waterloo. This date has to be 3 months or more from the date that this Notice of Possession is served on the affected property owner.

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

Date: November 22, 2016  File Code: L07-90

Subject: Authorization to Expropriate Lands (1st Report) for Improvements to King Street (Regional Road 15) and Weber Street (Regional Road 8), City of Waterloo

Recommendation:

That The Regional Municipality of Waterloo direct and authorize the Regional Solicitor to take the following actions with respect to the expropriation of lands for the improvements on King Street (Regional Road 15) from Weber Street to Highway 85, and on Weber Street (Regional Road 8) from Forwell Creek Road to Blythwood Road, in the City of Waterloo, in the Region of Waterloo as detailed in report PDL-LEG-16-78 dated November 22, 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 improvements to King Street (Regional Road 15) from Weber Street to Highway 85, and on Weber Street (Regional Road 8) from Forwell Creek Road to Blythwood Road and described as follows:

Fee Simple Partial Taking:

a) Part Lot 7, German Company Tract, being Parts 1, 3 and 4, on Reference Plan 58R-18949, part of PIN 22280-0048 (LT)(417 King Street North, City of Waterloo);

b) Part Lot 7, German Company Tract, being Part 6, on Reference Plan 58R-18949, part of PIN 22280-0286 (LT)(421-425 King Street North, City of Waterloo);

c) Part Lot 7, German Company Tract, being Part 11, on Reference Plan 58R-
18949, part of PIN 22280-0302 (LT)(435 King Street North, City of Waterloo);

2. Serve notices of the above application(s) required by the Expropriations Act;

3. Forward to the Chief Inquiry Officer any requests for a hearing that may be received;

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 determined by the Commissioner of Transportation and Environmental Services that such lands, or any part or interest thereof, are not required for the subject project; and

6. Do all things necessary and proper to be done, and report thereon to Regional Council in due course.

Summary: NIL

Report:

Regional Council approved roadway improvements to King Street (Weber Street to Highway 85) and Weber Street (Forwell Creek Road to Blythwood Road) on February 5, 2014 as detailed in Report E-14-010. The project improvements include replacement of underground infrastructure, new cycling lanes on Weber Street, new multi-use trails on King Street, as well as a number of turning lane improvements at the intersections within the project limits. Construction is currently planned for 2018.

On September 13, 2016, Council approved the Application to Expropriate land acquisitions from seven (7) properties as outlined in Report PDL-LEG-16-56. The acquisitions included fee simple partial takings from five (5) of those seven properties and permanent easements from five (5) of those seven properties, for roadway improvements including replacement of underground infrastructure, new cycling lanes on Weber Street, new multi-use trails on King Street, as well as a number of turning lane improvements at the intersections within the project limits. Since that time, Region Staff have identified the need for additional fee simple partial takings from the lands known as 417 King Street North, 421-425 King Street North, and 435 King Street North, all in the City of Waterloo, as described in the Recommendations of Report PDL-LEG-16-78. These additional fee simple partial takings are required for new cycling lanes on Weber Street, new multi-use trails on King Street, as well as a new Grand River Transit (iXpress) stop located on King Street at the Weber Street intersection.
All of the affected property owners, or their representatives, have been contacted by Legal Services Real Estate staff by one or more of the following means: in-person meeting, telephone, written correspondence and/or e-mail, to discuss the required acquisitions and have been informed of the Region’s intention to commence the expropriation process, including this Report going forward, to ensure project time lines are met. All property owners have been provided with the Region’s Expropriation Information Sheet explaining the expropriation process. A copy of the Expropriation Information Sheet is attached as Appendix “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 keep the project timeline in place. Should a negotiated settlement be reached with property owners and a conveyance of the required acquisition be completed before the Expropriation process is complete, that property will be dropped from the Expropriation process by the Regional Solicitor.

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

The subject lands are shown on the sketch attached as Appendix “A”.

**Corporate Strategic Plan:**

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

**Financial Implications:**

The Region’s approved 2016 Transportation Capital Program includes a budget of $315,000 in 2016 for improvements RR15 King Street, Weber Street to Highway 85 South Bound Ramp (project 05633) funded from the Roads Rehabilitation Reserve Fund. Additionally, there is a budget of $100,000 in 2016 and $2,865,000 in 2017-2018 for project RR8 Weber Street, King Street to Milford Avenue (Project 05489) that is funded from the Roads Rehabilitation Reserve Fund (70.8%, $2,100,000) and the Regional Development Charges Reserve Fund (29.2%, $865,000). Sufficient funding for the acquisitions outlined within this report is available in the project budget.

**Other Department Consultations/Concurrence:**

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

Appendix “A” – Key Map

Appendix “B” – Corporate Profiles

Appendix “C” – Copy of Expropriation Information Sheet

Prepared By:  Arlene Metz, Solicitor, Property

Approved By:  Debra Arnold, Regional Solicitor & Director, Legal Services
Appendix “B”

1. 417 King Street North, Waterloo
   Owner: Golden Triangle Oils Limited
   Annual Return: April 4, 2014
   Directors/Officers: Stephen J. McCrory, Brian McCrory
   Hydro Easement

2. 421-425 King Street North, Waterloo
   Owner: 2048499 Ontario Incorporated
   Annual Return: July 18, 2014
   Directors/Officers: Richard S. Boyer, John R. Whitney, Larry Williamson
   Fee Simple Partial Taking and Hydro Easement

3. 435 King Street North, Waterloo
   Owner: 2439675 Ontario Inc.
   Annual Return: December 1, 2014
   Directors/Officers: Lianting Chen,
   Fee Simple Partial Taking
Appendix “C”

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?**

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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.

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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.

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- 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.
Welcome to the Region of Waterloo's Cambridge East IUS Water Supply Class EA Public Consultation Centre #2 December 5, 2016

This is an opportunity for you to provide comments and input
Project Purpose

Water for the Future (2031)

Identify how we can supply enough water from Cambridge East in the future while protecting environmental features and other water users.

Making use of existing capacity at the Cambridge East water treatment plants is part of the Region’s Water Supply Master Plan.

How much water do we need in 2031?

- Recent average use (187 L/s)
- 2031 average demand (225 L/s)
- 2031 demand including short term outage contingency (285 L/s)
Cambridge East Water Supply

Where is the Water Supplied From?

Cambridge East has three well fields and water treatment plants:

- Pinebush
- Clemens Mill
- Shades Mills

Cambridge East is part of a larger Cambridge water supply system

- In the case of short term outages, water can be supplied from different well fields
Project Timeline

- Drilling/Testing at New Well Sites
- May 2009: Presented findings at Public Consultation Centre #1
- Continued Decline in Water Demand Observed
- Project Paused to Complete:
  - Water Supply Master Plan
  - Tier 3 Water Budget
  - Additional Testing at Existing Well Sites
- Groundwater Modelling Assessment

2005 2010 2015

This Meeting

Goals:
- Help you understand the project and next steps
- Answer your questions
- Receive your input
# Alternative Solutions

<table>
<thead>
<tr>
<th>Alternative Solution</th>
<th>Approach</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Do nothing</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Adapt and modify wells at existing sites to meet 2031 demand</td>
<td>To avoid potential impacts in new areas, this solution is preferred wherever possible</td>
</tr>
<tr>
<td>3</td>
<td>Use wells at new sites in addition to adapting and modifying wells at existing sites to meet 2031 demand</td>
<td>This solution will only be considered if solution 2 is not sufficient to meet demand</td>
</tr>
<tr>
<td>4</td>
<td>Use wells at new sites in addition to adapting and modifying wells to produce water above and beyond the 2031 demand</td>
<td>This solution is no longer considered necessary due to decline in water demand</td>
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Alternative Solutions: Pinebush

<table>
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<tr>
<th>Alternative Solutions</th>
<th>Meets Demand?</th>
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<tr>
<td>PB-1 Use existing wells only in current condition: ▪ P10, P11, P17</td>
<td>✗</td>
</tr>
<tr>
<td>PB-2 Use existing wells as in Alternative 1 AND Adapt and modify wells at existing sites: ▪ P10A, P10B, TW1-10</td>
<td>✓</td>
</tr>
<tr>
<td>PB-3A Use existing wells as in Alternative 1 AND Adapt and modify wells as in Alternative 2 AND Use well at new site: ▪ Witmer Park</td>
<td>✓ Provides more water than is needed in 2031</td>
</tr>
<tr>
<td>PB-3B Use existing wells as in Alternative 1 AND Adapt and modify wells as in Alternative 2 AND Use well at new site: ▪ Can-Amera</td>
<td>✓ Provides more water than is needed in 2031</td>
</tr>
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</table>
## Alternative Solutions: Clemens Mill

<table>
<thead>
<tr>
<th>Alternative Solution</th>
<th>Meets Demand?</th>
</tr>
</thead>
</table>
| CM-1 Use existing wells in current condition only:  
  - G16, G17, G18 | ✗ |
| CM-2 Use existing wells as in Alternative 1  
  AND  
  Adapt and modify wells at existing sites:  
  - Deepened G17 | ✗ |
| CM-3A Use existing wells as in Alternative 1  
  AND  
  Adapt and modify wells as in Alternative 2  
  AND  
  Use well at new site:  
  - Cedarbrook | ✔ |
| CM-3B Use existing wells as in Alternative 1  
  AND  
  Adapt and modify wells as in Alternative 2  
  AND  
  Use well at new site:  
  - Portuguese Club | ✔ |
# Alternative Solutions: Shades Mills

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<th>Alternative Solution</th>
<th>Meets Demand?</th>
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<tr>
<td>SM-1: Use existing wells only in current condition: G7, G8, G38, G39, G40</td>
<td>No increase in supply is available at existing sites</td>
</tr>
<tr>
<td>SM-2: Use existing wells as in Alternative 1 AND Adapt and modify wells at existing sites</td>
<td></td>
</tr>
<tr>
<td>SM-3: Use existing wells as in Alternative 1 AND Adapt and modify wells as in Alternative 2 AND Use well at new site: Clyde Park</td>
<td>As demand is more easily met at Pinebush and Clemens Mill, this alternative is not carried forward.</td>
</tr>
</tbody>
</table>

![Map of Shades Mill Treatment Plant and Clyde Park](image)
Model Potential Options That Meet 2031 Demand

Several alternatives to meet long term demand in 2031 and short term demand (up to 2 years) in case of shut downs in other parts of the Cambridge water supply system.

Three overall solutions:
- Focus the increased pumping at Pinebush
- Focus the increase in pumping at Clemens Mill
- A combination of the above
Pumping Increase from Deep Aquifer

- Pumping increase is from deep bedrock aquifer with limited connection to shallow sand and gravel aquifer
- Pumping effects were not observed at any surface water features during testing
- Modelling was completed to predict the extent of impact from the various increased pumping scenarios
Model Predictions

Modelling shows the predicted area of pumping influence in the shallow sand and gravel aquifer

This primarily includes the urbanized areas of Cambridge

Also includes sensitive features:

- Portuguese Bog
- Puslinch Lake
- Irish Creek and Irish Creek Wetland Complex

Model predictions show some potential for minor declines in shallow water levels and flows in Irish Creek Subwatershed over the long term
Long Term Monitoring

What we found

- Testing did not show any impacts to surface water features.
- Model predicts some potential effects to surface water levels/flows in the Irish Creek subwatershed over the long term.

What we are planning

- Long term monitoring is needed to confirm whether impacts will actually occur as pumping increases.
- Monitoring will be continued while the Region pumps to meet gradually increasing demand.
- Pumping rates will be adjusted and optimized based on results of comprehensive monitoring.
Increased pumping has little effect on the Region's Source Protection Plan

The Source Protection Plan (SPP) protects municipal wells from specific activities on public and private properties that could pose a threat to our drinking water.

DRAFT Areas where:
- Chemical handling including fuel, certain industrial chemicals and waste will require spill containment and response.
- Salting of parking lots will be required in accordance with right time/right place/right amount principles.

DRAFT Areas where:
- Handling of certain industrial chemicals and wastes will require spill containment and response.
Project Timeline

This Meeting
Public Consultation Centre #2

Gather Public Input on Potential Supply Solutions

Fully Assess Solutions: based on environmental impacts, cost, engineering implications, and public input

Select Preferred Solution

April 2017
Present Preferred Solution at Public Consultation Center #3

May/June 2017
Final Report
File with province for 30 day public consultation period

2017

Preliminary Design

Permitting of New Wells

Detailed Design

Construction
Water mains, well houses, plant modifications, etc.

Begin supplying additional water from Cambridge East to the distribution system

2018

2026

Region of Waterloo Water Services | www.regionofwaterloo.ca/water
Your Input is Needed

Do you have any comments on:

- The plan to focus increased pumping at existing sites prior to moving to new sites?
- Increasing pumping at Pinebush vs. Clemens Mill (or a combination of both)?
- Using a new well at Cedarbrook vs. Portuguese (or both)?

- Do you have any concerns with any of the information presented tonight?
- Are there any specific features you feel should be monitored in the future?
- Please submit any other comments or questions you feel we should consider in selection of the preferred solution.
- Place your completed participant worksheets in the Comment Box tonight or send it via mail by DATE to either of the following:

  Ms. Amy Domaratzki  
  Regional Municipality of Waterloo  
  Tel: (519) 575-4829  
  Email: adomaratzki@region.waterloo.on.ca

  Mr. John Piersol  
  Golder Associates  
  Tel: (905) 567-4444  
  Email: jpiersol@golder.com

- All comments submitted will become part of the project file

Want to know more?

