



THIS MEETING WILL BE WEBCAST ON THE [CITY'S PUBLIC YOUTUBE SITE](#) (CITYWATERLOO) AND MAY BE TELECAST ON PUBLIC TELEVISION



SPECIAL COUNCIL MEETING

Monday, August 24, 2020

10:00 AM

AGENDA

Mayor Jaworsky in the Chair

- 1. ROLL CALL**
- 2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**
- 3. CLOSED MEETING**

Recommendation:

That Council hold a closed meeting for the purposes of considering the following subject matter:

- a) the security of the property of the municipality or local board (Covid-19 Pandemic Update, Legal Advice regarding ongoing negotiation)
- b) personal matters about an identifiable individual, including municipal or local board employees (Waterloo North Hydro Update, Covid-19 Pandemic Update);

- c) a proposed or pending acquisition or disposition of land by the municipality or local board (Covid-19 Pandemic Update);
- d) labour relations or employee negotiations (Waterloo North Hydro Update, Covid-19 Pandemic Update, Legal Advice regarding ongoing negotiations);
- e) advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Legal Advice regarding ongoing negotiations);
- f) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act; (MFIPPA s. 10 (Third Party) and s. 11 (Economic Interests) – Waterloo North Hydro Update)
- g) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization (Waterloo North Hydro Update);
- h) a position plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (Waterloo North Hydro Update, Covid-19 Pandemic Update, Legal Advice regarding ongoing negotiations)

COUNCIL MEETING WILL RECESS AND RECONVENE AT 2:00 PM

- 4. ROLL CALL**
- 5. TERRITORIAL ACKNOWLEDGEMENT**
- 6. MOMENT OF REFLECTION**

7. **DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

8. **APPROVAL OF MINUTES**

That the previous meeting minutes be approved.

a) **July 13, 2020 – Special Council Meeting**

Page 12

Recommendation:

That the minutes of the special Council meeting held on July 13, 2020 be approved as printed.

9. **DELEGATIONS**

None

10. **CONSENT MOTION**

None

11. **ITEMS REMOVED FROM THE CONSENT MOTION**

12. **STAFF REPORTS**

a) **Title: Indigenous Reconciliation Action Plan – The Plan Forward**

Page 29

Report No.: COM2020-017
Prepared By: Pamela Albrecht

Delegations:

1. Amy Smoke, Representative, LandBack Camp
2. Kai Reimer-Watts, resident of Kitchener
3. Lori Campbell, resident of Waterloo

Recommendation:

1. That COM2020-017 be received.

2. That staff be directed to develop a policy to support the access and use of public spaces by Indigenous peoples to carry out cultural and ceremonial practices.
3. That City of Waterloo rental-related fees associated with use of City spaces for Indigenous ceremonial and cultural events be suspended until such policy is considered by Council.
4. That costs associated with the suspension of rental-related fees be funded by existing operating budgets within Community Services.

b) Title: [2019/2020 Grant Update Report](#) **Page 38**
Report No.: CORP2020-040
Prepared By: Brad Witzel

Recommendation:

1. That Council receive staff report CORP2020-040 as information.

c) Title: [CAO Procurement Award Summary – June - July 2020](#) **Page 50**
Report No.: CORP2020-046
Prepared By: Jason Wilhelm

Recommendation:

1. That Council approve staff report CORP2020-046.
2. That Council approve the proposed by-law extending the delegation of procurement matters to the Chief Administrative Officer of the City of Waterloo until December 31, 2020.

d) Title: [Extension of Regional Maintenance Agreement](#) **Page 75**
Report No.: IPPW2020-055
Prepared By: Christine Koehler

Recommendation:

1. That IPPW2020-055 be approved.

2. That the Commissioner of Integrated Planning & Public Works be authorized to execute a one year extension to the “Regional Road Maintenance Agreement”, subject to the satisfaction of the City Solicitor, with the Regional Municipality of Waterloo, for the City of Waterloo to continue to provide general, routine summer and winter maintenance services on Regional Roads within the City of Waterloo for the period from January 1, 2021 to December 31, 2021, as outlined within this report.

e) **Title:** **Pedestrian Crossing Flags** **Page 80**
Report No.: IPPW2020-024
Prepared By: Jenny Setterfield

Recommendation:

1. That Council not approve the Pedestrian Crossing Flags program within the City of Waterloo as per Report IPPW2020-024.

f) **Title:** **Traffic and Parking By-law Amendments – School Area Speed Limits** **Page 86**
Report No.: IPPW2020-025
Prepared By: Jenny Setterfield

Recommendation:

1. That report number IPPW2020-025 be approved.
2. That Traffic and Parking By-law #08-077 be updated with the amendments contained herein.

g) **Title:** **Automated Speed Enforcement Program** **Page 100**
Report No.: IPPW2020-050
Prepared By: Jenny Setterfield

Recommendation:

1. That report IPPW2020-050 regarding Automated Speed Enforcement Program be received; and
2. That Council authorize the Mayor and Clerk to execute all necessary agreements and renewals with the Region of Waterloo for the administration and operation of Automated

Speed Enforcement on City roads to the satisfaction of the City Solicitor; and further

3. That Council approve the locations for Automated Speed Enforcement as outlined in report IPPW2020-050.

h) Title: **Brownfields Financial Incentive Program – TIG Program for 215 Lexington Road** **Page 107**
Report No.: CAO2020-006
Prepared By: Justin McFadden
Brad Witzel

Recommendation:

1. That Council approved report CAO2020-006.
2. That Council approves the Tax Increment Grant to Hygate Property Corp. for the property known as 215 Lexington Road.
3. That the joint Tax Increment Grant does not exceed the maximum amount of \$12,434 for the City to be financed from the incremental tax revenue for the property following remediation, redevelopment and reassessment.
4. That Council in accordance with Section 4.3 (3) of the City-Wide Brownfields Community Improvement Plan, and in recognition that the Region no longer reimburses Indirect Remediation Costs, interpret that Indirect Remediation Costs shall no longer be reimbursed by the City as part of a Tax Increment Grant.
5. That the Region of Waterloo brownfield coordinator be advised of City Council's decision regarding this application.
6. That the Mayor and Clerk be authorized to execute a TIG Agreement, and any related documents, in coordination with the Region of Waterloo and with the registered owner of 215 Lexington Road to the satisfaction of the City and Regional Solicitors.

i) **Title:** [Alexandra Park Public Art](#) **Page 117**
Report No.: CAO2020-012
Prepared By: Sonya Poweska

Presentation: Sonya Poweska, Culture Program Specialist

Recommendation:

1. That CAO2020-012 be approved.
2. That Council approve the award of tender RFP20-04 to Sandra Dunn and Mark Resmer as per the recommendation of the jury and their selection of Public Art for the Alexandra Park Public Art Call.

j) **Title:** [Temporary Amendments to Community Grants Programs during COVID-19 Pandemic](#) **Page 124**
Report No.: COM2020-015
Prepared By: Julie Legg
Nadia Nassar

Recommendation:

1. That Council approve report COM2020-015.
2. That temporary amendments to the Community Cash Grants Program (M-004 Community Cash Grants Policy) be approved to support COVID-19 community recovery until they are no longer warranted.
3. That temporary amendments to the Neighbourhood Matching Fund Program (M-007 Neighbourhood Matching Fund Policy) be approved to support COVID-19 community recovery until they are no longer warranted.

k) **Title:** [Outdoor Sports Field Strategy Implementation](#) **Page 130**
Report No.: COM2020-016
Prepared By: Andrea Bazler

Recommendation:

1. That Council approve report COM2020-016.
2. That the 2020 non-routine capital funding for the Outdoor Sports Field Strategy Implementation project #160008 in the amount of \$92,000 be released, as approved in the 2020-2022 Capital Budget (Ref #242).
3. That the 2021 non-routine capital funding for the Outdoor Sports Field Strategy Implementation in the amount of \$286,000, as approved in the 2020-2022 Capital Budget (Ref #242), be advanced from 2021 and approved for release with this report in 2020.
4. That the 2022 non-routine capital funding for the Outdoor Sports Field Strategy Implementation in the amount of \$96,000, as approved in the 2020-2022 Capital Budget (Ref #242), be advanced from 2022 and approved for release with this report in 2020.
5. That the 2021 capital funding of \$133,000 to be released on January 1, 2021 for the Parks Infrastructure Replacement & Rehabilitation Needs funding (Ref #226), as approved in COM2020-013, be advanced from 2021 and approved for release with this report in 2020 to the Outdoor Sports Field Strategy Implementation project.

I) **Title:** **Remaining 2020 Council Schedule**
Report No.: CORP2020-044
Prepared By: Julie Scott

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Recommendation:

1. That report CORP2020-044 be approved;
2. That the following Special Meetings of Council be held for the remaining 2020 schedule:
 - I. September 21, 2020
 - II. October 5, 2020
 - III. November 2, 2020
 - IV. Hold for tentative November 16, 2020
 - V. December 7, 2020
 - VI. Hold for tentative December 21, 2020

m) Title: Regional Council Composition Page 138
Report No.: CORP2020-045
Prepared By: Julie Scott

Recommendation:

1. That report CORP2020-045 be approved.
2. That Waterloo City Council support Option 1 – Status Quo and that the Acting City Clerk be directed to advise the Regional Municipality of Waterloo of the preferred option for regional council composition.

n) Title: Heritage Permit Application (HP2020-003) – 41 Central Street Page 154
Report No.: IPPW2020-052
Prepared By: Vincent Wen

Recommendation:

1. That Staff Report IPPW2020-052 be approved.
2. That Heritage Permit Application HP2020-003 be approved subject to the conditions outlined in Section 2.1 of IPPW2020-052.

o) Title: Heritage Permit Application (HP2020-004) – 43 Young Street West Page 166
Report No.: IPPW2020-053
Prepared By: Fredrick VanRooyen

Recommendation:

1. That Staff Report IPPW2020-053 be approved.
2. That Heritage Permit Application HP2020-004 be approved subject to the conditions outlined in Section 2.1 of IPPW2020-053.

13. PUBLIC MEETINGS

Formal Public Meeting

a) Title: **General Amendments to Zoning By-law 2018-050 (Part 2)**

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Report No.: IPPW2020-051
Prepared By: Dominik Simpson
Ward No.: City-wide

Presentation: Joel Cotter, Director of Planning and City Planner

Delegations:

1. Greg Romanick, Senior Planner, Stantec

Recommendation:

1. That Council approve report IPPW2020-051.
2. That Zoning By-law Amendment Z-19-06, General Amendments to Zoning By-law 2018-050 (Part 2) be approved as set out in Schedule 'A' to IPPW2020-051.

14. CONSIDERATION OF NOTICE OF MOTION GIVEN AT PREVIOUS MEETING

None

15. NOTICE OF MOTION

None

16. COMMUNICATIONS AND CORRESPONDENCE

None

17. UNFINISHED BUSINESS

None

18. QUESTIONS

19. NEW BUSINESS

20. ENACTMENT OF BY-LAWS

Recommendation:

That the By-laws listed below be read a first, second and third time and finally passed, numbered sequentially commencing with By-law Number 2020-052 and that the Mayor and Clerk be authorized to sign them accordingly.

- a) By-law to appoint Acting Chief Financial Officers and Acting City Treasurers.
- b) By-law to appoint an Acting Deputy City Clerk pro tempore.
- c) By-law to amend By-law 1982-062, a by-law to designate the Button Factory building, 25 Regina Street South, in the City of Waterloo, to be of cultural heritage value or interest under the provisions of the Ontario Heritage Act, R.S.O. 1990, chapter O.18, as amended. (IPPW2020-011, January 13, 2020)
- d) By-law to amend By-law No. 08-077, a by-law to regulate traffic and parking on highways under the jurisdiction of the City of Waterloo. (IPPW2020-025, August 24, 2020)
- e) By-law to amend By-law No. 2020-016 extending the CAO's delegated authority in matters related to procurement to December 31, 2020.(CORP2020-046, August 24, 2020)
- f) By-law to confirm all actions and proceedings of Council, August 24, 2020 – Special

21. ADJOURNMENT



A special meeting of the Council of The Corporation of the City of Waterloo was held electronically on July 13, 2020 at 10:04 a.m. using Cisco WebEx video conferencing and streamed live via YouTube.



SPECIAL COUNCIL MEETING

Monday, July 13, 2020

Minutes - DRAFT

Mayor Jaworsky in the Chair

1. ROLL CALL

At this time, Mayor Jaworsky requested a roll call of the members of Council present and responding.

PRESENT: Mayor Dave Jaworsky, Councillor Sandra Hanmer, Councillor Royce Bodaly, Councillor Angela Vieth, Councillor Diane Freeman, Councillor Jen Vasic, Councillor Jeff Henry, Councillor Tenille Bonoguore

2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

No disclosure of pecuniary interest was declared by any member of Council at this point in the meeting.

3. CLOSED MEETING

Moved by Councillor Hanmer, seconded by Councillor Bodaly:

That Council hold a closed meeting for the purposes of considering the following subject matter:

- a) personal matters about an identifiable individual, including municipal or local board employees (Waterloo North Hydro Update);
- b) a proposed or pending acquisition or disposition of land by the municipality or local board (Potential Acquisition of Lands);
- c) labour relations or employee negotiations (Waterloo North Hydro Update);
- d) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (Local Planning Appeal Tribunal Appeals);
- e) advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Legal Advice re Potential Acquisition of Lands; Legal Advice re Local Planning Appeal Tribunal Appeals);
- f) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act; (MFIPPA s. 10 (Third Party) and s. 11 (Economic Interests) – Waterloo North Hydro Update)
- g) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization (Waterloo North Hydro Update);
- h) a position plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (Waterloo North Hydro Update)

Mayor Jaworsky requested a recorded vote.

Carried Unanimously
8 Voting in Favour
(MAYOR JAWORSKY)
(COUNCILLOR HANMER)
(COUNCILLOR BODALY)
(COUNCILLOR VIETH)
(COUNCILLOR FREEMAN)
(COUNCILLOR VASIC)
(COUNCILLOR HENRY)
(COUNCILLOR BONOBUORE)

Council meeting recessed:

(Time: 10:05 a.m.)

Council meeting reconvened:

(Time: 2:34 p.m.)

Mayor Jaworsky in the Chair

4. ROLL CALL

At this time, Mayor Jaworsky requested a roll call of the members of Council present and responding.

PRESENT: Mayor Dave Jaworsky, Councillor Sandra Hanmer, Councillor Royce Bodaly, Councillor Angela Vieth, Councillor Diane Freeman, Councillor Jen Vasic, Councillor Jeff Henry, Councillor Tenille Bonoguore

5. TERRITORIAL ACKNOWLEDGEMENT

Mayor Jaworsky opened the meeting with the following Territorial Acknowledgement:

We would like to begin by acknowledging that the land on which we gather today is the land traditionally used by the Haudenosaunee, Anishnaabe and Neutral People. We also acknowledge the enduring presence and deep traditional knowledge and philosophies of the Indigenous People with whom we share this land today.

6. MOMENT OF REFLECTION

The Mayor provided Council with a moment of reflection.

7. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

No disclosure of pecuniary interest was declared by any member of Council at this point in the meeting.

8. APPROVAL OF MINUTES

Councillor Bonoguore requested an amendment to the June 22, 2020 draft Council minutes with respect to Item 8 (j), Motion 2: to clarify that staff are directed to report back on where traffic calming measures could be warranted now, with particular emphasis on timing given the Regional road changes, and further that staff be directed to determine the best intersection to install stop signs at Dietz Avenue/Lourdes Street or Dietz Avenue/Dawson Street or at both intersections.

Moved by Councillor Bonoguore, seconded by Councillor Hanmer:

a) June 22, 2020 – Special Council Meeting

That the minutes of the special Council meeting held on June 22, 2020 be approved as amended.

Mayor Jaworsky requested a recorded vote.

Carried Unanimously
8 Voting in Favour
(MAYOR JAWORSKY)
(COUNCILLOR HANMER)
(COUNCILLOR BODALY)
(COUNCILLOR VIETH)
(COUNCILLOR FREEMAN)
(COUNCILLOR VASIC)
(COUNCILLOR HENRY)
(COUNCILLOR BONOBUORE)

9. DELEGATIONS**a) Transportation Master Plan Update**

Gene Chartier, Vice President, Paradigm Transportation Solutions Ltd., and Kate Whitfield, Principal, Alta Planning presented an update on the Transportation Master Plan including the results of public engagement participation and advised that the final draft of the Transportation Master Plan will return to Council at a later date.

Councillor Vasic left the meeting.

(Time: 3:40 p.m.)

10. STAFF REPORTS

a) Title: Active Transportation Initiatives Update
Report No.: IPPW2020-046
Prepared By: Christine Koehler

Christine Koehler; Director, Transportation Services, reviewed the report and responded to questions from Council.

Gary Gemus, Association President, Old Abbey Neighbourhood Association, requested a reduction of the speed limit in the Old Abbey neighbourhood due to the increased traffic flow of vehicles and their speeds.

Moved by Councillor Freeman, seconded by Councillor Hanmer:

1. That IPPW2020-046 be approved.

2. That Traffic and Parking By-law #08-77 be updated with the amendments contained herein.
3. That staff be directed to install an all-way stop at the intersection of Dietz Avenue at Lourdes Street.

Mayor Jaworsky requested a recorded vote.

