Regional Municipality of Waterloo
Planning and Works Committee

Agenda
Tuesday, April 10, 2018

Approximately 10:45 a.m. (← Note Time Change)

Following Community Services Committee

Regional Council Chamber

150 Frederick Street, Kitchener, Ontario

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

2. Delegations

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

4. Motion to Approve Items or Receive for Information

4.1 PDL-LEG-18-27, Authorization to Expropriate Lands (1st Report) for the Reconstruction of King Street North (Regional Road 15), extending from Elgin Street to University Avenue (Project 5494), in the City of Waterloo

Recommendation: See pages 5-6

Should you require an alternative format please contact the Regional Clerk at Tel.: 519-575-4400, TTY: 519-575-4605, or regionalclerk@regionofwaterloo.ca

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4.2 **PDL-LEG-18-29**, Surplus Declaration of Easement Interest in the Lands described as Part 1 on Reference Plan 58R-20047 located on Regional lands municipally known as 460 Conestoga Boulevard, in the City of Cambridge, Regional Municipality of Waterloo, and Conveyance of Subject Easement Interest in Favour of The City of Cambridge

**Recommendation:**

That the Regional Municipality of Waterloo:

a) Declare an easement interest in the lands described as Part 1 on Reference Plan 58R-20047 in the City of Cambridge, Regional Municipality of Waterloo, Part of PIN 03794-0328 (LT), as surplus to the needs of the Region, as detailed in Report No. PDL-LEG-18-29 dated April 10, 2018, pursuant to the Region’s property disposition by-law and to the satisfaction of the Regional Solicitor; and

b) Approve the transfer of the subject easement to The Corporation of the City of Cambridge for nominal consideration and authorize the Regional Solicitor to approve and execute all required documentation to complete the transfer of the subject easement.

4.3 **PDL-CPL-18-17**, Amendment to Regional Municipality of Waterloo Controlled Access By-law #58-87 to Regional Road #58 (Fischer-Hallman Road), City of Kitchener

**Recommendation:**

That the Regional Municipality of Waterloo approve an amendment to Controlled Access By-law #58-87 for a commercial access on the east side of Regional Road #58 (Fischer-Hallman Road) approximately 278 metres north of Plains Road in the City of Kitchener subject to site plan approval by the City of Kitchener, as described in Report No. PDL-CPL-18-17, dated April 10, 2018:

4.4 **PDL-CPL-18-18**, Amendment to the Regional Municipality of Waterloo Controlled Access By-law #58-87 for Access to Regional Road #54 (Lackner Boulevard), City of Kitchener

**Recommendation:**

That the Regional Municipality of Waterloo approve an amendment to Controlled Access By-law #58-87 for a temporary construction access on the east side of Regional Road #54 (Lackner Boulevard), approximately 320 metres south of Regional Road #55 (Victoria Street North) in the City of Kitchener, as described in Report PDL-CPL-18-18, dated April 18, 2018.
4.5 **PDL-CPL-18-19**, Amendment to Regional Municipality of Waterloo Controlled Access By-law #58-87 for Access to Regional Road #70 (Ira Needles Boulevard), City of Kitchener.

**Recommendation:**

That the Regional Municipality of Waterloo approve an amendment to Controlled Access By-law #58-87 for a maintenance access on the west side of Regional Road #70 (Ira Needles Boulevard), approximately 87 metres south of Penelope Drive in the City of Kitchener, as described in Report PDL-CPL-18-19, dated April 10, 2018.

4.6 **PDL-CPL-18-20**, Consultation Associated with the Review of the Regional Brownfield Financial Incentive Program. (Information)

4.7 **TES-TRS-18-11**, Community Access Bikeshare Update and 2018 Bikeshare Pilot

**Recommendation:**

That the Regional Municipality of Waterloo support the 2018 Dropbike Inc. pilot in principle as detailed in Report TES-TRS-18-11.

And That the Regional Municipality of Waterloo enter into a pilot agreement with Dropbike Inc., to the satisfaction of the Regional Solicitor and to be executed by the Commissioner of Transportation and Environmental Services.

4.8 **TES-WMS-18-03**, Update on Waste-Free Ontario Act and Strategy (Information)

4.9 **COR-FSD-18-08**, Public Transit Infrastructure Funding – Phase 2 Bilateral Agreement (Information)

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**Regular Agenda Resumes**

5. **Reports – Planning, Development and Legislative Services**

5.1 **PDL-ECD-18-03**, Smart Cities Challenge – Phase One Application

**Recommendation:**

That the Regional Municipality of Waterloo endorse the Smart Cities Application for Waterloo Region addressing the theme of Healthy Children and Youth as outlined in Report PDL-ECD-18-02, dated April 10, 2018.
6. Information/Correspondence

6.1 Council Enquiries and Requests for Information Tracking List

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7. Other Business

8. Next Meeting – May 1, 2018

9. Adjourn
Region of Waterloo
Planning Development and Legislative Services
Legal Services

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

Date: April 10, 2018 File Code: L07-90

Subject: Authorization to Expropriate Lands (1st Report) for the Reconstruction of King Street North (Regional Road 15), extending from Elgin Street to University Avenue (Project 5494), in the 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 proposed reconstruction of King Street North (Regional Road 15), extending from Elgin Street to University Avenue in the City of Waterloo in the Regional Municipality of Waterloo as detailed in report PDL-LEG-18-27 dated April 10th, 2018:

1. Complete application(s) to the Council of The Regional Municipality of Waterloo, as may be required from time to time, for approval to expropriate land, which is required for the reconstruction and road widening of King Street North (Regional Road 15), extending from Elgin Street to University Avenue, in the City of Waterloo, and described as follows:

   Fee Simple Partial Taking:
   
   i. Part of Lot 1, Plan 97, being Part 1 on 58R-20082 (Part of PIN 22370-0026 (LT)) (154 King Street North, City of Waterloo);
   
   ii. Part of Lot 3, Plan 503, being Part 2 on 58R-20082 (Part of PIN 22370-0038 (LT)) (150 King Street North, City of Waterloo);
   
   iii. Part of Lot 69, Subdivision of Lot 13 German Company Tract and Part Lot 94, Subdivision of Lot 14 German Company Tract, being Part 1 on 58R-20077 (Part of PIN 22376-0294 (LT)) (151, 157 and 159 King Street North, City of Waterloo);
iv. Part of Lot 12, Plan 97, Part Lot 1, Plan 494, being Part 1 on 58R-20074 (Part of PIN 22370-0009 (LT)) (170 King Street North, City of Waterloo);
v. Part of Lot 1, Plan 132, being Part 1 on 58R-20075 (Part of PIN 22376-0079 (LT)) (173 King Street North, City of Waterloo);
vi. Part of Lot 11, Plan 494, being Part 1 on 58R-20081 (Part of PIN 22368-0034 (LT)) (180 King Street North, City of Waterloo);
vii. Part of Lot 11, Plan 494, being Part 2 on 58R-20081 (Part of PIN 22368-0036 (LT)) (174 King Street North, City of Waterloo);
viii. Part of Lot 19, Plan 494, being Part 1 on 58R-20063 (Part of PIN 22368-0237 (LT)) (244-248 King Street North, City of Waterloo);

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

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

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

5. Discontinue expropriation proceedings or any part thereof, in respect of the above described lands, or any part thereof, upon the registration on title of the required documentation to complete a transaction whereby the required interests in the lands are conveyed or if otherwise deemed appropriate in the opinion of the Commissioner of Transportation and Environmental Services and the Regional Solicitor; and

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

Summary:

NIL

Report:

On June 24, 2015, Regional Council approved a Municipal Class Environmental Assessment Study and Recommended Design Alternative for roadway improvements on King Street North (Regional Road No. 15) in Uptown Waterloo, from the ION Tracks south of Erb Street, to University Avenue (Regional Road No. 57), as outlined in Report TES-DCS-15-13. The first phase of the project was started in 2017 and included the reconstruction of King Street from Elgin Street to the ION Tracks located 100m south of Erb Street in the City of Waterloo, a total distance of approximately 650 metres. The
second phase of the project is scheduled to start in 2019 and includes the reconstruction of King Street from Elgin Street to University Avenue in the City of Waterloo, a total distance of approximately 685 meters.

The work of this project will replace deteriorated infrastructure and provide Active Transportation enhancements along the King Street corridor in Uptown Waterloo, which will provide a critical link between Wilfrid Laurier University, residential developments and key destinations / attractions such as the Region’s Rapid Transit station, scheduled to be operational in 2018. The scope of work includes pavement reconstruction and replacement of underground services to existing businesses and residential properties, modernization of traffic signals, installation of decorative street lights, transit stops, shelters and bus lay-bys, and streetscape construction including new sidewalks and segregated bike lanes on both sides of the street. Part of the work of this project is being undertaken on behalf of the City of Waterloo and includes replacement of underground services and streetscape enhancements.

The implementation of the improvements directly impacts 8 properties as shown in Appendix “A” to this report. Land acquisitions as outlined in the Recommendation are required from all of the properties and they are for fee simple partial takings to accommodate the reconstruction of the road and widening of King Street North, between Elgin Street to University Avenue, in Waterloo.

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

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

To date, the Region has reached settlement agreements with two of the affected
property owners. These two properties are included in this report as closing of these transactions is still pending. As noted above, in the event that the conveyance of these two required acquisitions is finalized before the expropriation process is complete, the expropriation process with respect to such lands would be discontinued.

It should be noted that the expropriation of the lands is on an “as is” basis and upon acquisition the Region assumes all responsibility for the lands. Utility relocations are scheduled to take place in 2019 and construction of the roadway is scheduled to commence in the spring of 2020.

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

Corporate Strategic Plan:

The Project supports Objective 2.3 of the Corporate Strategic Plan, “Build infrastructure for, and increase participation in active forms of transportation (cycling and walking)”.

Financial Implications:

The Region’s approved 2018 Transportation Capital Program includes a budget of $1,930,000 in 2018 and $4,245,000 in 2019-2020 for King Street from Bridgeport Road to University Avenue (Project 5494) to be funded from the Roads Rehabilitation Reserve (94%, $5,785,000) and the Regional Transportation Development Charges Reserve Fund (6%, $390,000).

Transportation and Environmental Services staff advise that the project budget has a substantial allocation to address existing impacted soils located generally in the project area. The soil investigations that have been completed have not attributed the impacted soils to any one property and/or previous land use and therefore the risk is considered low in terms of incurring additional costs that have not already been anticipated in the project budget.

This budget includes sufficient funds for the property acquisition described in this report.

Other Department Consultations/Concurrence:

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

Attachments:

Appendix “A” - Map of subject lands
Appendix “B” – Copy of Expropriation Information Sheet

Appendix “C” – Corporate Profiles of Corporate Owners

**Prepared By:**  Arlene Metz, Solicitor, Property

**Approved By:**  Debra Arnold, Regional Solicitor, Director of Legal Services
Appendix “A”
Appendix “B”

The following information is provided as a general overview of the expropriation process and is not legal advice. For complete information, reference should be made to the Ontario Expropriations Act as well as the more detailed information in the Notices provided under that Act.