- Ask to be added to the project mailing list for general EA updates.
- Ask to be informed when formal public consultation for the Source Protection Plan update is scheduled.
- For more detailed information refer to: http://www.regionofwaterloo.ca/en/aboutTheEnvironment/MasterPlansandProjects.asp
William Street and Strange Street Water Supply Systems

Class Environmental Assessment
Public Consultation Centre No. 4

November 22, 2016 – 5:00 p.m. to 7:00 p.m.
Region of Waterloo
Public Health and Social Services Building
99 Regina Street South, 5th Floor, Room 508, Waterloo
Welcome to Public Consultation Centre No. 4

The Region is planning to combine the Strange Street and William Street water supply systems (WSS).

The Region’s Project Team would like to:

• Provide information on the project
• Address comments raised by the community
• Answer your questions
• Outline next steps

The comment period on the Environmental Study Report has been extended to November 30, 2016.
Purpose of this Class EA Study

As identified in the previous Water Supply and Distribution Master Plan:

• Further detail the recommended alternative to combine water from the William Street Water Supply System (WSS) with the Strange Street WSS

• Complete Phases 1 to 4 of the Municipal Class EA Process

• Provide opportunities for public input and comment
The Vision

The concept was identified through a master planning process.

William Street WSS - 25 Strange Street, Kitchener
Strange Street WSS - 17-23 William Street East, Waterloo

This concept would:

• Improve water quality and distribution flexibility
• Streamline operations
• Reduce costs by having one water treatment plant
• Allow for uninterrupted water supply during maintenance or in an emergency
Planning Process ...
We Are Here in the Class EA Process

Phase 1
Identify Problem and/or Opportunity

Phase 2
Develop and Evaluate Solutions and Identify Preferred Solution

Phase 3
Develop and Evaluate Design Concepts for Preferred Solution and Identify Preferred Design

Phase 4
Environmental Study Report (ESR)
30 Day Public Review

Phase 5
Implementation (Design and Construction)

We Are Here

PCC # 1
September 2014

PCC # 2
October 2015

PCC # 3
May 2016

PCC # 4
November 2016
The Story so Far: Public Consultation

- Public Consultation Centres – September 2014, October 2015 and May 2016
- Notice of Completion for Class EA and Environmental Study Report available for 30-day public review – September 15, 2016
- PCC No. 4 is to respond to community feedback
- ESR review period extended to November 30, 2016
The Story so Far: Steps to Develop and Evaluate Solutions

Step 1: Location of the Water Treatment Plant:
- William Street Pump Station
- Strange Street Pump Station
- Third site

Step 2: Water Main Route to Connect the Two Water Supply Systems:
- Belmont Avenue
- Iron Horse Trail
- Allen Street
- John Street
The Story so Far: Considerations
The Strange Street site is ranked the highest because:

• There is flexibility to supply water to both Kitchener and Waterloo

• It meets water quality objectives

• The land is owned by the Region; sufficient space for construction

• Has lower construction costs
A new WTP will be integrated into the existing pump station. It is ranked the highest because:

- Key heritage features preserved
- Maintains purpose of existing pump station
- Maximizes use of available land
- Small building footprint results in lower cost
- Lowest capital cost of all alternatives considered
What Will the WTP Site Look Like?

These drawings were prepared to present a three-dimensional outline of the conceptual building layout. Building materials and other specific architectural elements for the new facility will be developed during the detailed design stage of the project. As a result, the finished building may not appear exactly as shown here.
What Will the WTP Site Look Like?

View from Strange Street, facing southwest

These drawings were prepared to present a three-dimensional outline of the conceptual building layout. Building materials and other specific architectural elements for the new facility will be developed during the detailed design stage of the project. As a result, the finished building may not appear exactly as shown here.
The Story So Far: Step 2 - Watermain Route for Connecting the Sites

The watermain route along the Iron Horse Trail and John Street is ranked the highest because:

- It is the least disruptive route (for example, to Belmont Village businesses, Mutual Drive parking users)
- Can be constructed mostly within the roadway
- There is a potential opportunity to coordinate with upcoming Iron Horse Trail construction
- It is the most direct route
- There are fewer utility crossings

A watermain route down King Street was not considered since GrandLinq advised that a watermain not run parallel to the LRT route.
What Happens in the Next Step During Detailed Design?

• Confirmation of the construction area and construction methods
• A Public Information Centre will be held for residents before construction begins
• Geotechnical investigations will provide information on soils and soil stability
What Happens in the Next Step During Detailed Design?

• Arborist will provide specific tree protection measures
• Focus on ways to minimize impacts on trees and older homes along the watermain route
• City of Waterloo Manager of Forestry and Environmental Services will be part of the design reviews
What Will Happen to Surrounding Property During Construction?

- Arborist will be retained to oversee protection of trees
- Fencing will be installed to protect tree trunks, where appropriate; water will be provided to trees
- If a tree needs to be removed, two trees will be planted for each tree removed
What Will Happen to Surrounding Property During Construction?

- New boulevard landscaping will be installed, where needed
- Disturbed grass areas will be repaired to before or better condition
- Standard mitigation measures, including vibration monitoring, will be used to minimize any risk of damage to older homes
What About Access During Construction?

• Property access will be maintained, to the extent possible, by phasing construction
• 48 hour advance warning will be provided for disruption to driveways
• Driveways will be re-graded, as necessary, to re-blend with roadway
• Alternative parking (e.g., on adjacent side streets) will be made available, if required
What is the Construction Timing?

• The overall construction is expected to start in 2018
• Entire watermain construction to take about 4 to 6 months but will be phased – e.g., John St. construction expected to take 1 to 2 months
• The schedule may be adjusted to account for weather and other factors
• The overall construction for the water treatment plant is estimated to be two years
What Would a Typical Watermain Installation Look Like?

Construction methods for the watermain could include Open Cut (as shown above) or Trenchless Installation (e.g., at LRT crossing). Final construction methods will be determined during the detailed design of the project, as is typically done for these types of projects.
What Happens Next?

Fall 2016
Public review period for Environmental Study Report extended to November 30, 2016

2017
Preliminary and detailed design for the project

2018 / 2019
Construction of the project
Ways to Get Involved:

- Complete the Comment Sheet Provided Today
- Contact the Region and/or Consultant on the Handout
- Review the Environmental Study Report Before November 30, 2016

Thank you for your participation!
We'd Like to Hear From You

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

Contact information:

Kaoru Yajima
Senior Project Engineer
Region of Waterloo
Water Services
150 Frederick St, 7th Floor
Kitchener ON N2G 4J3
519-575-4757 ext 3349
kyajima@regionofwaterloo.ca
Region of Waterloo
Planning, Development and Legislative Services
Community Planning

To: Chair Tom Galloway and Members of the Planning and Works Committee
Date: November 22, 2016 File Code: D18-01

Recommendation:


Summary:

In accordance with the Regional By-law 01-028, as amended, and By-law 16-031 the Acting Commissioner of Planning, Development and Legislative Services has:

- Accepted the following draft plan of condominium applications; and
- Released for registration the following draft plans of condominium.

Report:

City of Cambridge

Plan of Condominium Application 30CDM-16103

Date Accepted: Granite Homes Cambridge Inc.
Location: 625 Black Bridge Road
Proposal: To permit the development of 34 residential townhouse condominium units.
Processing Fee: Paid September 15, 2016
Plan of Condominium Application 30CDM-16104

Date Accepted: October 13, 2016
Applicant: 205 Eagle Group Inc.
Location: 205 Eagle Street North
Proposal: To permit the development of 66 residential condominium apartment units.
Processing Fee: Paid October 7, 2016

City of Kitchener

Registration of Draft Plan of Condominium 30CDM-13204

Draft Approval Date: July 30, 2016
Phase: Stage 8
Applicant: Deerfield Homes Ltd.
Location: 1650, 1670, 1680, 1690 and 1720 Fischer-Hallman Road at Huron Road
Proposal: To permit the development of 8 residential condominium townhouse units.
Processing Fee: Paid September 28, 2016
Commissioner’s Release: October 4, 2016

Registration of Draft Plan of Condominium 30CDM-15211

Draft Approval Date: May 25, 2016
Phase: Stage 1
Applicant: Deerfield Homes Ltd.
Location: 1989-2009 Ottawa Street South
Proposal: To permit the development of 16 residential condominium townhouse units.
Processing Fee: Paid January 6, 2016
Commissioner’s Release: October 26, 2016
Registration of Draft Plan of Condominium 30CDM-11212

Draft Approval Date: March 23, 2012

Phase: Entire Plan

Applicant: KDSM Holdings Inc.

Location: 1200 Courtland Avenue East

Proposal: To permit the development of 48 residential condominium apartment units.

Processing Fee: Paid October 5, 2016

Commissioner’s Release: October 31, 2016

City of Waterloo

Plan of Condominium Application 30CDM-16414

Date Accepted: October 28, 2016

Applicant: First On Campus Inc.

Location: 321 Spruce Street

Proposal: To permit the development of 68 residential condominium apartment units.

Processing Fee: Paid October 12, 2016

Township of Wilmot

Registration of Draft Plan of Condominium 30CDM-01601

Draft Approval Date: April 17, 2002

Phase: Phase 8

Applicant: Stonecroft Corporation

Location: Haysville Road, New Hamburg

Proposal: To permit the development of 25 single detached condominium units.

Processing Fee: Paid September 22, 2016

Commissioner’s Release: October 18, 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 Acting Commissioner in accordance with the Delegation By-law adopted by Council. Strategic objective: Improve environmental sustainability and livability in intensifying urban and rural settlement areas.

Financial Implications:

Nil.

Other Department Consultations/Concurrence:

Nil.

Prepared By: Andrea Banks, Program Assistant

Approved By: Debra Arnold, Regional Solicitor & Director, Legal Services
Region of Waterloo

Transportation and Environmental Services

Design and Construction

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

Date: November 22, 2016

File Code: 6134

Subject: Weber Street Reconstruction, Queen Street To Borden Avenue, City Of Kitchener – Approval Of Project

Recommendation:

That the Regional Municipality of Waterloo approve the Recommended Design Concept for proposed improvements on Weber Street (Regional Road 8) from Queen Street (Regional Road 53) to Borden Avenue as outlined in TES-DCS-16-20.

Summary:

The Region of Waterloo is currently considering improvements on Weber Street from Queen Street to Borden Avenue in the City of Kitchener. (Please refer to Appendix ‘A’ for a Key Plan.) This section of Weber Street is 1.5 kilometres in length and provides an integral connection into and out of the City of Kitchener’s downtown core. Weber Street requires improvements to replace the existing deteriorated asphalt surface pavement, the concrete curbs and gutters and sidewalks on both sides of the road and to replace key underground infrastructure (sanitary sewers, storm sewers and watermains). Because of the length of this reconstruction project, construction is scheduled to occur over 2 construction seasons in the years 2018 and 2019.

A Project Team was established to direct this project and includes staff from the Region of Waterloo and the City of Kitchener, as well as former City of Kitchener Ward 10 Councillor Dan Glenn-Graham and current Ward 10 Councillor Sarah Marsh (since December 2014).

A Public Consultation Centre (PCC) was held on June 25th, 2014 to present the Project Team’s proposed improvements on Weber Street. Comments received from the public generally supported the need for the proposed improvements. Some concerns raised...
by the public included: the lack of a pedestrian crossing area in the 700 metre section from Cameron Street to Borden Avenue; the removal of existing trees in the boulevards; speed and safety concerns along the “S” curve east of Stirling Avenue; and concern that the improvements do not include cycling lanes. The Project Team’s responses to the public comments received are provided in Section 2.2 of this report.

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 is recommending that Regional Council approve the Recommended Design Concept for the improvements to Weber Street described as follows:

- Complete replacement of the pavement structure including new concrete curbs on each side of Weber Street;
- Replacement of the storm sewers as well as the City’s watermain and sanitary sewers within the project limits including water and sanitary sewer service connections;
- Replacement of existing sidewalks within the project limits;
- Replacement of transit landing pads and installation of new concrete pads for future Grand River Transit shelters;
- Installation of a new signalized crossing for pedestrians at Fairview Avenue;
- Installation of grassed boulevards between curb and sidewalk, with street trees (where possible) from Cameron Street to Borden Avenue;
- Installation of narrow, coloured concrete boulevards between curb and sidewalk from Queen Street to Cameron Street; and
- Implementation of the following improvements at the “S” curves east of Stirling Avenue to enhance safety for motorists and pedestrians:
  - Corrections to the pavement cross-slope;
  - Replacement of guide rails on the north (school) side;
  - New guide rails on the south (cemetery) side;
  - Preserving current 30km/h recommended speed; and
  - Preserving yellow flashing warning lights in both directions.

Please refer to Appendix ‘B’ for a typical cross-section of the Project Team’s Recommended Design Concept.

