



# REGIONAL MUNICIPALITY OF WATERLOO PLANNING AND WORKS COMMITTEE MINUTES

Tuesday, December 6, 2011  
12:48 P.M.  
Regional Council Chamber  
150 Frederick Street, Kitchener, Ontario

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Present were: Chair J. Wideman, L. Armstrong, J. Brewer, T. Cowan, \*D. Craig, \*R. Deutschmann, T. Galloway, J. Haalboom, B. Halloran, \*R. Kelterborn, G. Lorentz, C. Millar, J. Mitchell, K. Seiling, \*S. Strickland, \*C. Zehr

Members absent: None

## **DECLARATIONS OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT**

R. Deutschmann declared a conflict of interest regarding Report E-11-097 Preliminary Preferred Rapid Transit Procurement and Delivery Option due to a pecuniary interest since he and his spouse are shareholders of corporations that have an interest in a property at 10 Duke Street West, Kitchener.

R. Deutschmann noted that there was an item regarding Rapid Transit on the last Planning & Works Agenda for which he was not present, however he would have declared an interest if present.

D. Craig declared an interest regarding Report E-11-097 Preliminary Preferred Rapid Transit Procurement and Delivery Option, due to his son owning property within the area of a proposed station on the rapid transit system.

K. Seiling declared a pecuniary interest regarding Report E-11-097 Preliminary Preferred Rapid Transit Procurement and Delivery Option due to two of his adult children who own residential properties within the proposed corridor.

Further Declarations were made after the recess. See page 2.

## **DELEGATIONS**

- a) Rosemary McCormick, Re: E-11-115, Removal of Rumble Strips on Moser-Young Road (Regional Road 14) and Notre Dame Drive (Regional Road 12)

R. McCormick, local area resident, expressed concern for safety and potential accidents as a result of not having the rumble strips reinstalled on Moser-Young Road approaching the intersection of Notre Dame Drive. She explained that the rumble strips were not a noise concern for her and would like them reinstalled. R. McCormick asked if the Region reviews the rumble strips for operation and maintenance and indicated that Notre Dame Drive rumble strips may be wearing.

Committee members posed questions of clarification to R. McCormick about the location of residences and noise generated from the rumble strips on Moser-Young Road.

## REPORTS – TRANSPORTATION AND ENVIRONMENTAL SERVICES

### TRANSPORTATION

- k) E-11-115, Removal of Rumble Strips on Moser-Young Road (Regional Road 14) and Notre Dame Drive (Regional Road 12)

John Hammer, Director, Transportation, advised that staff review the rumble strips for wear and tear periodically and that during road reconstruction they look at whether they meet current standards for re-installation. Staff pointed out the location of residences at the intersection in Figure 1 in their report for clarification to Committee. It was noted that one residence is located within fifty feet of the intersection which makes it challenging to relocate the rumble strips to mitigate noise.

Committee continued to discuss the issue and the following alternate motion was moved.

MOVED by R. Kelterborn  
SECONDED by R. Deutschmann

THAT the Regional Municipality of Waterloo reinstall one (1) set of rumble strips on southbound Moser-Young Road (Regional Road 14) approaching Notre Dame Drive / Gerber Road (Regional Road 12).

CARRIED

### MOTION TO GO INTO CLOSED SESSION

MOVED by J. Haalboom  
SECONDED by L. Armstrong

THAT a closed meeting of the Administration & Finance and the Planning & Works Committees be held on Tuesday, December 6, 2011, at 1:15 p.m., in the Waterloo County Room, in accordance with Section 239 of the *Municipal Act*, 2001, for the purposes of considering the following subject matters:

- a) personal matters about identifiable individuals – committee appointments
- b) proposed or pending acquisition of land in the City of Kitchener
- c) proposed or pending acquisition of land in the City of Waterloo
- d) receiving of legal advice and opinion that is subject to solicitor-client privilege related to a legal agreement
- e) personal matters about identifiable individuals – committee appointments
- f) personal matters about identifiable individuals – committee appointments
- g) labour relations
- h) receiving of legal advice and opinion that is subject to solicitor-client privilege related to a legal agreement
- i) potential litigation related to a proceeding before an administrative tribunal
- j) potential litigation related to a proceeding before an administrative tribunal
- k) labour relations and potential litigation related to a legal proceeding

CARRIED

**MOTION TO RECONVENE IN OPEN SESSION – 2:49 p.m.**

MOVED by T. Cowan  
SECONDED by C. Millar

THAT the meeting reconvene into Open Session.