Carried Unanimously
7 Voting in Favour
(MAYOR JAWORSKY)
(COUNCILLOR HANMER)
(COUNCILLOR BODALY)
(COUNCILLOR VIETH)
(COUNCILLOR FREEMAN)
(COUNCILLOR HENRY)
(COUNCILLOR BONOBUORE)
Councillor Vasic absent for vote.

Moved by Councillor Freeman, seconded by Councillor Hanmer:

That staff be directed to include the Old Abbey neighbourhood bound by the entrances at Wissler Road and Northfield Drive East, Old Abbey Road and Davenport Road, and Hallmark Drive and Davenport Road; as an additional traffic speed reduced neighbourhood with a maximum rate of speed of 40km/h.

Mayor Jaworsky requested a recorded vote.

Carried Unanimously
7 Voting in Favour
(MAYOR JAWORSKY)
(COUNCILLOR HANMER)
(COUNCILLOR BODALY)
(COUNCILLOR VIETH)
(COUNCILLOR FREEMAN)
(COUNCILLOR HENRY)
(COUNCILLOR BONOBUORE)
Councillor Vasic absent for vote.

- b) Title: 2019 Consolidated Financial Statements**
Report No.: CORP2020-041
Prepared By: Paul Hettinga

Paul Hettinga; Director, Accounting & Revenue Services and Deputy Chief Financial Officer, reviewed the report and responded to questions from Council.

Thomas E. Mennil; Partner, Audit; KPMG, advised Council they were able to issue an unqualified and clean auditors' report on the 2019 financial statements for the City of Waterloo. He thanked staff for their hard work and support and noted the audit was done virtually due to the COVID-19 pandemic.

Moved by Councillor Henry, seconded by Councillor Bonoguore:

1. That Council approve CORP2020-041.
2. That Council approve the 2019 Consolidated Financial Statements of the Corporation of the City of Waterloo.

Mayor Jaworsky requested a recorded vote.

Carried Unanimously
7 Voting in Favour
(MAYOR JAWORSKY)
(COUNCILLOR HANMER)
(COUNCILLOR BODALY)
(COUNCILLOR VIETH)
(COUNCILLOR FREEMAN)
(COUNCILLOR HENRY)
(COUNCILLOR BONO GUORE)
Councillor Vasic absent for vote.

- c) Title: Naming of Private Road leading to 2050 University Avenue East, as requested by Hospice of Waterloo Region CAO**
Report No.: IPPW2020-044
Prepared By: John Vos

Judy Nairn; Executive Director, Hospice of Waterloo Region, presented an update to Council on the construction of a new Hospice of Waterloo Region building located on 2050 University Avenue East. Ms. Nairn thanked Council and staff for their support.

Councillor Vasic returned to the meeting.

(Time: 5:03 p.m.)

Moved by Councillor Freeman, seconded by Councillor Vasic:

1. That Council approve Staff Report IPPW2020-044.
2. That the private road extending south of University Avenue to 2050 University Avenue East, shown as 'Part 1' on Appendix 'B' to IPPW2020-044, be formally named 'Solstice Way'.

3. That Council enact a by-law under section 48 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, to name the private road.
4. That the Mayor and Clerk be authorized to sign any documents related to easements on the lands shown as 'Part 1' on Appendix 'B' to IPPW2020-044.

Mayor Jaworsky requested a recorded vote.

Carried Unanimously
8 Voting in Favour
(MAYOR JAWORSKY)
(COUNCILLOR HANMER)
(COUNCILLOR BODALY)
(COUNCILLOR VIETH)
(COUNCILLOR FREEMAN)
(COUNCILLOR VASIC)
(COUNCILLOR HENRY)
(COUNCILLOR BONOBUORE)

d) Title: Health Care Benefits Provider
Report No.: CORP2020-042
Prepared By: Brian Schellenberg

Moved by Councillor Henry, seconded by Councillor Bonoguore:

1. That report CORP2020-042 be approved.
2. That Council approve the award of RFQ 20-20 – Health Care Benefits Provider to Sun Life Assurance Company of Canada for the annualized estimated cost to the City of \$5,174,027 plus unrecoverable HST in the amount of \$91,088.75 for a total value of \$5,265,115.75 per year.
3. That the Mayor and Clerk be authorized to sign the Agreement between The Corporation of the City of Waterloo and Sun Life Assurance Company of Canada, and any other documents related to this project, subject to the satisfaction of the City Solicitor.

Mayor Jaworsky requested a recorded vote.

Carried Unanimously
8 Voting in Favour
(MAYOR JAWORSKY)
(COUNCILLOR HANMER)
(COUNCILLOR BODALY)
(COUNCILLOR VIETH)

(COUNCILLOR FREEMAN
(COUNCILLOR VASIC)
(COUNCILLOR HENRY)
(COUNCILLOR BONOBUORE)

- e) **Title:** **Award of Tender RFT20-09 – Albert McCormick
Community Centre – Central Plaza**
Report No.: COM2020-012
Prepared By: Karen Anderson

Moved by Councillor Vieth, seconded by Councillor Henry:

1. That Council approve report COM2020-012.
2. That Council approve the release of the 2020 funding for the citywide Splash Pads Construction, non-routine project #202019, in the amount of \$624,000, as per the approved 2020-2022 Capital Budget (Ref. #235), and that this amount be transferred to the Albert McCormick Community Centre (AMCC) Central Plaza project #202058.
3. That Council approve the release of the 2020 funding for the Neighbourhood Action Sports Parks, non-routine project #190008, in the amount of \$818,000, as per the approved 2020-2022 Capital Budget (Ref. #231), and that this amount be transferred to the AMCC Central Plaza project #202058.
4. That Council approve the transfer of one third of the existing funding from the citywide Neighbourhood Action Sports Parks project #190008, in the amount of \$258,000, to the AMCC Central Plaza project #202058.
5. That Council approve the transfer of one third of the existing funding from the citywide Splash Pads Design project #190009, in the amount of \$133,333, to the AMCC Central Plaza project #202058.
6. That Council approve the transfer of the surplus funding balance from the Sports Fields project #090215, in the amount of \$390,372, to the AMCC Central Plaza project #202058 and that project #090215 be closed.
7. That Council approve the award of RFT 20-09 – Albert McCormick Community Centre - Central Plaza to 39 Seven Inc. for the submitted price of \$1,421,277.61 plus unrecoverable HST in the amount of \$25,014.48 for a total award value of \$1,446,292.10.

8. That the Mayor and Clerk be authorized to sign the Agreement between The Corporation of the City of Waterloo and 39 Seven Inc., and any other documents related to this project, subject to the satisfaction of the City's Solicitor.

Mayor Jaworsky requested a recorded vote.

Carried Unanimously
8 Voting in Favour
(MAYOR JAWORSKY)
(COUNCILLOR HANMER)
(COUNCILLOR BODALY)
(COUNCILLOR VIETH)
(COUNCILLOR FREEMAN)
(COUNCILLOR VASIC)
(COUNCILLOR HENRY)
(COUNCILLOR BONOQUORE)

- f) Title: Emergency Dispatch Services**
Report No.: COM2020-014
Prepared By: Richard Hepditch

Moved by Councillor Bonoguore, seconded by Councillor Hanmer:

1. That Council approve report COM2020-014.
2. That Council approve the release of the funding for the upgrade and enhanced operations of fire dispatch, non-routine project in the amount of \$2,000,000 from the Capital Reserve Fund, as per the approved 2020-22 Capital Budget (Ref#202).
3. That the Mayor and Clerk be authorized to sign the Agreement between The Corporation of the City of Waterloo and The Corporation of the City of Kitchener for the provision of emergency services communication from August 1, 2020 through December 31, 2023 and any other documents related to this project, subject to the satisfaction of the City's Solicitor.

Mayor Jaworsky requested a recorded vote.

Carried Unanimously
8 Voting in Favour
(MAYOR JAWORSKY)
(COUNCILLOR HANMER)

(COUNCILLOR BODALY)
(COUNCILLOR VIETH)
(COUNCILLOR FREEMAN)
(COUNCILLOR VASIC)
(COUNCILLOR HENRY)
(COUNCILLOR BONOQUORE)

g) Title: Proposed Demolition of Residential Dwellings: 211, 213 and 215 Erb Street West, Muslim Society of Waterloo & Wellington Counties

Report No.: IPPW2020-042

Prepared By: Dominik Simpson

Moved by Councillor Bonoguore, seconded by Councillor Hanmer:

1. That Council approve report IPPW2020-042.
2. That Council grant relief from the Demolition Control Area By-law No. 2013-014 to permit the demolition of the existing single detached dwellings at 211, 213 and 215 Erb Street West for parking purposes and other site improvements to the existing place of worship, whereas Section 6.a. in By-law No. 2013-014 requires the demolished units to be replaced.

Mayor Jaworsky requested a recorded vote.

Carried Unanimously
8 Voting in Favour
(MAYOR JAWORSKY)
(COUNCILLOR HANMER)
(COUNCILLOR BODALY)
(COUNCILLOR VIETH)
(COUNCILLOR FREEMAN)
(COUNCILLOR VASIC)
(COUNCILLOR HENRY)
(COUNCILLOR BONOQUORE)

h) Title: Award of Tender RFT20-12: Silver Lake Improvements – Waterloo Park

Report No.: IPPW2020-036

Prepared By: Jessica Kellerman

Moved by Councillor Bonoguore, seconded by Councillor Hanmer:

1. That Report IPPW2020-036 be approved.

2. That additional funding in the amount of \$381,285 be transferred to the Silver Lake Improvements project (#170030), funded \$300,000 from the existing Maple Hill Creek Rehabilitation project (#160036) and \$81,285 from the existing Development Driven Stormwater Upgrades project (#130037).
3. That Council approves the award of RFT#20-12 - Silver Lake Improvements to Seawaves Development Services Inc. for the submitted price of \$4,910,950.00 plus unrecoverable HST in the amount of \$86,432.72 for a total award value of \$4,997,382.72.
4. That the Mayor and Clerk be authorized to sign the Agreement between The Corporation of the City of Waterloo and Seawaves Development Services Inc., and any other documents related to this project, subject to the satisfaction of the City's Solicitor.

Mayor Jaworsky requested a recorded vote.

Carried Unanimously
8 Voting in Favour
(MAYOR JAWORSKY)
(COUNCILLOR HANMER)
(COUNCILLOR BODALY)
(COUNCILLOR VIETH)
(COUNCILLOR FREEMAN)
(COUNCILLOR VASIC)
(COUNCILLOR HENRY)
(COUNCILLOR BONOBUORE)

11. PUBLIC MEETINGS

Formal Public Meeting

- a) **Title:** **Zoning By-law Amendment Z-20-01, Temporary Use Zoning By-law, S-O-L-E-R Initiative, City of Waterloo**
 Report No.: IPPW2020-047
 Prepared By: Joel Cotter
 Ward No.: City-wide

Olga Smith, City Clerk, advised Council that notice was advertised in the Waterloo Region Record on June 23rd, 2020 and the Waterloo Chronicle on July 2nd, 2020.

Joel Cotter, Director, Planning and City Planner, provided an overview of the proposed by-law and responded to questions from Council.

The by-law will amend the City's Zoning By-law 2018-050 by enacting a Temporary Use Zoning By-law pursuant to Section 39 of the Planning Act to:

- (1) allow off-street parking areas, loading spaces, and other spaces on private and public property to be temporarily used for commercial and cultural purposes;
- (2) temporarily allow outdoor display areas in any yard notwithstanding Section 3.P.1.4 of By-law 2018-050;
- (3) allow patios and outdoor display areas to temporarily obstruct and/or eliminate a parking space and/or loading space notwithstanding Section 3.P.2.3 of By-law 2018-050;
- (4) make available temporary site specific exemptions to Section 3.P.2.2 of By-law 2018-050 to allow temporary patios in yards abutting a Low Rise Residential Area; and
- (5) any other temporary use deemed appropriate by the City of Waterloo that is not currently permitted in the Zoning By-law.

Temporary uses will be subject to the individual, business or artisan obtaining a licence from the City of Waterloo, and compliance with all conditions applied to the licence.

Mayor Jaworsky advised the meeting would be recessed for five minutes to allow anyone from the public to call in to address Council on this matter.

Council meeting recessed:	(Time: 5:36 p.m.)
Council meeting reconvened:	(Time: 5:45 p.m.)

Mayor Jaworsky in the Chair

At this time, Mayor Jaworsky requested a roll call of the members of Council present and responding.

PRESENT: Mayor Dave Jaworsky, Councillor Sandra Hanmer, Councillor Royce Bodaly, Councillor Angela Vieth, Councillor Diane Freeman, Councillor Jen Vasic, Councillor Jeff Henry, Councillor Tenille Bonoguore

As no one else was present to speak to the application, the Chair concluded the Formal Public Meeting and advised the application is now open to Council for a motion and debate.

Moved by Councillor Bodaly, seconded by Councillor Vieth:

WHEREAS Council has considered all written and oral submissions from the public and stakeholders;

AND WHEREAS Council has considered the professional opinions of planning staff;

THEREFORE BE IT RESOLVED:

1. That Council approve report IPPW2020-047.
2. That Council approve Zoning By-law Amendment Z-20-01, City of Waterloo, to implement the City's S·O·L·E·R Initiative in response to COVID-19, in accordance with Section 5 of Staff Report IPPW2020-047.
3. That the Mayor and Clerk be authorized to sign the implementing by-law for Zoning Bylaw Amendment Z-20-01.

Mayor Jaworsky requested a recorded vote.

Carried Unanimously
8 Voting in Favour
(MAYOR JAWORSKY)
(COUNCILLOR HANMER)
(COUNCILLOR BODALY)
(COUNCILLOR VIETH)
(COUNCILLOR FREEMAN)
(COUNCILLOR VASIC)
(COUNCILLOR HENRY)
(COUNCILLOR BONOBUORE)

12. QUESTIONS

Councillor Freeman enquired about sending letters of support to the Region of Waterloo for the automated traffic enforcement in school zones. Mayor Jaworsky advised to send emails to regionalcouncillors@regionofwaterloo.ca.

Councillor Freeman requested information on installing a bubble system with a small spray in the storm pond at the new Hospice of Waterloo Region building. In response, Tim Anderson, Chief Administrative Officer, informed Council that staff would consider the option. He advised that there are maintenance issues but will look at whether it is possible at that location.

Councillor Bodaly asked for a brief update on the Corporate Climate Action Plan and if there are any updates on the hiring of the Energy Manager and Director of Strategic Initiatives and whether there are any interim actions that Council needs to look at related to energy conservation and management planning while waiting for the Corporate Climate Action Plan to be completed. In response, Tim Anderson, Chief Administrative Officer, advised that terms of reference for a draft plan will come back to the corporate management team in September of 2020 with input from the Sustainability Advisory Committee. Mr. Anderson informed Council that staff are in a position to achieve the year end timeline as previously set out by Council. Mr. Anderson further advised that hiring had been put on hold due to COVID-19 and has been reactivated on

a priority basis with the expectation that the Strategic Initiatives Director would be hired in the 4th quarter of 2020.

Mark Dykstra, Commissioner of Community Services advised that the Energy Manager position will be posted in the same hiring phase.

13. ENACTMENT OF BY-LAWS

Councillor Vasic requested that By-law No. 2020-051 be voted on separately.

Moved by Councillor Hanmer, seconded by Councillor Bodaly:

That the By-laws listed below be read a first, second and third time and finally passed, numbered sequentially commencing with By-law Number 2020-045 to 2020-050, and that the Mayor and Clerk be authorized to sign them accordingly, save and except that By-law No. 2020-048 be amended prior to passage such as to establish a 4-way stop sign at Dietz Avenue South and Lourdes Street and to include the Old Abbey neighbourhood bound by the entrances at Wissler Road and Northfield Drive East, Old Abbey Road and Davenport Road, and Hallmark Drive and Davenport Road; as an additional traffic speed reduced neighbourhood with a maximum rate of speed of 40km/h.

- a) By-Law No. 2020-045 By-law to amend By-Law No. 2018-050, being a zoning by-law controlling land use in the City of Waterloo. Rezone the lands known municipally as 164, 168 King St S from Zone Change Application (ZC) to Uptown Mixed-Use-30 (U2-30) with site specific provisions and rezone 8 George St from Zone Change Application (ZC) to Uptown Mixed-Use-10 (U2-10) with site specific provisions. Your Neighbourhood Credit Union. (IPPW2020-015, March 9, 2020)
- b) By-law No. 2020-046 By-law to amend By-Law No. 2018-050, being a zoning by-law controlling land use in the City of Waterloo. Add the Holding (H) provision to the lands known municipally as 164, 168 King Street South and 8 George Street and restrict development until applicant submits scoped Hydrogeological Study. Your Neighbourhood Credit Union. (IPPW2020-015, March 9, 2020)

- c) By-law No. 2020-047 By-law to amend By-Law No. 2018-050, being a zoning bylaw controlling land use in the City of Waterloo. Rezone the lands known municipally as 262, 264, 268, 274, 276 and 280 Albert Street from (Holding) Residential Northdale Six ((H) RN-6) to Residential Northdale Six (RN-6). 2616359 Ontario Inc. (Z-19-04, IPPW2020-031, June 22, 2020)
- d) By-law No. 2020-048 By-law to amend By-law No. 08-077, a by-law to regulate traffic and parking on highways under the jurisdiction of the City of Waterloo. (IPPW2020-046, July 13, 2020)
- e) By-law No. 2020-049 By-law to amend By-law No. 2018-050, being a zoning by-law controlling land use in the City of Waterloo. Temporary Use Zoning By-law to implement the City's SOLER Initiative. (IPPW2020-047, July 13, 2020)
- f) By-law No. 2020-050 By-law to confirm all actions and proceedings of Council, July 13, 2020 – Special

Mayor Jaworsky requested a recorded vote.