Construction of this project is currently scheduled to occur in 2018/2019 in the Region’s approved 2016 10-Year Transportation Capital Program. The Region’s Transportation
Capital Program includes funds of $4,600,000 inclusive for this project, to be funded from the Roads Rehabilitation Reserve Fund. The City of Kitchener will fund its portion of the storm sewer replacement, sanitary sewer and watermain replacement.

Letters notifying interested members of the public that Regional Planning and Works Committee will be considering the approval of the Recommended Design Concept for this project at its November 22, 2016 meeting were distributed during the week of October 31st, 2016.

**Report:**

1.0 **Introduction**

The Region of Waterloo is currently considering improvements on Weber Street from Queen Street to Borden Avenue in the City of Kitchener. (Please refer to Appendix ‘A’ for a Key Plan.) This section of Weber Street is 1.5 kilometres in length and provides an integral connection into and out of the City of Kitchener’s downtown core. The west limit of the project area includes commercial frontage, from Scott Street to Queen Street. The remaining project area from Scott Street easterly to Borden Avenue is predominantly fronted by single family residential homes. At the east limit of the project, St. Peter’s Lutheran Cemetery abuts Weber Street on the south side and Sheppard Public School is located on the north side.

Weber Street requires improvements to replace the existing deteriorated asphalt surface, the concrete curbs and gutters and sidewalks on both sides of the road and to replace key underground infrastructure (sanitary sewers, storm sewers and watermains).

This project is classified as a Schedule “A+” undertaking in accordance with the Municipal Class Environmental Assessment planning process and can proceed to construction provided that the public is notified in advance of construction. The planning of the roadway improvements is being undertaken in accordance with the Regional Context Sensitive Corridor Design Guidelines, the Regional Active Transportation Master Plan and other relevant Regional policies and practices.

The Context Sensitive Region Transportation Corridor Design Guidelines (CDG) is a planning policy document that guides the design of Regional Roads. The CDG identifies design parameters for necessary features within road allowances such as vehicular lanes, sidewalks and boulevards.

The Regional Active Transportation Master Plan is a planning policy document that identifies required improvements to the Region’s walking and cycling network and guides the implementation of these facilities.

The Regional Official Plan gives direction to balance the design of reconstructed roads to meet the needs of all modes of transportation including walking, cycling motorized vehicles and transit.
A Project Team was established to direct this project and includes staff from the Region of Waterloo and the City of Kitchener as well as former Kitchener Councillor Dan Glenn-Graham and current Kitchener Councillor Sarah Marsh (since December 2014).

Because of the length of this reconstruction project, construction is scheduled to occur over 2 construction seasons in the years 2018 and 2019 as follows:

Stage 1 - Borden Avenue to Cameron Street - April to December, 2018

Stage 2 - Cameron Street to Queen Street - April to December, 2019

As is customary on large reconstruction projects, surface asphalt would likely be completed in the following year in 2020.

2.0 Public Consultation

2.1 Public Consultation Centre – June 25th, 2014

A Public Consultation Centre (PCC) for this project was held in the Region of Waterloo foyer at 150 Frederick Street in the City of Kitchener on Wednesday June 25th, 2014. Plans showing the proposed improvements under consideration were on display and Project Team representatives were present to answer questions and receive feedback.

2.2 Issues Raised by the Public at the PCC

Approximately forty (40) members of the public attended the PCC, seventeen signed the registration sheet and ten (10) comment sheets/emails were received. Please refer to Appendix ‘D’ for a summary of the written comments received from the public.

Comments received from the public generally supported the need for the proposed improvements. Some of the main issues and concerns raised by the public are as follows:

a) Request to Install a Controlled Pedestrian Crossing Between Cameron Street and Borden Avenue

Public Comments

Two residents noted that the long distance (700 metres) between existing traffic signals on Weber Street at Cameron Street and Borden Avenue makes it difficult for residents to cross the road. The residents requested that the Region install a separate controlled pedestrian crossing at one of the other five intersecting roadways between Cameron Street and Borden Avenue.

Project Team Response:

In order to assess the viability of additional traffic control (including intersection pedestrian signals or “IPS”) on a Regional roadway, the current Region practice is to
follow the warrant methodology established by provincial guidelines documented in the Ontario Traffic Manual Book 12 and developed by the Ministry of Transportation of Ontario. The criteria for a warrant analysis include the volume of pedestrians crossing the main street during the eight highest hours of a typical weekday and the delay experienced by these pedestrians. In addition, there should be a minimum distance of 200 metres to any other adjacent traffic control signals (to avoid overlap in signal operations) and appropriate sight distances to the signals must be achieved.

Within the section of Weber Street between Cameron Street and Borden Avenue, the Project Team had considered the installation of a new IPS at the following intersections:

1. Simeon Street - not recommended due to limited sightlines approaching the “S” curve and the proximity to the existing traffic control signals at Borden Avenue (180 metres)
2. Pandora Avenue - not recommended as the intersection is too close to the existing traffic control signals at Cameron Street (180 metres)
3. Stirling Avenue - not recommended due to limited sightlines exiting the “S” curve
4. Fairview Avenue - IPS recommended

Pedestrian counts were conducted in 2014 and indicated that the warrants for an IPS were not met. The Project Team did acknowledge that the volume of pedestrians currently crossing Weber Street may not reflect the latent demand since pedestrians may be deterred from crossing at present due to the volume of traffic on Weber Street. In addition, it is recognized that additional crossings of Weber Street may be generated in the future to access the ION rapid transit system on Charles Street. Therefore in September 2015 the Project Team conducted a more detailed study to better predict the origin and destination of pedestrians travelling along Weber Street. This study identified that there is a considerable volume of pedestrians, mainly parents and students attending Sheppard Public School that would likely use a new signal-controlled crossing at Fairview Avenue. Although an IPS at Stirling Avenue would attract the most users, an installation at Stirling Avenue is not possible due to limited sightlines around the adjacent “S” curve.

Based on the foregoing, the Project Team is recommending that a new IPS be installed at Fairview Avenue. The Region is striving to design and install the new IPS during the 2017 construction season, in advance of the 2018 reconstruction on Weber Street.

b) Concern with Boulevard Tree Removals

Public Comments

Subsequent to the PCC, two residents emailed and one resident contacted the Region via telephone with a request to plant new trees in the narrow boulevard on Weber Street after the construction.
Project Team Response:

It was noted at the PCC that most of the trees between Borden Avenue and Cameron Street will have to be removed to accommodate the construction on Weber Street. That is because the tree root systems are located in the immediate vicinity of the proposed construction of the new storm sewers, curb and sidewalks. It was also noted that it is the Region of Waterloo’s practice to replace removed trees with new trees in the ratio of two new trees for each removed tree, and the new trees can be on the fronting owner’s property if there is limited room in the road right-of-way.

Currently, the section of Weber Street from Cameron Street to Borden Avenue has grass boulevards, approximately 1.0 metre wide and established English Oak trees are present in the narrow boulevards (See Figure 1 for a photo of the existing boulevard trees.)

Figure 1 – Existing Boulevard Trees
The Project Team has worked with Region and City arborist specialists and has come up with a proposed planting plan to reinstate trees in the narrow boulevards as part of this project. The new street trees would be planted in underground modular tree root systems which: transfer surface loads through the root system avoiding the compression of soils in the root area; maintain high quality soils in the root growth area; and increase water retention for maximum tree survivability in harsh urban road environments.

The section of Weber Street from Queen Street to Cameron Street generally includes sidewalk immediately behind the roadway curb (called “curb-face sidewalk”), so there is no ability for any plantings between curb and sidewalk in this area. The six existing trees on the north side of Weber Street between Frederick Street and Scott Street that are in planters within the wider concrete boulevard will be preserved.

c) Concern with Safety Through the “S” Curve East of Stirling Avenue

Public Comments

The Region received several comments from local residents during and after the PCC concerning motorist and pedestrian safety at the “S” curve between Stirling Avenue and Borden Avenue, fronting St. Peters Lutheran Cemetery. Some residents noted that they have witnessed many single vehicle collisions in this area and several others requested lowering the legal posted speed.

Project Team Response:

The “S" curve" between Stirling Avenue and Borden Avenue does not meet current standards for roadway banking (or "superelevation") for the design speed of the roadway. Accordingly, there is an advisory 30 km/hr speed sign in advance of the curve in both directions and also yellow warning flashing lights were previously installed in both directions for further guidance. In addition, there is a pattern of collisions through this curve area with 28 reported collisions (vs. 17 expected from the Region model) between Borden Avenue and Stirling Avenue from 2008 to 2012, many of which include crossing of the centreline into oncoming traffic. Some local residents also anecdotally noted that there are many other single vehicle loss-of-control collisions that likely go unreported. In order to improve vehicle traction and driver control through the “S” curves, as part of this project the banking of the curves will be corrected to improve friction and provide greater control for drivers negotiating the curves.

In order to address concerns about safety for pedestrians including the many school children attending Sheppard Public School, guide rail will be installed between the curb and sidewalk on both sides of the road to eliminate the chance of vehicles losing control and crossing over the curb onto the sidewalk area. They will also provide greater comfort for pedestrians walking in this area and will deter pedestrians from trying to cross the road through the “S” curves where driver visibility is restricted.
The Region is planning to install a timber-faced guiderail (in lieu of conventional steel beam) to reduce the “highway” look and feel and to provide improved aesthetics.

**d) Request to Reduce Weber Street to Two Through Lanes and a Centre Left Lane to Allow For Cycling Lanes**

**Public Comments**

Two residents of one Weber Street household suggested that Weber Street should be reduced from four driving lanes to two driving lanes with a continuous left turn lane, to allow for cycling lanes.

**Project Team Response:**

With respect to cycling lanes, this section of Weber Street has very limited opportunity to provide any space for a cycling facility. The photo in Figure 2 shows the constraints in the corridor, with narrow boulevards and many fronting residential buildings immediately behind the sidewalk. The Region’s approved Active Transportation Master Plan (ATMP) acknowledged this constrained corridor on Weber Street and in fact did not designate any section of Weber Street in Kitchener as an official cycling route because of the challenges with introducing any pavement widening. Cycling facilities are instead available on adjacent local streets such as East Avenue, Cedar Street, Borden Avenue and sections of Frederick Street, in lieu of cycling facilities on Weber Street.
Figure 2 – Weber Street looking westerly at Cameron Street

With respect to a possible reduction in traffic lanes, Weber Street is one of only a handful of major arterial roads that connects the north end of Waterloo to the south end of Kitchener. It includes 4 travel lanes with additional turn lanes at some intersections. As such, it is an effective, efficient economic corridor for moving people and goods. The section of Weber Street between Queen Street and Borden Avenue currently carries an average of 18,300 vehicles/day and traffic volumes are expected to increase in the coming years with general area growth and the diversion of some traffic from King Street and Charles Street once ION is operational.

When considering how many lanes are required for acceptable operations on a road, many factors are considered including volume of traffic, number of accesses, bus operations, the presence of turn lanes, intersection delay, maintenance requirements, traffic speed, land use, collision history, and cycling/pedestrian facility requirements. Because of the nature of the Weber Street corridor (many driveways, high volumes of bus traffic and goods movement, many turning vehicles, and multiple lanes required at intersections to avoid high intersection delays), the Project Team is recommending four traffic lanes be maintained today and into the future. The Project Team is therefore not recommending that the through lanes on Weber Street be reduced to accommodate cycling.
e) Recommended Improvements

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 is now recommending that Regional Council approve the Recommended Design Concept for the improvements to Weber Street described as follows:

- Complete replacement of the pavement structure including new concrete curbs on each side of Weber Street;
- Replacement of the storm sewers as well as the City’s watermain and sanitary sewers within the project limits including water and sanitary sewer service connections;
- Replacement of existing sidewalks within the project limits;
- Replacement of transit landing pads and installation of new concrete pads for future Grand River Transit shelters;
- Installation of a new signalized crossing for pedestrians at Fairview Avenue;
- Installation of grassed boulevards between curb and sidewalk, with street trees (where possible) from Cameron Street to Borden Avenue;
- Installation of narrow, coloured concrete boulevards between curb and sidewalk from Queen Street to Cameron Street; and
- Implementation of the following improvements at the “S” curves east of Stirling Avenue to enhance safety for motorists and pedestrians:
  - Corrections to the pavement cross-slope;
  - Replacement of guide rails on the north (school) side;
  - New guide rails on the south (cemetery) side;
  - Preserving current 30km/h recommended speed; and
  - Preserving yellow flashing warning lights in both directions.

Please refer to Appendix ‘B’ for a typical cross-section of the Project Team’s Recommended Design Concept.

Letters notifying interested members of the public that Regional Planning and Works Committee will be considering the approval of the Recommended Design Concept for this project at its November 22nd, 2016 meeting were distributed during the week of October 31st, 2016.

3.0 Construction Staging and Traffic Detours

Construction of the 1.5 km Weber Street Improvements is scheduled to occur over two construction seasons with Stage One (Borden Avenue to Cameron Street) being completed from April to December of 2018 and Stage Two (Cameron Street to Queen Street) being completed from April to December of 2019. As is customary on large...
reconstruction projects, final surface asphalt would likely not be placed until the summer of 2020. Some utility relocations (gas mains and Bell Canada plant) will be done in advance in 2017.