CARRIED

Members absent at this time were: \*R. Deutschmann, \*S. Strickland and \*C. Zehr

**DECLARATIONS OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT**

The following members re-declared their pecuniary interest related to items in the Planning & Works closed session.

K. Seiling re-declared his interest related to an Ontario Municipal Board matter due to his deceased mother's estate and regarding Rapid Transit for reasons declared earlier in open session.

D. Craig re-declared his interest regarding Rapid Transit for reasons declared earlier in open session.

**REPORTS – PLANNING, HOUSING AND COMMUNITY SERVICES****COMMUNITY PLANNING**

a) P-11-074, Region of Waterloo (King/Victoria) Transit Hub

J. Wideman and J. Haalboom expressed interest in participating on the project team.

D. Craig requested that consideration be given to extending Rapid Transit service to downtown Cambridge, instead of ending at the Pinebush Smart Centres.

MOVED by L. Armstrong  
SECONDED by G. Lorentz

THAT Regional Council appoint Councillors J. Wideman and J. Haalboom to the Region of Waterloo's King/Victoria Transit Hub Project Team;

AND THAT Regional Council request City of Kitchener Council to appoint a City Councillor to the Region of Waterloo's King/Victoria Transit Hub Project Team.

CARRIED

- b) P-11-092, Monthly Report of Development Activity for October 2011

MOVED by B. Halloran  
SECONDED by R. Kelterborn

THAT the Region of Waterloo accept P-11-092, Monthly Report of Development Activity for October 2011, dated December 6, 2011.

CARRIED

### **COMMUNITY SERVICES**

- c) P-11-093, Scenic Roads and Special Character Streets Resource Document

This item was deferred to the next meeting Planning and Works Committee.

### **TRANSPORTATION PLANNING**

- d) P-11-069, Proposed Modifications to Regional Implementation Guideline for Road Allowance Dedications On and Adjacent to Known and Potentially Contaminated Sites

Rob Horne, Commissioner, Planning, Housing and Community Services, provided introductory comments and advised that staff expect to come back to Committee early in 2012 with a recommendation.

MOVED by T. Galloway  
SECONDED by J. Haalboom

THAT the Regional Municipality of Waterloo take the following action with respect to the proposed modifications to the Regional Implementation Guideline for Road Allowance Dedications on and Adjacent to Known and Potentially Contaminated Sites pursuant to the provisions of the Regional Official Policies Plan and the Regional Official Plan as detailed in Report P-11-069, dated December 6, 2011:

- a) Authorize a Public Meeting of the Planning and Works Committee early in 2012 to receive comments from agencies and interested members of the public; and
- b) Direct staff to circulate a draft of the proposed modifications for comment to the Area Municipalities and other parties having an interest in this implementation guideline, including posting on the Regional website.

CARRIED

- e) P-11-094, GO Transit Rail Service Launch and Fare Integration Agreement

Graham Vincent, Director, Transportation Planning, provided introductory comments.

\*S. Strickland returned to the meeting at 2:56 p.m.