Carried Unanimously
8 Voting in Favour
(MAYOR JAWORSKY)
(COUNCILLOR HANMER)
(COUNCILLOR BODALY)
(COUNCILLOR VIETH)
(COUNCILLOR FREEMAN)
(COUNCILLOR VASIC)
(COUNCILLOR HENRY)
(COUNCILLOR BONOBUORE)

Moved by Councillor Bodaly, seconded by Councillor Vieth:

That the By-law listed below be read a first, second and third time and finally passed, numbered sequentially commencing with By-law Number 2020-051, and that the Mayor and Clerk be authorized to sign it accordingly.

By-law No. 2020-051

By-law to amend By-law No. 2015-044
to extend amended provisions in By-law No.
2011-024 Parkland Dedication By-law for five
years (CAO2019-023, November 18, 2019)

Mayor Jaworsky requested a recorded vote.

Motion Carried

7 Voting in Favour

(MAYOR JAWORSKY)

(COUNCILLOR HANMER)

(COUNCILLOR BODALY)

(COUNCILLOR VIETH)

(COUNCILLOR FREEMAN)

(COUNCILLOR HENRY)

(COUNCILLOR BONOBUORE)

1 Voting in Opposition

(COUNCILLOR VASIC)

14. ADJOURNMENT

Moved by Councillor Hanmer, seconded by Councillor Bodaly:

That the meeting adjourn.

(Time: 6:02 p.m.)

Mayor Jaworsky requested a recorded vote.

Carried Unanimously

8 Voting in Favour

(MAYOR JAWORSKY)

(COUNCILLOR HANMER)

(COUNCILLOR BODALY)

(COUNCILLOR VIETH)

(COUNCILLOR FREEMAN)

(COUNCILLOR VASIC)

(COUNCILLOR HENRY)

(COUNCILLOR BONOBUORE)

READ AND APPROVED, August 24, 2020

Mayor

City Clerk



STAFF REPORT
Community Programming & Outreach Services

Title:	Indigenous Reconciliation Action Plan – The Plan Forward
Report Number:	COM2020-017
Author:	Pamela Albrecht, Community Outreach Coordinator
Meeting Type:	Council Meeting
Council/Committee Date:	August 24, 2020
File:	Community Outreach
Attachments:	None
Ward No.:	All Wards

Recommendations:

1. That COM2020-017 be received.
2. That staff be directed to develop a policy to support the access and use of public spaces by Indigenous peoples to carry out cultural and ceremonial practices.
3. That City of Waterloo rental-related fees associated with use of City spaces for Indigenous ceremonial and cultural events be suspended until such policy is considered by Council.
4. That costs associated with the suspension of rental-related fees be funded by existing operating budgets within Community Services.

A. Executive Summary

Deep and systemic inequities in our society and our community have been highlighted in recent weeks and months. While these inequities and issues existed long before COVID-19, the pressures of the global pandemic have further highlighted the impact systemic racism has on Indigenous and Black people as well as other people of colour. Social injustice and racism exist in our community and our organizations, and now is the time for meaningful, immediate action.

On June 20, 2020, members of the local Indigenous community established the O:se Kenionhata:tie Land Back Camp in Victoria Park and set up social media through Facebook and Instagram to describe the purpose of the camp. On July 10, 2020, a petition addressed to the mayors of Kitchener and Waterloo was circulated and outlined the specific demands of the Land Back Camp organizers. The concerns expressed by

Land Back Camp organizers are consistent with concerns that have come to light by way of other community consultations.

In order to uphold commitments made to respond to the Calls to Action of the Truth and Reconciliation Commission, staff are seeking to develop a region-wide Reconciliation Action Plan that addresses the concerns of the community, is systems based, and provides long-term and sustainable solutions. A consultant with significant knowledge and expertise is being sought in order to lead this work in a culturally appropriate way. This work will involve comprehensive engagement with the local Indigenous community, including Elders, knowledge keepers and youth, to better understand the range of interests, community needs, and associated challenges experienced locally.

While much of this work will take time, there are actions that can be taken in the short-term. In order to support the use of public spaces by Indigenous peoples to carry out cultural and ceremonial practices, it is recommended that rental-related fees be suspended until a formal policy can be considered by Council.

B. Financial Implications

As part of the 2020-2022 budget process, Council approved \$50,000 annually in operating dollars, and another \$25,000 of one time capital funds for activities related to Truth and Reconciliation.

Reconciliation Action Plan

The estimated cost for the development of a region-wide Reconciliation Action Plan, inclusive of consulting fees, engagement costs, and honouraria is \$163,000. Based on the cost share arrangement with the Region and area municipalities, the City of Waterloo share is estimated to be approximately \$27,000 and will be funded from the annual Truth and Reconciliation Action Plan operating budget.

Suspension of City rental-related fees

A review of rental-related costs for Indigenous events over the last 4 years has been conducted and it is estimated that costs incurred by the City are approximately \$2,000 per year.

Rental-related costs for the Pow Wow hosted by Shatitsirótha' Waterloo Indigenous Student Centre (St. Paul's University College, University of Waterloo) in Waterloo Park are currently covered by the City by way of an Affiliation Service Agreement. The current proposed agreement provides for in-kind services and contributions valued at approximately \$2,500 including the use of space in Waterloo Park and all associated amenities, communication and marketing support, fire permit fee and building permit fee, staff time for logistical support and volunteer recognition opportunities. The Affiliation Service Agreement also provides for a cash grant of \$2,500.

Costs associated with the waiver of rental-related fees for Indigenous ceremonial and cultural events, other than the Shatitsirótha' Waterloo Indigenous Student Centre Pow

Wow, will also be covered by operating dollars dedicated to the Truth and Reconciliation Action Plan Implementation.

C. Technology Implications

None

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

Equity, Inclusion and Sense of Belonging: The recommendations in this report relate directly to the directive in this pillar to respond to the Truth and Reconciliation Commission's calls to action for municipalities.

E. Previous Reports on this Topic

CAO2019-004 City of Waterloo 2019-2022 Strategic Plan Report

COM2019-032 City of Waterloo Response to the Truth and Reconciliation Commission Calls to Action

F. Approvals

Name	Signature	Date
Author: Pamela Albrecht		August 19, 2020
Director:		
Commissioner: Mark Dykstra		
Finance: N/A		

CAO



Indigenous Reconciliation Action Plan – The Plan Forward COM2020-017

Background

In June 2019, Waterloo City Council approved a strategic plan that included a commitment to equity, inclusion and a sense of belonging in order to strengthen Waterloo as a diverse and inclusive community. One of the objectives identified to help achieve this goal is to respond to the Truth and Reconciliation Commission's calls to action for municipalities (CAO2019-004).

As an early step in working toward meeting this objective, in October 2019, Council approved a City of Waterloo-specific Action Plan in response to the Truth and Reconciliation Commission's Calls to Action and adopted a Territorial Acknowledgement for use at events, meetings and in written documents (COM2019-032). The City of Waterloo Action Plan responds to the Calls to Action more broadly and is a starting point on the City's journey to develop meaningful relationships and work toward reconciliation with local First Nations, Métis and Inuit communities. The next step is to work together as municipal partners to create a region-wide Reconciliation Action Plan. This new action plan will dig deeper in order to understand local needs with the goals of addressing systemic inequities and racism as well as to better support, celebrate and deliver services to Indigenous peoples in Waterloo.

A significant part of the City of Waterloo Action Plan is to provide training to staff. Indigenous inter-cultural competency training was organized in spring 2020; however, it was deferred due to the pandemic and inability to deliver in-person training. Staff are working with municipal partners and the training provider to identify an alternative approach to delivering the training. In the absence of in-person training, the Diversity, Equity and Inclusion working groups have continued to highlight other learning opportunities, for example a free online course, reports of the Truth and Reconciliation Commission of Canada and information about territorial acknowledgements.

As part of the 2020-2022 budget, Council approved \$50,000 in annual operating funding to support Truth and Reconciliation Action Plan Implementation. A further \$25,000 was approved in the capital budget for 2020 and another \$75,000 has been approved in principal, for future consideration (2023-2029) for a total of \$100,000 over the next 10 years, to fund placemaking activities that honour the history of Indigenous communities and/or celebrate Indigenous contributions to our community. The engagement done as part of the region-wide Reconciliation Action Plan will inform options for the use of these

funds. While the region-wide work is underway, staff will explore options for allocating the operating dollars designated for 2020 by the end of this fiscal year.

In addition to these commitments, the City of Waterloo has contributed to the Pow Wow hosted by Shatitsirótha' Waterloo Indigenous Student Centre since 2016. Initially, this support was limited to covering rental-related fees in Waterloo Park and the costs of permits required by the City, which was acknowledged to be a small portion of the overall budget for the Pow Wow.

Support for the Pow Wow is currently covered by way of an Affiliation Service Agreement. The current proposed agreement provides for in-kind services and contributions valued at approximately \$2,500, including the use of space in Waterloo Park and all associated amenities, communication and marketing support, fire permit fee and building permit fee, staff time for logistical support and volunteer recognition opportunities. The Affiliation Service Agreement also provides for a cash grant of \$2,500.

While support of the Pow Wow does not respond directly to the 94 Calls to Action, it has created an opportunity for relationship-building with one Indigenous-led organization in our community. In addition, holding the Pow Wow in a publicly accessible space has afforded non-Indigenous people in our community the opportunity to celebrate with and learn from Indigenous people in our community. These are both small steps toward reconciliation.

O:se Kenhionhata:tie Land Back Camp

On June 20, 2020, some members of the local Indigenous community established the O:se Kenionhata:tie Land Back Camp in Victoria Park and set up social media through Facebook and Instagram to describe the purpose of the camp.

On July 10, 2020, a petition addressed to the mayors of Kitchener and Waterloo was circulated and outlined the specific demands of the Land Back Camp organizers. The petition received over 5000 signatures. The demands are as follows:

Dear Mayor Berry Vrbanovic and Mayor Dave Jaworsky,

For hundreds of years, our people gathered as many nations in what is now Victoria Park, Kitchener. We gathered in this area to meet under great peace and diplomacy to talk, trade, hunt and feast together. We gathered for ceremony. We came together bringing our children and those of marriageable age would find partners and create new, great kinships between our peoples. First Chonnonton, Anishinaabe, Haudenosaunee, and Huron nations found our peace and way under the great treaty of the Dish With One Spoon Wampum. We came together here under this long standing agreement that we conducted our relationship on this land.

Today, both cities charge us large amounts of money to gather in our traditional places. We are now obliged to obtain permits and seek permission to gather on our traditional land that we have used for thousands of years.

- 1. We demand that all fees be waived for the Indigenous communities to host events in public spaces.*
- 2. We demand that land in Victoria Park, and Waterloo Park, be given back to the Indigenous Peoples. These spaces will be used for gathering and ceremonial purposes.*
- 3. We demand that the cities create paid positions, at all levels, for Indigenous Peoples to be able to engage with the First Nations, Métis, and Inuit peoples living on this territory.*
- 4. We demand that the cities create Indigenous Advisory Committees (paid) that will work with the Mayors and City Councillors in helping to address topics such as racial injustice, the lack of access to Indigenous services and community spaces, and addressing the TRC's 94 Calls to Actions.*

We will continue to occupy "public" space on our lands until these demands have been met. We look forward to your reply.

The concerns expressed by Land Back Camp organizers are not unique to this group. Wellbeing Waterloo Region has published an [Indigenous Community Consultations Report](#) (Sept 13, 2018) that highlights the need for Indigenous representation at decision-making tables across the region, including municipal government. This report also notes the need for service providers to increase their knowledge of Indigenous history and culture, the need to acknowledge and celebrate culturally significant days like National Indigenous Peoples Day, and the need to address systemic racism in our community.

Viewpoints on the Landback Camp have been shared with the City from various local Indigenous community members. While some feedback has shared support for the Landback Camp, concerns have also been expressed by members of the Indigenous community that broader consultation is required with the local Indigenous community to ensure all interests are considered. Landback Camp organizers have recognized on their Facebook page that they do not speak for the local Indigenous community.

A Reconciliation Action Plan is a recommended approach to consider the many voices of the local Indigenous community to address the systemic issues and barriers for Indigenous Peoples that are inherent in municipal processes, services, programs and space.

Reconciliation Action Plan

Deep and systemic inequities in our society and our community have been highlighted in recent weeks and months. While these inequities and issues existed long before COVID-19, the pressures of the global pandemic have further highlighted the impact systemic racism has on Indigenous and Black people as well as other people of colour. Social

injustice and racism exist in our community and our organizations, and now is the time for meaningful, immediate action.

The following section provides details on a region-wide Reconciliation Action Plan – a collaborative process between the Indigenous community, the Region and area municipalities.

The TRC defines reconciliation as “establishing and maintaining a mutually respectful relationship between Aboriginal and non-Aboriginal peoples in this country. For that to happen, there has to be awareness of the past, acknowledgement of the harm that has been inflicted, atonement for the causes, and action to change behaviour.”

In order to address the root cause of the key themes of concerns expressed by local Indigenous community members and see meaningful relationships develop with Indigenous people in the Region of Waterloo, the following approach is recommended:

- **Systems based** – apply a systems-based lens to the issues and recognize that issues are interwoven and complex and cannot be addressed by a check-box approach or by considering initiatives as “projects.”
- **Indigenous representation** – the City of Waterloo and other organizations require competency in Indigenous relations that can only be accomplished by engaging Indigenous advisors and/or Indigenous employees to lead and support this work.
- **Action Oriented** – all jurisdictions should be committed to action and resolving concerns.
- **Long-term solutions** – solutions should be long-term and sustainable in nature
- **Interjurisdictional** – inter-jurisdictional collaboration within the Region and with other stakeholders is required to resolve issues.
- **Longevity and Flexibility** – it is recognized that issues and actions may evolve over time and that addressing specific issues is not a “one and done.” There needs to be longevity and flexibility within the approach and an ongoing commitment for long-term relationship building.
- **Broad Indigenous Engagement** – ensure broader dialogue across the diverse Indigenous community in Waterloo region, recognizing that there is no single voice that speaks to the needs of the local Indigenous community.

In support of this approach, the Region of Waterloo, area municipalities (Cities of Cambridge, Kitchener, Waterloo and Townships of North Dumfries, Wellesley, Wilmot and Woolwich) and the Grand River Conservation Authority recognize that a siloed approach to individual reconciliation initiatives will not benefit the Indigenous community that we serve. The services offered between a two-tiered municipal government differ between the jurisdictions. For example, social supports are provided by the Region, and parks and natural spaces are provided by the cities/townships. Further, individual engagement initiatives by each municipality would require local residents to participate in multiple, similar consultations and a consistent approach would be beneficial. Lastly, by leveraging our collective efforts, actions and results will be quicker to materialize, as duplication of efforts will be minimized to the extent possible.

The inter-municipal group is seeking proposals for a consultant who will provide engagement services to develop the region-wide Reconciliation Action Plan. The successful consultant will bring knowledge and expertise that will allow them to lead this work in a culturally appropriate way. An external consultant will also bring a neutrality that will enable inclusion of the many voices of the diverse Indigenous community in Waterloo Region.

The consultant will also provide process and facilitation expertise to support comprehensive engagement with local Indigenous communities, including Elders, knowledge keepers and youth, to better understand the range of interests, community needs, and associated challenges experienced locally. Based on the work of the Truth and Reconciliation Commission, it is anticipated that key themes for engagement will include: Culture & Celebration, Access to Land, Social & Community Supports and Representation & Belonging. It is anticipated that engagement activities will consider different methods to balance the value of in-person dialogue with virtual meetings, in accordance with COVID-19 protocols will be a primary consideration.

A local Reconciliation Action Plan will consolidate what we heard from the community and identify actions and implementation phasing to move our community forward to realize the vision of the TRC Calls to Action. It is anticipated that a Reconciliation Action Plan and associated implementation considerations will be completed by end of 2021.

It is important that engagement be Indigenous led and supported. To ensure that engagement occurs in a culturally appropriate way and to assist in the co-creation of the Reconciliation Action Plan, an Indigenous advisory group will be established as one of the initial stages of the engagement work. Representation from several Indigenous community organizations, local post secondary institutions and the Indigenous community as a whole will be sought. As is the practice for the Wellbeing Waterloo Region First Nations, Métis and Inuit Advisory and Advocacy Circle, an honourarium will be offered to Advisory Committee members to recognize their contribution of traditional knowledge sharing and the important value that this provides to the reconciliation process. The Committee will also consider a long-term, sustainable model to provide advisory support to Regional and municipal councils.

These efforts are intended to be complimentary to and not duplicate efforts with the broader Anti-Racism Initiative, and the purview of the Anti-Racism Secretariat. The City has a responsibility to engage in a way that recognizes the distinct nature of reconciliation work with respect to the Truth and Reconciliation Commission calls to action.

The City's plan to engage in this work has been shared with the broader community by way of a recent press release. When beginning the engagement work, all municipal partners will work closely with local Indigenous-led organizations on strategies to best reach members of the local urban Indigenous community.