The replacement of the sewers and water mains on Weber Street will require deep trench excavations. Because of the narrow road allowance, it is only possible to keep one lane of traffic in one direction open on Weber Street while the construction is occurring. It is planned that the westbound direction remain open in a single lane and that eastbound traffic be detoured around the construction area via King Street and Charles Street.

Access to individual properties and businesses will be available in the westbound direction at all times. However, there will have to be short periods of interrupted access to individual properties when the deep excavation work is occurring in the immediate vicinity of a driveway or access, or when freshly poured concrete curbs or sidewalk is curing. Adequate advance notifications will be provided for any driveway/access interruptions and alternative parking arrangements will be made as required on adjacent side-streets.

Pedestrian access, local and emergency access will be maintained at all times throughout the duration of the project. Grand River Transit (GRT) service will be maintained in the westbound direction on Weber Street. GRT service in the eastbound direction will be detoured according to GRT detour plan that will be posted well in advance of the construction.

4.0 Project Cost

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

Region of Waterloo (Roadway, portion of storm sewer, sidewalks, boulevards, traffic control improvements) $4,600,000

City of Kitchener

(Watermains, sanitary sewer, portion of storm sewer) $1,200,000

Total Estimated Project Cost $5,800,000

Corporate Strategic Plan:

This project supports Strategic Focus Area 2 (Growth Management and Prosperity) and specifically Strategic Objective 2.2 to Develop, optimize and maintain infrastructure to meet current and projected needs.

Financial Implications:

The Region’s Transportation Capital Program includes funds of $4,600,000 in years 2016-2020 inclusive for this project, to be funded from the Roads Rehabilitation
Reserve Fund. The City of Kitchener will fund its portion of the storm sewer replacement, sanitary sewer and watermain replacements. Kitchener’s portion of the work is estimated to be $1,200,000 and the City has asked the Region to proceed with the work on their behalf and has allocated funding for their portion of the project costs.

Other Department Consultations/Concurrence:

Nil

Attachments

Appendix A   Key Plan
Appendix B1  Typical Cross-Section – Queen Street to Cameron Street
Appendix B2  Typical Cross Section – Cameron Street to Borden Avenue
Appendix C   Written comments received from June 5th, 2014 Public Consultation Centre

Prepared By:  Jerry Borovicka, Project Manager

Approved By:  Thomas Schmidt, Commissioner, Transportation and Environmental Services
Appendix B1
Typical Cross-Sections

TYPICAL SECTION
(FROM QUEEN STREET TO CAMERON STREET)
Appendix B2
Typical Cross-Sections
Reconstruction of Weber Street, Borden Avenue to Queen Street – PCC June 25, 2014

PCC - Comments

<table>
<thead>
<tr>
<th>Name</th>
<th>Comment</th>
<th>Attended PCC</th>
</tr>
</thead>
</table>
| Mike Boos  | We recently received notice that road resurfacing is being planned on Weber Street between Borden and Queen, and attended the public consultation centre (PCC) the other week. The work to improve the road surface and especially the sidewalks is needed. We're also very pleased to see the hazard of the sliplane onto Simeon being removed - this is very good news for us, as our son will eventually be using the sidewalk there to get to and from school in a few years. Our family moved into a house on Weber near Stirling last August, and we're alarmed at the designs that would desecrate the street trees that protect pedestrians from traffic. Additionally, what we've observed of the traffic and pedestrian situation in the area over the last year suggests to us that a number of opportunities are not being discussed in the June 27 public consultation centre materials. The Region has a stated goal of prioritizing walking and bicycling over private vehicles, especially in ION stop areas, and we think we should be considering options that could help facilitate that. Street trees

Street trees play a vital role in the livability of a street - they provide shade and protection from traffic, induce safer speeds on motorists, and can contribute up to $20,000 to the value of a home. The presence of the tree in front of our house, and on the surrounding blocks were one of the factors that led us to purchase our home last year - had we known that the Region had plans to remove them, we certainly would have purchased differently. We understand that roots may be damaged in the process of rebuilding the street and sidewalk, but could efforts not be made to save as many of the existing trees as possible instead of forfeiting them all?

Worse, we learned at the consultation that the Region would not be replacing the trees located in the boulevard - leaving pedestrians exposed to fast-moving cars, and rendering a beautiful tree-lined portion of the street into an ugly sewer for cars. (I should note that the area is currently being looked at as part of several candidates for a Cultural Heritage Landscape designation by the City of Kitchener.) We would have the option of having new trees planted on our house's side of the sidewalk, but there is very little space on our front property for that. To add insult to injury, the drawings showed our grass boulevard replaced with sterile concrete. This is extremely alarming news to learn after believing we had just purchased our dream home.

The reasons for not replacing the street trees were not well-articulated to
us at the consultation, but the move seems consistent with a misguided assumption in road design that emerged during the 1960's, that 'fixed objects' such as trees presented a danger to motorized traffic. More contemporary, empirical research has revealed that street trees on urban arterials may actually be beneficial to overall road safety, as the real danger comes from excessive speeds, something street trees help to attenuate.

If the existing trees in the boulevards must be removed for this temporary work, we believe it is in the Region's best interests to replace them in their original locations as much as possible.

Vehicle speeds
The PCC materials have a question about raising speed limits, but we think the opposite is actually the issue - we should be lowering speeds around the curve and near Sheppard School. Cars frequently whip around the corner, and we have heard collisions occur outside our home as a result. I also find it appalling that we should need to have a highway-style guardrail in front of an elementary school.

Road design (including street trees) is what governs driver speeds far more than posted limits. The design of Weber near the school and the curve should be reconfigured to encourage motorists to actually slow down to the posted 30 km/h. We're very concerned that the proposed banking might result in allowing motorists to feel more comfortable speeding around the corner instead of slowing down.

Crossing at Stirling Avenue
On a map, our neighbourhood looks very pedestrian-permeable with its small blocks. But Weber imposes a significant barrier for us to cross the street, as there are no crosswalks or signals between Borden and Cameron, a 700 m gap that we're right in the middle of. Other crosswalks on Weber connecting the other downtown neighbourhoods are typically 250 m apart. Waiting for a gap to cross at Stirling with cars appearing at high speeds from around the corner is extremely difficult.

It's no surprise to me then that Auditorium is the only downtown neighbourhood in Kitchener to be classified as an 'auto-suburb' by Prof. David Gordon, (director of the School of Urban and Regional Planning at Queen’s University).

Our family shouldn't have to walk 700 m out of our way just to use the bus stop or to attend our church directly across the street. This is also an ION stop area, where pedestrian access to the stop should be prioritized above all else.

Even if traffic engineers don't think a light at Stirling is merited for cars (though I should note the Stirling intersection has roughly the same volume as Cameron which does have a light), a signalized pedestrian crossing should be considered for either Stirling or Fairview, similar to the one at Erb and Roslin, and also soon to be installed at Weber and Wilhelm. We note that the road already has flashing lights at the corner, perhaps these could be converted into a "Prepare to stop" sign to
address the visibility issue.

**Improving traffic flow and safety through a road diet**

We think the project is also overlooking an opportunity to evaluate Weber for a road diet. Weber meets many of the criteria for a successful 4 to 3 lane conversion that improves the liveability of the street without impeding traffic: it carries fewer than 20,000 cars per day, has numerous intersections and access points making left turns frequent, and has no on-street parking.

A road diet would have numerous advantages - it would reduce speeding, be more comfortable driving, reduce the number of cases of cars blocking the lane to turn left, provide cycling lanes, make the pedestrian environment more comfortable by increasing the space between sidewalks and cars while also facilitating easier crossings at unsignalized intersections.

My understanding of road resurfacing is that an initial layer of asphalt is applied, and then one or two years later, after the asphalt has settled, a final layer is put on top. This suggests to me there is opportunity during this first phase to pilot a road diet on Weber. If it doesn't work, the lane configuration can be reverted when the final paving is completed.

Thank you for taking the time to review our comments. We love our new home, and we'd like very much to remain here and with our son, see our street and neighbourhood grow better with age, not destroyed to feel more like another expressway. We earnestly hope that our comments help the Region to arrive at a better design for Weber that serves the neighbourhood, the downtown area, and future ION ridership well.

Thanks

Mike, Kandace, and Caleb Boos

---

<table>
<thead>
<tr>
<th>Name</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>James Howe</td>
<td>Pedestrian crossing a must between Simeon and Cameron. I suggest pedestrian activated light at Fairview. Needed so people can walk to/from King. I'd prefer the slip away to Simeon remain open. A right onto Simeon an unsafe alternative for motorists.</td>
</tr>
<tr>
<td>Stephen Eadie</td>
<td>Would like consult on sanitary service upgrade Disability access mandatory for church.</td>
</tr>
<tr>
<td>Martin Kiik</td>
<td>Please account for safety to reduce accidents along Weber at St. Peters Cemetery curve.</td>
</tr>
<tr>
<td>Bill Reitzel</td>
<td>City snow removal from road plows and from sidewalks dumped on Weber. Accessibility seriously impaired.</td>
</tr>
<tr>
<td>Phil Porter</td>
<td>In area of Shepherd School there should be a lower speed limit during periods when children/parents are on the sidewalks. Simeon should have speed bumps instead of closing off.</td>
</tr>
<tr>
<td>Name</td>
<td>Message</td>
</tr>
<tr>
<td>---------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Anna Kikanski</td>
<td>If the storm sewer is low enough, I would be interested in connecting it to drainage tile around by basement, gravity feed.</td>
</tr>
</tbody>
</table>
| Daniel Koegler      | Hello Jerry:  
I was present at the public consultation centre presentation a couple of week ago and recall that one of the neighbourhood residents had suggested to you that he thought it would be a good idea to restrict vehicles moving from Simeon Street to Weber from turning left. Having spent a some time exploring this in the last few days, I believe that restricting traffic from turning left here is, in fact, NOT a good idea. This is my rationale.  
If people are needing to access Weber Street in an easterly direction from the immediate neighbourhood of Simeon, Lydia, Stirling, etc., it would be preferable to use Simeon as the exit to Weber. The other most accessible option would be turning left from Stirling St. left onto Weber. It is my belief that this intersection, in fact, poses more of a danger to motorists. As traffic proceeding west leaves the S bend drivers tend to speed up immediately and drivers attempting to turn left from Stirling have relatively short sight lines.  
At Simeon, traffic is generally slowing down because it is in the S bend or approaching the S bend, and drivers waiting to turn left from Simeon to Weber actually have longer sight lines, which means that drivers leaving Simeon have more time to react or avoid a collision.  
I often use the left turn at Simeon to access Weber St. and then Borden Ave. and I avoid using the intersection at Stirling because I find it much more hazardous. I have witnessed several close calls there, as I have used Weber St to get to work in Waterloo for the past 30 years, as motorists on Stirling attempt to turn left or even just proceed across Weber towards King St.  
Restricting left turns at both these intersections, I suppose, is another possibility, but that means a bottleneck at Fairview or even back at Pandora.  
Just some thoughts as you finalize your plans.  
Cheers.                                                                                                                                      | Y        |
| Paula Stujlmacher   | My apologies for missing the June 18th deadline but I hope that you’re able to answer my question. Will this newly construction section of Weber Street include bike lanes?                                                   | N        |
Region of Waterloo
Transportation and Environmental Services
Rapid Transit

To: Chair Tom Galloway and Members of the Planning and Works Committee
Date: November 22, 2016
File Code: A02-30/PW
Subject: ION Update

Recommendation:
For information.

Summary:
Nil.

Report:
The most detailed information on the ION rapid transit project can be found at: www.regionofwaterloo.ca/rapidtransit. This website contains various background documents, including Regional Council reports and more. Information regarding ongoing ION construction can be found at: www.rideION.ca. This website is updated on a daily basis and includes an interactive construction map and the latest intersection and road closures. It also provides users an opportunity to sign-up for bi-weekly construction update emails.

Planning for ION:
The 2011 decision by Council to implement light rail transit (LRT) in two stages in Waterloo Region was made following six years of technical studies and an extensive, unprecedented public consultation process.

The idea of a rapid transit corridor in Waterloo Region is deep-rooted and was first presented in 1976, when it was highlighted in the Regional Official Policies Plan. Planning for rapid transit began after the Region of Waterloo assumed responsibility for transit in 2000. Three years after this, in 2003, the Region included rapid transit in its Growth Management Strategy.
As part of its Places to Grow Plan in 2006, the Province of Ontario mandated the Region to plan for major population growth. With little opportunity to expand the road network in core areas, Council chose to examine rapid transit as the most sustainable solution to meet the community’s growth and transportation needs. In 2011, with support from the Province of Ontario and the Government of Canada, and following the completion of an extensive public consultation process, Council chose to implement LRT in two stages. More information on the recommended rapid transit implementation option is available through Report E-11-072 (June 15, 2011)

**Stage 1 LRT construction:**

In March 2014, following a comprehensive evaluation, the Region approved GrandLinq as the team to design, build, finance, operate and maintain ION Stage 1 LRT.

Five months later, in August 2014, community members and officials participated in the official ION ground breaking ceremony. This event, which took place at the ION Operations, Maintenance and Storage Facility (OMSF) on Dutton Drive in Waterloo, marked the beginning of Stage 1 LRT construction.