MOVED by J. Haalboom  
SECONDED by J. Brewer

THAT the Regional Municipality of Waterloo take the following action with respect to the implementation of GO Transit rail service as described in Report P-11-094, dated December 6, 2011:

- a) approve the establishment and operation of a temporary parking lot for GO Transit riders on the properties acquired to develop the Region of Waterloo (King/Victoria) Transit Hub, namely 510 King Street West and 16, 50 and 60 Victoria Street North;
- b) approve the implementation of a GO Station shuttle service from the Charles Street Terminal, effective December 19, 2011;
- c) enter into a fare integration agreement with Metrolinx, the operator of GO Transit, with the form and content of such agreement to be to the satisfaction of the Regional Solicitor;
- d) amend the Region's Fees and Charges By-law (By-law 11-015) to:
  - i) accommodate the proposed fare integration agreement with Metrolinx with such amendments to take effect on December 15, 2011 provided the proposed agreement is signed by the parties on or before that date;
  - ii) provide free parking until 7:10 AM and charge \$2.00 per hour to a daily maximum of \$12.00 to use the temporary parking lot at the Region of Waterloo (King/Victoria) Transit Hub lands, namely 510 King Street West and 16, 50 and 60 Victoria Street North with such amendments to take effect on January 19, 2012.

CARRIED

\*C. Zehr returned to the meeting at 2:59 p.m.

f) P-11-095, TravelWise Progress 2011

R. Horne provided introductory comments.

Received for information.

## **REPORTS – TRANSPORTATION AND ENVIRONMENTAL SERVICES**

### **DESIGN AND CONSTRUCTION**

g) E-11-117, Bloomingdale Road Improvements, Kraft Drive to Bridge Street, City of Kitchener - Approval of Project

MOVED by S. Strickland  
SECONDED by J. Mitchell

THAT the Regional Municipality of Waterloo approve the proposed improvements on Bloomingdale Road (Regional Road #20) from Kraft Drive to Bridge Street as outlined in Report E-11-117.

CARRIED

- h) E-11-119, Highland Road Improvements, Patricia Avenue to Westmount Road, City of Kitchener - Approval of Project

MOVED by T. Galloway  
SECONDED by T. Cowan

- a) THAT the Regional Municipality of Waterloo approve the proposed improvements on Highland Road (Regional Road #6) from Patricia Avenue to Westmount Road as outlined in Report E-11-119.
- b) Direct staff to file the Notice of Completion for this Class Environmental Assessment by means of advertisement in the local newspaper and mailings to the adjacent property owners, tenants and agencies and place the Environmental Assessment Study files on the public record for a period of 30 days.

CARRIED

### **RAPID TRANSIT**

- i) E-11-097, Preliminary Preferred Rapid Transit Procurement and Delivery Option

Nancy Button, Director, Rapid Transit Initiative, provided a detailed presentation about the procurement options as outlined in the staff report. [A copy of the presentation is appended to the original minutes.](#)

\*D. Craig left the meeting at 3:03 p.m.

\*R. Kelterborn left the meeting at 3:05 p.m.

\*R. Deutschmann returned to the meeting at 3:11 p.m.

In response to committee member questions, staff explained future integration between the various transit systems, performance specifications for contractors, the Region's risks and operation of certain aspects of the system, as well as Infrastructure Ontario's experience with this type of project.

Committee members expressed support for a partnership with Infrastructure Ontario (IO) on this project and indicated the benefits that IO would bring to the project.

N. Button and Debra Arnold, Director Legal Services/Regional Solicitor, responded to questions regarding staff's intent for retaining external legal counsel and the timing of such. It was also noted that there is no expectation for additional staff, other than those recently approved by Planning and Works Committee

Chair Wideman thanked staff and recognized their well written report. He commented that IO will be helpful in creating good pathways between the Ontario and Canadian governments and for the successful flow of funds.

C. Zehr requested a recorded vote on the motion.

MOVED by S. Strickland

SECONDED by C. Zehr

Conflicts:  
K. Seiling  
R. Deutschmann  
D. Craig

THAT the Regional Municipality of Waterloo direct staff to work with Infrastructure Ontario (IO) to develop a draft Memorandum of Understanding to engage IO as an independent contractor to provide rapid transit procurement coordination and transaction management services, for Council's consideration, as described in Report No. E-11-097, dated December 6, 2011.