Opportunities for Near-term Action

In addition to a more comprehensive Reconciliation Action Plan, opportunities to advance near-term action as they are identified should be explored and implemented, so as not to wait until the finalization of a Reconciliation Action Plan. One such action that is recommended to be advanced concurrently with the Reconciliation Action Plan is the development of a policy to support the access and use of public spaces by Indigenous peoples to carry out cultural and ceremonial practices. The policy development will identify barriers to use of public spaces with the goal of facilitating access to the maximum extent possible. Barriers may include:

- Financial impacts/lack of financial resources to using public space
- Administrative/red tape in permitting for events
- Lack of knowledge and appreciation of the importance of the use of sacred medicines such as tobacco, sage, cedar and sweetgrass, and ceremonial practices such as smudging, sacred pipe and sacred fires.

A policy update will require input from the community and the Indigenous Advisory Committee. Therefore, it is recommended that City rental fees be suspended until a policy is brought forward for consideration, anticipated in Q2 2021. Staff recommend that to be eligible to have rental-related fees waived, the event must:

- Be an Indigenous ceremonial or cultural event;
- Be open and accessible to members of the local Indigenous community;
- Comply with all city policies and bylaws related to space rentals.

Rental-related fees will include:

- Space rental fee;
- Fees for associated permits;
- Fees for booking incidental requirements (e.g. extra garbage cans, picnic tables, etc.) as per the City of Waterloo Fees and Charges Bylaw.

Event organizers will still be required to follow policies and permit requirements of the Region, Province or other entities and to pay any associated fees required by these entities.

Staff will work closely with event organizers to provide support in navigating booking requirements.

Embarking on the development of a region-wide Reconciliation Action Plan alongside the local Indigenous community is an important next step in the City of Waterloo's journey toward reconciliation. Listening, learning, and taking the recommended actions, will help us move forward and realize the vision of the TRC Calls to Action.



STAFF REPORT
Financial Planning

Title: 2019/2020 Grant Update Report
Report Number: CORP2020-040
Author: Brad Witzel
Meeting Type: Council Meeting
Council/Committee Date: August 24, 2020
File: N/A
Attachments: Appendix A - 2019 Application Based Grants
Appendix B – 2020 YTD Application Based Grants
Appendix C - 2020 Funding Transfer Based Grants

Ward No.: City Wide

Recommendation:

Information

A. Executive Summary

The purpose of this report is to provide Council with highlights and status updates for 2019 and 2020 year-to-date grant applications. As per FC-004 Grant Policy, update reports are to be provided to Council bi-annually. In addition, the report provides an update on key grants and highlights emerging information related to newly announced COVID-19 grants-support.

B. Financial Implications

As of August 2020, the City of Waterloo has applied for five (5) grants in 2020. Table 1 provides a summary of the 2020 year-to-date (ytd) grant applications, of which four (4) grant applications have been successful. Table 2 provides a summary for 2019 grants, where the City of Waterloo applied for 24 grants, of which 13 were successful for a total of \$914,268 in grant funding received in 2019.

Table 1: 2020 YTD Grant Application Summary:

2020 Applications	# of Applications	Grant Funding Applied For (\$)	City Contribution (\$)	Partner Contribution (\$)	TOTAL (\$)
Successful	4	71,390	21,487	-	92,877
Pending	1	100,000	50,000	-	150,000
Unsuccessful	0	-	-	-	-
TOTAL	5	171,390	71,487	-	242,877

- Data as of August 17, 2020

To date 2020 has seen a lower amount of grant opportunities, which is likely a direct result of the COVID-19 pandemic. This is an understandable trend, as other levels of government (federal and provincial) have been more focused on pandemic response efforts and relief measures for individuals and businesses.

Table 2: 2019 Grant Application Summary:

2019 Applications	# of Applications	Grant Funding Applied For (\$)	City Contribution (\$)	Partner Contribution (\$)	TOTAL (\$)
Successful	13	914,268	856,941	75,000	1,846,209
Pending	3	358,290	71,395	256,000	685,685
Unsuccessful	8	22,221,510	8,204,600	18,000	30,444,110
TOTAL	24	23,494,068	9,132,936	349,000	32,976,004

- 2019 Successful grants still subject to change based on the outcome of the three (3) pending applications

In addition, the City of Waterloo is projected to receive funding transfer grants in 2020 totaling \$6,775,256 from the Federal and Provincial governments. Full details on the 2019 application grants can be found in Appendix A, full details on the 2020 year-to-date (ytd) application grants can be found in Appendix B and full details on the 2020 funding transfer grants can be found in Appendix C.

C. Technology Implications

N/A

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

Application Based Grants and Funding Transfer Based Grant links to the following strategic goals and objectives within the strategic plan:

- Sustainability and the environment
- Safe, sustainable transportation
- Infrastructure renewal

E. Previous Reports on this Topic

- CORP2019-049 - 2019 Grant Update Report – June 17, 2019
- CORP2018-068 – 2018 Grant Update Report – October 1, 2018
- CORP2017-091 Grant Policy Update – November 27, 2017
- CORP2017-041, 2017 Grant Update – June 19, 2017
- CORP2016-111, 2016 Grant Update – December 12, 2016

F. Approvals

Name	Signature	Date
Author: Brad Witzel		
Director: Filipa Reynolds		
Commissioner: N/A		
Finance: Filipa Reynolds		

CAO



**2019/2020 Grant Update Report
CORP2020-040**

Section 1 – Background:

As per FC-004 Grant Policy, update reports are to be provided to Council bi-annually. The purpose of this report is to provide Council with highlights and status updates for 2019 and 2020 year-to-date grant applications. Full details on the 2019 application grants can be found in Appendix A and full details on the 2020 year-to-date (ytd) application grants can be found in Appendix B. The City is also projected to receive funding transfer grants in the amount of \$6,775,256 from the Federal and Provincial governments. Full details on the 2020 funding transfer grants including support for municipal COVID-19 operating pressures through the federal-provincial Safe Restart Agreement - Phase 1 can be found in Appendix C.

Since the inception of the Grant Policy in 2012, the City of Waterloo has submitted 184 grant applications. Of the 184 applications submitted, 130 applications have been successful in providing additional funding of over \$12 million to the city.

Table 3: 2012-2020 Grant Application Summary:

Year	# of Applications	Grant Funding Applied For (\$)	# of Successful Applications	Successful Grant Value (\$)
2012	20	3,205,877	16	1,841,567
2013	15	1,965,770	13	201,770
2014	18	2,191,416	12	101,294
2015	30	9,072,861	22	1,410,375
2016	33	7,446,935	20	5,100,001
2017	21	1,893,153	18	823,553
2018	18	4,713,440	12	1,607,178
2019	24	23,494,068	13	914,268
2020-YTD	5	171,390	4	71,390
TOTAL	184	54,154,909	130	12,071,396

As highlighted in report CORP2019-075 Long Term Financial Plan - Update, grant funding can have a very positive impact on our asset performance level. City staff will continue to seek various grant opportunities as they become available as a key LTFP funding strategy. In addition, FC-004 Grant Policy notes that staff will actively seek out grant opportunities. Throughout the course of the year, numerous staff from numerous divisions helps to identify potential grant opportunities. Grants truly are a collaborative citywide effort.

Section #2 – Federal Gas Tax Fund:

The Federal Gas Tax Rebate Reserve Fund provides funding for investments in Environmentally Sustainable Municipal Infrastructure (ESMI) Projects and Capacity Building Projects as per the agreement for the Transfer of Federal Gasoline Tax Revenues. The City of Waterloo receives a semi-annual allocation of funds from the Association of Municipalities of Ontario (AMO) on behalf of the Federal Government as per the agreement for the Transfer of Federal Gasoline Tax Revenues. For 2020, the City of Waterloo received \$3,184,880 in Federal Gas Tax Transfers. For 2020 Gas Tax funding has been allocated to the following projects:

- Larch Street - Balsam to Hickory Reconstruction (Ref #677)
- Roosevelt Ave - Warrington Drive to Erb St (Ref #682)
- Royal Street - Weber Street to Margaret Avenue (Ref #683)

Annual Gas Tax projects are recognized on our [Funding Partners](#) page, which highlights various infrastructure project funded in part by federal or provincial grant funds.

On June 1, 2020, Prime Minister Justin Trudeau [announced](#) that the federal government would accelerate the payment of the 2020 Federal Gas Tax Fund allocation to help municipalities pay for infrastructure projects and take advantage of the summer construction season. The Prime Minister called the accelerated Federal Gas Tax Fund in 2020 “a first step” in supporting towns and cities. For the City of Waterloo, this provided some increased cash flow support. The city was scheduled to receive two equal Federal Gas Tax Fund payments of \$1.59M in July and November. Instead, we received our full 2020 federal Gas Tax Fund transfer of \$3.185M in one payment in June.

Section #3 – Ontario Community Infrastructure Fund:

The Ontario Community Infrastructure Fund (OCIF) provides funding for projects approved as eligible under the Ontario Community Infrastructure Fund Agreement. The Ontario Community Infrastructure Fund was established by the Government of Ontario to assist **small communities** in addressing road, bridge, water and wastewater core infrastructure needs. Funds are not to be used for growth-related expansion projects.

All small municipalities (population less than 100,000) are eligible for OCIF funding transfers. The 2019 OCIF grants were based on the 2011 census data (Waterloo’s population was 98,780). For establishing the 2020 grant, the 2016 census data was used (Waterloo’s population was 104,986). With our population now exceeding the OCIF requirements, Waterloo is no longer eligible for OCIF funding. As such, our final OCIF allocation of \$2,533,841 was received in 2019. For 2020, only carried forward unallocated OCIF funding is being allocated to the following projects:

- Longwood Dr - Albert St to Longwood Dr & Moccasin Dr - Greenbriar Dr to Longwood Dr (Ref #679)
- Neilson Ave - Margaret Ave to Bluevale St – Reconstruction (Ref #681)
- Young Street East - King Street to Pepler (Ref #694)
- Resurfacing Roads - Various Locations (Ref #697)

As per Section 3.8 of the Agreement, "the recipient will spend any funds, including any interest earned thereon, that it received and has saved within five (5) Funding Years in which those funds were received". As such, the City of Waterloo has until December 31, 2023 to fully spend remaining carried forward OCIF funds. The remaining OCIF funds are fully allocated as per the approved 2020 budget, staff will monitor the approved projects ensuring that the spending timeline requirements are met.

OCIF funded projects are also recognized on our [Funding Partners](#) page, which highlights various infrastructure project funded in part by federal or provincial grant funds.

Section #4 Federal/Provincial COVID Relief Funding:

On July 16, 2020 Prime Minister, Justin Trudeau, announced a federal investment of more than \$19 billion to help provinces and territories safely restart their economies and make our country more resilient to possible future waves of the virus. Through the [Safe Restart Agreement](#), this investment will help address the key priorities, agreed upon by Canada's First Ministers, for the safe restart of Canada's economy over the next six to eight months along with **quickly getting funding to municipalities** so they can deliver essential services that Canadians rely on every day, like public transit.

On July 27, 2020, the Ontario government, in partnership with the federal government, [announced](#) Ontario had secured up to **\$4 billion in urgently needed one-time assistance for Ontario's 444 municipalities**. This investment will provide support to municipalities and public transit operators to help them address financial pressures related to COVID-19, maintain critical services, and protect vulnerable people as the province safely and gradually opens. It includes:

- Up to \$2 billion to support municipal operating pressures, and
- Up to \$2 billion to support municipal transit systems operators (locally Region of Waterloo)

On August 12, 2020, the City of Waterloo was notified by Steve Clark - Minister of Municipal Affairs and Housing that the operating pressures stream is being allocated under two Phases. Phase 1 will be allocated on a per household basis and the **City of Waterloo will receive a payment of \$2,879,100 to support COVID-19 operating costs and pressures**. It is noted that each municipality is accountable for using this funding for the purpose of addressing their priority COVID-19 operating costs and pressures. If the amount of the funding exceeds the municipality's 2020 COVID-19

operating costs and pressures, the province's expectation is that the municipality will place the excess funding into reserves to be accessed to support COVID-19 operating costs and pressures that may continue to be incur in 2021.

City staff are preparing the next Financial Impact of COVID-19 – Update Report #4 & Mid-year Surplus-Deficit Projection for 2020, which will be presented to Council on September 21, 2020. This report will provide an update on our projected 2020 COVID-19 operating costs and pressures.

Phase 2 of the COVID-19 municipal operating costs and pressures support will be application based. Municipalities that can demonstrate that their 2020 COVID-19 operating costs and pressures exceed their Phase 1 per household allocation will be required to submit an application/report outlining their COVID-19 operating costs and pressures in a template to be provided by the ministry. These reports will be due by October 30, 2020. The City of Waterloo will continue to monitor COVID-19 operating costs and pressures and it is anticipated that a Phase 2 application will be submitted.

Section #5 – Investing in Canada Infrastructure Program – Community, Culture and Recreation Funding Grant Application

On October 21, 2019, Council approved report CORP2019-066 and the City of Waterloo's applications under the Investing in Canada Infrastructure Program (ICIP) - Community, Culture and Recreation stream. As part of this report, Council approved the three City of Waterloo projects be submitted under the ICIP-CCR:

- 1) Albert McCormick Community Hub - Community Centre, Library, & Indoor-Outdoor Sports Park
- 2) RIM Park Community Hub: Energy Conservation & Outdoor Recreation Modernization
- 3) Waterloo Park Heritage Assets Strategic Refurbishments

Additionally, as part of report CORP2019-066 Council also approved a partner contribution to the following joint projects:

- 1) Wilfrid Laurier University Stadium Project Submission
- 2) University of Waterloo Columbia Icefield Expansion & Indoor Track project submission

On August 13, 2020, the City of Waterloo was notified that our three (3) projects were not nominated for federal review and approval. This outcome is very disappointing for the City of Waterloo, however it was noted in the notification that the intake of this funding stream was highly competitive, and total demand reached upwards of \$10 billion against total available joint funding (federal-provincial-applicant) of nearly \$1 billion. At the time of preparing this report, staff have not yet confirmed the status of the partner contribution projects

Section #6 – Investing in Canada Infrastructure Program – COVID-19 Infrastructure Program

On August 5, 2020, the Honourable Catherine McKenna, Minister of Infrastructure and Communities [announced](#) changes to the federal Investing in Canada Infrastructure Plan (ICIP) to help communities adapt to new need to manage the pandemic. The changes will create a new \$3.3 billion ICIP stream to build pandemic-resilient infrastructure. In Ontario, this will make \$1.184 billion available for pandemic-resilient projects.

The COVID-19 Resilience Stream can be used to upgrade, repair, or retrofit provincial and municipal buildings such as schools and community facilities, build new active transportation facilities such as bike lanes, trails and paths, upgrade existing or build new parks, and contribute to disaster mitigation projects such as flood and fire protection, including natural infrastructure. The release notes for funding under the COVID-19 Resilience stream, the project's eligible costs must be under \$10 million, construction must be started no later than September 30, 2021, and it must be completed by the end of 2021.

Provinces and territories have the option to transfer up to 10 per cent of their initial allocation under the Investing in Canada Infrastructure Program integrated bilateral agreements to the COVID-19 Resilience stream to benefit from up to an 80 per cent federal cost share or 100 per cent federal cost share for Indigenous projects and projects in the territories.

At the time of preparing this report, it is unknown as to when the ICIP-COVID-19 Infrastructure Program intake window will be open (assuming the province of Ontario elects to transfer 10 per cent under the new stream). Staff will continue to monitor this opportunity and report back to Council as appropriate.