Expropriation Information Sheet

What is Expropriation?

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

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

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

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

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

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

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

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

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

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

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

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

1. **Address:** 154 King Street North, City of Waterloo  
   **Owner:** Trustees for St. Sophia Ukrainian Greek Orthodox Church  
   **Annual Return:** N/A  
   **Directors/Officers:** N/A

2. **Address:** 151, 157 and 159 King Street North, City of Waterloo  
   **Owner:** N.K.L. Properties Inc.  
   **Annual Return:** 2015/07/04  
   **Directors/Officers:** Mark Eugene Gauthier

3. **Address:** 170 King Street North, City of Waterloo  
   **Owner:** King’s Residence Inc.  
   **Annual Return:** 2017/02/19  
   **Directors/Officers:** Mohamed Moledina, Sabira Moledina, Zuhair Moledina, Zahir Moledina

4. **Address:** 173 King Street North, City of Waterloo  
   **Owner:** Centurion Apartment Properties (173 King) Inc.  
   **Annual Return:** 2017/06/25  
   **Directors/Officers:** Gregory Gunter Romundt

5. **Address:** 174 King Street North, City of Waterloo  
   **Owner:** House of Friendship of Kitchener  
   **Annual Return:** 2016/10/09  
   **Directors/Officers:** Keith Cressman, Sharon Feldmann, Mary C. Friesen, Lester Kehl, Brian Knight, Dennis Martin, John Neufeld, Elizabeth Payne, Elna Robertson, David Snyder, Grace Sudden

6. **Address:** 244-248 King Street North, City of Waterloo  
   **Owner:** Globe Realty Holdings Ltd.  
   **Annual Return:** N/A  
   **Directors/Officers:** Diane Churilla, Nadeem Shabbar, Amit Garg
Region of Waterloo
Planning Development and Legislative Services
Legal Services

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

Date: April 10, 2018 File Code: L07-90

Subject: Surplus Declaration of Easement Interest in the Lands described as Part 1 on Reference Plan 58R-20047 located on Regional lands municipally known as 460 Conestoga Boulevard, in the City of Cambridge, Regional Municipality of Waterloo, and Conveyance of Subject Easement Interest in Favour of The City of Cambridge.

Recommendation:

That the Regional Municipality of Waterloo:

a) Declare an easement interest in the lands described as Part 1 on Reference Plan 58R-20047 in the City of Cambridge, Regional Municipality of Waterloo, Part of PIN 03794-0328 (LT), as surplus to the needs of the Region, as detailed in Report No.PDL-LEG-18-29 dated April 10, 2018, pursuant to the Region’s property disposition by-law and to the satisfaction of the Regional Solicitor; and

b) Approve the transfer of the subject easement to The Corporation of the City of Cambridge for nominal consideration and authorize the Regional Solicitor to approve and execute all required documentation to complete the transfer of the subject easement.

Summary: Nil.

Report:

The Region is the owner of the property municipally known as 460 Conestoga Boulevard in the City of Cambridge and the property is used as a Grand River Transit Operations Centre. The City of Cambridge requested that the Region grant the City a permanent easement on this Regional property at nominal consideration plus
associated costs (such as registration costs and expenses for publication of notice) for the relocation of a fire hydrant in order to accommodate a multi-use trail along Conestoga Boulevard.

The subject permanent easement is approximately 11.2 square metres in area and shown on Appendix “A” attached to this Report. The subject easement will cause no adverse impact to the Region’s use of the subject property.

As required by the Region’s property disposition by-law, the proposed transfer of the subject easement has been advertised in a local newspaper. The By-law does not require an appraisal of this easement interest as the contemplated transfer is to another municipality. It is noted that the property’s size and shape have negligible or no market value. The requirements of the Region’s property disposition by-law have now been met, and the Region of Waterloo will proceed to convey the easement interest to the City of Cambridge, upon receipt of Regional Council approval.

**Corporate Strategic Plan:**

Objective 2.3 of the Corporate Strategic Plan, “Build infrastructure for, and increase participation in active forms of transportation (cycling and walking)”.

**Financial Implications:**

Registration costs and expenses for publication to be paid by the City of Cambridge. The easement interest will be transferred for nominal consideration as the transaction is inter-municipal and the lands have negligible to no market value.

**Other Department Consultations/Concurrence:**

Transportation and Engineering Services, Corporate Services, Planning Development and Legislative Services, and Community Services staff were consulted via internal circulation memorandum.

**Attachments**

Appendix “A” – Location Map of Lands

**Prepared By:** Charlotte Karger – Property Agent

**Approved By:** Debra Arnold, Regional Solicitor, Director of 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: April 10, 2018
File Code: T15-40/58 KIT, C13-20/CA

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

Recommendation:
That the Regional Municipality of Waterloo approve an amendment to Controlled Access By-law #58-87 for a commercial access on the east side of Regional Road #58 (Fischer-Hallman Road) approximately 278 metres north of Plains Road in the City of Kitchener subject to site plan approval by the City of Kitchener, as described in Report No. PDL-CPL-18-17, dated April 10, 2018:

Summary:
Nil

Report:
A site plan application has been received from the City of Kitchener which will result in a change in an existing access from residential to a commercial type use on Regional Road #58 (Fischer-Hallman Road).

By-law #58-87, “A By-law to Designate and Regulate Controlled – Access Roads” was enacted to control the construction or alteration to the geometric design of any private means of access to a Regional Road. All Regional Roads are included in either Schedule “A” or Schedule “B” of the By-law. Regional Roads included in Schedule “A” (Controlled Access – Prohibited) include arterial roads and freeways where access to these roads must be restricted due to high speeds and volume of traffic. The main function of a Controlled Access – Prohibited Road is to move through traffic. All
requests for changes to existing accesses or for a new access on these roads require an amendment to the By-law. All remaining Regional Roads are included in Schedule “B” (Controlled Access – Regulated). The function of a Controlled Access – Regulated Road is to move through traffic and provide access to adjacent lands. Typically, these roads are front-lotted with access available only to the Regional Road or are comparatively lower volume rural roads.

The subject property municipally identified as 1940 Fischer-Hallman Road is located on the southeast corner of Regional Road #58 (Fischer-Hallman Road) and Huron Road in the City of Kitchener (please see Attachment 1). These lands fall within Draft Plan of Subdivision 30T-07205.

The existing dwelling on the property currently has a full movement residential access to Fischer-Hallman Road approximately 278 metres north of Plains Road. The City of Kitchener has circulated a Site Plan application SP 18/013/F/KA to the Region of Waterloo for the proposed conversion of the existing dwelling located on 1940 Fischer-Hallman Road into a temporary sales centre associated within the Draft Plan of Subdivision 30T-07205 by Becker Estates Incorporated. As a result of the site plan application, the existing entrance on Fischer-Hallman Road would need to be modified from residential to commercial use (please see Attachment 2).

As Fischer-Hallman Road is designated as a Controlled Access - Prohibited Road under the Region’s Controlled Access By-law #58-87 from Regional Road #4 (Ottawa Street) to Regional Road #12 (New Dundee Road), an amendment to this By-law would be required prior to issuance of an Access Permit by Region staff.

Regional staff support the conversion of the existing residential access to a commercial access to Fischer-Hallman Road for the following reasons:

a) The proposed conversion of the existing dwelling into a temporary sales centre associated within the Draft Plan of Subdivision 30T-07205 is required by the developer to facilitate the sale of the units within the proposed subdivision.

b) The proposed commercial access would meet Regional standards and would initially operate as a full movement access.

c) The proposed full movement access would be restricted to right-in, right-out movements, when the Fischer-Hallman Road reconstruction project is completed in this section with a continuous raised concrete median. The project is currently scheduled for widening during 2021 and 2023 in 2 stages, from Bleams Road to Plains Road.

d) Region of Waterloo staff would have no concerns with the access to Fischer-Hallman Road remaining in the future after the temporary sales centre is closed provided the existing building remains on the property.

e) The site plan application to convert the existing residential dwelling to a temporary sales centre is under review by City of Kitchener staff. City of
Kitchener Heritage Planning staff has advised that the widening of the access per the site plan application will not impact the cultural heritage resources on the property, which have been listed as a non-designated property of cultural heritage value and interest on the City’s municipal heritage register under the Ontario Heritage Act.

Region of Waterloo staff recommend approval of the proposed amendment to Controlled Access By-law #58-87 subject to approval of the site plan application SP 18/013/F/KA by the City of Kitchener.

**Area Municipal Consultation/Coordination:**

The site plan application for the proposed conversion of the existing dwelling into a temporary sales centre is being reviewed by City of Kitchener staff. City of Kitchener Heritage Planning staff advise that the widening of the access per the site plan application will not impact the cultural heritage resources on the property.

**Corporate Strategic Plan:**

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

**Financial Implications:**

The developer would be responsible for all costs related to the construction of the proposed commercial access to Region of Waterloo standards.

**Other Department Consultations/Concurrence:**

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

**Attachments:**

Attachment 1 – Key Map showing location of the property

Attachment 2 – Location of the proposed commercial access to Fischer-Hallman Road; and proposed amendment to Controlled Access By-law #58-87

**Prepared By:** Joginder Bhatia, Transportation Planner

**Approved By:** Rod Regier, Commissioner, Planning, Development and Legislative Services
Region of Waterloo
Planning, Development and Legislative Services
Community Planning

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

Date: April 10, 2018

File Code: T15-40/54, C13-20/CA

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

Recommendation:

That the Regional Municipality of Waterloo approve an amendment to Controlled Access By-law #58-87 for a temporary construction access on the east side of Regional Road #54 (Lackner Boulevard), approximately 320 metres south of Regional Road #55 (Victoria Street North) in the City of Kitchener, as described in Report PDL-CPL-18-18, dated April 18, 2018.

Summary:
Nil

Report:
An application for access to Regional Road #54 (Lackner Boulevard) has been submitted to the Region.

By-law #58-87, a By-law to “Designate and Regulate Controlled – Access Roads” was enacted to control the construction or alteration to the geometric design of any private means of access to a Regional Road. All Regional Roads are included in either Schedule “A” or Schedule “B” of the By-law. Regional Roads included in Schedule “A” (Controlled Access – Prohibited) include arterial roads and freeways where access to these roads must be restricted due to high speeds and volume of traffic. The main function of a Controlled Access – Prohibited road is to move through traffic. All requests for changes to an existing access or for a new access on these roads require an
amendment to the By-law. All remaining Regional Roads are included in Schedule “B” (Controlled Access – Regulated). The function of a Controlled Access – Regulated road is to move through traffic and provide access to adjacent lands. Typically, these roads are front-lotted with access available only to the Regional Road or are comparatively lower volume roads.