**Construction update:**

GrandLinq has progressed construction throughout the summer and fall of 2016 and will continue to work into winter of 2017.

As of late-October 2016, GrandLinq has informed the Region that close to 80 per cent of construction is now complete. Most of the underground work has been placed and above-ground ION infrastructure can now be seen across the 19 kilometre route.

As GrandLinq completes construction, all areas of the ION route will continue to see construction into 2017.

The remaining work this year and into early-2017 will focus on final completion of construction. This includes a number of elements, such as:

- Sections of roadways where underground utility work is on-going
- Final road surface works, including asphalt, curbs and sidewalks
- Embedded and ballasted track installation
- Signage and signalization installation
- Building of ION stop shelters, anchor walls and other platform amenities
- Electrification and related infrastructure testing
- Completion of hardscaping and landscaping

**Current construction statistics**

As October 2016:

- Nearly 53 kilometres of new underground pipe has been placed. This represents 95% of the 56 kilometres needed, and includes new watermain, storm sewers, and sanitary systems
- 24,000 metres of the 36,000 metres of LRT track has been placed. This includes 10,000 metres of embedded track and 14,000 metres of ballasted track
Almost 98% of the footings and 65% of the poles that make up the Overhead Catenary System have been placed
40,000 m$^2$ of the over 56,000 m$^2$ of new sidewalk has been placed

Several key intersections and roadways opened throughout the summer and fall of 2016, including:

- Erb/Caroline in Waterloo
- The north and southbound Highway 85/Northfield off-ramps in Waterloo
- The southbound Highway 85/Northfield on-ramp in Waterloo
- Kumpf/Northfield in Waterloo
- Parkside/Northfield in Waterloo
- King, from Union to William, including the King/Allen intersection in Waterloo
- Victoria, from Weber to Joseph, including the King/Victoria and Charles/Victoria intersections in Kitchener
- King from Victoria to Francis in Kitchener
- Charles, from Victoria to Benton in Kitchener
- Wilson, from Fairway to Kingsway in Kitchener
- The Ottawa/Mill intersection in Kitchener
- Block Line/Courtland in Kitchener

During construction:

Access for emergency services, including fire, ambulance and police is maintained at all times during ION construction. Local access to residences and businesses is also maintained.

In general, construction takes place between 7 a.m. and 7 p.m. Monday to Friday.

Weekend work is sometimes necessary, as is some weekday work outside of these hours. In all cases of extended work hours, noise exemptions are in place. Notice of night work (work from 7 p.m. to 7 a.m.) is included online at [http://www.rideion.ca/night-work.html](http://www.rideion.ca/night-work.html). Notice is also provided to nearby stakeholders.

During construction, Grand River Transit (GRT) bus stops are temporarily relocated, with required notification provided. Temporary sidewalk closures near active work areas are also required, with signs to redirect pedestrians to alternative routes.

As construction advances, on-going construction updates containing the latest information on progress are issued electronically to those who have signed-up online, as well as directly to stakeholders in the affected area.

Bi-weekly ION construction updates are also available at: [www.ridelION.ca](http://www.ridelION.ca) and through ION’s social media channels.

A GrandLinq Construction Liaison Officer is on-site during construction to address any issues that may arise.
ION LRT construction schedule:

Work on some sections of the ION alignment encountered some delays in 2015 and 2016. These delays were the result of various factors, including, for example, coordination with utilities, coordination with Metrolinx and rail companies, and encountering unexpected subsurface conditions (such as the corduroy road in Uptown Waterloo) and other design and construction issues. Staff continue to monitor project progress and are working with GrandLinQ and third party utilities to mitigate and minimize potential delay impacts. Despite the various delays the majority of the construction work is expected to be completed by summer 2017.

Bombardier vehicles:

The Region is purchasing 14 light rail vehicles from Bombardier through an arrangement that “piggyback’s” on a Metrolinx contract for approximately 170 vehicles.

As previously detailed in the Council Memo on May 24, 2016, Bombardier has advised the Region that delivery of the vehicles will be delayed. Bombardier advised that the first vehicle will be delivered in December 2016 with the balance of the vehicles delivered by December 2017.

The Region continues to be disappointed with Bombardier and their inability to meet their own original and revised schedule and production timelines. Bombardier has taken steps to address their on-going manufacturing and quality problems and is making progress. This is taking time and the Region remains in the position of having the delivery of vehicles delayed and dealing with the resulting schedule and cost impacts.

The Region will continue to work with Metrolinx and Bombardier to ensure delivery of quality LRT vehicles for ION. At the same time the Region is demanding better performance and results from Bombardier.

The delay in vehicle delivery will delay the start of ION service until early-2018. This delay may impact project costs, which the Region will attempt to recover from Bombardier.

Staff are working with GrandLinQ to discuss potential implications caused by this delay to determine an approach that minimizes risks and costs while working towards start of ION service in 2018.

Staff will continue to provide updates through future reports on ION LRT construction progress.

Easing construction concerns:

GrandLinQ and the Region have and continue to work with stakeholders – both residents and businesses – to understand concerns and minimize disruption.

GrandLinQ work crews continue to facilitate the movement of local traffic, including customers, deliveries and construction vehicles.

Way-finding signage is in place to direct customers, deliveries and guests in and around
the construction areas and will be appropriately modified as construction moves to completion. Similarly signage directing pedestrians and cyclists safely around active work zones will be revised as necessary.

To keep the wider community informed, weekly construction updates have been and will continue to be provided to the local Waterloo Region media.

A toll free construction hotline (1-844-625-1010) continues to be available to the community, and construction concerns can still be addressed to connect@rideion.ca

Staff from the Region and GrandLinq also continue to work with the UpTown Waterloo and Downtown Kitchener Business Improvement Areas (BIAs) to keep businesses informed of what to expect during construction.

The Region and GrandLinq continue to partner with the UpTown Waterloo and Downtown Kitchener BIAs. In 2016, the Region provided a grant of $20,000 to the Downtown Kitchener BIA and the UpTown Waterloo BIA. The grant allowed each BIA to decide how best to use these funds to support businesses in their respective areas. The Region will also continue to work with businesses outside of the BIA areas as well.

Additionally, a brief overview of some of the ways the Region and GrandLinq have and will continue to help businesses during ION construction include:

- **Meetings, discussions and general updates**
  - One-on-one meetings prior to, and during construction, to review specific information related to access for customers, employees and deliveries
  - Regular updates to the cities’ economic development committees
  - Daily/weekly discussions (as needed) to address construction concerns
  - Key stakeholder meetings with tenants and employees
  - ION updates to the BIAs and key business areas
  - Regular walking tours with the BIAs
  - ION update presentations to community groups and businesses
  - Maps and notices for employees and tenants as required

- **Communications:**

  The Region has used and continues to use a wide range of communications tools to ensure the community is aware of construction. These include:

  - Mobile signage acquired by the Region and placed near areas that are under construction
  - Business detour signs to highlight access to businesses and to remind passerby’s that businesses are open
  - ION updates in BIA newsletters
  - Regular updates in Region News
    - Distributed to households across Waterloo Region
  - General ION construction information postcard for customers
  - Specific UpTown Waterloo and Downtown Kitchener postcards focusing on parking, deliveries or events
  - Individual maps for local businesses to use on website for customers
and/or to direct employees

- Bi-weekly email construction updates (1,194 recipients)
- Monthly ION Update via email (2,855 recipients)
- Stage 2 ION Update (356 recipients)
- Coordination of information and notices related to third-party utility work (i.e. Hydro, Bell, Rogers, Gas, Hydro One)
- Coordination of information related to non-ION road construction

**Social media**

- Ask ION video series on YouTube providing information on the ION service
- Social media advertising highlighting the benefits of ION
- Construction informational videos on YouTube and Instagram
- Twitter campaign highlighting local businesses and encouraging community support for businesses along the ION corridor: #IONbiz
- ION community relations staff available to assist businesses with getting started on social media (i.e. Twitter, Facebook or Instagram) as well as support to learn how to best use these tools to connect with new and existing customers
- Weekly Instagram feature profiling a business along the ION corridor
- ION/GRT campaign recognizing GRT riders for their patience during ION construction

**Social media by the numbers**

- 5,138 followers on Twitter
- 3,728 followers on Facebook
- 1,340 followers on Instagram
- 90,600 average Twitter impressions per month
- 8,044 average Facebook post engagement
- Most popular ION YouTube video nears 20,000 views
  - [https://www.youtube.com/watch?v=LN6C9_ef7Yc](https://www.youtube.com/watch?v=LN6C9_ef7Yc)

**Events, partnerships and initiatives:**

**Recent**

- Tour of OMSF for all three levels of government. Officials from funding partners were provided a unique opportunity to view progress at the OMSF
- Downtown Kitchener ION Art Walk
  - Unique signage highlighting local art placed on construction fencing
- ION-related UpTown Waterloo BIA PD Day Event
  - Staff on-site to distribute ION material
- ION/GRT pop-up “Thank You” give away at Ainslie Street and Charles Street transit terminals
  - Two-day campaign in summer giving away ice-cream to transit riders

**Upcoming**

- Community Open House at the OMSF on November 26, 2016
 Residents are invited to view the operational hub of the ION LRT system
 Staff from the Region and GrandLinq will be available to answer questions about the service and the facility
  o Festival of Living Streets on December 3, 2016
     Led by the UpTown BIA, with support from the Region, GrandLinq and the City of Kitchener, this festival marks the re-opening of King Street in UpTown Waterloo
  o Tweet Your Receipt 2016 holiday edition
     Residents are encouraged to visit a business on the ION corridor in the lead-up to the 2016 holiday season
     Residents can win a $250 Downtown Kitchener BIA gift certificate or a $250 UpTown Waterloo gift certificate
  o One Fare/One System transit rider campaign during winter 2016
     Reach-out educational campaign highlighting that ION and GRT will operate with one fare and one system

Stage 2 ION:

ION bus rapid transit (BRT) service began in September 2015 and is the first step to providing LRT in Cambridge. ION BRT features a 17 kilometre route from the Ainslie Street transit terminal in Cambridge to the Fairview Park Mall transit terminal in Kitchener. New ION buses with additional amenities are scheduled to be put into service when the ION LRT opens.

Stage 2 ION will see the ION BRT service between Kitchener and Cambridge converted to LRT, creating a continuous LRT network across the region’s three urban centres.

The first round of Stage 2 ION public consultations took place in the fall of 2015 and focused on route alternatives, with more than 100 community members taking part and providing their ideas. The Region received a wide range of feedback at the Public Consultation Centres, by email, and through the project website. This input, along with other approved selection criteria, is being used to help determine a preliminary preferred route.

The next round of public consultation will take place later in early-2017, when the preferred route will be presented to the community. At the end of the public consultation process, a preferred Stage 2 ION LRT route will be presented to Regional Council for their consideration.

A web page dedicated to Stage 2 ION has been created and can be accessed at www.stage2ION.ca

Other Initiatives:

Regional staff are currently meeting with Keolis and City partners to establish procedures on operations and maintenance items (i.e. winter and summer maintenance, hydro maintenance and street lighting, etc.).
Grand River Transit (GRT):

The 2017-2021 GRT Business Plan is currently being developed to identify the transit network changes and service level improvements required over the next five years to attain the 2010 Regional Transportation Master Plan transit ridership targets, support the Regional Official Plan growth and urban intensification goals, and to achieve seamless integration of ION LRT and BRT, and conventional bus services.

Transit Hub:

The Transit Hub will provide connections to ION, GRT, inter-city services such as GO Transit and VIA rail. It will also link to taxi services and multi-use trails (e.g. Waterloo Spur). The Province has committed full funding to this project. Procurement activities are underway with construction expected to begin in 2019.

Corporate Strategic Plan:

This report supports Focus Area 3 Sustainable Transportation of the Region’s Corporate Strategic Plan to implement a light rail transit system in the central transit corridor, fully integrated with an expanded conventional transit system.

Financial implications:

In June 2011, Council approved the implementation of the ION Rapid Transit project, incorporating both Light Rail Transit and adapted Bus Rapid Transit, at an estimated capital cost of $818 million. The capital cost was confirmed in May 2014 when the Design-Build-Finance-Operate-Maintain (DBFOM) contract was awarded by Council.

Capital financing is provided by the Federal Government of Canada ($265 million), the Province of Ontario ($300 million) and the Region ($253 million of which $130.7 million is being financed by GrandLinq and repayable by the Region over the 30 year operations and maintenance term).

The LRT project and Grand River Transit service improvements are funded through annual property tax increases in the three cities until 2019 and related fare revenue.

Table 1 (below) outlines the costs incurred and/or accrued (that is, incurred but not yet paid) for the project to the end of October 31, 2016. It also includes the costs committed to by the Region, through contractual arrangements for work underway. The costs for the DBFOM contract with GrandLinq presented include both accrued expenses to date for construction as well as actual expenditures.

As described in previous reports, no payments were made to GrandLinq GP until the first $130.7 million of project costs were incurred, which is the amount that GrandLinq GP has financed, with repayment by the Region over the next 30 years.

At October 31, 2016, approximately 75% of the total budget has been incurred or accrued, and over 96% of the project budget has been committed.