Appendix A - 2019 Application Based Grants

2019 Application Based Grants											
No.	Grant Program	Council Report	Type of Grant	STATUS	Funding Agency	Approval Date	Grant Funding	City Contribution	Partner Funding	Total	Comments
1	Region of Waterloo Community Environmental Fund (2019)	N/A	Application Based	Approved	Mary Allen Park Pollinator Garden	2018-12-11	4,000	7,471	-	11,471	Included as part of CORP2019-049
2	Asset Management Planning & Professional Certificate	N/A	Application Based	Approved	Municipal Asset Management Program (FCM)	2018-12-14	10,050	1,915	-	11,965	Included as part of CORP2019-049
3	Museum Assistance Program (MAP) - Exhibition	N/A	Application Based	Approved	Federal - Canadian Heritage	2019-01-10	9,430	15,204	-	24,634	Included as part of CORP2019-049
4	Transition 2050 Partner Grant ¹	N/A	Application Based	Approved	Federal Government delivered by Federation of Canadian Municipalities (FCM)	2019-02-04	340,700	25,000	75,000	440,700	Included as part of CORP2019-049
5	Audit and Accountability Fund - Winter Control Modernization Review	June 24, 2019 Resolution of Council	Application Based	Approved	Province of Ontario - Ministry of Municipal Affairs and Housing	2019-08-08	250,000	-	-	250,000	NEW item since CORP2019-049
6	One-Time Funding from the Ministry of Seniors Affairs to Support the ARC Programs	N/A	Application Based	Approved	Ministry of Seniors Affairs - Senior Active Living Program	2019-10-11	7,821	-	-	7,821	NEW item since CORP2019-049
7	One-Time Funding from the Ministry of Seniors Affairs to Support the Wing 404 Programs	N/A	Application Based	Approved	Ministry of Seniors Affairs - Senior Active Living Program	2019-10-11	7,821	-	-	7,821	New item since CORP2019-049
8	Young Canada Works 2019	N/A	Application Based	Approved	Federal Government delivered by Canadian Museums Association	2019-11-15	3,686	3,686	-	7,372	New item since CORP2019-049
9	NRCan Zero Emission Vehicle Infrastructure Program ²	N/A	Application Based	Approved	Natural Resources Canada (NRCan)	2019-12-20	40,000	44,000	-	84,000	New item since CORP2019-049
10	New Horizons for Seniors Program	N/A	Application Based	Approved	Federal Government - Employment and Social Development Canada	2020-02-11	-	-	-	-	New item since CORP2019-049 - Project approved but reallocated due to COVID-19. See 2020 Summary
11	Federation of Canadian Municipalities Green Municipal Fund – Erosion Control and Advanced Sedimentation Pilot Project	CORP2019-059	Application Based	Approved	Federation of Canadian Municipalities	2020-03-03	175,000	746,665	-	921,665	New item since CORP2019-049
12	Municipal Asset Management Program	N/A	Application Based	Approved	Federal Government delivered by FCM Municipal Asset Management Program	2020-04-27	45,760	13,000	-	58,760	New item since CORP2019-049
13	Celebrate Canada Grant	N/A	Application Based	Approved	Federal - Canadian Heritage	2020-03-28	20,000	-	-	20,000	New item since CORP2019-049
2019 Grant Funding Successful - Total							914,268	856,941	75,000	1,846,209	
Notes: ¹ Transition 2050 Partner Grant - ClimateActionWR, led by Reep Green Solutions and Sustainable Waterloo Region (lead applicant), with the Region of Waterloo, City of Waterloo, City of Cambridge. City of Kitchener and the Four Townships acting as partners ² Zero Emission Vehicle Infrastructure Program - Region of Waterloo (lead applicant) City of Waterloo, City of Cambridge. City of Kitchener and the Four Townships participating as application partners											

Appendix A - 2019 Application Based Grants – Continued

No.	Grant Program	Council Report	Type of Grant	STATUS	Funding Agency	Application Date	Grant Funding	City Contribution	Partner Funding	Total	Comments
14	Canadian Experiences Fund (CEF) ³	N/A	Application Based	Pending	Federal - Economic Development Agency	2019-05-31	327,500	50,000	256,000	633,500	Included as part of CORP2019-049
15	Seniors Community Grant Program	N/A	Application Based	Pending	Province of Ontario	2019-06-06	15,790	5,000	-	20,790	New item since CORP2019-049
16	Museum Assistance Program (MAP) - Cipher-Decipher Exhibit	N/A	Application Based	Pending	Federal - Canadian Heritage	2019-10-16	15,000	16,395	-	31,395	New item since CORP2019-049
2019 Grant Funding Pending - Total							358,290	71,395	256,000	685,685	
Notes:											
³ Canadian Experiences Fund Grant - Application in partnership with Regional Tourism Organization ⁴ Inc, City of Waterloo and City of Kitchener											
No.	Grant Program	Council Report	Type of Grant	STATUS	Funding Agency	Notification Date	Grant Funding	City Contribution	Partner Funding	Total	Comments
17	Canadian Tire Jumpstart - Bechtel Park	N/A	Application Based	Not Approved	Canadian Tire	2019-05-22	50,000	70,000	-	120,000	Included as part of CORP2019-049
18	FCC Agrispirit Grant - Bechtel Park	N/A	Application Based	Not Approved	Farm Credit Canada	2019-07-23	25,000	70,000	-	95,000	Included as part of CORP2019-049
19	NRCan Energy Manager Program Grant	N/A	Application Based	Not Approved	Natural Resources Canada (NRCan) Energy Manager Program (EMP)	2020-02-04	100,000	38,600	-	138,600	New item since CORP2019-049
20	Canada Cultural Spaces Fund - Museum Collection Storage Feasibility Study	N/A	Application Based	Not Approved	Federal - Canadian Heritage	2020-03-13	25,000	25,000	-	50,000	NEW item since CORP2019-049
21	KW Community Foundation - Equity Symposium Grant	N/A	Application Based	Not Approved	KW Community Foundation	2020-04-14	22,510	-	18,000	40,510	NEW item since CORP2019-049
22	ICIP - Community, Culture and Recreation Funding Grant Application ⁴	CORP2019-066	Application Based	Not Approved	Federal Government & Province of Ontario	2020-08-13	7,333,000	2,667,000	-	10,000,000	NEW item since CORP2019-049
23	ICIP - Community, Culture and Recreation Funding Grant Application ⁴	CORP2019-066	Application Based	Not Approved	Federal Government & Province of Ontario	2020-08-13	7,333,000	2,667,000	-	10,000,000	NEW item since CORP2019-049
24	ICIP - Community, Culture and Recreation Funding Grant Application ⁴	CORP2019-066	Application Based	Not Approved	Federal Government & Province of Ontario	2020-08-13	7,333,000	2,667,000	-	10,000,000	NEW item since CORP2019-049
2019 Grant Funding Unsuccessful - Total							22,221,510	8,204,600	18,000	30,444,110	
Notes:											
⁴ ICIP - Community, Culture and Recreation Funding Grant Application also includes a partnership contribution to the WLU University Stadium Project submission and the UW Columbia Icefield Expansion & Indoor Track project submission											

Appendix B – 2020 YTD Application Based Grants

2020 Application Based Grants											
No.	Grant Program	Council Report	Type of Grant	STATUS	Funding Agency	Approval Date	Grant Funding	City Contribution	Partner Funding	Total	Comments
1	2020 Community Environmental Fund	N/A	Application Based	Approved	Region of Waterloo	2020-03-24	6,356	6,356	-	12,712	Planting Program
2	Young Canada Works 2020	N/A	Application Based	Approved	Federal Government delivered by Canadian Museums Association	2020-04-15	4,095	1,024	-	5,119	Young Canada Works summer student program
3	New Horizons for Seniors Program	N/A	Application Based	Approved	Federal Government - Employment and Social Development Canada	2020-07-10	21,570	14,107	-	35,677	Waterloo Seniors Without Walls (WOW) Program
4	Department of Canadian Heritage's Emergency COVID Funding for Museum's	N/A	Application Based	Approved	Department of Canadian Heritage	2020-08-05	39,369	-	-	39,369	COVID Funding for Museum's
2020 Grant Funding Successful - Total							71,390	21,487	-	92,877	
Notes:											
No.	Grant Program	Council Report	Type of Grant	STATUS	Funding Agency	Application Date	Grant Funding	City Contribution	Partner Funding	Total	Comments
5	Enabling Accessibility Fund Grant Application	N/A	Application Based	Pending	Employment and Social Development Canada	2020-07-09	100,000	50,000	-	150,000	Construction of Accessible Washroom at City Hall
2020 Grant Funding Pending - Total							100,000	50,000	-	150,000	
Notes:											
No.	Grant Program	Council Report	Type of Grant	STATUS	Funding Agency	Notification Date	Grant Funding	City Contribution	Partner Funding	Total	Comments
2020 Grant Funding Unsuccessful - Total							-	-	-	-	

Appendix C – 2020 Funding Transfer Based Grants

2020 Funding Transfer Based Grants							
No.	Funding Agency	Grant Program	City Activity	Funding Transfer	City Contribution	Partner Funding	Total
1	Federal Government of Canada	Federal Gas Tax Fund ⁽¹⁾	Gas Tax Rebate Reserve	3,184,880	-	-	3,184,880
2	Province of Ontario - Ministry of Infrastructure	Ontario Community Infrastructure Fund ⁽²⁾	Ontario Community Infrastructure Reserve Fund	-	-	-	-
3	Province of Ontario - Ministry of Health	Local Health Integration Network (LHIN) ⁽³⁾	Local Health Integration Network (LHIN)	625,876	80,000	170,024	875,900
4	Province of Ontario - Ministry of Seniors and Accessibility	Elderly Persons Funding Transfer	ARC	42,700	202,867	53,500	299,067
5	Province of Ontario - Ministry of Seniors and Accessibility	Elderly Persons Funding Transfer	Wing 404	42,700	145,190	70,073	257,963
6	Federal - Provincial	federal-provincial Safe Restart Agreement - Phase 1 ⁽⁴⁾	support for municipal COVID-19 operating pressures	2,879,100	-	-	2,879,100
2020 Grant Funding Transfer- Total				6,775,256	428,057	293,597	7,496,910
Notes:							
1) Gas Tax Funding Transfer as per the Municipal Funding Agreement for the Transfer of Federal Gas Tax Funds							
2) Ontario Community Infrastructure Funding as per the Ontario Community Infrastructure Fund Agreement							
*Please note 2019 was the final year that the City of Waterloo received OCIF funding due to our population (2016 census) exceeding the OCIF eligibility thresholds							
3) The LHIN and Elderly Persons Transfer funding follow the Province of Ontario's fiscal year ending March 31st							
4) Phase 1 of the federal-provincial Safe Restart Agreement, has being allocated on a per household basis							



STAFF REPORT
Fleet & Procurement Services

Title: CAO Procurement Award Summary – June - July 2020
Report Number: CORP2020-046
Author: Jason Wilhelm, Manager, Procurement
Meeting Type: Council Meeting
Council/Committee Date: August 24, 2020
File: N/A
Attachments: CAO Procurement Award Summary June 1 – July 31, 2020
Ward No.: N/A

Recommendations:

1. That Council approve staff report CORP2020-046.
2. That Council approve the proposed by-law extending the delegation of procurement matters to the Chief Administrative Officer of the City of Waterloo until December 31, 2020.

A. Executive Summary

This report captures procurement, funding release and project transfer activity approved by the CAO from June 1, 2020 to July 31, 2020.

Attached as Appendix 1 is a Summary of Procurement Awards valued greater than \$600,000 that have been approved by Tim Anderson, Chief Administrative Officer of the City of Waterloo per the authority delegated in accordance with By-Law 2020-016, as amended by By-Laws 2020-023, 2020-031, and 2020-039 for the period June 1, 2020 to July 31, 2020.

Attached as Appendix 2 is a Summary of CAO Non-Routine Project Funding Release Approvals & Project Transfers that have been approved by Tim Anderson per the authority delegated in accordance with By-Law 2020-016, as amended by By-Laws 2020-023, 2020-031 and 2020-039, for the period of June 1, 2020 to July 31, 2020.

Attached as Appendix 3 are copies of the staff reports that Tim Anderson, Chief Administrative Officer of the City of Waterloo approved for procurement awards and funding releases.

B. Financial Implications

N/A

C. Technology Implications

N/A

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

N/A

E. Previous Reports on this Topic2020 Reports

CORP2020-024, CORP2020-027, CORP2020-038

F. Approvals

Name	Signature	Date
Author: Jason Wilhelm		August , 2020
Director: Tracie Bell		August , 2020
Commissioner: Keshwer Patel		August , 2020
Finance:		August , 2020

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APPENDIX 1
SUMMARY OF PROCUREMENT AWARDS > \$600,000 Approved by Tim Anderson per By-law 2020-016 (June 1, 2020 - July 31, 2020)

Requestor	Project Description	Award Value (HST Excluded) and Supplier Name	Funding Release Report #	Total Approved Capital Budget Amount* (*other planned items may be budgeted within this envelope)	Award Value (Unrecoverable HST Included)	Capital Budget Reference #	Operating Budget Amount	Operating Account
Darren Scott								
Engineering Services	RFT20-13	\$1,174,810	Routine Funding & Additional funding approved via IPPW2020-043	\$1,539,000	\$1,195,492	#715(2019) #694(2020/2021)	N/A	N/A
	Young Street Reconstruction	Beech Infrastructure Group						
Gavin Vermeer								
Engineering Services	RFT20-10	\$1,627,894	N/A – Routine	\$2,607,000	\$1,656,553	#560(2019) #551(2020)	N/A	N/A
	Service Centre Temporary Excess Soil Storage Area	2SC Contracting Inc.						
Jessica Kellerman								
Engineering Services	RFT20-14	\$2,144,542	N/A – Routine (CORP2019-080 for early capital approval of 2020 funding)	\$3,361,000	\$2,182,296	#723(2018) #542(2019) #542(2020/2021)	N/A	N/A
	Laurel Creek Rehabilitation - Regina St. to Weber St.	R&M Construction						
TOTAL AWARD VALUE		\$4,947,245						

APPENDIX 2
SUMMARY OF APPROVAL OF NON-ROUTINE FUNDING RELEASES AND PROJECT TRANSFERS (June 1, 2020 - July 31, 2020)

Requestor	Project Description	Project Transfers and Non-Routine Funding Releases	Funding Release Report #	Total Approved Capital Budget Amount* (*other planned items may be budgeted within this envelope)	Capital Budget Reference #	Operating Budget Amount	Operating Account
Dan Ditaranto							
Transportation	Resurfacing Roads – Various Locations – Funding Request	\$5,088,000	IPPW2020-034 (Non-Routine Project)	\$5,088,000	#697	N/A	N/A
Chris Dedman							
Transportation	Transportation Master Plan Implementation Sign Replacement	\$500,000	IPPW2020-039 (Non-Routine Project)	\$500,000	#717	N/A	N/A
Darren Scott							
Transportation	RFT20-13		IPPW2020-043 - Routine	\$1,092,000	#694 (2020-22)	N/A	N/A
	Young Street Reconstruction		Routine	\$177,000	#715 (2019)		
		\$270,000	Project Transfer from #170024	\$270,000	Project Transfer from #170024		
			Total	\$1,539,000			
TOTAL		\$5,858,000					



STAFF REPORT Engineering Services

Title: RFT20-13 Young Street Reconstruction
Report Number: IPPW2020-043
Author: Darren Scott
Meeting Type: Not Applicable
Council/Committee Date: Delegated to CAO
File: 190043
Attachments: Attachment A – Location Map
Ward No.: Ward 7

Recommendations:

1. That IPPW2020-043 be approved.
2. That additional funding in the amount of \$270,000 be transferred to the Young Street Reconstruction project (#190043) from the existing Dale Cres/Carlaw Pl. Reconstruction project (#170024).
3. That pursuant to By-Law No. 2020-016, the CAO approves the award of RFT20-13 Young Street Reconstruction to Beech Infrastructure Group Ltd. for the submitted price of \$1,174,809.50 plus unrecoverable HST in the amount of \$20,676.65 for a total award value of \$1,195,486.15.
4. That the Mayor and Clerk be authorized to sign the Agreement between The Corporation of the City of Waterloo and Beech Infrastructure Group Ltd., and any other documents related to this project, subject to the satisfaction of the City's Solicitor.

A. Executive Summary

In accordance with the City's Purchasing By-Law 2019-026, tenders were solicited via RFT20-13 for the Young Street Reconstruction. Bids were received from five qualified contractors. After reviewing the bids, it is recommended that the lowest bidder, Beech Infrastructure Group Ltd., be awarded the contract. This project demonstrates the City's commitment to long-term capital reinvestment in its public infrastructure. This work is underpinned by the City's Asset Management Plan that is being used to track the condition, costs and life cycle of Waterloo's 397 km road network.

B. Financial Implications

The 2019 capital budget (Ref. #715) included funding of \$177,000 to initiate detailed design for the Young Street project. Further funding approved through the 2020 capital budget (Ref. #694) includes \$1,047,000 for construction, with another \$45,000 in 2021 funding for remaining surface works.

The lowest submitted tender price (from Beech Infrastructure Group Ltd.) of \$1,195,486.15 (including unrecoverable HST) exceeds the approved budget. To address the projected shortfall, additional funding in the amount of \$270,000 is proposed to be transferred from surplus funding available in the Dale Cres/Carlaw Place Reconstruction project (#170024). The funding sources and splits of this donor project are comparable to that of the Young Street project (i.e. both are full road reconstructions with underground utility replacements).

C. Technology Implications

There are no technological implications with respect to this report.

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

The reconstruction of Young Street will include replacement of all aging underground infrastructure, asphalt, curbs and sidewalks. These works support the Strategic Plan's "Infrastructure Renewal" objective and contribute to addressing the City's infrastructure deficit.

E. Previous Reports on this Topic

F. Approvals

Name	Signature	Date
Author: Darren Scott		
Director: Dan Ditaranto		
Commissioner: Cameron Rapp		
Finance: Filipa Reynolds		

CAO



RFT20-13 Young Street Reconstruction IPPW2020-043

Section 1 – Background

The reconstruction of Young Street from King Street to Peppler Street (approximately 300 m) is included in the City's Asset Management 2020 road rehabilitation program. Existing sanitary sewers, storm sewers, and watermain have all been in place since the 1970s and have deteriorated with age. The road surface is in poor condition and has been patched and sealed on numerous occasions. Therefore, the reconstruction will include the replacement of sanitary sewer, storm sewer, watermain, curb and gutter, pavement structure, and sidewalks to bring the road up to AODA standards. The project area and limits are shown on the map in Attachment A.

Upon award of RFT20-13, it is anticipated that construction will commence in July and be completed to base course asphalt by November 2020. Surface course asphalt will be completed in 2021.

This urban renewal project demonstrates the City's commitment to long term capital reinvestment in its public infrastructure. This work is underpinned by the City's Asset Management Plan that is being used to track the condition, costs and life cycle of Waterloo's 397 km road network.

Section 2 – Procurement Process

RFT20-13 Young Street Reconstruction was advertised on Bids & Tenders on May 29, 2020. The bid closing date was June 17, 2020 and five (5) compliant submissions were received. Table 1 below summarizes the Bid Results.