The subject property is located on east side of Regional Road #54 (Lackner Boulevard) south of Regional Road #55 (Victoria Street North). These lands are owned by Hallman Brierdale Limited and constitute a Draft Plan of Subdivision 30T-02206 known as Kolb Creek Subdivision (please see Attachment 1). These lands abut lands owned by WM J Gies Construction Limited, another Draft Plan of Subdivision 30T-91005 known as Sandra Springs Subdivision. Both Subdivisions will be developed concurrently. These subdivisions will be accessed through a proposed Otterbein Road municipal street connection to Lackner Road located approximately 320 metres south of Victoria Street North, within the proposed Kolb Creek Subdivision. The proposed Otterbein Road will continue southeast through the proposed Sandra Springs Subdivision, ultimately connecting to the existing Otterbein Road.

To facilitate construction of the two subdivisions as well as the proposed Otterbein Road, a temporary construction access will be required (please see Attachment 2) to the east side of Lackner Boulevard within the Kolb Creek Subdivision lands. The temporary construction access will be required until the proposed Otterbein Road is opened to public by the City of Kitchener. It will be dedicated to the City of Kitchener as a public roadway upon registration of the subdivisions plans.

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

Region of Waterloo staff support the proposed temporary construction access to Lackner Boulevard for the following reasons:

a) This temporary construction access is required for the construction of the proposed Otterbein Road;

b) The temporary construction access to Lackner Boulevard would avoid construction vehicles traversing through the existing residential area and would minimize inconvenience to the local residents.

Region of Waterloo staff recommend approval of the proposed amendment to Controlled Access B-law #58-87.
Area Municipal Consultation:

The access design and location has been reviewed by City of Kitchener staff and they are in support of the proposed temporary construction access to Lackner Boulevard.

Corporate Strategic Plan:

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

Financial Implications:

The subject property owner would be responsible for all costs associated with the construction of the temporary construction access to Lackner Boulevard and for restoration of the Regional Road boulevard including sidewalk and curb to Region of Waterloo standards, if necessary.

Other Department Consultations/Concurrence:

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

Attachments

Attachment 1 – Key Plan showing location of the property

Attachment 2 – Location of the proposed temporary construction access to Lackner Boulevard and proposed amendment to Controlled Access By-law #58-87.

Prepared By: Joginder Bhatia, Transportation Planner.

Approved By: Rod Regier, Commissioner, Planning, Development and Legislative Services
Region of Waterloo
Planning, Development and Legislative Services
Community Planning

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

Date: April 10, 2018 File Code: T15-40/70 IRA, C13-20/CA

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

Recommendation:

That the Regional Municipality of Waterloo approve an amendment to Controlled Access By-law #58-87 for a maintenance access on the west side of Regional Road #70 (Ira Needles Boulevard), approximately 87 metres south of Penelope Drive in the City of Kitchener, as described in Report PDL-CPL-18-19, dated April 10, 2018.

Summary:

Nil.

Report:

The City of Kitchener is requesting approval for a maintenance access to Regional Road #70 (Ira Needles Boulevard) for a stormwater management pond.

By-law #58-87, a By-law to “Designate and Regulate Controlled – Access Roads” was enacted to control the construction or alteration to the geometric design of any private means of access to a Regional Road. All Regional Roads are included in either Schedule “A” or Schedule “B” of the By-law. Regional Roads are included in Schedule “A” (Controlled Access – Prohibited) include arterial roads and freeways where access to these roads must be restricted due to high speeds and volume of traffic. The main function of a Controlled Access – Prohibited road is to move through traffic. All requests for changes to an existing access or for a new access on these roads require an amendment to the By-law. All remaining Regional Roads are included in Schedule “B”
(Controlled Access – Regulated). The function of a Controlled Access – Regulated road is to move through traffic and provide access to adjacent lands. Typically, these roads are front-lotted with access available only to the Regional Road or are comparatively lower volume roads.

The subject property is located on Regional Road #70 (Ira Needles Boulevard) south of Penelope Drive in the City of Kitchener (please see Attachment 1). The subject property is owned by the City of Kitchener and currently functions as a stormwater management pond (SWM Pond #21) for the Forest Heights West subdivision, within Waldau Woods Park. Under the City of Kitchener’s Integrated Stormwater Master Plan, this facility has been identified as requiring re-habilitation and re-construction in the summer of 2018. There is no existing vehicular or pedestrian connection to this SWM Pond from Ira Needles Boulevard, and to facilitate re-construction and future ongoing maintenance of the SWM Pond a maintenance access to Ira Needles Boulevard would be required. The proposed maintenance access would be located approximately 87 metres south of Penelope Drive and would be paved with turf stone and gated at the property line to prevent regular vehicular access to the stormwater management pond. The maintenance access would also operate as a right-in/right-out only access as there is a raised concrete median on Ira Needles Boulevard at this location.

A section of existing noise wall along the Ira Needles Boulevard right of way would be impacted by the proposed maintenance access. To facilitate the proposed access location, a single noise wall panel would need to be removed. This section of noise wall was installed in 2006-2007 in association with the construction of Ira Needles Boulevard. It is anticipated that the noise wall panel removal will not negatively impact the adjacent residential properties.

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

Region of Waterloo staff support the proposed maintenance access to Ira Needles Boulevard and recommend approval of the proposed amendment to Controlled Access By-law #58-87. The access would meet Region of Waterloo standards and would be gated and only used by maintenance vehicles for the stormwater management pond.

**Area Municipal Consultation & Coordination:**

The access design and location has been requested by City of Kitchener staff and they are in support of the proposed maintenance access to Ira Needles Boulevard.
Corporate Strategic Plan:

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

Financial Implications:

The City of Kitchener would be responsible for all costs associated with the construction of the maintenance access to Ira Needles Boulevard to Region of Waterloo standards.

Other Department Consultations/Concurrence:

Upon issuance of a Regional Road Access Permit, Transportation Engineering would issue a Regional Road Work Permit to allow works within the Ira Needles Boulevard right of way.

Attachments

Attachment 1 – Key Plan showing location of the subject property

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

Prepared By: Jason Wigglesworth, Transportation Planner, Corridor Planning

Approved By: Rod Regier, Commissioner, Planning Development & Legislative Services
Attachment 2

ATTACHMENT 2
PROPOSED MAINTENANCE ACCESS

PROPOSED MAINTENANCE ACCESS AND AMENDMENT TO CONTROLLED ACCESS BY-LAW #58-87

Regional Road 70 (Ira Needles Boulevard)

Proposed Maintenance Access

PROPOSED MAINTENANCE ACCESS

PROPOSED ELEPHANT POOL
PERSONAL POOL ELEV = 395.046m
WATER VOLUME = -1.257m
STORAGE VOLUME = 0.523m³

PROPOSED 4.25m
450mm #7 FN CONC

RELOCATED DRAIN OUTLET
7/10. 277.046m
INV NN: 569.67m
INV SD: 569.65m

PROPOSED 3.5m WIDE TURFSTONE
ACCESS, SEE DETAIL 1, CO-1
Region of Waterloo
Planning Development and Legislative Services
Community Planning

To: Chair Tom Galloway and Members of the Planning and Works Committee
Date: April 10, 2018 File Code: F25-20
Subject: Consultation Associated with the Review of the Regional Brownfield Financial Incentive Program

Recommendation:
For information

Summary:
The Region Brownfield Financial Incentive Program is now more than 10 years old and a review of the program is underway. As part of the review, Regional staff will be consulting with area municipalities and stakeholders including the development industry this spring on potential changes. Potential changes to the program include scoping the geographic extent of the program and modifying the structure of the financial incentives.

Report:
The Regional Brownfield Financial Incentive Program (BFIP) has been operational for over 10 years. The program was established to:

- Promote compact growth (infill) that utilizes existing infrastructure;
- Mitigate potential risk to Regional groundwater sources by promoting remediation of environmentally impacted properties;
- Reduce the outward expansion of the urban area;
- Generate increased tax revenue from previously under-utilized or abandoned properties; and
- Support the adaptive reuse of buildings, including heritage properties.

The BFIP program allows the Municipality to compensate a developer for cleaning up a contaminated site. Remediating contaminated sites is in the public interest. The BFIP
currently consists of three incentive programs:

- Phase Two Environmental Site Assessment (ESA) Grant
- Regional Development Charge (RDC) exemption
- Joint Tax Increment Grant (TIG)
  - This joint TIG program is offered in Area Municipalities where Community Improvement Plans (CIP) have been approved for the purposes of encouraging brownfield remediation and redevelopment (currently in the Cities of Cambridge, Kitchener, and Waterloo).

These incentives were designed as three different ways that remediation costs could be recovered by a developer since remediation is often quite expensive. The Phase Two ESA grant provides limited funds (up to $40,000) for early site assessment activities. The RDC exemption allows a developer to recover eligible remediation costs up to the maximum amount of their Regional Development Charges. Joint TIGs allow remediation costs to be recovered by the developer following redevelopment, as a result of the increased tax revenue generated by the site.

These incentives were originally designed to be undiscriminating in terms of geography and the number of sites that could receive assistance. The philosophy of the program was to create a level playing field between developing greenfield sites and urban brownfield sites to encourage re-urbanization. The current RDC by-law, which includes exemptions for eligible brownfield sites, will expire in 2019. Funding associated with the Phase Two ESA Grant was exhausted in 2017. Given the age of the program, in combination with the RDC by-law expiry date, and the lack of funds for the Phase Two ESA Grant, a review of the BFIP program has been undertaken.

N. Barry Lyons Consultants has been retained to assist with the review the existing Regional incentives and to propose options for encouraging investment along the Central Transit Corridor (CTC). The consultants were also asked to determine whether new or refined incentives should be considered to achieve the Region’s environmental, land use density, transit oriented development and community building objectives. A timeline of the BFIP program review is summarized in Attachment 1.

Review of the BFIP

Brownfield financial incentives have played an essential role in the re-urbanization of many parts of the CTC. Projects including the Lang Tannery, One Victoria, Breithaupt Block, and Waterscape have brought residents and workers back into the Region’s Core areas and future transit station areas. See Attachment 2 for an overview of the BFIP in terms of the number of approved applications, the number of new residential units, and the estimated increase in property assessments as a result of approved incentives. However, as much of the redevelopment in the CTC continues to utilize some, or all, of these incentives, market information suggests that with time, these areas will be profitable for private investment without the need for incentives. In addition, the introduction of the LRT suggests a need to consider if, and how, financial incentives should be aligned with transit investment.
The Region is undertaking a review of the program because it is an expensive program and the Region wants to ensure that the program is meeting public policy objectives (e.g. supporting transit, reurbanization targets, and sourcewater protection policies). It is anticipated that a review of the BFIP program will identify modifications that can be made to better align the BFIP with the Region’s investment in higher order transit and the CTC as well as other regional priorities. Work completed to date by the consultants concluded that the BFIP has been generally successful in recouping eligible developer remediation costs for higher density projects.