CARRIED

Yeas: L. Armstrong, J. Brewer, T. Cowan, T. Galloway, J. Haalboom, B. Halloran, G. Lorentz, C. Millar, J. Mitchell, S. Strickland, J. Wideman, C. Zehr

Excused: D. Craig (absent), R. Deutschmann, K. Seiling

## TRANSPORTATION

- j) E-11-109, Lane Designation By-Law Amendment for Pinebush Road (Regional Road 39) at Smart Centres Entrance, City of Cambridge

\*S.Strickland left the meeting at 3:30 p.m.

MOVED by J. Mitchell

SECONDED by L. Armstrong

THAT the Regional Municipality of Waterloo amend Traffic and Parking By-Law #06-072, as amended, to add to Schedule 16 – Lane Designation, eastbound left-turn, left-turn at 22 and 35 Pinebush Road (Regional Road 39) in the City of Cambridge, as outlined in report E-11-109, dated December 6, 2011.

CARRIED

- k) E-11-115, Removal of Rumble Strips on Moser-Young Road (Regional Road 14) and Notre Dame Drive (Regional Road 12)

This report was dealt with under delegations.

- l) E-11-116, Safety Review of Fairway Road at Thaler Avenue, in the City of Kitchener and Floradale Road at Line 86/Church Street, in the Township of Woolwich

J. Hammer provided introductory comments. Chair Wideman spoke in support of a possible Roundabout at the Line 86 and Church Street intersection in the Township of Woolwich and that a report will be brought forward on that in May or June 2012.

\*R. Kelterborn returned to the meeting at 3:30 p.m.

Received for information.

**WASTE MANAGEMENT**

## m) E-11-111, Proposed Waste Management User Fee Changes

John Arsenault, Director, Waste Management, provided an overview of the report.

Committee discussed the pros and cons of introducing a minimum fee for waste receiving facilities and expressed concern that it would encourage roadside dumping. It was suggested that this is a service that should be included in taxes. Staff advised that over fifty percent of the loads received at landfills are at no charge to the resident and the materials are collectable at the curb through the Region's curb-side pick up service.

Committee explored the avenues of an increase to the tipping fee to \$75/tonne with staff.

T. Galloway requested that part iii. be divided and voted on separately.

G. Lorentz requested a recorded vote on the motion.

MOVED by J. Brewer

SECONDED by R. Deutschmann

THAT the Regional Municipality of Waterloo approve the following waste management user fee change, effective July 1<sup>st</sup>, 2012, subject to Council's approval of the 2012 base budget:

- iii. implement a \$2.00 minimum fee at all six Regional Waste Management receiving facilities.

**MOTION LOST**

Yeas: L. Armstrong, J. Brewer, Deutschmann, K. Seiling

Nays: T. Cowan, T. Galloway, J. Haalboom, B. Halloran, R. Kelterborn, G. Lorentz, C. Millar, J. Mitchell, J. Wideman, C. Zehr

An amendment to the motion was moved for the general refuse/garbage tip fee.

MOVED by T. Cowan

SECONDED by J. Mitchell

THAT the Regional Municipality of Waterloo approve the following waste management user fee change, effective July 1<sup>st</sup>, 2012, subject to Council's approval of the 2012 base budget:

- i. increase the general refuse/garbage tip fee to \$75/tonne from \$72/tonne;

**MOTION LOST**



The main motion was taken without part iii, which was previously voted on and lost.

MOVED by J. Brewer

SECONDED by R. Deutschmann

THAT the Regional Municipality of Waterloo approve the following waste management user fee changes, effective July 1<sup>st</sup>, 2012, subject to Council's approval of the 2012 base budget:

- i. increase the general refuse/garbage tip fee to \$74/tonne from \$72/tonne;
- ii. tie the segregated loads/special waste tip fee at 50% of the general refuse/garbage tip fee.

AND THAT the notice of the intent to amend the Region's Fee's and Charges (By-Law 11-015 as amended) as set out in Report E-11-111 dated December 6, 2011, be published in accordance with the provisions of the Municipal Act.