Table 1: Contractor Bid Evaluation Summary RFT20-13 Young Street Reconstruction

Bidder	Bid Price	Non-recoverable HST (1.76%)	Total including non- recoverable HST
Beech Infrastructure Group Ltd.	\$1,174,809.50	\$20,676.65	\$1,195,486.15
E.&E. Seegmiller Limited	\$1,610,927.00	\$28,352.32	\$1,639,279.32
Sierra Infrastructure Inc.	\$1,787,610.62	\$31,461.95	\$1,819,072.57
J.G. Goetz Construction	\$1,856,513.36	\$32,674.64	\$1,889,188.00
Regional Sewer and Watermain Ltd.	\$2,014,611.98	\$35,457.17	\$2,050,069.15

Section 3 – Financial Implications

The 2019 capital budget (Ref. #715) included funding of \$177,000 to initiate detailed design for the Young Street project. Further funding approved through the 2020 capital budget (Ref. #694) includes \$1,047,000 for construction, with another \$45,000 in 2021 funding for remaining surface works.

The lowest submitted tender price (from Beech Infrastructure Group Ltd.) of \$1,174,809.50 plus unrecoverable HST in the amount of \$20,676.65 for a total award value of \$1,195,486.15 is over the approved budget. The budget exceedance is largely due to the discovery of contaminated soils in the area during a geotechnical investigation carried out in fall 2019. The presence of the contaminated material was not known during the initial development of the project budget. However, the bid price received from Beech Infrastructure Group is reasonable and includes the removal of the contaminated material.

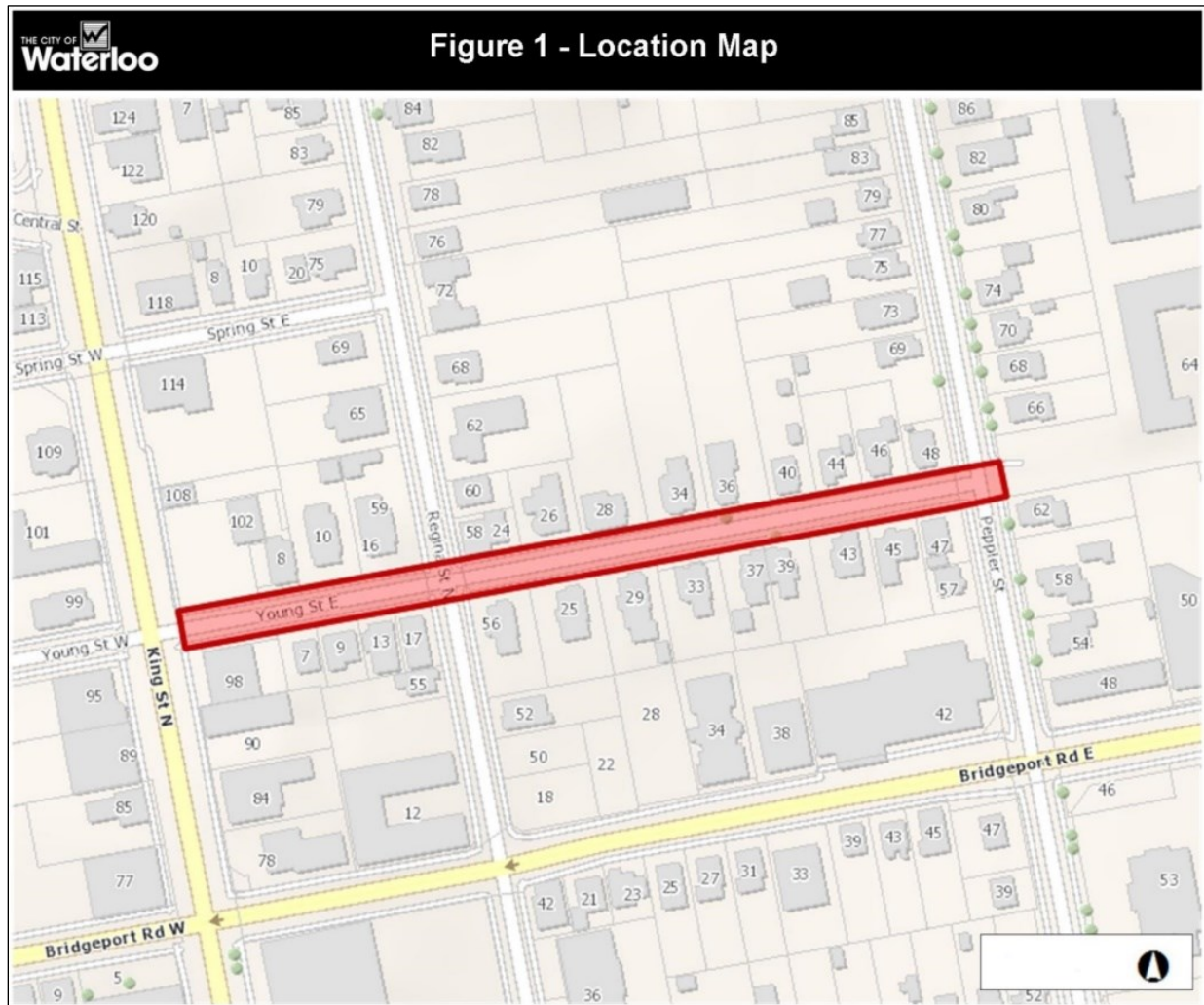
To address the projected shortfall, additional funding in the amount of \$270,000 is proposed to be transferred from surplus funding available in the Dale Cres/Carlaw Place Reconstruction project (#170024). The funding sources and splits of this donor project are comparable to that of the Young Street project (i.e. both are full road reconstructions with underground utility replacements). Table 2 below provides funding details to date and projected expenditures for the project.

Table 2: Funding Approvals to Date and Estimated Costs

Description	Report Number	Approval Date	\$ Amount*
FUNDING:			
Funding – 2019 (Ref. #715)	n/a-routine	29-Mar-19	(\$177,000)
Funding – 2020 (Ref. #694)	n/a-routine	16-Jul-20	(\$1,047,000)
Funding – 2020 (transfer from #170024)	IPPW2020-043	TBD	(\$270,000)
Funding – 2021 (Ref. #694)	n/a-routine	16-Jul-20	(\$45,000)
Total Funding			(\$1,539,000)
EXPENDITURES:			
Incurred to date:			
Geotechnical, consulting & design, overhead, misc.			\$69,033
Projected Expenditures:			
Young Street Reconstruction (RFT20-13)	IPPW2020-043	TBD	\$1,195,486
Other Projected Costs (includes but not limited to): QC, materials testing, surface works, contract admin, inspection, contingency, misc.			\$274,481
Total Projected Expenditures			\$1,469,967
Total Expenditures			\$1,539,000
BALANCE:			\$0

* Note: Non-recoverable portion of HST included.

Attachment A – Young Street Reconstruction Limits





STAFF REPORT Engineering Services

Title: Award of Tender RFT20-10 Waterloo Service Centre
Temporary Excess Soil Storage Area
Report Number: IPPW2020-048
Author: Gavin Vermeer
Meeting Type: Not Applicable
Council/Committee Date: Delegated to CAO
File: 190032
Attachments: [Attachments]
Ward No.: Ward 5

Recommendations:

1. That IPPW2020-048 be approved.
2. That pursuant to By-Law No. 2020-016, the CAO approve the award of RFT20-10 - Waterloo Service Centre Temporary Excess Soil Storage Area to 2SC Contracting Inc. for the submitted price of \$1,627,894.00, plus unrecoverable HST in the amount of \$28,650.93, for a total award value of \$1,656,544.93.
3. That the Mayor and Clerk be authorized to sign the Agreement between The Corporation of the City of Waterloo and 2SC Contracting Inc. and any other documents related to this project, subject to the satisfaction of the City's Solicitor.

A. Executive Summary

In accordance with the City's Purchasing By-Law 2019-026, tenders were solicited via RFT20-10 for the construction of a temporary excess soil storage area at the Waterloo Service Centre. Bids were received from four qualified contractors. After reviewing the bids, it is recommended that 2SC Contracting Inc. be awarded the above contract as the lowest bidder. This project is required to ensure the City can maintain compliance with the new MOECP On-site and Excess Soil Management regulation (O. Reg. 406/19) and the Ontario Environmental Protection Act, as well as provide a safe and efficient working environment for City operations staff.

B. Financial Implications

Per the approved 2019 capital budget, \$25,000 was funded to initiate the design process for the storage area (Ref. #560). The approved 2020 capital budget includes funding of

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\$2,582,000 (Ref. #551) for construction. The lowest submitted tender price (from 2SC Contracting Inc.) of \$1,627,894.00 plus unrecoverable HST in the amount of \$28,650.93, for a total award value of \$1,656,544.93, is within the approved budget.

C. Technology Implications

There are no technological implications with respect to this report.

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

The construction of the temporary excess soil storage area at the Waterloo Service Centre links to the City's Strategic Plan in the following area:

Strategic Objectives:

- Sustainability and the Environment:
 - Apply a sustainability lens on all services and projects
 - Ensure compliance with relevant environmental legislation
- Infrastructure Renewal:
 - Optimize usage and efficiency of existing facilities and assets

Guiding Principles:

- Sustainability
- Healthy and Safe Workplace

E. Previous Reports on this Topic

F. Approvals

Name	Signature	Date
Author: Gavin Vermeer		
Director: Dan Ditaranto		
Commissioner: Cameron Rapp		
Finance: Filipa Reynolds		

CAO



Award of Tender RFT20-10 Waterloo Service Centre Temporary Excess Soil Storage Area IPPW2020-048

Section 1 – Background

In December 2019, the Province of Ontario published Ontario Regulation 406/19: On-site and Excess Soil Management. Requirements of the regulation were originally due to be phased in starting in 2020; however, the phase-in start date has been modified to January 1, 2021. The regulation governs how excess soils generated by various activities are to be handled, with an eye towards the reuse of soil of various environmental qualities instead of landfilling them. In order to ensure compliance with the new regulation, a temporary excess soil storage area has been designed for the rear yard at the Service Centre. This storage area will allow City operations staff to efficiently and effectively temporarily store and segregate soils, facilitating environmental testing and record keeping, as required by the regulation. The storage area is also protective of the environment by improving protection of groundwater and surface water with various infrastructure upgrades. These upgrades will ensure compliance with the Environmental Protection Act.

Upon award of RFT20-10, it is anticipated that construction will begin as soon as practical and be completed by late fall, 2020.

The construction of the temporary excess soil storage area demonstrates the City's commitment to sustainability and the environment. This work will ensure the City's compliance with relevant environmental regulations and legislation and provide a safe and efficient working environment for City operations staff.

Section 2 – Procurement Process

RFT20-10 - Waterloo Service Centre Temporary Excess Soil Storage Area was advertised on Bids & Tenders on June 12, 2020. The bid closing date was July 9, 2020 and four (4) compliant submissions were received. Table 1 below summarizes the bid results.

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Table 1: Contractor Bid Evaluation Summary RFT20-10 (Waterloo Service Centre Temporary Excess Soil Storage Area)

Bidder	Bid Price	Non-recoverable HST (1.76%)	Total Including non-recoverable HST
2SC Contracting Inc.	\$1,627,894.00	\$28,650.93	\$1,656,544.93
Kieswetter Excavating Inc.	\$1,780,796.00	\$31,342.01	\$1,812,138.01
Sierra Infrastructure Inc.	\$1,795,075.00	\$31,593.32	\$1,826,668.32
Greenspace Construction Inc.	\$2,236,747.00	\$39,366.75	\$2,276,113.75

Section 3 – Financial Implications

Per the approved 2019 capital budget, \$25,000 was funded to initiate the design process for the storage area (Ref. #560). The approved 2020 capital budget includes funding of \$2,582,000 (Ref. #551) for construction.

The lowest submitted tender price (from 2SC Contracting Inc.) of \$1,627,894.00 plus unrecoverable HST in the amount of \$28,650.93, for a total award value of \$1,656,544.93, is within the approved budget. Table 2 provides funding details to date and projected expenditures for the project.

Table 2: Funding Approvals to Date and Estimated Costs

Description	Report Number	Approval Date	\$ Amount *
FUNDING:			
Funding – 2019 (partial)	n/a-routine	01-Mar-19	(\$25,000)
Funding – 2020	n/a-routine	11-Feb-20	(\$2,582,000)
Total Funding			(\$2,607,000)
EXPENDITURES:			
Expenses Incurred to Date (Geotechnical, Consulting, Overhead)			\$120,064
Projected:			
Service Centre Temporary Excess Soil Storage Area (RFT20-10)	IPPW2020-048	TBD	\$1,656,544
Other Projected Costs (includes but not limited to): QC, materials testing, surface works, contract admin, inspection, contingency, misc.			\$830,392
Total Projected Expenditures			\$2,486,936
Total Expenditures			\$2,607,000
BALANCE:			\$0

* Note: Non-recoverable portion of HST included.



STAFF REPORT Engineering Services

Title: Award of Tender RFT20-14: Laurel Creek Rehabilitation – Regina St. to Weber St.
Report Number: IPPW2020-049
Author: Jessica Kellerman
Meeting Type: Not Applicable
Council/Committee Date: Delegated to CAO
File: 180021
Attachments: [Attachments]
Ward No.: Ward 7

Recommendations:

1. That IPPW2020-049 be approved.
2. That pursuant to By-Law No. 2020-016, the CAO approves the award of RFT#20-14 Laurel Creek Rehabilitation – Regina St. to Weber St. to 560789 Ontario Limited o/a R&M Construction for the submitted price of \$2,144,541.57 plus unrecoverable HST in the amount of \$37,743.93 for a total award value of \$2,182,285.50.
3. That the Mayor and Clerk be authorized to sign the Agreement between The Corporation of the City of Waterloo and 560789 Ontario Limited o/a R&M Construction, and any other documents related to this project, subject to the satisfaction of the City's Solicitor.

A. Executive Summary

In accordance with the City's Purchasing By-Law 2019-026, tenders were solicited via RFT20-14 for the construction of the Laurel Creek Rehabilitation project from Regina St. to Weber St. Tender bids were received from one (1) bidder. After reviewing the bid, it is recommended that R&M Construction be awarded the project. R&M construction is recognized in the water resource industry as an experienced creek contractor. The submitted bid price was in line with the consultant's estimate for the scope of work.

B. Financial Implications

In 2018 and 2019, \$407,000 in funding was approved to initiate the consulting and design process for the Laurel Creek Rehabilitation project. Further funding of \$1,023,000 was released in 2020 to commence construction, with additional funding of \$1,931,000

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approved to be released in 2021. The lowest submitted price via RFT20-14 (\$2,182,285.50 including non-recoverable HST) is within budget.

C. Technology Implications

There are no technological implications with respect to this report.

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

1. Sustainability and the Environment: Apply a sustainability lens on all services and projects.
2. Infrastructure Renewal: Dedicate appropriate resources to plan, renew and maintain existing infrastructure; and, address the infrastructure deficit.

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

1. Equity and Inclusion
2. Sustainability
3. Fiscal Responsibility

E. Previous Reports on this Topic

IPPW2019-061 SWM Master Plan EA – Watercourse Erosion MP

F. Approvals

Name	Signature	Date
Author: Jessica Kellerman		
Director: Dan Ditaranto		
Commissioner: Cameron Rapp		
Finance: Filipa Reynolds		

CAO



Award of Tender RFT20-14: Laurel Creek Rehabilitation – Regina St. to Weber St. IPPW2020-049

Section 1 – Background

Laurel Creek from Regina Street South to Weber Street North is a heavily urbanized, impacted and channelized creek that is beginning to fail in certain sections. City operations staff and local businesses have expressed concerns regarding potential property loss due to erosion. In general, the creek channel is sparsely vegetated and composed of erodible substrate such as sand and silt. The riparian zone, passing through areas abutting residential and commercial properties, is virtually non-existent. Certain sections of the creek have undergone rehabilitation to protect neighboring structures; however, there are still many unstable areas that require rehabilitation. Furthermore, the Laurel Trail runs alongside the creek for the entire project area.

The Watercourse Erosion Master Plan (WEMP) was developed through a Class Environmental Assessment that was completed as a part of the City of Waterloo Stormwater Management Master Plan. The WEMP identified the need for rehabilitation of this section of creek while taking into consideration hydrologic, drainage, channel constraint, protection of private land and land use concerns.

The WEMP identified several locations of erosion concerns between Erb Street East to Weber Street North with near-vertical bank erosion occurring on both sides of the channel. A recreation trail and sanitary sewer run in close proximity to the south bank, which has eroded to within one metre of the trail in some areas. Erosion is also posing a risk to parking lots, loading areas and structures.

The proposed work includes channel restoration at specified locations along the creek with armourstone wall protection at severe erosion sites.

Upon award of RFT20-14, construction on Laurel Creek from Regina Street to Weber Street will commence in August 2020 and is anticipated to take approximately three (3) months to complete (pending suitable weather). There may be minor interruptions to trail connections/usage during movement of equipment, however, trail closures are not anticipated.

Section 2 – Procurement Process

RFT#20-14 Laurel Creek Rehabilitation – Regina Street to Weber Street was advertised on Bids & Tenders on June 16, 2020. The bid closing date was July 7, 2020 and one (1) compliant submission was received. R&M construction is recognized in the water

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resource industry as an experienced creek contractor. The submitted bid price was in line with the consultant's estimate for the scope of work. Table 1 below, summarizes the bid results.