The following observations and potential changes to the BFIP have been identified:

1. Most high density developments on brownfield sites can recover the majority of remediation costs through joint TIGs;
2. Phase Two ESA grants for brownfield sites are administratively burdensome and add limited value.
3. Indirect remediation costs (e.g. 10% of indirect remediation costs currently funded through joint TIGs) should no longer be reimbursed through BFIP;
4. Scoping the incentives under BFIP should be limited to the CTC geographic boundary and potentially also to source water protection areas.

Two of the more substantive potential changes that have been identified are the removal of the RDC exemption component of the BFIP and scoping the program geographically.

Currently, a developer’s remediation costs are offset through RDC exemptions in combination with TIGs. RDC exemptions are provided in the amount of the eligible remediation costs to a maximum of the RDC payable which is due upon issuance of the building permit. In the event that the eligible remediation costs have not been determined prior to the building permit being issued, the developer would pay the RDCs and receive reimbursement for the eligible remediation costs once they have been approved. Compared to TIGs, RDC exemptions can offset expenditures on remediation costs which are incurred early in the development process helping to reduce financial risk. Removing this component of the program could have an adverse impact on developer profit margins and cash flow of particular types of development (e.g., high density office) if remediation expenses can only be recovered post construction. However, these RDC exemptions are a direct cost to the Region and must be funded through user rates and the tax levy. Further, it is difficult to predict how many projects will be eligible for the program in a given year.

Joint TIGs, which allow the developer to recover remediation costs through an annual tax grant over a prescribed period, are also found to be effective. The current brownfield joint TIGs are likely capable of recouping most remediation costs for higher density development types.

The potential option to scope the BFIP geographically could be used to leverage and focus development in the CTC and continue to reduce risks in sourcewater protection areas. Using brownfield incentives to support growth in the CTC would support ION service and transit-oriented development. Additional geographic areas to consider with
possible BFIP refinements could include key strategic areas which are well served by transit (e.g. east-west iXpress routes with strong ridership) and/or source water protection areas. These possible refinements would support redevelopment projects that best align with achieving the objectives of the Region's Official Plan and Community Building Strategy (2014) and could be prioritized for financial assistance over other projects.

Consultation

Area municipal staff have been involved in the review of the BFIP through a technical working group. The intent is to continue to consult with area municipalities and undertake stakeholder consultations with the development industry. Consultation will be carried out this spring. Following the consultation, Regional staff will report back to Council with any proposed modifications to the BFIP.

Corporate Strategic Plan:

The Regional BFIP directly addresses Focus Area 2 of the Corporate Strategic Plan: Growth Management and Prosperity (Manage growth to foster thriving and productive urban and rural communities), Strategic Objective 2.1 (Encourage compact, livable urban and rural settlement form) and its specific Actions:

- Implement a sustainable Brownfield Program to promote the redevelopment of previously contaminated sites (Action 2.1.1); and
- Work with area municipalities to develop and implement a comprehensive strategy to promote intensification and reurbanization within existing urban areas (Action 2.1.2).

Financial Implications:

Nil

Other Department Consultations/Concurrence:

Corporate Services (Finance) has been consulted on the preparation of this report.

Attachments

Attachment 1 – BFIP Timeline (A Summary)

Attachment 2 – BFIP Summary by Numbers (Last Updated – May 2017)

Prepared By:  Peter Ellis, Principal Planner

Approved By:  Rod Regier, Commissioner, Planning Development and Legislative Services
Attachment 1 – BFIP Timeline (A Summary)

Ongoing – Review of BFIP - The Region retained N. Barry Lyons Consultants (NBLC) in the Fall 2016 to undertake an analysis of the Region’s Brownfield Financial Incentive Program (BFIP) after more than a decade of providing financial incentives to redevelop brownfield sites within Waterloo Region. Attachment 2 has a high-level summary of the BFIP program since 2007.

2014 – RDC Exemption in RDC By-Law 14-046 - In July of 2014, the Region approved a Regional Development Charge By-Law 14-046 which continued an allowance for regional development charge exemptions for eligible brownfield sites. The exemption applies to the total accepted remediation costs incurred for the remediation of eligible environmentally impacted sites where RDCs would otherwise be due upon building permit issuance.

2013 – Sustainable Funding Model for TIGs - In January 2013 through Report: P-13-004/F-13-007, the Region approved a sustainable, long term funding model for the financing of the Regional portion of Tax Increment Grant approvals based on funding the grant from the incremental tax revenue following brownfield remediation and redevelopment.

2008 – Regional Reurbanization CIP Approved – In June 2008, the Region approved a Reurbanization Community Improvement Plan (CIP) which allowed the Region the authority to purchase and dispose of property to any person or governmental authority. The objective of this Community Improvement Plan is to help eliminate obstacles to transit-oriented development within the Central Transit Corridor. This CIP complemented other Regional and Area Municipal reurbanization programs such as the Regional Brownfield Incentive Program and Local Community Financial Incentive Programs in implementing the goals and objectives of the Regional Growth Management Strategy and the Province’s Places to Grow: Growth Plan for the Greater Golden Horseshoe.

2006 – BFIP Established as Pilot Program – The BFIP was established by Regional Council as a pilot program in 2006 (Report: P-06-096/F-06-062) in order to:

- promote compact growth that utilizes existing infrastructure;
- reduce the outward expansion of the urban area;
- mitigate potential risk to Regional groundwater sources by promoting the remediation of environmentally impacted properties;
- generate increased tax revenue from previously under-utilized or abandoned properties; and;
- support the adaptive reuse of buildings, including heritage properties.
At that time, the BFIP consists of three incentive programs: the Phase Two Environmental Site Assessment (ESA) Grant of up to $40,000; the joint Tax Increment Grant (TIG); and the Regional Development Charge (RDC) exemption. The joint TIG program is offered to any Area Municipality who has approved a Community Improvement Plan (CIP) for the purposes of encouraging brownfield remediation and redevelopment.
### Attachment 2 – BFIP Summary by Numbers (Last Updated – May 2017)

**BROWNFIELD FINANCIAL INCENTIVES PROGRAM**

**SUMMARY BY NUMBERS**

- **11** Regional Development Charge Exemptions Approved ([$14,448,277](#))
- **9** Joint Tax Increment Grants Approved ($16,529,620 – Regional Portion Only)
- **26** Phase 2 ESA Grants* ($716,243)
- **46** Grant applications approved by the Region since 2007
- **577** Million dollars estimated combined increase in assessment value of sites
- **2,441** New residential units proposed to be created by approved sites
- **1,054,033** Square feet of new non-residential floor area proposed
- **31,694,140** Million dollars approved by Region to incentivize brownfield redevelopment

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* No longer available (as of March 2017)
Report: TES-TRS-18-11

Region of Waterloo
Transportation and Environmental Services
Transit Services

To: Chair Tom Galloway and Members of the Planning and Works Committee
Date: April 10, 2018    File Code: D10-70

Subject: Community Access Bikeshare Update and 2018 Bikeshare Pilot

Recommendation:

That the Regional Municipality of Waterloo support the 2018 Dropbike Inc. pilot in principle as detailed in Report TES-TRS-18-11.

And That the Regional Municipality of Waterloo enter into a pilot agreement with Dropbike Inc., to the satisfaction of the Regional Solicitor and to be executed by the Commissioner of Transportation and Environmental Services.

Summary:

The Working Centre announced to municipal partners in January 2018 that it will no longer operate Community Access Bikeshare (CAB). The program is not considered to be financially viable due to the low membership rate, as well as the prohibitive cost of expanding their network and adopting new bikeshare technologies to increase use. The City of Kitchener and City of Waterloo considered it to be imperative to have bikesharing service in 2018, and had also been approached by other interested bikeshare providers proposing no-cost systems. Staff from the Region, the Working Centre, and Cities of Cambridge, Kitchener, and Waterloo agreed that a pilot with a single provider would best determine the bikesharing needs of Waterloo Region.

Region staff considered it important to be part of this discussion as the Region currently has a CAB station on Regional property (Charles Terminal), and the users of any bikeshare system would likely make use of Region’s right-of-way. In addition, this pilot is aligned with Policy Recommendation 10.6.3 of the Regional Active Transportation Master Plan (2014), which recommends the Region work with the Area Municipalities
and local organizations to support the development of public bike sharing systems in the
region. Bikesharing also meets the goal of promoting transportation choice in the
Regional Transportation Master Plan (2011).

In February 2018, staff from the City of Kitchener and City of Waterloo followed-up with
interested bikeshare providers and requested an informal proposal for a 2018 pilot that
would include service in the Cities of Cambridge, Kitchener, and Waterloo. Proposals
were submitted by Dropbike Inc. (Dropbike), Ubike Technologies North America Inc. (U-
Bicycle), and Zagster Inc. (Zagster). The bikeshare working group (staff from the area
municipalities, Working Centre, and the Region) reached the consensus that Dropbike
would be the preferred provider given that the system would be quick to deploy at zero
cost to the municipalities and the Region and could guarantee operation within the pilot
2018 season. Dropbike will assume CAB’s existing station footprint and work with staff
from the municipalities and the Region to identify additional bikeshare locations.

Transit Services staff will work with Legal Services to develop the terms of the
agreement with Dropbike for the pilot. The Region had provided the Working Centre
space for CAB bike racks on Regionally-owned property (i.e., Charles Street Transit
Terminal) without cost, as a means of supporting active transportation and a local non-
profit. As Dropbike is a for profit business, the Region will be charging Dropbike a rental
fee at least or above Fair Market Value, as determined by Regional Staff. The
municipalities and any other private business looking to provide space for Dropbike
stations will develop their own separate agreements with Dropbike.

In conjunction with the municipalities, staff has applied for funding through the
Federation of Canadian Municipalities’ Green Municipal Fund to undertake an in-depth
bikeshare study. The study is planned to be initiated in late 2018 to early 2019, and will
identify a recommended approach to bikesharing in Waterloo Region beyond the 2018
pilot. The 2018 pilot is considered to be separate from the planned study, but data from
the pilot will be made available to the study consultants.

Report:

Bikeshare Overview

Bikeshare systems provide short-term access to bicycles via stations located at
convenient locations. Bikeshare users typically access bikes through an instant electronic
payment for short-term use or through a membership, providing an additional option to get
to final destinations. Bikesharing can support active transportation by making cycling more
accessible. The implementation of a bicycle sharing program is supported in the Regional
Transportation Master Plan and Active Transportation Master Plan.