As of October 31, 2016 the Region has received $164.8 million in funding from the Federal Government of Canada with an additional $19.4 million claim currently under
review. The Region has received $98.7 million in funding from the Province of Ontario and has one additional claim pending for $18.0 million. In total to date the project has received combined Federal/Provincial funding of $263.5 million.

Actual expenditures to October 31, 2016 total $612.7 million while actual plus committed expenditures total $785.5 million.

The delay in the start of ION service to early-2018, resulting from late delivery of vehicles from Bombardier, may lead to an increase in project costs. At this time, it is not possible to quantify these costs. Staff continue to work with GrandLinq to minimize the potential impacts of the vehicle delays on project costs. The Region will attempt to recover costs related to vehicle delays from Bombardier.

### Table 1: Rapid Transit Expenditure Details as of October 31, 2016

<table>
<thead>
<tr>
<th>Category</th>
<th>Restated Budget</th>
<th>Actual Expenditure as at October 31, 2016 *</th>
<th>Commitments as at October 31, 2016 **</th>
<th>Total Actual Expenditure and Commitments as at October 31, 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Office/ Consultants</td>
<td>$53.6 m</td>
<td>$42.4 m</td>
<td>$5.3 m</td>
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</tr>
<tr>
<td>Property Acquisition</td>
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<td>$27.8 m</td>
<td>$0.1 m</td>
<td>$27.9 m</td>
</tr>
<tr>
<td>Early Works and Other infrastructure</td>
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<td>$27.9 m</td>
<td>$20.6 m</td>
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<tr>
<td>Hydro One- Transmission line relocation</td>
<td>$20.6 m</td>
<td>$20.6 m</td>
<td>$0.0 m</td>
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<td>MTO Underpass Construction</td>
<td>$11.2 m</td>
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<tr>
<td>Vehicles</td>
<td>$87.5 m</td>
<td>$37.6 m</td>
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<tr>
<td>LRT Construction</td>
<td>$536.6 m</td>
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<tr>
<td>aBRT Vehicles and Construction</td>
<td>$14.5 m</td>
<td>$10.0 m</td>
<td>$1.8 m</td>
<td>$11.8 m</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$818.0 m</strong></td>
<td><strong>$612.7 m</strong></td>
<td><strong>$172.8 m</strong></td>
<td><strong>$785.5 m</strong></td>
</tr>
</tbody>
</table>

* This column totals actual dollars that have been spent and dollars where work has been completed but the Region has not been billed or paid for it.

** This column totals the amount for which there are firm commitments (i.e. signed contracts).

### Other Department Consultations/Concurrence:

Finance and Legal staff were consulted in the preparation of this Report.

**Prepared By:** Darshpreet Bhatti, Director, Rapid Transit

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

To: Chair Tom Galloway and Members of the Planning and Works Committee
Date: November 22, 2016 File Code: A02-30/PW
Subject: ION Project: Infrastructure Ontario – Second Amendment Agreement

Recommendation:

That the Regional Municipality of Waterloo (the Region) approve entering into an Agreement with Ontario Infrastructure and Lands Corporation (IO) to amend the existing Amended Memorandum of Understanding (MOU). This is required to reflect additional services that are being provided for the remainder of construction and the implementation phase of the ION project. This MOU increases the upset fee limit by $1,190,826 to a new upset limit of $4,199,362 plus applicable taxes as described in Report No. TES-RTS-16-06 dated November 22, 2016.

Summary: Nil

Report:

The Region’s ION service is a visionary plan that will shape our community for the future by bringing light rail transit (LRT) in two stages. ION will connect the three urban centres of Cambridge, Kitchener and Waterloo with a seamless system of 37 km and 23 stops.

To help bring ION service to the community by early-2018, the Region entered into an agreement with IO under an original MOU with a cost of $3,854,544 exclusive of applicable taxes, which was outlined and approved by Regional Council on August 14, 2012 in Report No. E-12-082.

Subsequently, in the First Amended MOU the parties modified the role of IO and their fees in connection with the ION project as described in Report No. E-14-113 dated September 30, 2014 with a cost of $3,008,536 exclusive of applicable taxes. This
amendment with reduced fees was introduced early into the ION project, prior to known vehicle delays, with the expectation that the ION project will progress on its targeted schedule for start of service in 2017. As such, the scope of work for IO was reduced and assumed to be reasonable within the First Amended MOU.

With the ION project now progressing towards start of service in early-2018, parties have agreed to amend the First Amended MOU to reflect further modifications in IO’s role. This amendment is required for the remainder of 2016 and 2017. This amendment reflects an increased scope of work for greater assistance from IO in contract administration as it relates to the late delivery of vehicles and related contractual issues. IO has extensive experience with implementation of large infrastructure projects and continues to provide key assistance in advising the Region in implementation of the ION project.

As noted above, IO is shifting its focus in supporting the Region during the implementation stage with contract administration and issues management up to the end of 2017. Subject to Council approval, the proposed changes will result in the IO Fee being increased by $1,190,826 to $4,199,362, inclusive of all travel, accommodation and disbursements, but exclusive of all applicable taxes.

CORPORATE STRATEGIC PLAN:
Nil

FINANCIAL IMPLICATIONS:

The original approved cost of the agreement between IO and the Region was $3,854,544 exclusive of applicable taxes. The cost of the First Amended MOU was $3,008,536 exclusive of applicable taxes. The cost of the current engagement with IO for all services to be provided under this modified MOU is $4,199,362 inclusive of all travel, accommodation and disbursements, but exclusive of all applicable taxes. This is an “all-in” fee for the services that IO will provide to the Region up to the end of 2017. These costs will be funded from within the approved project budget.

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE:

Finance and Legal staff were consulted in the preparation of this Report.

ATTACHMENTS

Appendix A – Infrastructure Ontario (IO) Fees

Prepared By: Mireya Rodriguez, Manager Finance & Project Controls, Rapid Transit

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

Infrastructure Ontario (IO) Fees

<table>
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<tr>
<th>MOU</th>
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<th>MOU Amount</th>
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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: November 22, 2016 File Code: D07-30
Subject: Update on Master Environmental Servicing Plan for East Side Lands (Stage 2) and Request to Commence Regional Official Plan Amendment

Recommendation:

That Regional Council initiate a Regional Official Plan Amendment and authorize staff to schedule a public meeting in 2017 under the Planning Act to obtain input from the community on a proposed amendment to the Regional Official Plan which would consider expansion of the Urban Areas of the City of Cambridge and the Township of Woolwich.

Summary:

The Region of Waterloo, together with the Grand River Conservation Authority (GRCA), the City of Cambridge and the Township of Woolwich, and in consultation with the City of Kitchener, is undertaking the East Side Lands Master Environmental Servicing Plan for the second stage of the East Side Lands (MESP Stage 2), a Subwatershed Study for the Randall and Breslau Drains, and a Secondary Plan for the lands in Cambridge. The MESP Stage 2 will provide the necessary environmental, stormwater management, transportation, water and wastewater servicing, utility and fiscal impact analyses to facilitate the development of a maximum of 170 net hectares of Urban Designated Greenfield Area within the City of Cambridge and the Township of Woolwich. Regional Official Plan (ROP) policies 2.B.3(i)(i) and 2.B.3(j)(i) identify the need for a ROP Amendment to be commenced in 2016 to consider these expansions of the Urban Areas.

In accordance with ROP Policy 2.B.3.(g), the completion of a watershed study consistent with the Section 7.F of the ROP is a requisite component of a ROP.
Amendment to expand the Urban Areas. The Subwatershed Study has been drafted and provided to the project partners. Regional Council is requested to consider the initiation of a ROP Amendment and authorize staff to hold a statutory public meeting in 2017 to consider expansions of the Urban Areas of the City of Cambridge and Breslau, in the Township of Woolwich.

Subject to Council approval, the statutory public meeting would be held at a regularly scheduled meeting of the Planning and Works Committee. Copies of the proposed ROP Amendment will be provided to Council, the Area Municipalities and members of the public prior to the issuance of the notice for the public meeting. Any comments received at the public meeting will be considered and used to inform the consideration of the proposed ROP Amendment.

Report:

The Regional Official Plan (ROP) was adopted by Council on December 22, 2010, and subsequently appealed to the Ontario Municipal Board (OMB). As part of the comprehensive settlement of the ROP appeals approved by the OMB, policies related to the expansion of Urban Areas for the City of Cambridge and Township of Woolwich were incorporated into the ROP. These policies support priority consideration of a ROP Amendment commencing in 2016 to expand the Urban Area to a maximum of 170 hectares in order to accommodate the 2031 B population forecast of the Places to Grow (“Stage 2 Lands”; Attachment 1), specifically considering:

1. The expansion of the Breslau Urban Area to accommodate a maximum of 55 ha of Urban Designated Greenfield Area in the southern portion of the Township of Woolwich is to be considered for residential purposes, in accordance with ROP policies of section 2.B.3 (i); and
2. The expansion of the Urban Area of the City of Cambridge to accommodate a maximum of 115 ha of Urban Designated Greenfield Area in the area north of the East Side Stage 1 lands, in accordance with ROP policies of section 2.B.3 (j).

A Master Environmental Servicing Plan, including a Subwatershed Study component, will inform consideration of the proposed ROP Amendment, including which areas are most appropriate for expansion of the Urban Area.

Master Environmental Servicing Plan

On January 20, 2016, Council accepted the proposal of MMM Group Limited (a WSP Global Company) to complete the Master Environmental Servicing Plan and Secondary Plan for the East Side Lands (MESP Stage 2). This report provides additional information regarding the ongoing study.

The MESP Stage 2 will provide the framework to guide development and provide implementation recommendations, along with associated servicing cost estimates and timing. The study process recognizes that there are benefits to using a comprehensive approach.
approach for studies where it is expected that a series of projects will be distributed throughout the study area and ongoing work will be prioritized and implemented at different stages of development. This approach was previously used to work toward creating the new strategic employment lands in North Cambridge (MESP Stage 1; Attachment 1).

The following assessments and analyses are key components of the MESP Stage 2:

- Subwatershed Study;
- Transportation Assessment;
- Water, Wastewater and Utilities Assessment;
- Fiscal Analysis;
- Development Alternatives.

A Public Information Centre (PIC) introducing this project and notifying the public of the initiation of the MESP Stage 2 was held on June 16, 2016. General information including the purpose of the MESP Stage 2, identification of the Project Study Area and the projected timing of the project were presented at the PIC.

The Subwatershed Study has been drafted and preliminary assessments of the balance of the components of the MESP Stage 2 have been undertaken (Transportation, Water, Wastewater and Utilities) in order to develop preliminary constraint analyses for the Project Study Area. This information will be presented at a Public Consultation Centre (PCC) on December 5, 2016 as well as directly to landowners within the Stage 2 Lands on the same date. The PCC will be held at École Père René-de-Gallinée, 450 Maple Grove Road, from 6:00 pm to 8:30 pm, with a presentation at 6:30 pm, and a meeting with landowners within the Stage 2 Lands will be conducted prior to the PCC. Following the PCC and landowners meeting, public and agency input will be sought on the information presented, with specific emphasis on the Subwatershed Study.

**Next Steps**

The input and information received at the December 5, 2016 PCC, as well as from agencies and the public through the project website (www.regionofwaterloo.ca/eastside) will be processed and presented at the statutory public meeting for the ROP Amendment, anticipated to be held in Spring, 2017. Following the statutory meeting and the completion of the MESP Stage 2, a ROP Amendment will be drafted. The final MESP Stage 2 and the draft ROP Amendment will be presented at a PCC and then return to Council for consideration.

**Area Municipal Consultation/Coordination:**

This project is being jointly led by the Region, the City of Cambridge and the Grand
River Conservation Authority (GRCA). Representatives from the City of Cambridge, the Township of Woolwich and the GRCA are members of the Project Team and have received copies of this report, the Subwatershed Study and preliminary findings of the MESP Stage 2.

**Corporate Strategic Plan:**

This report is aligned with the Environment and Sustainable Growth Strategic Objective 3.6 “Improve environmental sustainability and livability in intensifying urban and rural settlement areas”, Thriving Economy Strategic Objective 1.1 “Support existing businesses and attract new employers and investments (to stay, grow, thrive and prosper), and 1.2 “Plan for and provide the infrastructure and services necessary to create the foundation for economic success.”

**Financial Implications:**

East Side Lands (Stage 2) MESP costs are shared as follows:

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<th>Region</th>
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<td>Region of Waterloo</td>
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<tr>
<td>City of Cambridge</td>
<td>147,400</td>
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<td><strong>Total</strong></td>
<td><strong>$650,300</strong></td>
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(All figures are rounded to the nearest $100.)

The Region’s approved 2016 Planning, Development and Legislative Services Capital Program includes a budget of $769,000 for Watershed Growth Studies (Project # 22021) to be funded from the RDC Reserve Fund ($692,000 / 90%) and from the property tax levy ($77,000 / 10%). This amount is sufficient to cover the Region’s share of the costs of the MESP. The remaining budget funds will be used for other required Watershed Growth Studies.

**Other Department Consultations/Concurrence:**

Transportation and Environmental Services have representatives on the Project Team.