Table 1: Contractor Bid Evaluation Summary RFT20-14 (Laurel Creek Rehabilitation – Regina St. to Weber St)

Bidder	Bid Price	Non-recoverable HST (1.76%)	Total including non-recoverable HST
560789 Ontario Limited o/a R&M Construction	\$2,144,541.57	\$37,743.93	\$2,182,285.50

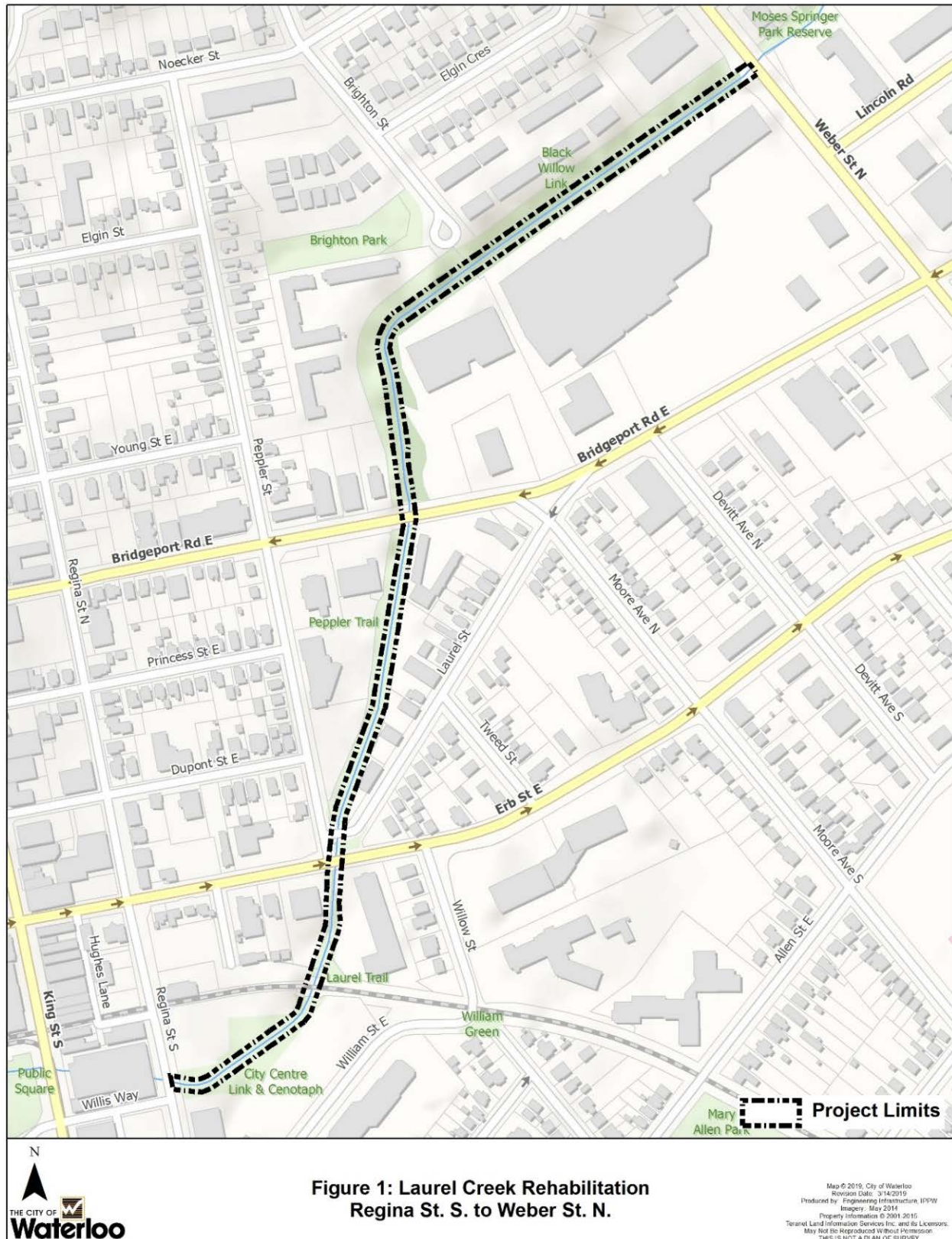
Section 3 – Financial Implications

In 2018 and 2019, \$407,000 in funding was approved to initiate the consulting and design process for the Laurel Creek Rehabilitation project. Further funding of \$1,023,000 was released in 2020 to commence construction, with additional funding of \$1,931,000 approved to be released in 2021. The lowest submitted price via RFT20-14 (\$2,182,285.50 including non-recoverable HST) is within budget, as shown in Table 2 below.

Table 2: Funding Approvals to Date and Estimated Costs

Description	Report Number	Approval Date	\$ Amount *
FUNDING:			
Funding - 2018	n/a – routine	Jun. 1/2018	(\$268,000)
Funding - 2019	n/a – routine	Mar. 29/2019	(\$139,000)
Funding - 2020	CORP2019-080	Jan. 1/2020	(\$1,023,000)
Funding - 2021	n/a – routine	TBD	(\$1,931,000)
Total Funding			(\$3,361,000)
EXPENDITURES:			
Incurred to Date:			
Overhead, Consulting (detailed design, oversight, administration, overhead), and misc.			\$165,713
Projected Expenditures:			
Laurel Creek Rehabilitation – Regina St. to Weber St. (RFT20-14)	IPPW2020-049	TBD	\$2,182,286
Other Projected Costs (includes but not limited to): QC, regulatory approvals, contract admin, inspection, contingency, misc.			\$1,013,001
Total Projected Expenditures			\$3,195,287
Total Expenditures			\$3,361,000
BALANCE			\$0

* Note: non-recoverable portion of HST included



IPPW2020-049 Figure 1– Laurel Creek Rehabilitation Regina St. to Weber St.
Project Area



STAFF REPORT Engineering Services

Title: Resurfacing Roads – Various Locations – Funding Request
Report Number: IPPW2020-034
Author: Dan Ditaranto
Meeting Type: Not Applicable
Council/Committee Date: May 22, 2020
File: 120096
Attachments: [Attachments]
Ward No.: Various

Recommendations:

1. That IPPW2020-034 be approved.
2. That pursuant to By-Law No. 2020-016, the CAO approves the release of \$1,647,000 in capital funding for the road resurfacing program, funded \$635,000 from the Capital Infrastructure Reinvestment Reserve Fund and \$1,012,000 from the Ontario Community Infrastructure Reserve Fund, as per the 2020-2022 Approved Capital Budget (ref. #697).
3. That pursuant to By-Law No. 2020-016, the CAO approves the release of \$1,695,000 in capital funding on January 1, 2021 for the road resurfacing program, funded from the Capital Infrastructure Reinvestment Reserve Fund, as per the 2020-2022 Approved Capital Budget (ref. #697).
4. That pursuant to By-Law No. 2020-016, the CAO approves the release of \$1,745,000 in capital funding on January 1, 2022 for the road resurfacing program, funded from the Gas Tax Rebate Reserve Fund, as per the 2020-2022 Approved Capital Budget (ref. #697).

A. Executive Summary

This report requests approval to release approximately \$5.1 million in funding for the 2020-2022 road resurfacing program, as provided in the Approved 2020-2022 Capital Budget (ref. #697). As one of the City's asset management best practices, road resurfacing treatments are preventative in nature and extend the estimated service life of our roads. The 2020 program candidates are listed in Table 1 of this report. In 2021 and 2022, each year's program will be prioritized

and communicated to Council early in the year. Work will typically begin in the spring and finish in the fall, and is carried out through the City's annual asphalt and concrete contract (currently awarded to Brantco Construction).

B. Financial Implications

The 2020-2022 Approved Capital Budget provides a total of approximately \$5.1 million for road resurfacing over the next three years (ref. #697). For 2020, this consists of \$635,000 from the Capital Infrastructure Reinvestment Reserve Fund and \$1,012,000 from the Ontario Community Infrastructure Reserve Fund. For 2021, this consists of \$1,695,000 from the Capital Infrastructure Reinvestment Reserve Fund, and for 2022, \$1,745,000 from the Gas Tax Rebate Reserve Fund.

C. Technology Implications

None

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

Infrastructure Renewal – Plan, renew and maintain existing infrastructure

E. Previous Reports on this Topic

None

F. Approvals

Name	Signature	Date
Author: Dan Ditaranto		
Director: Dan Ditaranto		
Commissioner: Cameron Rapp		
Finance: Michael Pugliese		

CAO



Resurfacing Roads – Various Locations – Funding Request IPPW2020-034

Section 1 – Background

Each year, based on the City's Asset Management Decision Support System, the Operating and Capital budgets provide funding for road rehabilitation programs. This primarily includes reconstructions (with underground improvements) and asphalt resurfacing (with associated localized curb and sidewalk repairs, if applicable). As provided in the 2020-2022 Approved Capital Budget, the road rehabilitation program includes approximately \$5.1 million for road resurfacing over the next three years. To support the road rehabilitation program, a data management system is used to identify the most cost-effective locations for annual road resurfacing work. For each street in the City, the system analyzes a wide range of input data, including a recent pavement condition survey, traffic volumes, and previous rehabilitation works to produce a list of prioritized "candidate" streets that would benefit the most from asphalt resurfacing.

To undertake the pavement condition survey, all streets are driven on a three-year cycle. The highest priority locations are further examined using a "cross asset" analysis to determine the extent of rehabilitation works required to sanitary, storm, watermain, and other infrastructure within the municipal right-of-way. Other factors, such as anticipated developments and coordination with nearby projects, are also considered and professionally managed.

If significant underground works are required, or if the road requires complete rehabilitation or major upgrading, the street is considered as a reconstruction candidate rather than a resurfacing project. Generally, these types of road sections have deteriorated to a point where they can only be maintained in a poor condition until they are reconstructed. If significant underground or major rehabilitation works are not required, the road remains a resurfacing candidate. Resurfacing treatments are preventative in nature and extend the estimated service life of the road. The above prioritization process is undertaken annually based on the most recent pavement condition surveys and field inspections carried out after each winter.

These urban renewal projects demonstrate the City's commitment to long-term capital reinvestment in its public infrastructure. This work is underpinned by the City's Asset Management Plan that is being used to track the condition, costs, and life cycle of Waterloo's 397 km road network.

Section 2 – 2020 Road Resurfacing Program

The 2020 road resurfacing program candidates are shown below in Table 1. As described above, in 2021 and 2022, each year's program will be prioritized and communicated to Council early in the year. Work will typically begin in the spring and finish in the fall, and is carried out through the City's annual asphalt and concrete contract (currently awarded to Brantco Construction via RFT19-02). Within the resurfacing program, several remedial methodologies may be employed. For example, several candidates are marked for complete asphalt removal and replacement (generally between two intersections, i.e. in block-to-block sections). However, in some cases the "mill and overlay" methodology may be used. Using that approach, the asphalt would be milled to a give depth (e.g. 60 mm) and then a new surface layer put on without removing the entire thickness of existing asphalt. This methodology can be advantageous from a cost perspective while still extending the life of the road and allowing the worst areas to be targeted without necessarily completing full street blocks.

Table 1: 2020 Road Resurfacing Program

Scope of Work	Location	Limits of Work	
		From	To
Various Asphalt Resurfacing (remove and replace, or mill and overlay asphalt, curb and sidewalk repairs)	1. Hospice Lnwy (surface asphalt)	1. All	
	2. Lexington Ct (surface asphalt)	2. All	
	3. Canterbury Dr	3. Auburn Dr to Dansbury Dr	
	4. Cedar Grove Pl	4. All	
	5. Conestogo Rd	5. King St to west of Dotzert Ct	
	6. Dansbury Dr	6. Lee Ave to Bridge St	
	7. Dunbar Rd	7. William St to Alexandra Ave	
	8. Erbsville Ct	8. Erb St to Paradise Cr	
	9. Golden Eagle Rd	9. Intersection at Northlake Dr	
	10. Highpoint Ave	10. Intersection at Northlake Dr	
	11. Pommel Gate Cr	11. All	
	12. Skylark Rd	12. Northfield Dr to Northlake Dr	
	13. Westvale Dr	13. Westfield Dr to Heather Hill Pl	
	14. Wildwood Pl	14. All	
Various Asphalt Resurfacing (repairs)	Asphalt repairs. 60 mm mill & overlay as needed.	Localized repairs City-wide.	

Section 3 – Financial Implications

The 2020-2022 Approved Capital Budget provides a total of approximately \$5.1 million for road resurfacing over the next three years (ref. #697). For 2020, this consists of \$635,000 from the Capital Infrastructure Reinvestment Reserve Fund and \$1,012,000 from the Ontario Community Infrastructure Reserve Fund. For 2021, this consists of \$1,695,000 from the Capital Infrastructure Reinvestment Reserve Fund, and for 2022, \$1,745,000 from the Gas Tax Rebate Reserve Fund.



STAFF REPORT Transportation Services

Title: Transportation Master Plan Implementation Sign
Replacement – 2020 Capital Funding Release
Report Number: IPPW2020-039
Author: Chris Dedman
Council Date: June 12, 2020
File:
Attachments:
Ward No.: All Wards

Recommendations

1. That IPPW2020-039 be approved.
2. That pursuant to By-Law No. 2020-016, the CAO approves the release of the \$500,000 non-routine capital funding for the Transportation Master Plan (TMP) Implementation Sign Replacement project, funded \$500,000 from the Capital Reserve Fund, as per the 2020-2022 Approved Capital Budget (ref #717).

A. Executive Summary

The purpose of this report is to request the release of non-routine funding to initiate the work with regards to the direction from the May 25th Council meeting. The funding will support the City wide roll out of Active Transportation initiatives relating to the increased demand for pedestrian and cycling space due to COVID-19.

B. Financial Implications

The approved 2020 capital budget included a total of \$500,000 from the Capital Reserve Fund (CRF) to provide for the Transportation Master Plan Implementation Sign Replacement project, as approved on February 10, 2020.

C. Technology Implications

None

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

Sustainability and the Environment:

- Planning for a city less dependent on the auto, thereby reducing the harmful effects of greenhouse gas emissions.

Safe and Sustainable Transportation:

- Expanding the City's active and accessible transportation network provides safer options for our citizens.

E. Previous Reports on this Topic

None

F. Approvals

Name	Signature	Date
Author: Chris Dedman		
Director: Christine Koehler		
Commissioner: Cameron Rapp		
Finance: Susan Boldt		

CAO



Transportation Master Plan Implementation Sign Replacement – 2020 Capital Funding Release IPPW2020-039

1.0 Background

Direction from the May 25th Council meeting was aimed at providing more space on our roads, sidewalks and trails for active users as a result of the COVID-19 outbreak. Staff will review the requests and make recommendations for implementation of various measures across the City in order to provide additional space for active uses. It is anticipated that there will be costs associated with this work that would include, but not be limited to, signs, painted lines and symbols, traffic cones and communications to the public.

2.0 Financial Implications

The approved 2020 capital budget included non-routine funding for the Transportation Master Plan Implementation Sign Replacement project in the amount of \$500,000, funded from the Capital Reserve Fund, ref #717. Funding will be used as identified in the table below.

Table 1: Funding Approvals to Date and Estimated Costs:

Description	Report Number	Approval Date	\$ Amount*
Funding:			
Funding Ref#717 – 2020	Non-routine	2020 Jun 12	\$(500,000)
Total Funding			\$(500,000)
Projected Expenditures:			
COVID signage, per directive			\$300,000
Future TMP signage			\$200,000
Total Projected Expenditures:			\$500,000
TOTAL			\$0

*Note: non-recoverable portion of HST included



STAFF REPORT Transportation Services

Title: Extension of Regional Maintenance Agreement
Report Number: IPPW2020-055
Author: Christine Koehler
Meeting Type: Council Meeting
Council/Committee Date: August 24, 2020
File: N/A
Attachments: N/A
Ward No.: All Wards

Recommendations:

1. That IPPW2020-055 be approved.
2. That the Commissioner of Integrated Planning & Public Works be authorized to execute a one year extension to the "Regional Road Maintenance Agreement", subject to the satisfaction of the City Solicitor, with the Regional Municipality of Waterloo, for the City of Waterloo to continue to provide general, routine summer and winter maintenance services on Regional Roads within the City of Waterloo for the period from January 1, 2021 to December 31, 2021, as outlined within this report.

A. Executive Summary

The City of Waterloo has provided general, routine maintenance on Regional roads within the City of Waterloo boundaries since the inception of the Region in 1973. This service was paid for on a "time and material" basis for the period of 1973-2005. In 2006, the first Regional Road Maintenance Agreement (Agreement) was established for the period of 2006-2008. In 2009, this service was again performed on a "time and material" basis while a second Agreement was being negotiated. The 2014-2019 Agreement was set to expire on December 31, 2019 however was extended to December 31, 2020 as per report IPPW2019-052.

As noted in IPPW2019-052, the area municipalities requested an extension for 2020 in order to establish appropriate unit rates for roads along the ION route and new active transportation infrastructure such as segregated bike lanes. Due to the effects of COVID-

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19, the Region and the area municipalities have not been able to complete the work on this project and are requesting an additional one year extension to December 31, 2021.

