

# Appendix O – Regional Staff Report for Approval of Design Alternative

## The Regional Municipality of Waterloo

### Planning and Works Committee

### Summary of Recommendations to Council

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The Planning and Works Committee recommends as follows:

1. 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 improvements at the intersection of Cedar Creek Road (Regional Road No. 97) and Trussler Road (Regional Road No. 70), in the Township of North Dumfries, in the Regional Municipality of Waterloo, and County Road No. 8, in the County of Oxford, as detailed in report PDL-LEG-23-011, dated March 7, 2023.

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 improvements at the intersection of Cedar Creek Road (Regional Road No. 97), Trussler Road (Regional Road No. 70) and County Road No. 8, and described as follows:

Fee Simple Partial Taking:

- I. Part of Lot 1, Concession 13, being Parts 2 and 4 on 41R-10418, (Part of PIN 00297-0021 (LT)), Township of Blanford-Blenheim, County of Oxford (3541 Trussler Road, Blandford-Blenheim);
- II. Part of Lot 1, Concession 12, being Part 5 on 41R-10418, (Part of PIN 00296-0025 (LT)), Township of Blanford-Blenheim, County of Oxford (927762 Oxford Road 8, Blandford-Blenheim);
- III. Part of Lot 38, Concession 11, being Parts 1 and 2 on 58R-21584, (Part of PIN 03847-0461 (LT)), Township of North Dumfries, Regional Municipality of Waterloo (3434 Trussler Road, North Dumfries);
- IV. Part of Lot 38, Concession 10, being Part 3 on 58R-21584, (Part of PIN 03850-0282 (LT)), Township of North Dumfries, Regional Municipality of Waterloo (3704 Trussler Road, North Dumfries);

Temporary Easement – Grading:

The right and easement, being a temporary easement in gross, for the free and unobstructed, right, interest and easement terminating, for the subject property set out below, on the 31<sup>st</sup> day of December, 2024, for itself, its successors and

assigns, and anyone authorized by it, on, over, under and through the following property for the purposes of excavation, construction, installation, replacement, alteration, grading, and landscaping as required in connection with the improvements at the intersection of Cedar Creek Road, Trussler Road and County Road No. 8, and all related improvements, and works ancillary thereto and for such purposes, the free, unimpeded and unobstructed access to the lands at all times by employees, agents, contractors, workers and anyone authorized by it, and vehicles, supplies and equipment at all times and for all purposes and things necessary for or incidental to the exercise and enjoyment of the right and easement:

I. Part of Lot 1, Concession 13, being Parts 1 and 3 on 41R-10418, (Part of PIN 00297-0021 (LT)), Township of Blandford-Blenheim, County of Oxford (3541 Trussler Road, Blandford-Blenheim);

2. Serve notices of the above applications(s) required by the Expropriations Act (the "Act");
  3. Forward to the Chief Inquiry Officer any requests for a hearing that may be received within the time prescribed by the Act;
  4. Attend, with appropriate Regional staff, at any hearing that may be scheduled;
  5. Discontinue expropriation proceedings or any part thereof, in respect of the above described lands, or any part thereof, upon the registration on title of the required documentation to complete a transaction whereby the required interests in the lands are conveyed or if otherwise deemed appropriate in the opinion of the Commissioner of Engineering and Environmental Services and the Regional Solicitor; and
  6. Do all things necessary and proper to be done and report thereon to Regional Council in due course.
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2. That the Regional Municipality of Waterloo amend Traffic and Parking By-law 16-023, as amended to add to schedule 15, Southbound Right-Turn Lane Designation on King Street (Regional Road 15) at Weber Street (Regional Road 8), Buses Excepted, in the City of Waterloo as outlined in Report TSD-TRP-23-003, dated March 7, 2023.
  3. That the Regional Municipality of Waterloo amend the Traffic and Parking By-law 16-023, as amended, to add to Schedule 4, No Parking Anytime on the west side of Foundry Street (Regional Road 51) from Beck Street to Charles Street in the Township of Wilmot as outlined in Report TSD-TRP-23-004, dated March 7, 2023.
  4. That the Regional Municipality of Waterloo:
    - a. Approve the Recommended Design Concept for the proposed University Avenue (Regional Road 57) Improvements, Albert Street to Weber Street, as described in Report EES-DCS-23-001 dated March 7, 2023; and
    - b. Direct staff to file a Notice of Completion with the Ministry of the Environment, Conservation and Parks (MECP) for this Class Environmental Assessment Study by means of advertisements in local newspapers and mailings to adjacent

property owners, tenants, and agencies, and place the Environmental Study Report on the public record for a period of 30 days; and