CARRIED

#### **WATER**

- n) E-11-110, Extension of Consultant's Assignment for the Surface Water Quality Monitoring Program

Thomas Schmidt, Commissioner, Transportation and Environmental Services, responded to a question about how the cost would be beneficial for the Region since there is no bidding process.

MOVED by T. Galloway

SECONDED by C. Zehr

That the Regional Municipality of Waterloo extend LGL Ltd. Environmental Research Associates (LGL) of Burlington, Ontario, current consulting assignment for the Surface Water Quality Monitoring Program (Planning & Works Report E-09-054 of May 12, 2009) to include monitoring services for the Conestogo River and Canagagigue Creek from January 2012 to April 2014 at an additional upset fee limit of \$162,000.00 plus applicable taxes.

CARRIED

- o) Kitchener Pressure Zone 4 Trunk Watermain Study (Ottawa Street to future Strasburg Road) – Public Information Centre Information Package

Received for information.

#### **INFORMATION/CORRESPONDENCE**

- a) Memo Re: Highway 401 Improvements (Hespeler Road – Wellington County/Halton Region Boundary) – Public Information Centre #2

Received for information.

- b) Memo Re: Highway 7/8 Construction Staging – Fischer-Hallman Road to Courtland Avenue – 2011 to 2015

Received for information.

### **OTHER BUSINESS**

In response to an inquiry from J. Mitchell regarding purchasing articulated buses, staff advised that those buses will be considered through the on-going Transit Business Plan.

It was noted that staff will be bringing an update on the Homer Watson Boulevard / Block Line Roundabout to this Committee in January, 2012.

### **ADJOURN**

MOVED by J. Mitchell  
SECONDED by G. Lorentz

THAT the meeting adjourn at 4:09 p.m.

CARRIED

**COMMITTEE CHAIR, *J. Wideman***

**COMMITTEE CLERK, *J. Reid***

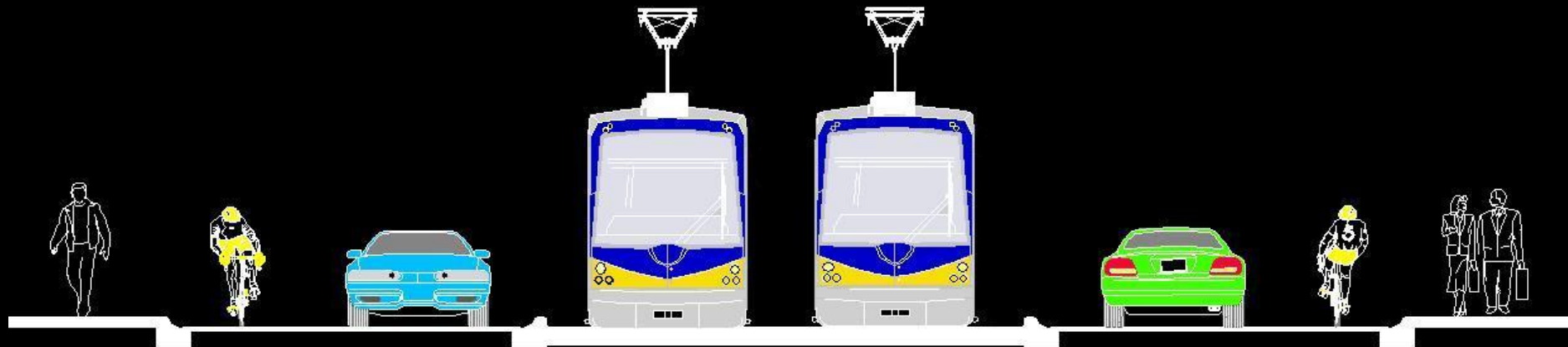


# Rapid Transit Procurement & Delivery Options



# June 2011 approvals

- Stage 1 rapid transit
- Evaluate project procurement & delivery options
- Role of Infrastructure Ontario