Bikesharing in Waterloo Region

In 2011, Regional staff became aware of two groups wishing to create bikeshare
programs in the region; Community Access Bikeshare (CAB), operated by the Working Centre, and Grand River Public Bike Share (GRPBS). Staff met with the groups and encouraged them to work together to create an integrated system that could serve residents across the region. GRBPS did not launch a system. The Working Centre conducted a CAB pilot in 2011 and launched the second phase of the system in 2013.

The Region had provided the Working Centre and CAB space for racks on Regionally-owned property (i.e., Charles Street Transit Terminal) without cost, as a means of supporting active transportation and a local non-profit. During the 2017 season, CAB had nine stations and five trial stations testing new technology (Bluetooth operated bike locks). 80 bikes were in operation. There was modest usage, with 105 members making a total of 2,198 trips. There was one station located at Charles Street Transit Terminal on Regionally-owned property.

The Working Centre announced to municipal partners in January 2018 that it will no longer operate CAB. The program is not considered to be financially viable due to the prohibitive cost of expanding their network and adopting new bikeshare technologies to increase usage.

The limited expansion of CAB is considered by staff to be largely attributable to the technological limitations of the system and is not due to a lack of community support for bikesharing throughout the Region as community members and community groups have vocalized their support for bikesharing. CAB’s network expansion has been limited by current station requirements (e.g., electrical and internet connection, area to locate key box, space for 8 ring racks etc.) that restrict where stations can be located. Several stations also have reduced hours of operation due to the above mentioned station requirements (e.g., a key box located within a library is accessible only during library hours). Additionally, there is no “on-demand” option for new users as memberships must be purchased and picked up from the Working Centre for the non-Bluetooth operated bikes. Consequently, station requirements have made it difficult for CAB to integrate with the broader transportation network. The cost of expanding their network and adopting new bikeshare technologies to increase usage is considered to be prohibitive.

**Evolution of Bikeshare Technology**

There have been several technological advancements since the development of CAB’s kiosk model, with bikes being secured and rented from an automated docking station. New bikeshare technology is built into the bicycles instead of the docking stations. This allows for smaller and more flexible stations, and can be more cost efficient. It can also improve the integration of bikesharing into transit networks (e.g., “micro-stations” at stops with a bike rack). These new systems also feature smartphone apps with real-time bicycle availability, as well as GPS tracking (which provides valuable cycling ridership data).
Beyond enhancements to the dock-based approach, there has also been the advent of the dockless approach to bikesharing. The dockless model is characterized by bikes that are unlocked through the use of a smartphone, and do not require physical docking infrastructure. Dockless systems are quickly gaining popularity worldwide as they require little to no capital investment from municipalities, and they typically offer a low hourly rate.

This model has however been subject to criticism. In some cases private operators have deployed a dockless network without coordination with local governments or existing bikeshare operators. Also, the majority of private dockless operators do not redistribute their bikes, and rely on users to park bicycles in a suitable location without any delineated parking. Cities have reported issues of obstructed sidewalks, theft, vandalism, and the amassing of bikes in disrepair in public spaces.

Recognizing the potential for dockless systems to provide lower cost bikeshare system, some cities, such as Vancouver, Seattle, and San Francisco, are working to exercise more control over dockless systems. Cities have introduced regulations requiring bikeshare providers to obtain an operating licence, which is subject to minimum operating, safety, and maintenance standards.

**2018 Bikeshare Pilot**

CAB informed the Region and municipalities in January of 2018 that it would no longer be operational. It was considered imperative to not have a break in bikesharing service in 2018 by municipal partners. While CAB experienced limited uptake, community members and organizations such as ClimateActionWR have vocalized their support for bikesharing and CAB, and it is believed that there is demand for this bikesharing service.

Given that both the City of Kitchener and City of Waterloo have been approached by interested bikeshare providers, it was recommended to the Working Centre by Region and municipal partners that there be a call for proposals in order to select the provider the would best meet the bikesharing needs of the Waterloo Region. Staff considered it to be important to be part of this discussion as there are stations on Regional and municipal spaces, and the selected provider would be operating in the municipal right-of-way.

The goal was to secure a pilot at no cost to the municipalities. After consultation with municipal and Regional Procurement, the group sought to emulate the approach to the purchase of goods or services less than $150,000 in value by obtaining, where reasonably possible, three written quotations for such goods or services.

In February 2018, staff from the City of Kitchener and City of Waterloo followed-up with interested bikeshare providers and requested an informal proposal for a 2018 pilot that
would include service in the Cities of Cambridge, Kitchener, and Waterloo. Proposals were submitted by Dropbike Inc. (Dropbike), Ubike Technologies North America Inc. (U-Bicycle), and Zagster Inc. (Zagster). The proposals were evaluated by a working group comprising of staff from the Region, as well as the area municipalities and CAB in March 2018. Each partner completed a scoring sheet developed by the bikeshare working group.

The bikeshare working group reached the consensus that Dropbike would be the preferred provider as they received the highest score given that the system would be quick to deploy at zero cost to the municipalities and the Region. Dropbike is dockless bikesharing system based in Toronto and launched in 2017. They are currently in operation in Kingston, Toronto, and Montreal. Bikes are unlocked through the use of a smartphone, and do not require physical docking infrastructure. Designated parking areas are delineated using geofencing, and users are incentivized to return their bikes to these parking havens. This is intended to minimize the issues of dockless bikes obstructing public spaces. Dropbike proposes to assume CAB’s existing station footprint (pending agreement with impacted parties) and work with staff from the municipalities and the Region to identify additional parking havens. Users must pay a $50 deposit and are charged $1/hour. Memberships are also available. Dropbike will be hiring local staff to manage operations and services bikes.

Transit Services staff will work with Legal Services to develop the terms of the agreement with Dropbike for the pilot. The Region had provided the Working Centre space for CAB bike racks on Regionally-owned property (i.e., Charles Street Transit Terminal) without cost, as a means of supporting active transportation and a local non-profit. As Dropbike is a for profit business, the Region will be charging Dropbike a rental fee at least or above Fair Market Value, as determined by Regional Staff. The municipalities and any other private business looking to provide space for Dropbike stations will develop their own separate agreements with Dropbike.

**Next Steps after 2018 Pilot**

In conjunction with the municipalities, staff has applied for funding through the Federation of Canadian Municipalities’ Green Municipal Fund to undertake an in-depth bikeshare study. This study is planned to be initiated in late 2018 to early 2019, and will identify a recommended approach to bikesharing in Waterloo Region beyond the 2018 pilot. The study will include a review of bikesharing systems and use data and experience collected from the pilot to recommend the most appropriate system for the community, and provide staff with direction on best to implement it.

The 2018 pilot is considered to be separate from the planned study, but agreements with Dropbike will stipulate data from the pilot will be made available for the study.
Corporate Strategic Plan:

The 2018 bikeshare pilot meets Policy Recommendation 10.6.3 of the Regional Active Transportation Master Plan (2014), which recommends the Region work with the Area Municipalities and local organizations to support the development of public bike sharing systems in the region. Bikesharing also meets the goal of promoting transportation choice in the Regional Transportation Master Plan (2011).

In addition, bikesharing supports the Region's Transportation Demand Management (TDM) program by providing sustainable transportation options to residents and workplaces in Waterloo Region. Bikesharing encourages cycling as an alternative to the privately-owned vehicle, which supports the Region’s goal of developing more travel choices to residents that are affordable and environmentally sustainable (Strategic Plan - Focus Area 2).

Financial Implications:

Dropbike, the proposed service provider for the bike sharing pilot is a for profit business. Accordingly, the Region will be charging the provider at least or above Fair Market Value, as determined by Regional Staff, for any bike sharing facilities on Regional property (Charles Street Transit Terminal). This incremental revenue, anticipated to be nominal in amount, will be reflected in 2018 Grand River Transit operating revenues.

As the pilot is at no cost, the group sought to emulate the approach to the purchase of goods or services less than $150,000 in value by obtaining, where reasonably possible, three written quotations for such goods or services upon the direction of municipal and Regional Procurement.

Other Department Consultations/Concurrence:

TDM staff consulted with staff from the Area Municipalities, and have reached a consensus of wanting to ensure the availability of bikesharing service to the community in 2018.

Procurement, Legal Services and Finance were consulted in the development of this report.

If approved, Transit Services will work in collaboration with Legal Services to develop a licencing agreement outlining the terms of the agreement. The municipalities and any other private business looking to provide space for Dropbike stations will need to develop a separate agreement.

Attachments: Nil

Prepared By: Julie Bélanger, Principal Planner, Transportation Demand Management

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

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

Date: April 10, 2018  File Code: E20-40

Subject: Update on Waste-Free Ontario Act and Strategy

Recommendation:
For information.

Summary:

The Province passed new legislation in November 2016, referred to as the *Waste-Free Ontario Act*, 2016 (WFOA) and subsequently, in February, 2017, an accompanying *Strategy for a Waste-Free Ontario: Building the Circular Economy* (Strategy) was adopted. One of the primary outcomes of the new waste legislation is to move toward full producer responsibility for the end-of-life management of designated products and packaging with this concept initially applied to used tires, municipal hazardous and special waste, waste electronics and finally paper products and packaging (i.e. the blue box program) by 2023. The Strategy also identifies the development and implementation of a framework to address food and organic waste in Ontario.

As previously reported in September, 2017, the Minister of Environment and Climate Change, at the request of municipalities and producers, directed Stewardship Ontario (SO) and the Resource Productivity and Recovery Authority (Authority) to develop a proposal for an amended Blue Box Program Plan (aBBPP) that would expedite and outline the first phase of transition of Ontario’s Blue Box recycling program from the current shared responsibility system to full producer responsibility in an orderly fashion and set the stage for a second phase resulting in individual producer responsibility. On December 19, 2017, SO issued a draft of the proposed aBBPP for stakeholder review. However, in light of the concerns raised and feedback received on the draft aBBPP, SO and the Authority have determined that more time is needed to address the comments received. Although no revised timeline has been identified to submit a revised draft...
aBBPP, it has been acknowledged that further stakeholder engagement is necessary.

In November, 2017, the Ministry of Environment and Climate Change (MOECC) released a draft organics Framework comprised of the following:

- Part A – Proposed Food and Organic Waste Action Plan which outlines strategic commitments to be taken by the province to address food and organic waste
- Part B – Proposed Food and Organic Waste Policy Statement which provides direction to provincial ministries, municipalities, producers, the Industrial, Commercial and Institutional (IC&I) sector and the waste management sector in general to further the provincial interest of achieving greater waste reduction and resource recovery as it relates to food and organic waste.

The proposed Framework aligns well with existing Region waste policies and the Regions’ corporate objective of increasing the amount of waste diverted from landfill. At this time, it is staff’s understanding that the province is reviewing feedback and comments on the proposed Framework but it is unclear as to when it will be finalized.