**Attachments:**

Figure 1 – Project Study Area, MESP Stage 2 Lands and MESP Stage 1 Lands

**Prepared By:** Jane Gurney, Principal Planner, Greenfield Planning

**Approved By:** Debra Arnold, Regional Solicitor & Director, Legal Services
Region of Waterloo
Planning, Development, and Legislative Services
Community Planning

To: Chair Tom Galloway and Members of the Planning and Works Committee
Date: November 22, 2016
File Code: D05-02

Subject: Regional Response to Bill 39 – Proposed Amendments to the Aggregate Resources Act

Recommendation:

That the Regional Municipality of Waterloo take the following actions with respect to the Province’s proposed Bill 39 - Aggregate Resources and Mining Modernization Act, 2016:

a) forward Report PDL-CPL-16-52, dated November 22, 2016 to the Ministry of Natural Resources and Forestry as its response to Bill 39 regarding the Province’s proposed amendments the Aggregate Resources Act; and

b) request the Province to continue to seek input from municipalities and other stakeholders on any future proposed amendments to the Regulations or Provincial Standards under the Aggregate Resources Act to implement the legislative changes proposed in Bill 39.

Summary:

On October 6, 2016, the Provincial government introduced Bill 39 to amend the Aggregate Resources Act (ARA). The ARA is the primary legislation governing the approval and operation of pits and quarries in Ontario. This legislation first came into place in 1990 and was last updated in 1997.

Waterloo Region is currently the fifth largest producer of sand and gravel by volume in Ontario, and the second largest in Southwestern Ontario. Given the importance of aggregates to the Region’s economy, and the potential impacts aggregate extraction
operations can have on groundwater, the natural environment and host communities, any proposed changes to the ARA is of matter of significant Regional and Area Municipal interest.

“Bill 39 - Aggregate Resources and Mining Modernization Act, 2016” is intended to provide the framework for stronger Provincial oversight in the management of aggregate operations, enhanced environmental accountability, improved information on operations and enhanced public participation, and increased fees and royalties.

The proposed Bill is the first step in a phased review of the ARA. If the proposed Bill is passed, the Province would move forward with public consultations on future proposed regulatory and policy changes, including any future proposals related to changes to fees and royalties.

The Province has posted the proposed Bill on the Environmental Registry (Posting No. 012-8443) for a public consultation period ending December 5, 2016. If approved by Regional Council, this report would form the Region’s comments on the proposed Bill.

The Province is commended for its efforts to enhance and strengthen the policy framework of the ARA. If approved, the proposed legislative changes would represent a small but significant step to achieving a better balance between the Region’s need for aggregate resources and other priority land uses, such as farmland preservation, source water protection, and environmental sustainability.

While Regional staff support the overall intent and directions set out in Bill 39, many of the proposed legislative changes are enabling in nature and will require new regulations under the ARA to implement them. In the absence of the detailed regulations, it is difficult to assess whether and how the changes proposed will achieve their desired outcomes. It is therefore essential that the Province continue to seek input from municipalities, stakeholders and the public prior to finalizing any future regulations to implement the revised ARA.

This report provides comments and recommendations on the following topics:

- Aggregate extraction within the two-year time of travel of a municipal well;
- Requests for aggregate extraction below the water table for existing licenses;
- Pit rehabilitation and maximum disturbed area on a site plan;
- Enhancing public participation;
- Additional information for existing aggregate sites;
- Annual compliance reporting; and
- Indexing Aggregate License Fees to the Construction Price Index.
Attachment 1 to this report provides a list of other proposed changes of particular interest to the Region. Each of the Area Municipalities has been consulted in the preparation of this report.

Report:

Background

On October 6, 2016, the Provincial government introduced proposed Bill 39 in the legislature to amend the Aggregate Resources Act (ARA). Administered by the Ministry of Natural Resources and Forestry (the Ministry), the ARA is the primary legislation governing the approval and operation of pits and quarries in Ontario. This legislation first came into effect in 1990 replacing the Pits and Quarries Act, 1971, and was last updated in 1997.

The proposed Bill, titled “Bill 39 - Aggregate Resources and Mining Modernization Act, 2016”, is part of the Province’s ongoing initiative to modernize and strengthen the policy framework under the ARA. This initiative began in 2012 after the Provincial government authorized the Standing Committee of General Government (an all-party committee of the Legislative Assembly), to initiate a review of the ARA.

In 2013, the Standing Committee released its report outlining several recommendations for improving the ARA in a wide range of areas. The Provincial government responded to these recommendations in a subsequent report and carried out a series of engagement sessions with stakeholders and Indigenous communities throughout 2014.

In the fall 2015, the Province consulted on proposed changes to the ARA through a discussion paper called “A Blueprint for Change: A Proposal to Modernize and Strengthen the Aggregate Resources Act Policy Framework”. On December 16, 2015, Regional Council made its formal submission (Report PDL-CPL-15-19) to the Province on the proposals contained in the Blueprint for Change. The submission outlined the Region’s general support for the proposed policy changes, subject to a series of recommendations related to water resources protection, extraction below the water table, applications on agricultural land, and the rehabilitation of closed aggregate sites.

Over the past year, the Province incorporated some of the feedback it received through the above process in the development of Bill 39. If passed, the proposed changes to the ARA would be the first step in a phased process to improve the ARA by enabling stronger Provincial oversight of aggregate management in Ontario, enhancing environmental accountability, improving information on operations and enhancing public participation, and increasing fees and royalties.
Regional Response to Bill 39

General Comments

Regional staff commend the Province for continuing its efforts to enhance and strengthen the policy framework of the ARA. Once fully implemented, many of the proposed legislative changes will support policies the Region and its Area Municipalities have been promoting for many years, particularly in the areas of environmental planning, water resource and source water protection, farmland preservation and cultural heritage landscapes. Taken together, the proposed legislative changes would represent a small but significant step to achieving a better balance between our economic need for aggregate resources with other important social, environmental and cultural heritage interests.

While we support the overall intent and directions set out in Bill 39, we note that many of the proposed legislative changes are enabling in nature and will require future amendments to regulations under the ARA, or the Aggregate Resources of Ontario Provincial Standards to implement them. Until the proposed new regulations become public, it is difficult to fully assess whether the changes proposed to the ARA will achieve their desired outcomes. Consequently, the Region will continue to monitor and provide input to the Province on any proposed regulatory changes in the future.

Recommendation – That the Province continue to seek input from municipalities and other stakeholders on any future proposed amendments to the Regulations or Provincial Standards under the ARA to implement the legislative changes proposed in Bill 39.

Specific Comments

The comments below focus on matters of particular interest to the Region of Waterloo and its seven Area Municipalities. These comments reiterate and build on the Region’s submission to the Province last year regarding its Blueprint for Change discussion paper.

1) Aggregate Extraction within the Two-Year Time of Travel of a Municipal Well

The Region of Waterloo currently extracts groundwater from 122 municipal wells and one surface water intake to serve approximately 575,000 people (2015), making it the largest municipality in Ontario to rely almost exclusively on groundwater for its drinking-water supply. Protecting this valuable water resource from potential contamination is therefore essential to maintaining human health, economic prosperity and a high quality of life in the region.

The new Regional Official Plan (ROP), as originally adopted by Regional Council in...
2009, contained several new source water protection policies that would prohibit new aggregate extraction within the two-year time of travel of a municipal well. These policies, however, were the subject of appeals and subsequently deferred for future consideration when the Ontario Municipal Board approved the new ROP on June 18, 2015. Instead of prohibiting aggregate extraction within the two-year time of travel of a municipal well as the new ROP attempted to do, Bill 39 is proposing to better protect municipal drinking water sources through new language in the ARA that would:

- Allow the Minister to add conditions to existing aggregate sites, without tribunal hearings, to implement a source protection plan under the Clean Water Act;
- Clarify that the Minister should consider the impacts to municipal drinking water sources when making decisions for new aggregate licenses and wayside permits.

Although Regional staff support the intent of these changes, it is our view that they are insufficient. We remain concerned that relying on the source water protection framework under the Clean Water Act does not adequately address the Region’s concerns related to the increased risk to municipal water supplies due to changes in the vulnerability resulting from subsurface construction and/or aggregate extraction.

In addition, while Regional staff support the proposed change to the ARA that require the Minister to consider the impacts to municipal drinking water sources when making a decision for a new aggregate license, we note that the determination of any such impacts would ultimately depend on the quality and level of detail of the required water impact assessments. Considering the serious and potentially irreversible changes in vulnerability that aggregate operations can have on municipal wells, and the possible data gaps or scientific uncertainty associated with water impact assessments, we continue to support a more precautionary approach and recommend that new aggregate operations be prohibited outright within the two-year time of travel of a municipal well.

**Recommendation – That the Province include a provision in the amended Regulation allowing municipalities to prohibit aggregate extraction within the two-year time of travel of a municipal well.**

In the Blueprint for Change discussion paper, the Province proposed a risk-based approach for study requirements for water impact assessments in which the level of risk associated with a proposed aggregate operation would determine the scale of the required impact assessment. The water impact assessment would rely on the opinion of a qualified expert to identify the need for more detailed assessment, including the requirement for analysis of cumulative impacts.
Although Regional staff support the intent of these proposed changes, we note that the details of the enhanced water impact assessments would be set out in future regulations prepared under the ARA. In the absence of these details, it is impossible to assess whether the special provisions in the enhanced water impact study requirements would adequately protect the Region’s municipal drinking water sources. Some of the questions that still need to be addressed include:

- What are the risk thresholds/triggers for initiating enhanced study requirements for water impact assessments?
- Should some aggregate activities automatically require more detailed assessment, such as in a Wellhead Protection Area, or where extraction would penetrate the aquitard overlying the municipal water supply aquifer?
- What are the criteria for determining what would be considered a low- or high-risk aggregate activity?
- What constitutes a qualified expert?

**Recommendation – That the Province initiate discussions with municipalities and other relevant stakeholders prior to developing the content for the future regulations relating to enhanced water impact assessments.**

2) Requests for extraction below the water table for existing aggregate licenses

In the Blueprint for Change document, the Province discussed the need to change its current policy regarding requests from aggregate operators, who are only licensed to extract aggregates above the water table, for permission to extract below the water table. This has been a very contentious matter in the approval of the ROP and remains at issue as 13 of the 14 deferrals relate to policies addressing aggregate extraction as it might affect groundwater resources.

Currently, a new aggregate operation may be licensed either to allow extraction above (typically 1.5 metres above) the seasonally high water table, or to extend down into the water table. Either type of application is thoroughly reviewed by Regional Water Services staff, and comments are forwarded to the Area Municipality (which can either approve, or refuse the required zone change under the Planning Act to permit extraction) as well as to the Ministry (which can either grant, or deny an aggregate license under the ARA). Problems arise, however, in cases where a previously-licensed above-water-table operation applies for permission to extend extraction down into the water table. A similar problem can arise in cases where an aggregate operator currently licensed to extract below the water table, requests permission to extract even deeper...
underground and penetrate the aquitard (layers of clay that seal an aquifer) overlying a municipal aquifer.

Under present policy, all that is required to extend the depth of extraction is a site plan amendment approved by the Ministry under the ARA. Such an amendment is typically circulated by the Ministry to affected municipalities, but municipalities have only a limited commenting role in the process and no right of appeal if they have strong objections to the extension. The Ministry has the sole discretion to decide whether and to whom to circulate any proposed amendments to an aggregate license.

The Province’s Blueprint for Change document considered changing this policy so that existing sites, which are only approved to extract above the water table, would be required to submit a new application under the ARA for approval to lower the depth of extraction below the water table. This change could potentially achieve the same objective as the “vertical zoning” policies in the new ROP, which are presently deferred, but without actually triggering a zone change application under the Planning Act. The requirement for a new application could also address the issue noted earlier where an aggregate operator is seeking to penetrate the aquitard overlying a municipal aquifer.

While Regional staff generally support this proposed policy change, we note that the Province did not include it in the proposed Bill 39. Although Bill 39 would add new language in Section 13 of the ARA to allow “minor amendments” to site plans without the Minister’s approval, there is no new requirement that all other, or “major amendments” (such as requests to lower extraction below the water table) would trigger the need for a new site plan application.

**Recommendation – That the Province establish thresholds in the future regulations for minor and major site plan amendments. Where major site plan amendments are proposed by the licensee (such as requests to lower extraction below the water table, or to allow operators already extracting below-the-water-table to extract deeper underground and penetrate the aquitard overlying a municipal aquifer), the notification and consultation requirements that are to be established for new licence applications should also apply to these site plan amendments. This change would require public consultation and notification to municipalities, who will have input into the studies necessary for the proposed site plan amendments.**

3) **Pit Rehabilitation and Maximum Disturbed Area on Site Plans**

Currently, the ARA requires every aggregate operator to complete “progressive rehabilitation” and “final rehabilitation” of their site, and all licenses issued since 1990 must specify how the site will be used following rehabilitation. Progressive rehabilitation
refers to the sequential rehabilitation of sub-areas within the pit once extraction is completed, while extraction continues elsewhere in the pit. This requirement is intended to minimize the amount of open area and disturbance at any given time, and to advance the after-use of the site.