# Governance/Ownership Options

**Public  
Control/  
Ownership**

**Public  
Private  
Partnership  
(P3)**

**Private  
Control/  
Ownership**

# Project Procurement & Delivery Options

<b>Design Bid Build DBB</b>	<b>Design Build DB</b>	<b>Design Build Maintain DBM</b>	<b>Design Build Operate Maintain DBOM</b>	<b>Design Build Finance DBf</b>	<b>Design Build Finance Maintain DBFM</b>	<b>Design Build Finance Operate Maintain DBFOM</b>	<b>Build Own Operate Transfer BOOT</b>	<b>Build Own Operate BOO</b>
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# Procurement & Delivery Options

- |  |       |
|--|-------|
| 1. Design Bid Build                      | DBB   |
| 2. Design Build                          | DB    |
| 3. Design Build finance                  | DBf   |
| 4. Design Build Operate Maintain         | DBOM  |
| 5. Design Build Finance Maintain         | DBFM  |
| 6. Design Build Finance Operate Maintain | DBFOM |

D=Design B=Build f,F=Finance O=Operate M=Maintain

# Option 1: DBB

- Region designs
- Private sector constructs
- Monthly progress payments

# Option 1: DBB

- Region has complete control of design process
- Region would have to hire the expertise to complete design
- Region retains all the project risks



# Option 2: DB

- Private sector designs & constructs
- Monthly progress payments
- Compliance reviews

# Option 2: DB

- Combines design and construction = more innovation, lower cost, saves time
- Region has less control over the design process

# Option 3: DBf

- Adds short-term financing to DB option
- No monthly payments
- Milestone or substantial completion payments

# Option 3: DBf

- Same pros & cons as DB plus:
- More incentive for contractor to be on-budget and on-schedule
- Even lower cost because of incentives to complete construction efficiently and quickly

# Option 4: DBOM

- Adds operating and maintenance to DB or DBf
- Monthly payment for OM based on performance & availability
- Security through performance bonding or letter of credit
- Project term 10-15 years
- Incentive: next OM term

# Option 4: DBOM

- Same pros and cons as DB or DBf plus:
- Design and construction is linked to future operating and maintenance
- Improved construction quality
- Lower net costs
- Potential issue integrating with GRT
- More risk transferred to private sector

# Option 5: DBFM

- Adds long-term financing and maintenance to DB
- Incentive: instalment payments based on compliance with performance & availability specifications
- Project term 25-30 years

# Option 5: DBFM

- Same pros & cons as DBf plus:
- Less chance of contractor default
- Strong incentives to meet maintenance standards
- More opportunity for innovation