A proposed regulation for the management of used tires is to come into effect on January 1st, 2019 and is the first program to be transitioned to full producer responsibility under the new legislation. The proposed regulation provides good direction for managing the transition of the used tire program and is not anticipated to have any significant impacts on how the Region presently provides tire recycling and diversion. The MOECC has also indicated it has begun working on a proposed regulation around waste electronics. However, there has been no indication around timing of the development of a new regulation for municipal hazardous and special waste (MHSW). In accordance with the waste Strategy, transition of full producer responsibility for waste electronics and MHSW is targeted to occur by the end of 2020.

Staff, as part of the M3RC collaborative, will continue to be actively involved in the consultation process and the continued development of the amended Blue Box Program Plan and the proposed Organics Framework as well as future regulations and developments related to other programs impacted by the new provincial legislation (i.e. used tires, waste electronics and household hazardous waste). Future update reports will be provided to Committee on the new regulatory and funding framework as it develops, including any implications to the Region’s waste programs and funding.

Report:

Background

As previously reported in April 2017 (Report TES-WMS-17-05), the Province passed new legislation in November 2016, referred to as the Waste-Free Ontario Act, 2016 (WFOA), and in February, 2017, the Strategy for a Waste-Free Ontario: Building the Circular Economy (Strategy) was adopted. The new policy directives are expected to have a
major impact on the way municipal solid waste is managed while fulfilling the provinces 
desire to build a circular economy. In particular, the new legislation has started the 
movement toward full producer responsibility wherein producers are accountable for the 
end-of-life management of the designated products and packaging they produce and sell 
to market. This concept is intended to initially apply to tires, household hazardous 
wastes and electronics as well as paper products and packaging (i.e. blue box program). 
Other materials such as mattresses, carpets and furniture will be considered in the 
future. The Strategy also identifies the development and implementation of a framework 
to address food and organic waste in Ontario.

In response to the new waste management legislative framework, the Association of 
Municipalities of Ontario (AMO), the Municipal Waste Association (MWA), the Regional 
Public Works Commissioners of Ontario (RWPCO), and the City of Toronto have joined 
forces to form the Municipal Resource Recovery and Research Collaborative (M3RC). 
The primary focus of M3RC is to advocate for a smooth and timely transition to full 
producer responsibility and to make sure key municipal priorities like maintaining service 
standards to residents are protected. Region waste management staff are actively 
involved as part of the M3RC group.

This report provides an update with respect to the current status of proposed changes to 
waste management policy in the Province and potential implications to the services and 
programs provided by the Region.

Proposed Blue Box Program Plan Amendment Status

As presented in September 2017 (Report TES-WMS-17-07), the Blue Box program plan 
was identified in the waste Strategy for transition in 2023. However, municipalities, 
through the M3RC, and producers, represented by Stewardship Ontario (SO), asked for 
an earlier transition. As a result, on August 14th, 2017, the Minister of Environment and 
Climate Change issued a letter directing SO and the Resource Productivity and 
Recovery Authority (Authority) to develop a proposal for an amended Blue Box Program 
Plan that would outline the first phase of transition of Ontario’s Blue Box recycling 
program from the current shared responsibility system to full producer responsibility in an 
orderly fashion and set the stage for a second phase resulting in individual producer 
responsibility. It is noted that the principles and requirements set out in the Minister’s 
request letter are well aligned with municipal interests.

On December 19, 2017, SO issued a draft of the proposed amended Blue Box Program 
Plan (aBBPP) for stakeholder review with comments due by January 15th. Although it is 
acknowledged that SO did consult with municipalities and other stakeholders during the 
development of the draft plan, it was not developed collaboratively as key concerns 
raised were not adequately addressed or incorporated into the amended plan. In 
response, comments were provided by M3RC that express overall disappointment with 
the proposed aBBPP. Specifically, the amended plan in its current form does not
appropriately reflect the direction provided in the Minister’s letter with the following key concerns remaining outstanding:

- **Move to individual producer responsibility** – the timeline proposed in the aBBPP is seven years to transition municipal programs over to SO and nine years until any targets are to be achieved. This is four years beyond the target 2023 timeline identified in the Strategy and stretches over three provincial and municipal election cycles. This timeline could potentially entrench the existing monopoly structure held by SO and does not set the stage for a second phase of transition to Individual Producer Responsibility by the 2023 target date as identified in the provincial Strategy.

- **Need for good governance and balanced decision making** – the aBBPP gives unilateral decision making powers to SO for key elements of the transition and operations of the program prior to the move to individual producer responsibility. Until the current municipally-operated Blue Box system can be successfully transitioned to individual producer responsibility, more balanced controls are necessary for the protection of all stakeholders.

- **Improving environmental outcomes** – the aBBPP does not explicitly indicate a commitment to maintain or increase the list of materials obligated to be collected in the blue box nor does it address the Minister’s direction to establish methods to facilitate a reduction of printed paper and packaging and to discourage the use of non-recyclable and problematic materials.

- **Ensuring transparency** – transparency and fairness are the cornerstones of the transition, however, the aBBPP does not provide details regarding scope, material and performance definitions, measurement methodologies and verification protocols. As drafted, the aBBPP delays the development of critical contractual templates including statements of work, master service agreements, collection service requirements and contamination protocols until after the plan is approved.

- **Legacy concerns** – the aBBPP does not make provisions to avoid stranded assets (i.e. future of materials recycling facilities) to the extent possible as directed by the Minister’s letter nor does it set out options to manage newspaper at no cost to municipalities.

As per the direction of the August 14th letter from the Minister of Environment and Climate Change, the draft aBBPP was intended to be submitted to the Minister by February 15, 2018 for the Minister’s consideration. However, in light of the concerns raised and feedback received on the draft aBBPP, SO and the Authority have determined that more time is needed to address the comments received. Furthermore, the Authority stated that:

“As the Minister directed that the proposal for an amended Blue Box Program Plan be developed collaboratively with municipalities, stewards and affected stakeholders, the Authority is committed to engaging with all parties to support the development of a
proposal for an amended Blue Box Program Plan that is consistent with the Minister’s direction.”

Although no revised timeline has been identified to submit a draft aBBPP, SO and the Authority acknowledge that the draft plan is not complete and continues to be a work in progress with further stakeholder engagement necessary. Staff, through participation with M3RC, will continue dialogue with SO, the Authority, the Ministry of Environment and Climate Change (MOECC) and other stakeholders in an attempt to work toward a fair and equitable plan, developed in a collaborative manner that meets the requirements of municipalities and specifically the requirements set out in the Minister’s request letter.

**Proposed Food and Organic Waste Framework**

In accordance with the finalized waste Strategy, the MOECC, in consultation with a number of stakeholders including M3RC, have been involved in the development of a Food and Organic Waste Framework (Framework). As a result, in November 2017, the MOECC released a draft Framework that strives to:

- Reduce food and organic waste by preventing edible food from becoming waste;
- Recover resources from food and organic waste;
- Support resource recovery infrastructure by ensuring there is sufficient capacity and innovative technologies to process food and organic waste; and,
- Promote beneficial uses of recovered resources by supporting end products and sustainable markets.

The Framework identifies actions and policies comprised of two components:

- Part A – Proposed Food and Organic Waste Action Plan which outlines strategic commitments to be taken by the province to address food and organic waste.
- Part B – Proposed Food and Organic Waste Policy Statement which provides direction to provincial ministries, municipalities, producers, the Industrial, Commercial and Institutional (IC&I) sector and the waste management sector in general to further the provincial interest of achieving greater waste reduction and resource recovery as it relates to food and organic waste.

Seventeen actions have been proposed as part of the action plan to achieve the Framework’s objectives and are listed along with associated timeline’s in Attachment 1. In general, the Framework aligns well with existing Region waste policies and the Regions’ corporate objective of increasing the amount of waste diverted from landfill. Staff, through the M3RC group, provided a number of comments on the Organics Framework with some of the more notable issues identified as follows:

**Hierarchy**
The Framework supports an Ontario food recovery hierarchy in order to prioritize the highest and best use of food resources. The hierarchy with steps listed in order of priority include:

- Reduce: prevent and reduce food and organic waste at the source
- Feed People: safely rescue and redirect surplus food before it becomes waste
- Resource Recovery: recover food and organic waste for a beneficial end use

Similar to the 3Rs principle (reduce, reuse and recycle), staff agree with the concept of this hierarchal approach and are currently reviewing opportunities such as partnering with the Ontario Food Collaboration to promote the prevention of food waste and food waste reduction messaging.

**Targets**

The Framework sets aggressive organics diversion targets for low density residential properties, multi-residential properties and Industrial, Commercial and Institutional (IC&I) establishments, to ensure recovery efforts are effective. The Framework is also clear that municipalities would be responsible for achieving the diversion targets at low density residential properties, however, building owners of multi-residential dwellings (i.e. buildings with six or more units) as well as IC&I property owners would be responsible for achieving the targets proposed for their properties.

The Region of Waterloo currently provides curbside collection of green bin and yard waste organics to primarily low density residential properties and since we already provide these services, they have been identified as mandatory in the Framework with a proposed target of 70% waste reduction by 2023. Although details on how targets will be set and measured have not yet been finalized, it is anticipated that the Region of Waterloo would be able to achieve the 70% diversion target by maintaining existing organics diversion programs.

**Disposal Ban**

The Framework includes a proposed organics disposal ban to be phased in beginning in 2022 to help build sustainable end markets as ways to direct reuse or recycling and drive investment. Although the implementation of a ban would be at the direction of the MOECC, considerations such as where a ban is applied (i.e. transfer station, landfill, curbside, etc.) and who/how a ban is enforced still needs to be determined. Therefore, the province has committed to developing the ban in consultation with municipalities and other stakeholders.

**Building Code and Planning Process**

The Framework includes a review of the existing Building Code Act, 1992, to determine if potential changes to the building code and planning process can be made to ensure
multi-residential buildings are designed and built in a way that supports organics diversion. In this regard, waste management staff will keep our local municipal partners apprised of the process as it moves forward and any potential changes given enforcement of the Building Code is a local area municipality responsibility.

At this time, it is staff's understanding that the province is reviewing feedback and comments on the proposed organics Framework but it is unclear as to when it will be finalized.

Other Designated Programs

In addition to the Blue Box program, transition to full producer responsibility under the new provincial legislation framework is intended to initially apply to used tires, household hazardous wastes and electronics. A brief update of each is provided below.

Proposed Tire Regulation

The first program to be transitioned to full producer responsibility is the management of used tires. The MOECC posted the draft used tire regulation for consultation on December 1, 2017 with comments provided by M3RC in January, 2018. In general, the draft regulation provides good direction for managing the transition of the used tire program to the new full producer responsibility framework. The proposed regulation is to come into effect on January 1st, 2019 and at present, is not anticipated to have any significant impacts on current service provisions related to how the Region presently undertakes tire recycling and diversion. However, staff will continue to collaborate with stakeholders and monitor the transition to the new regulation and will provide Committee with relevant updates.