Although there have been several examples of successful and timely site rehabilitation in Waterloo Region, rehabilitation rates here and elsewhere in Ontario are perceived to be unacceptably slow and lag behind the rate at which new areas are opened for extraction. Under the Provincial Policy Statement, aggregate extraction in prime agricultural areas is permitted as an interim use. However, some pits appear to operate continually with no closing date in sight. Several sites appear to be virtually mined out, yet there appear to be few, if any “triggers” to require final rehabilitation.

To help address this challenge, Bill 39 is proposing to add a new provision in the ARA that would require aggregate operators to submit periodic reports to the Ministry on the progressive and final rehabilitation of their site. The contents, scope and frequency of the new reports would be prescribed through future regulations under the ARA. While Regional staff strongly support this proposed change to better monitor rehabilitation activities, we note that increased reporting of rehabilitation will not in itself result in higher rehabilitation rates in Ontario. A broader discussion is required among the Ministry, municipalities, the aggregate industry and other key stakeholders on how to improve rehabilitation rates across the Province.

In addition to the measures identified in the Province’s Blueprint for Change, the Province could seek to increase rehabilitation rates by requiring security deposits, tighter timelines, and increased enforcement and fines for unnecessary delays in rehabilitation. The Province could also consider the need for improved documentation and reporting of surrendered licenses to municipalities and the public to better assess the success of rehabilitation to specified after-uses.

Another potential option could be to update the Provincial Standard to establish a maximum disturbed area for all new sites to minimize site disturbance at any given time, and also encourage more timely rehabilitation. In general, this approach could be supported as a means of preventing the persistence of extensively disturbed sites showing little evidence of rehabilitation. It is recognized, however, that establishing a maximum disturbed area may be a challenge in some of instances. For example, larger pits that produce various types and grades of sand and gravel may need to operate several pit-faces to produce materials for custom blends.

Recommendation – That the Province hold a broader discussion with municipalities, the aggregate industry and other stakeholders on how to increase the rehabilitation rates of aggregate sites in Ontario to the point where they
roughly equal the rate of new site disturbance.

**Recommendation** – That the Province consider updating the Provincial Standard to establish a maximum disturbed area for all new aggregate sites to minimize site disturbance at any given time and encourage timely rehabilitation.

4) Enhancing Public Participation

One of the key comments included in the Region’s submission on the Province’s Blueprint for Change document related to the need for enhanced public participation. The current zoning and licensing process for new aggregate operations follows a dual process under the Planning Act and the Aggregate Resource Act. The process can be fairly complex and difficult to navigate for community members who are less familiar with aggregate terminology and planning procedures. A common complaint is that more time and clearer information is needed for the public to participate effectively in the process. Where public concerns cannot be satisfactorily resolved, this can result in protracted and costly OMB hearings that effectively take the final decision out of the hands of local authorities.

To help address this problem, Bill 39 is proposing to include a new provision in the ARA authorizing the Minister to require applicants to submit a “custom plan” that would set out enhanced public consultation procedures for certain types of aggregate license applications. When required, each custom plan would include:

a) consultation and notification procedures that the applicant will follow in addition to, or instead of Ministry’s standard procedures; and

b) a description of any surveys or studies relating to the proposed pit or quarry that the applicant will carry out and any documentation that the applicant will prepare.

Bill 39 would also require the applicant to comply with a custom plan within the time period set out in the plan. Until all the requirements set out in the custom plan have been satisfied by the applicant, the Minister may refuse to further consider the application.

Regional staff welcome legislative changes to help enhance the current public participation process. If approved, these changes have the potential to better inform the community and provide greater flexibility in cases where more time is required to address public concerns and reach a potential resolution.

Despite our general support, however, the Province has yet to establish the criteria for implementing this new requirement. For example, would custom plans be required for some applications, or all applications? If this requirement is not intended to apply to all
applications, what criteria would be used for requiring a custom plan (e.g., size and scale of the proposed aggregate operation; potential land use compatibility issues; potential impacts to natural or cultural heritage resources)? The ability to customise the public consultation process for different applications may be acceptable in principle, but implementation will depend on the regulations which have yet to be established.

Also unclear is the role municipalities would have in the preparation of custom plans. Unless municipalities and other relevant stakeholders are given the opportunity to provide input into custom plans, applicants will have considerable latitude to define their scope of work and consultation approach within the limits set by the regulations.

**Recommendation – That the Province include in Bill 39, or in the amended regulation, criteria for determining when custom plans would be required, and specifying which stakeholders would be involved in setting the terms of reference.**

5) **Additional Information for Existing Aggregate Sites**

As noted in the Region’s submission on the Province’s Blueprint for Change, there are still a number of aggregate operations operating in Ontario pursuant to licences granted under the former Pits and Quarries Act, 1971. Many of the older licences have renewed, but have often not substantively changed following approval of the Aggregate Resources Act in 1990. Such older operations often show less regard for natural heritage features and groundwater than more recently-licensed operations.

To help address this issues, and to ensure that older pits operate in accordance with more current standards, Bill 39 is proposing to add a new provision that would give the Minister the power to direct existing aggregate operators “to submit information relating to the operation of a pit or quarry and to submit a report to the Minister.” The Minister may also direct an aggregate operator to:

a) conduct any inventory, survey, test or study that is usually required to be conducted and submitted as part of the documentation required to accompany a new application for a licence under the ARA; and

b) submit a report on the inventory, survey, test or study to the Minister.

Regional staff support these proposed changes to help identify and mitigate any potential adverse environmental impacts associated with older aggregate operations. Among other things, the proposed changes could potentially lead to new conditions on existing pits in keeping with important legislation passed since the original license approval, such as the Clean Water Act and the Endangered Species Act.
While we support these changes, in the absence of the implementing regulations, there are questions about how or when the new provisions would be applied in practice. For example, would municipalities have any role in this process? Would the Minister consult with a municipality prior to determining the scope and content of any required inventories, surveys, tests or studies? Similarly, would a municipality be given the opportunity to review and provide comments on any studies required by the Minister?

**Recommendation – That the Province include in Bill 39, or in the amended regulation, a provision requiring the Minister to consider any potential municipal input in determining the need for, and in reviewing any required inventories, surveys, tests, or studies contemplated under proposed new Section 62.4 of the ARA.**

6) **Annual Compliance Reporting**

In 1997, changes to the ARA shifted a number of responsibilities from the Ministry to the aggregate industry itself. One such change relates to annual compliance reporting. Currently, all operators are required to conduct a self-compliance report to assess how operations on their site comply with their approval conditions. The report must be completed annually and the standardized form (called a Licensee’s Compliance Assessment Report) must be filed with the Ministry and municipalities. In practice, these reports are typically collected by the Ministry but are not systematically monitored or reviewed for errors or omissions.

If passed, Bill 39 would delete the requirement that compliance reports be submitted annually, and instead require that they be submitted annually or at “such other intervals as may be prescribed.” The general intent of this change is to increase efficiency and streamline the compliance reporting process, particularly for smaller or relatively inactive aggregate sites that may be experiencing little change over the reporting cycling.

While Regional staff appreciate the need to streamline the compliance reporting process, it is our view that annual reporting, particularly for larger aggregate operations, is important to municipalities because it provides a timely measure of compliance. We are concerned that proposed change to the ARA may potentially downgrade the current self-compliance assessment approach, which has been previously criticized by the Environmental Commissioner of Ontario (ECO). In particular, the ECO has noted that some compliance reports submitted by aggregate operators have been late or lacked important information, such as the depth of extraction and rehabilitation information. In a few instances, reports have simply been photocopied from the previous year.

Regional staff’s concern for accurate reporting information may be alleviated somewhat by the provisions in Bill 39 that would strengthen the offence provisions in the ARA to clarify that it is an offence to provide false information related to any reporting
requirement. However, the enforcement of any such offences would ultimately depend on the availability of Ministry inspectors. Currently, the Ministry’s Guelph District office has only two full-time aggregate inspectors responsible for overseeing several hundred aggregate operations located in six different regions and counties. The inspector assigned to Waterloo Region is responsible for supervising about 250 pits and quarries in Brant County, Niagara Region and Waterloo Region.

Recommendation – That the Province establish the thresholds for the submission of compliance reports through the future regulations prepared under the ARA. These thresholds could allow smaller, non-contentious aggregate operations to file a report every two years, whereas larger, more complex operations involving groundwater or natural heritage resources could be required to complete an assessment report annually. Alternately, operations that have been shown to have operated satisfactorily in all respects could be permitted to report every two years. Annual reporting should remain the rule for operations where deficiencies of any sort have been self-reported, or discovered by Ministry inspectors. Such operations should not revert to biennial reporting until it is determined that the operation is again fully compliant.

7) Indexing Aggregate License Fees to the Construction Price Index

The ARA and its Regulation currently require aggregate operators to pay a licensing fee of 11.5¢ per tonne of aggregate removed from a site each year. This annual licensing fee is disbursed as follows:

- 52% or 6.0¢ per tonne to the local municipality
- 13% or 1.5¢ per tonne to the County or Regional municipality
- 4% or 0.5¢ per tonne to the Aggregate Resources Trust (to be used for abandoned site rehabilitation and research)
- Any portion of fee remaining is retained by the Provincial government.

The Province’s aggregate licensing fees have been the same for many years and have not kept up with the rate of inflation. To help address this problem, the Province’s Blueprint for Change discussion paper proposed to index the current aggregate licensing fees to the Consumer Price Index.

In the Region’s submission on the Blueprint for Change, Regional Council supported the intent of this proposal but recommended that the fees be increased to more accurately reflect the full cost of road upgrades and maintenance required for aggregate transportation, and that they be indexed thereafter to the Construction Price Index.
rather than the Consumer Price Index, as is the case with Development Charges.

Despite the Region’s recommendation, the Province did not include any changes to its current licensing fees in Bill 39. The proposed Bill would, however, amend the ARA to require such fees to be prescribed by regulation and not set by the Minister. We understand that the intent of this change is to facilitate future proposals to update the Province’s current licensing fees. Regional staff welcome this change with caution as any updates to the licensing fees will ultimately depend on the future regulations.

**Recommendation – That the Province include in the amended regulation, a provision requiring the Province to index its annual aggregate licensing fees to the Construction Price Index.**

**Area Municipal Consultation/Coordination**

Regional staff have consulted with each of the Area Municipalities in the preparation of this report. A preliminary draft of this report was circulated for comment to the Area Municipalities who requested a copy.

**Corporate Strategic Plan:**

Strengthening aggregate resources policy in Ontario will help Strategic Objectives 3.2 Protect the quality and quantity of our water resources, and 3.5 Preserve, protect and enhance green space, agricultural and environmentally sensitive lands.

**Financial Implications:**

Nil.

**Other Department Consultations/Concurrence:**

Water Services contributed to the preparation of the sections on water resources.

**Attachments:**

Attachment 1 - Other Proposed Changes to the ARA of Interest to the Region of Waterloo

**Prepared By:** John Lubczynski, Principal Planner

Chris Gosselin, Manager, Environmental Planning and Stewardship

**Approved By:** Debra Arnold, Regional Solicitor & Director, Legal Services
Attachment 1
Other Proposed Changes to the ARA of Interest to the Region of Waterloo

Key highlights of the proposed changes to the ARA include:

General

- Authorizing the Minister to develop regulations to require licensees to submit information related to their operation, and to conduct and submit reports on inventories, tests, surveys and studies related to the operation;
- Standardizing annual tonnage limits for all existing licences and permits, and including all aggregate and recycled aggregate leaving the site in those limits;
- Standardizing and enhancing the provisions for amending site plans and licence or permit conditions across licences, wayside permits and aggregate permits, and enabling regulations to be made allowing licensees and permittees to self-file minor site plan amendments in circumstances that would be set in regulation;
- Allowing the Minister to add conditions to existing sites, without tribunal hearings, to implement a source protection plan under the Clean Water Act;
- Enhancing powers related to the transfer and revocation of permits and licences;
- Creating the authority to make regulations requiring peer review of technical studies and to require the applicant, licensee or permittee to cover the cost of those reviews;
- Clarifying and enhancing the provisions that allow regulations to be made requiring record keeping and reporting on aggregate operations; and
- Allowing self-compliance reporting to be required more or less frequently than once per year as prescribed by regulation.

New operations

- Allowing custom plans to be developed that outline study and consultation requirements in some site specific situations;
- Clarifying that impacts to municipal drinking water sources be considered when making decisions for new licences and wayside permits;
• Authorizing the creation of regulations to exempt specific activities from licencing or permitting requirements if specific conditions are met; and

• Establishing the application documentation requirements for grandfathering applications that are currently described in policy within the legislation.

Enforcement

• Providing for a new maximum fine of $1,000,000 and a new maximum daily fine of $100,000;

• Establishing clear offense provisions for submitting false or misleading information in a report or in information that is required under the Act, the regulations, a site plan or a licence or permit;

• Protecting the inspectors, public servants, and the Minister from liability for any acts that they have done in good faith under the Act; and

• Legally recognizing the inspection report, that is currently used informally by aggregate inspectors, to document the findings of an inspection.

Fees and Royalties

• Increasing flexibility with respect to the collection and distribution of fees and royalties;

• Requiring existing fees for applications, amendments, transfers, etc. to be established in regulation;

• Enabling setting of new fees in regulation for a broader array of requests (e.g., requests for amendments, acceptance of surrender);
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