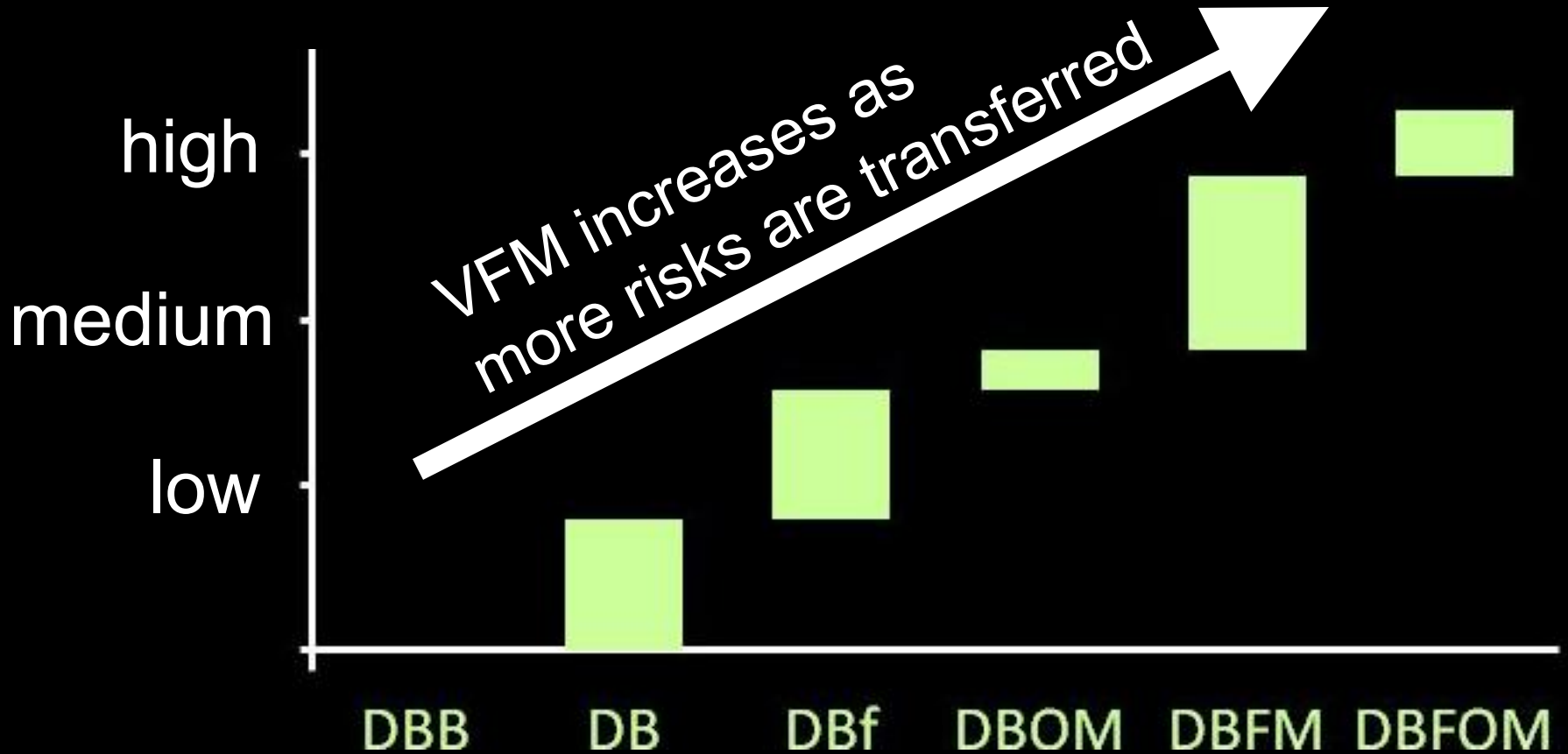
# Option 6: DBFOM

- Adds operations to DBFM
- Incentive: instalment payments based on compliance with performance & availability specifications
- Project term 25-30 years

# Option 6: DBFOM

- Same pros and cons as DBFM plus:
- Increased incentive to produce a long-term quality system
- Lowest overall cost
- O&M bundled together increases the accountability of the private sector
- Possible issue integrating with GRT

# Value for Money (VFM) by Option



D=Design B=Build f,F=Finance O=Operate M=Maintain

# VFM by Project Term

- 15, 25 or 30 years
- For DBFOM, 30-year term is optimal because transfers risk related to lifecycle maintenance
- Built to last

# General Comments

- Region is not well positioned to deliver a DBB project either on time or on budget
- DB transfers some schedule and budget risks to the private sector

# General Comments

- Adding Financing transfers more risk to the private sector and increases the incentives for delivering a quality project on time and on budget
- Adding O&M further transfers risk to the private sector and increases incentives to produce a product that operates well and efficiently in the long term

# Preliminary preferred procurement and delivery option

## DBFOM

D=Design B=Build f,F=Finance O=Operate M=Maintain

# Infrastructure Ontario (IO)

- IO has expertise in P3 projects
- Process and documentation has delivered numerous projects for the province
- Less experience with transportation projects
- Allows use of existing documentation and process
- Reduces budget and schedule risk



# Infrastructure Ontario (IO)

- Negotiate a MOU with IO and return to P&W for approval in January 2012

# Next Steps

-  Jan: procurement & delivery option
-  Jan: public consultation centres
-  Jan: MOU with IO
-  Feb: General Engineering Consultant
-  May: complete TPA for Stage 1
-  June: funding agreements
-  Sept: request for qualifications



Questions?