Waste Electronics

On February 8th, 2018, the MOECC requested a wind-up plan from the Ontario Electronic Stewardship (OES), the industry organization that currently oversees waste electronics recycling in the province, and indicated it has begun working on a proposed regulation. In accordance with the waste Strategy, transition of full producer responsibility is targeted to occur by the end of 2020. At this time, no further details have been provided as to how this transition to a new regulation will unfold and therefore it is unclear as to potential implications to current program and service provisions at the Region. Staff will monitor, engage and comment as appropriate and provide updates to Committee as necessary.

Municipal Hazardous and Special Waste (MHSW)

Similar to waste electronics, the transition to full producer responsibility for MHSW through the development of a new regulation is proposed to occur by the end of 2020 in accordance with the waste Strategy. At this time, no further direction has been provided
by the MOECC and staff will continue to monitor and update Committee as required.

Concluding Comments/Next Steps

Staff, as part of the M3RC collaborative, will continue to be actively involved in the consultation process and the development of the amended Blue Box Program Plan and the proposed Organics Framework as well as further developments related to other programs impacted by the new provincial legislation (i.e. used tires, waste electronics and household hazardous waste) and will ensure that future update reports be provided to Committee on the new regulatory and funding framework as it develops, including any implications to the Region’s waste programs and funding.

Corporate Strategic Plan:

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

Financial Implications:

There are no immediate financial implications at this time. As mentioned previously, staff will continue to monitor further developments and provide updates to Committee accordingly.

Other Department Consultations/Concurrence:

Nil

Attachments:

Attachment 1 – Proposed Action Items and Timelines, Organics Framework

Prepared By: Jon Arsenault, Director, Waste Management Division

Approved By: Thomas Schmidt, Commissioner, Transportation and Environmental Services
## Attachment 1 – Proposed Action Items and Timelines
### Organics Framework

<table>
<thead>
<tr>
<th>Number</th>
<th>Action</th>
<th>Currently Underway</th>
<th>Short-Term (2018-2020)</th>
<th>Long-Term (2021-beyond)</th>
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<tbody>
<tr>
<td>1</td>
<td>Province to work with partners to develop promotion and education tools to support food waste prevention and reduction</td>
<td></td>
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<td>2</td>
<td>Province to enhance and incorporate waste reduction and resource recovery activities in schools</td>
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<tr>
<td>3</td>
<td>Province to work with Government of Canada on preventing food waste</td>
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<tr>
<td>4</td>
<td>Province to work with partners to support innovative approaches and tools to rescue surplus food</td>
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<td>Province to develop food safety guidelines to support the safe donation of surplus food</td>
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<tr>
<td>6</td>
<td>Province to support academic research aimed at reducing and recovering food and organic waste</td>
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<td>7</td>
<td>Province to develop data collection mechanisms for measuring progress in waste reduction and resource recovery of food and organic waste</td>
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<td>8</td>
<td>Province to amend the 3Rs Regulations to include food and organic waste and increase resource recovery across the IC&amp;I sector</td>
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<tr>
<td>9</td>
<td>Province to ban food and organic waste from ending up in disposal sites</td>
<td>X</td>
<td>(consulting 2018-2019)</td>
<td>X (phased-in beginning 2022)</td>
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<tr>
<td>Number</td>
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<tr>
<td>10</td>
<td>Province to support resource recovery of food and organic waste in multi-residential buildings</td>
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<td>11</td>
<td>Province to develop best management practices to support effective use of public waste receptacles</td>
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<td>12</td>
<td>Province to use modern regulator approaches to review existing approval processes and requirements for resource recovery systems</td>
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<tr>
<td>13</td>
<td>Province to require standardized training to owners and operators of resource recovery systems that undertake composting and anaerobic digestion</td>
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<tr>
<td>14</td>
<td>Province to review its D-series Land Use Compatibility Guidelines to support the development of resource recovery systems</td>
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<td>15</td>
<td>Province to support healthy soils with strong standards and clear requirements for the use of soil amendments, while protecting the environment and human health</td>
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<td>Province to review regulatory approaches related to soil amendments (i.e. compost, digestate)</td>
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<td>Province to promote the on and off farm end-use of soil amendments made from organic waste</td>
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<td>Province to promote the use of soil amendments as part of the</td>
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<td>Number</td>
<td>Action</td>
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<td></td>
<td>Agricultural Soil Health and Conservation Strategy</td>
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<tr>
<td>16</td>
<td>Province to support development of renewable natural gas including consideration for linkages to food and organic waste</td>
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<td>X</td>
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<tr>
<td>17</td>
<td>Province to support green procurement practices, including the use of products, such as compost and digestate</td>
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Region of Waterloo  
Corporate Services Department  
Financial Services & Development Financing  

To: Chair Tom Galloway and Members of the Planning and Works Committee  
Date: April 10, 2018  
File Code: F01-80  
Subject: Public Transit Infrastructure Funding – Phase 2 Bilateral Agreement  

Recommendation:  
For Information  

Summary:  
The Federal and Provincial governments have entered into a Bilateral Agreement for the Investing in Canada Infrastructure Program. Under the public transit stream the Region of Waterloo will be eligible to receive up to $187 million in federal funding and $154 million in provincial funding over the next ten years. The Region’s contribution to the projects will be $126 million. The program eligibility requirements of the Public Transit Infrastructure Fund Phase 2 (PTIF2) are somewhat less restrictive than the Public Transit Infrastructure Fund Phase (PTIF1). Once program guidelines are available, staff will work on identifying appropriate projects to submit for approval under this funding program.

Report:  
On March 14, 2018 the Honourable Amarjeet Sohi, Federal Minister of Infrastructure and Communities, and the Honourable Bob Chiarelli, Ontario Minister of Infrastructure announced the signing of a bilateral agreement that will provide more than $11.8 billion through the Investing in Canada Plan over the next ten years dedicated to infrastructure projects.

Under the Public Transit stream the cost-sharing ratio for the funding envelope is 40% Federal, 33% Provincial and 27% municipal. The Region of Waterloo will receive
approximately $187 million from the Government of Canada and $154 million from the Province of Ontario over the next ten years. The Region must contribute $126 million in funding for its municipal share. The investment in Regional transit infrastructure under this program totals $467 million which will be cash-flowed over the program term which begins with fiscal year 2018/19 and ends on March 31, 2028. The funding program is “back-end loaded” with only 23% of the funding available in the first five years of the program. Federal transit funding is aimed at supporting new construction, expansion and improvement, and rehabilitation of public transit infrastructure.

Key Elements

As with PTIF1, this program will be application based. Application based programs require municipalities to submit applications for specific projects which must be approved by the Province. In the past this approval process has resulted in delays and increased administration. The Province will be responsible for identifying and prioritizing eligible projects through engagement with local and regional government and submitting eligible projects to the Federal Government for approval. The Province will enter into Transfer Payment Agreements with municipalities and will be required to submit an annual Infrastructure Plan to the federal government.

There are some specific program reporting requirements for projects greater than $10 million including a greenhouse gas assessment which calculates the cost-per-tonne calculation, a climate resilience assessment and community employment benefits provided to at least three federal target groups (apprentices from traditionally disadvantaged communities, Indigenous peoples, women, persons with disabilities, veterans, youth, new Canadians or small-medium-sized enterprises and social enterprises).

Compared to Public Transit Infrastructure Funding Phase 1 (PTIF1), the constraints around incrementality have been relaxed somewhat given the condition that contribution funding “does not displace municipal spending on public transit.” The agreement also provides for annual project updates to accommodate changing circumstances and evolving transit priorities. The new program also provides flexibility to partner with other municipalities and agencies.

Program Design

The focus of the program is the expansion/enhancement of transit services. Projects must meet at least one of the following outcomes:

- Improved capacity of public transit infrastructure
- Improved quality and/or safety of existing or future transit systems
- Improved access to a public transit system.
Public Transit rehabilitation projects cannot exceed a maximum of 15% of the total program.

While the bilateral agreement has been signed by the Governments of Canada and Ontario, provincial staff are continuing to develop specific program guidelines. Some expenditure eligibility criteria have been identified which include direct costs that are necessary for the successful implementation of a project including capital costs, design and planning, and costs related to meeting program requirements including preparing climate lens assessments and creating community employment benefit plans.

Consistent with previous senior government funding programs, ineligible expenditures include land acquisition costs, some lease costs, overhead, financing charges and legal fees.

Next Steps

As indicated above, program guidelines are still under development. Once the more detailed requirements are known, staff will work to identify appropriate projects to submit for approval in order to maximize the funding available.

PTIF 1 Update

As a reminder – the following is key information relating to the Region’s funding under the PTIF 1 Funding Program:

- The program was announced on August 22, 2016
- The total expenditure under the program for the Region is almost $70 million, shared 50/50 with the Federal government
- As of March 23, 2018 the Region has spent $46 million in eligible costs
- The Region has taken delivery of 18 expansion buses and 48 replacement buses purchased through the PTIF 1 Program
- Onboard Traffic Signal Priority Equipment has been acquired and is being installed on all buses
- The Transfer Payment Agreement (TPA) is with the Province awaiting execution
- The Region is not able to recover any funding until receipt of the signed TPA.

PTIF1 funding is currently approved for project expenses incurred up to March 31, 2018 (60%), with the remaining 40% of eligible spending to occur prior to March 31, 2019. In response to requests from many municipalities to extend project deadlines, the federal
government recently announced that the 60% spending requirement prior to March 31, 2018 will be eliminated and the timeframe for eligible spending will be extended to March 31, 2020. This will be confirmed in April, subject to specific program reporting requirements being met.

**Other Funding Opportunities under the Bilateral Agreement**

In addition to the transit infrastructure funding announcement there will be $9.2 billion of funding available for green infrastructure, $1.3 billion for community, cultural and recreational infrastructure, and $2 billion for infrastructure in rural and northern communities. Details on these additional programs will be available in the coming weeks.

**Corporate Strategic Plan:**

This report supports strategic objectives found in the Corporate Strategic Plan and particularly Focus Area 1.2 - Plan for and provide the infrastructure and services necessary to create the foundation for economic success.

**Financial Implications:**

Following the review of program eligibility and finalization of the Transfer Payment Agreement with the Province, staff will reflect PTIF2 funding in the preliminary 2019-2028 transit capital program and will outline specific financial impacts through the 2019 budget process.

**Other Department Consultations/Concurrence:**

Transportation and Environmental Services staff provided input to this report.

**Prepared By:** Cathy Deschamps, Director, Financial Services & Development Financing

**Approved By:** Craig Dyer, Commissioner, Corporate Services/Chief Financial Officer
Region of Waterloo
Planning, Development and Legislative Services
Office of Regional Economic Development

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

Date: April 10, 2018

File Code: D02-01(A)

Subject: Smart Cities Challenge – Phase One Application

Recommendation:
That the Regional Municipality of Waterloo endorse the Smart Cities Application for Waterloo Region addressing the theme of Healthy Children and Youth as outlined in Report PDL-ECD-18-02, dated April 10, 2018.