- c. Amend Traffic and Parking By-law 16-023 to add to Schedule 22, Reserved Bike Lanes on both sides of University Avenue (Regional Road 57) from King Street (Regional Road 15) to Weber Street (Regional Road 8), in the City of Waterloo as outlined in Report EES-DCS-23-001.

5. That the Regional Municipality of Waterloo (Drinking Water Owner) endorse the 11 Municipal Drinking Water Licenses (MDWL) and the associated drinking water operational plans, as outlined in report EES-WAS-23-001, dated March 7, 2023 and receive for information:

- the 2022 Drinking Water Summary Report, and
- the 2022 Annual Management Review of the Drinking Water Quality Management System (DWQMS) which includes the 2022 infrastructure maintenance plan update and a summary of the 11 Municipal Drinking Water Licenses (MDWL) and associated drinking water operational plans

6. That the Regional Municipality of Waterloo approve the expropriation of lands for the purpose of significant soil management needs associated with long term landfill development and operation for the remaining life of the Waterloo landfill (Site) as detailed in report PDL-LEG-23-012 dated March 7, 2023, described as follows:

Fee Simple Full Taking:

Part Lot 1, Concession North of Snyder's Road, Wilmot, Part 5 on 58R-6613; subject to 1077502 and 399983, being all of PIN 22184-0195 (LT), in the Township of Wilmot (2322 Snyder's Road (formerly known as 2320 Snyder's Road East));

And that staff be instructed to register a Plan of Expropriation for the property within three months of the granting of the approval to expropriate the property, as required by the Expropriations Act;

And that the registered owners be served with a Notice of Expropriation and a Notice of Possession for the property after the registration of the Plan of Expropriation and the Regional Solicitor is authorized to take any and all actions required to enforce such Notices including but not limited to any application pursuant to Section 40 of the Expropriations Act;

And that the Regional Solicitor is authorized to enter into an agreement with the registered owners, or to make an application under Section 39 of the Expropriations Act, to adjust the date for possession specified in the Notice of Possession as may be required;

And that if no agreement as to compensation is made with an owner, the statutory Offer of Compensation and payment be served upon the registered owners of the

property in the amount of the market value of the interests in the land as estimated by the Region's appraiser in accordance with the Expropriations Act;

And that the Regional Solicitor be authorized to execute any Indemnity agreement or other document related to payment of the statutory Offer of Compensation;

And further that the Regional Solicitor be authorized to 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 the transaction or if determined by the Commissioner of Engineering and Environmental Services that such lands, or any part or interest thereof, are not required for the subject Project

as outlined in report PDL-LEG-23-012, dated March 7, 2023.

7. That the Regional Municipality of Waterloo accept the Heidelberg Water Supply System Optimization – Project File Report as summarized in this Report EES-WAS-23-002 dated March 7, 2023; and

that the Regional Municipality of Waterloo publish the Notice of Completion for the Heidelberg Water Supply System Optimization and provide the Project File Report for a public review and comment period, in accordance with the Municipal Engineers Association's Class Environmental Assessment process.

8. That the Regional Municipality of Waterloo approve transit service improvements to be effective Monday, September 4, 2023, as described in Report No. TSD-TRS-23-002, dated March 7, 2023.
9. That the Regional Municipality of Waterloo expand the Waste / Recycling Collection Area for Downtown Ayr to include Swan Street, from Stanley Street to Fowler Street with no increase to the 2023 operating budget.

March 7, 2023