Summary:
The Region of Waterloo, the Cities of Cambridge, Kitchener, and Waterloo, and the Townships of Wilmot, Woolwich, North Dumfries, and Wellesley are collectively responding to the Government of Canada’s Smart Cities Challenge to municipalities. The Smart Cities Challenge encourages communities to leverage technology and data solutions to overcome their most pressing challenges. Phase one of the application is due on April 24, 2018, and focuses on the identification of the community challenge area based on community engagement.

The Waterloo Region smart cities team leveraged the extensive consultation and research completed by Wellbeing Waterloo Region, an initiative to further advance a more integrated, holistic approach to community wellness/wellbeing and create significant and impactful solutions. Based on the quantitative data and extensive community input Wellbeing Waterloo Region identified three areas of focus: Affordable Housing; Healthy Children and Youth; and Social Inclusion. These three areas were used as a starting point for further public consultation to inform Waterloo Region’s smart cities application. Over the month of February, staff carried out consultations with the public and stakeholders to determine which challenge area would benefit the most from the application of smart technology and data solutions.
Based on the consultation and further discussions with not-for-profits and technology companies, the smart cities team is recommending that Healthy Children and Youth as the community challenge area for the Waterloo Region phase one application. Creating a connected technology and data solution will support children and youth in Waterloo Region by enhancing youth programming, literacy rates, nutrition and food programs, mental and physical health solutions, infrastructure such as connected community spaces, broader education platforms, and high school graduation rates.

Report:

Background

In late November 2017, Infrastructure Canada launched a Smart Cities Challenge to municipalities across the Country that encourages communities to leverage data and connected technology to increase the quality of life for residents. The Challenge is open to local and regional governments, and indigenous communities and offers non-repayable funding to implement smart solutions. There are four prize categories for the Challenge:

1. One prize of up to $50 million – Open to all communities, regardless of population;
2. Two prizes of up to $10 million – Open to communities with a population less than 500,000;
3. One prize of up to $5 million – Open to communities with a population less than 30,000; and,
4. An Indigenous Community Prize – Amount to be determined.

Infrastructure Canada is encouraging municipalities to partner and work together on one application rather than individual municipalities in a regional area submitting individual applications. As a result, the Region of Waterloo and the seven area municipalities are partnering on Waterloo Region’s application to the Smart Cities Challenge. With a population of over 500,000, Waterloo Region is only eligible to compete for the $50 million prize along with other Region’s and large cities across Canada.

The 2017 Challenge is the first of three Smart Cities Challenges Infrastructure Canada will be running over the next ten years. Municipalities that are not successful in the first round will be able to apply to the second or third rounds. The timing of the second and third rounds have not yet been announced.

The Challenge includes a two-phase application process. The phase one application is due on April 24, 2018, and is an Expression of Interest that focuses on identifying up to two community challenge areas that will be addressed through the use of data and connected technology. The top five applications in each category will be selected to proceed to the second phase to prepare a full business plan. The phase two application
will focus on the adaption and application of the smart solution by the municipalities and community partners. The final submission will be due in late 2018, or early 2019 with the winners in each category announced in the spring of 2019. A panel of experts is being established to review the applications and make recommendations to the Minister on the applications that should proceed to phase two and the selection of the winning community in each category.

The challenge area must fall within the six themes: economic opportunity; empowerment and inclusion; environmental quality; healthy living and recreation; mobility; and safety and security. The community challenge that is selected must be based on input from residents and stakeholders. Each municipality must develop a single sentence challenge statement that defines the outcomes that the community aims to achieve by implementing its smart community proposal. The challenge statement must be measurable, ambitious, and achievable through the proposed use of data and connected technology. The smart solution that is selected must leverage the benefits that data and connected technology offer:

- Openness – Making data accessible, usable, and barrier-free while supporting transparent decision-making processes;
- Integration – Using data and connected technology to break down silos within local governments and public organizations;
- Transferability – Applying the solution to communities across the Country; and,
- Collaboration – Using technology to bring traditional and non-traditional partners together.

To prepare a Smart Waterloo Region response to the Challenge, a Steering Committee made up of the Chief Administrative Officers from the Region of Waterloo and area municipalities was established to guide the application process. An Advisory Committee made up of representatives from industry associations as well as the education, health, and not-for-profit sectors was also established to provide recommendations to the Steering Committee on the phase one community engagement, the recommended community challenge area, and the application process (The Advisory Committee member are listed in Appendix A). A working group of staff from the Region of Waterloo and area municipalities has supported the community engagement and application development process.

**Waterloo Region Response**

Municipalities are required to select a community challenge area based on consultation with the community. The Region of Waterloo and area municipalities were able to leverage the research and consultation work already completed through the Wellbeing Waterloo Region, an initiative by a cross-section of community partners to further advance a more integrated, holistic approach to community wellness/wellbeing and
create significant and impactful solutions. Through this initiative, partners are working together to identify and address collective priorities that will improve community wellness/wellbeing so that everyone in our community can thrive.

Between February 2016 and July 2017 Wellbeing Waterloo Region hosted over 40 community engagement activities members of the community, community leaders, and service providers. Overall, these activities engaged 3608 participants on what more is needed in Waterloo Region to achieve wellbeing and what actions should be taken to help achieve wellbeing. Based on the quantitative data and extensive community input Wellbeing Waterloo Region identified three areas of focus: Affordable Housing; Healthy Children and Youth; and Social Inclusion.

**Public and Stakeholder Consultation**

Given the extensive consultation and research on wellbeing completed through the Wellbeing Waterloo Region initiative, the Smart Cities Advisory Committee recommended that these three focus areas be used as the foundation for the Waterloo Region smart cities consultation process. Over the month of February, the Smart Cities team asked the public and stakeholders from the not-for-profit, private, and educational sectors which one of the three community challenge areas identified through the Wellbeing Waterloo Region process would benefit the most from a smart technology and data solution.

The Region’s online Engage platform was used to provide the public with background information and surveyed their opinion on the key challenge area. The survey was available for the public to fill out at four Public Consultation Centres (PCC) that were held in Cambridge, Kitchener, Waterloo, and Woolwich (in partnerships with the other three townships). Staff also participated in and held a pop-up PCC at Conestoga College’s Smart Cities Hackathon. Two stakeholder sessions were held in Kitchener and designed by Overlap Associates. Approximately 150 participants worked through interactive activities that focused on visioning for a future smart technology enabled Waterloo Region and which Wellbeing Waterloo Region challenge area would benefit the most from a smart technology solution.

**Recommended Challenge Area**

The Smart Cities Working Group, Advisory Committee, and Steering Committee reviewed all of the input and concluded that Healthy Children and Youth was best suited as the strategic focus for the Waterloo Region Smart Cities application.

The theme of Healthy Children and Youth encompasses the potential integration of technology and data to overcome a number of different developmental challenges that children and youth are facing in Waterloo Region. Mental and physical health, nutrition and food, connected community spaces, youth programming, broader education
platforms, literacy rates, and overall children and youth wellbeing were identified as broad themes that require immediate attention in Waterloo Region. Respondents also identified how these areas are contributing factors to Waterloo Region’s below average high school graduation rates.

Given the potential opportunity to build a connected technology and data framework to support children and youth in Waterloo Region, staff are recommending that Healthy Children and Youth as the challenge area for Waterloo Region’s smart city application. Waterloo Region is home to a number of not-for-profit organizations that focus on the different areas of children and youth wellbeing. The Children and Youth Planning Table (CYPT) is a collaborative network of over 67 partners including the Waterloo Region Catholic School Board and the Waterloo Region District School Board that focus on children and youth in Waterloo Region. They have identified similar challenge areas to those heard through the consultation process. Waterloo Region also benefits from a cluster of technology companies with products or services that support children and youth development. The majority of these organizations have confirmed that they would like to participate in the development of an overall smart cities solution for healthy children and youth in Waterloo Region.

By selecting Healthy Children and Youth as the challenge area for Waterloo Region’s Smart Cities application, any technology and data solutions that are developed will also have benefits to the other two Wellbeing Waterloo Region challenge areas. Programming, connected community spaces, and the data framework are examples of specific solutions that could be leveraged to benefit for affordable housing and social inclusion. Healthy Children and Youth also align best with the Smart Cities Challenge program requirements and also align with a number of Federal Government priorities including a Diverse and Inclusive Canada, Healthy Canadians, and Jobs and Innovation.

Next Steps

If Waterloo Region is selected as one of the five communities in its category to proceed to phase two, the Region of Waterloo and the area municipalities will lead the development of a full application over a six month period. The full application will require the development of a detailed technology and data framework and execution plan that outlines each of the project partners, technology products and solutions, measurement framework, cost of implementation, and governance. The Region of Waterloo and area municipalities will need to undertake additional community consultation, research, and focus groups relating to Healthy Children and Youth as part of the development process. Phase two applicants are expected to be announced in the summer of 2018.

Corporate Strategic Plan:

Selecting Healthy Children and Youth as the challenge area for the Waterloo Region’s
Smart City application support the “Healthy, Safe, and Inclusive Communities” focus area, in particular, it supports the objective to “support early learning and child development.”

**Financial Implications:**

If Waterloo Region is selected to proceed to Phase two of the Smart Cities Challenge, it will receive a $250,000 grant to assist in completing the full application. If Waterloo Region wins the Smart Cities Challenge, a $50 million grant will be awarded to assist in the implementation of the technology and data solution.

**Other Department Consultations/Concurrence:**

Nil

**Attachments**

A: List of Advisory Committee Members

**Prepared By:** Matthew Chandy, Manager, Office of Regional Economic Development

**Approved By:** Rod Regier, Commissioner, Planning, Development and Legislative Services
Attachment A:

Advisory Committee Members

- Gerry Remers – Waterloo EDC
- Karl Allen-Muncey – Digital Kitchener Innovation Lab
- Tim Ellis – Grand Innovations
- Kevin Tuer – Open Data Exchange
- Vlad Loutchenok – University of Waterloo
- Elliot Fung – Waterloo Wellington LHIN
- Loretta Notten – Waterloo Catholic District School Board
- Murray Gamble – C3 Group
- Ig Kolenko – Conestoga College
- Tova Davidson – Sustainable Waterloo Region
- Elizabeth Heald – KW Community Foundation
- Don Cowan – University of Waterloo
- Ian McLean – KW Chamber of Commerce
- Greg Durocher – Cambridge Chamber of Commerce
- Scott Rose – Velocity
- Shannon Weber – Wilfred Laurier University
- Mary Chevreau - Kitchener Public Library
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