B. Financial Implications

To date the 2015-2019 Agreement and the 2020 extension have resulted in full cost recovery for the City of Waterloo. For summer maintenance, the City of Waterloo is paid via a summer 'lump sum' approach and adjusted annually for inflation and lane km growth. Over the course of 2015-2019 the City has accumulated a total summer surplus of \$297,587. Under the terms of the Agreement, any summer surpluses are the Cities' to keep in their respective Regional Road Maintenance Reserve (#870037), which then can be used to offset any future summer deficits or for the first 5% of winter overage costs.

Table 1: 2015-2019 and 2020 Summer Maintenance Results (City of Waterloo):

Regional Road Maintenance Agreement - Summer				
2015	422,531	311,948	422,531	110,583
2016	430,962	323,107	430,962	107,855
2017	443,684	475,010	443,684	(31,326)
2018	446,575	436,943	446,575	9,632
2019	462,259	361,416	462,259	100,843
2020*	486,421	119,511	486, 421	TBD based on final 2020 Summer Actuals

*actuals as of June 2020

For winter maintenance, the City of Waterloo is paid via a baseline average (BA) approach. The winter BA has been set using 5-year historical actual winter maintenance costs for each City. The winter BA is adjusted annually for inflation and lane km growth. For winter maintenance costs the Region reimburses the cities for actual winter expenses up to 100% of the BA. Any costs incurred in excess of the BA up to 105% are the responsibility of the cities. Any cost exceeding 105% of the BA is again reimbursed by the Region.

This shared risk approach, provides the cities with additional protection during winter seasons that are more severe leading to actuals than exceed the BA significantly while also providing the Region cost control certainty. Over the course of 2015-2019 the City has accumulated a total winter overage of \$142,685, which has been fully funded by the Regional Road Maintenance Reserve (#870037). Currently, the Regional Road Maintenance Reserve (#870037) has a balance of \$206,841, since the fund was first set up in 2011, of which \$115,746 pertains to the period of 2015-2019.

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Table 2: 2015-2019 and 2020 Winter Maintenance Results (City of Waterloo):

Regional Road Maintenance Agreement - Winter				
2015	996,082	1,071,962	1,022,158	49,804
2016	1,016,009	1,040,649	1,016,009	24,640
2017	1,045,687	1,059,452	1,045,687	13,765
2018	1,052,538	1,002,587	1,002,587	-
2019	1,089,524	1,255,614	1,201,138	54,476
2020*	1,146,512	859,434	859,434	TBD based on final 202 Winter Actuals

* Actuals as of June 2020

C. Technology Implications

There are no technology implications within this report.

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

E. Previous Reports on this Topic

IPPW2019-052 – Extension of Regional Maintenance Agreement (October 7, 2019)

IPPW2014-097 – Regional Road Maintenance Agreement (September 8, 2014)

Approvals

Name	Signature	Date
Author: Christine Koehler		
Director: Christine Koehler		
Commissioner: Cameron Rapp		
Finance: Filipa Reynolds		

CAO



Extension of Regional Maintenance Agreement IPPW2020-055

Report

The rationale to continue to provide this service has been long standing; and, as such, staff have been working partners with the Region and area municipalities to establish a new agreement to be effective January 1, 2021.

Staff from the City has met on a number of occasions with staff from the Region and staff from the other area municipalities to discuss the development of a new agreement. While each municipality enters into a separate agreement with the Region, the basis of the agreement remains virtually identical, with each individual municipality establishing unit rates for the tasks on the Regional roads lying within their respective boundaries. Maintenance tasks included in the existing agreement are: road patrol, surface asphalt maintenance, shoulder maintenance, street sweeping, spring cleanup (litter and debris pickup, right of way drainage including catch basin and maintenance hole maintenance, leaf pick up and disposal, winter snow and ice control (on roads), emergency response (e.g. accident clean up, washouts, spills, debris, trees, etc.) and preventative maintenance agreed to by the Region.

The Region has experienced significant change recently, and specifically throughout the duration of the existing 5-year agreement.

Construction of the ION was commencing just as the current agreement took effect, and ridership commenced in June 2019. The ownership of the roads for which the ION travels are Regional owned and form part of the agreement. City crews have yet to experience providing a full year of maintenance along the ION route.

In addition, increased focus on providing active transportation options within the Region has been made through the duration of the existing agreement. Many new and different types of active transportation routes (on-road cycling infrastructure, separated cycling infrastructure, additional sidewalks, multi-use trails, etc.) have been installed within the Region. In 2018, the Province of Ontario passed new legislation (O.Reg 239 – Minimum Maintenance Standards for Municipal Highways) requiring municipalities to provide year-round maintenance of these types of facilities; to raise the level of maintenance to that historically reserved for roads. In many cases, city crews have not yet experienced providing year round maintenance on the new active transportation infrastructure.

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Negotiations for the multi-year agreement began late in 2019 and continued until March 2020 when all in person meetings were cancelled due to the COVID-19 pandemic. With the onset of operational changes related to the pandemic, municipalities across the Region turned their focus to provide critical service maintenance using minimal staffing. No capacity existed within the municipalities to consider the maintenance agreement in addition to the COVID emergency management and recovery response.

Based on COVID-19, both Regional staff and area municipality staff have agreed that completion of the agreement should be postponed until 2021. All parties agree that an additional 1-year extension of the existing agreement dated, January 1, 2014 to December 31, 2019, is the most reasonable approach forward.



STAFF REPORT Transportation Services

Title: Pedestrian Crossing Flags
Report Number: IPPW2020-024
Author: Jenny Setterfield
Meeting Type: Council Meeting
Council/Committee Date: April 6, 2020
File: Road Safety Program
Attachments: None
Ward No.: City Wide

Recommendations:

1. That Council not approve the Pedestrian Crossing Flags program within the City of Waterloo as per Report IPPW20-024.

A. Executive Summary

On November 18, 2019 at the Finance & Strategic Planning Committee Meeting, a grade eight resident of the City of Waterloo presented to Council the idea of using Pedestrian Crossing Flags (PCF). Council gave staff the direction to explore the opportunity of using PCF at selected locations within the City of Waterloo.

PCF are a tool used for pedestrians when crossing the street at an uncontrolled intersection or midblock. Municipalities across North America have run pilot projects with these flags that resulted in inconclusive improvements to both driver behaviour and pedestrian safety. Many of these municipalities no longer replace flags or install flags at new intersections.

For this reason and others stated within this report, staff are recommending that this program not be endorsed for use the City of Waterloo.

B. Financial Implications

There are no financial implications with this recommendation.

C. Technology Implications

There are no technology implications with this report.

D. Link to Strategic Plan

Safe, Sustainable Transportation- improve all modes of transportation to make Waterloo more mobile, accessible and connected.

E. Previous Reports on this Topic

There are no previous reports on this topic.

F. Approvals

Name	Signature	Date
Author: Jenny Setterfield		
Director: Christine Koehler		
Commissioner: Cameron Rapp		
Finance: N/A		

CAO



Pedestrian Crossing Flags IPPW20-024

1.0 Background

Pedestrian Crossing Flags (PCF) originated in 1996 in Kirkland, Washington in response to a young pedestrian involved in a fatal collision. PCF programs install baskets with flags on either side of an uncontrolled crosswalk or intersection where pedestrians can hold up the flags while crossing to be more visible to drivers. PCF programs can be found in municipalities in Prince Edward Island, Alberta, British Columbia, Manitoba, and Nova Scotia. Typically, PCF are implemented only at crosswalks without pedestrian crossing controls and in areas with speeds less than 50 km/h. The installation is relatively inexpensive, costing approximately \$200 per intersection.

The use of PCF are similar to other pedestrian crossing enhancements including side mounted rectangular rapid and or overhead flashing beacons. These devices are voluntary for pedestrians to use while crossing the road.

Youth and seniors are more likely to use the PCF than other age demographics. Though, in Salt Lake City the pilot did prohibit PCF installations within school zones.

The proper use of crossing flags force pedestrians and drivers to interact by making eye contact. Some pedestrians feel that the presence of the flags at the intersection make drivers more aware of the potential of pedestrians. However, there is confusion around the logistics when implemented at an uncontrolled crosswalk in which pedestrians do not have the right-of-way. These flags could lead to pedestrians misinterpreting that they have the right-of-way, assuming vehicles will stop before they begin to cross, which increases the likelihood for a collision and serious injury.

2.0 Collisions & Safety

PCF pilot projects have influenced pedestrian and driver relationships but there is no evidence to indicate an improvement in safety. In Waterloo Region, 25.5% of pedestrian collisions in 2018 occurred at mid-block crossings with no traffic controls. Comparatively, between 2014 to 2018 all fatal injury pedestrian collisions occurred at midblock locations without traffic controls. In that four year period, the City of Waterloo experienced one fatality of a pedestrian at a mid-block crosswalk without traffic controls. As a principle identified in the City of Waterloo's Transportation Master Plan (TMP) the

city would like to facilitate Healthy and Safe Communities, which could be compromised with the installation of PCF. Ultimately, there is no evidence to support that PCF create safer crossing conditions for pedestrians.

3.0 Highway Traffic Act - Pedestrian Rights and Responsibilities

The Ontario Highway Traffic Act (HTA) defines the rules of the road, including conditions under which pedestrians can cross a road and walk within the roadway. The HTA also identifies the responsibilities and rights of pedestrians and drivers at different forms of pedestrian crossings.

Under the HTA, a Pedestrian includes¹:

- a) A person who is not in or upon a vehicle, motorized or otherwise propelled
- b) A person in a wheelchair driven by muscular or any other kind of power
- c) A person pushing a bicycle or a wheelchair

Highway Traffic Act (HTA) Pedestrian Responsibilities²:

1. In the absence of statutory provisions or by-law, a pedestrian is not confined to a street crossing or intersection and is entitled to cross at any point, although greater care may then be required of him or her in crossing. However, pedestrians crossing the highway must look to ensure the crossing can be made safely or possibly be held responsible for any ensuing collision.
2. Pedestrians must exercise due care even when they are lawfully within a crossing and have right-of-way. It is not an absolute right and they must still exercise care to avoid a collision with a vehicle.
 - a. Duty at Traffic Control Sign- Pedestrian Crossing: where portions of a roadway are marked for pedestrian use, no pedestrian shall cross the roadway except within a portion so marked.

This means that at an uncontrolled crossing, vehicles have the right of way. The installation of these flags may lead to confusion between pedestrians and drivers that could increase the risk for collisions and injuries.

4.0 Challenges

The main challenge with the installation of PCF is concern for safety and consistency at uncontrolled crossings. Residents may question why the intersection or midblock was chosen for flags and not a more protective measure. As there is no formal evidence-

¹ Government of Ontario. (June 2016). *Ontario Traffic Manual Book 15: Pedestrian Crossing Treatments*.

² Government of Ontario. (June 2016). *Ontario Traffic Manual Book 15: Pedestrian Crossing Treatments*.

based research or criteria for the implementation of the flags, it would be difficult to implement and support on a consistent and justified approach. This could lead to confusion and a false sense of security if they are at some locations but not all.

Another challenge the City of Waterloo would face with the implementation of PCF would be the potential for theft. An on-going issue surrounding both the University of Waterloo and Wilfrid Laurier University is property loss and damage to city-owned assets. Any flags installed in these areas could be a high risk for theft and cost to replace them.

Driver stop compliance is varied and based on factors such as: light or darkness outside, weather conditions, snow banks, parked cars, traffic levels and the vulnerability of the pedestrian. For the pilot project in Halifax, pedestrians reported issues with driver visibility of pedestrians. Stop compliance did not improve and was not consistent even after the installation of the flags.

PCF would need to be accessible to all pedestrians which means complying to Accessibility for Ontarians with Disabilities Act (AODA). This is an area that no municipality has undertaken to date nor does the AODA reference these types of devices. Staff would have to consult with our local stakeholders to obtain feedback.

5.0 Liability

There are liability concerns in regard to the installation of PCF. There is uncertainty surrounding the city's role in the event of a collision as the flags' use are voluntary. For example, if an individual crosses without using a flag and is struck, the City of Waterloo could be potentially liable.

There are existing guidelines for treatment of uncontrolled crossings outlined in Ontario Traffic Manual Book 15. If staff were to implement these flags, it would go against these guidelines.

Traffic control devices and road safety tools should be evidenced-based and standardized to ensure the rationale, consistency and effectiveness of the device(s).

6.0 Existing Transportation Safety Initiatives

The City of Waterloo places high importance on facilitating safe transportation for all road users. Currently, there are a variety of programs to encourage active and safe transportation which should take priority over PCF. An example of this is the City of Waterloo Traffic Calming Policy which allows residents, neighbourhood associations, ward councillors or city staff to request a review for traffic calming. Traffic Calming measures include but are not limited to: pedestrian refuge islands to allow pedestrians to focus on a single direction of vehicle travel at a time, bump outs to shorten the distance to cross and the upcoming pedestrian crossover installations to give the pedestrian the right of way at a crossing.

The City also uses standard warrant criteria for traffic control devices such as stop signs, intersection and midblock pedestrian signals and full traffic signals.

Additionally, together through the Waterloo School Boards, Student Transportation Services and City staff there are a variety of programs to encourage children to utilize active transportation to and from school. These programs include School Travel Planning, Walking School Bus, Student Bicycle Training, Sidewalk Smarts Program and International Walk to School Week. Each of these programs highlights the importance of health and safety while traveling to school.

All of these programs are aimed to increase the safety of our most vulnerable road user: the pedestrian.

7.0 Conclusion

Staff do not recommend the installation of Pedestrian Crossing Flags within the City at this time given the uncertainty regarding liability, the inconsistency in implementation and the unproven effectiveness of the flags.



STAFF REPORT Transportation Services

Title: Traffic and Parking By-law Amendments - School Area Speed Limits
Report Number: IPPW2020-025
Author: Jenny Setterfield
Meeting Type: Council Meeting
Council/Committee Date: August 24, 2020
File: N/A
Attachments: None
Ward No.: Wards 1, 2, 3, 5, 6, 7

Recommendations:

1. That report number IPPW20-025 be approved.
2. That Traffic and Parking By-law #08-77 be updated with the amendments contained herein.

A. Executive Summary

School zones within the City of Waterloo have been under review by city staff. This review, in addition to comments from residents, has determined that there are several school zones that require modifications in order to better align with the Highway Traffic Act and serve the students for their commutes to and from school.

Schools that require modifications include:

1. Mary Johnston Public School
2. Edna Staebler Public School
3. Vista Hills Public School
4. Laurelwood Public School
5. Cedarbrae Public School
6. Lexington Public School
7. St. Agnes Catholic School
8. St. Matthew Catholic School
9. Centennial Public School
10. Our Lady of Lourdes Catholic School
11. Empire Public School

B. Financial Implications

The installation of new signage within the required school zones will cost approximately \$5000 and is to be funded from the Transportation Services – operating budget traffic sign replacement account.

C. Technology Implications

There are no technology implications with this report.

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

This report is linked to the City of Waterloo Strategic Plan by connecting to the objectives: Safe & Sustainable Transportation and Healthy Community & Resilient Neighbourhoods. Approval of this report will lead to the implementation of traffic speeds that respect the safety of the community, encourage all modes of transportation to share the road and supporting active transportation.

E. Previous Reports on this Topic

PWS2003-048 Pilot Project – 40 km/hr Speed Zones in School Areas

PWS2013-031 School zone 40 km implementation

3 Integrated Planning & Public Works

F. Approvals

Name	Signature	Date
Author: Jenny Setterfield		
Director: Christine Koehler		
Commissioner: Cameron Rapp		
Finance:		

CAO



Traffic and Parking By-law Amendments - School Area Speed Limits IPPW2020-025

Section 1- Background

Transportation Services staff propose that school zones within the City of Waterloo become standardized to the limits set out in the Highway Traffic Act (HTA). This will encourage slower speeds near schools and allow for potential automated speed enforcement in the future.

As prescribed in the HTA, “municipalities may by by-law, designate a portion of a highway under its jurisdiction that adjoins the entrance to or exit from a school and that is within 150 metres along the highway in either direction beyond the limits of the land used for the purposes of the school”. The intent of the meaning of *entrance to and exit from* is for vehicle access only and not pedestrian or other active transportation. Many of the schools within the City of Waterloo require modifications to best fit the definition of a school zone, as described in the HTA.

In order for these school zones to be eligible for automated speed enforcement, the city must keep within the HTA definitions and limits and not extend beyond them. Through regular traffic operations analyses, staff can further review each school area on a case by case basis to implement other traffic calming measures as appropriate.

The suggested Rate of Speed changes for each school zone are listed below with maps to indicate the modifications.

1. Mary Johnston Public School – Ward 1

Mary Johnston Public School is located at 475 Brynhurst Boulevard. The school's access is off Keats Way. The school zone requires an extension on Keats Way to 100 meters north of Brynhurst Boulevard, plus 60 meters south of Sandford Fleming Drive and on Brynhurst Boulevard to Amberwood Drive. In addition to the speed limit changes, staff have been working with Student Transportation Services of Waterloo Region, the School Board and School Council to improve the operations in front of the school. As such, staff are recommending changing the existing no parking along the east side of Brynhurst Boulevard to no stopping, to reduce the amount of vehicle congestion and improve the sight lines for students crossing this road.

2. Edna Staebler Public School – Ward 2

Edna Staebler Public School is located at 450 Bernay Drive. The school has two driveway accesses: one off Bernay Drive and the other off St. Moritz Avenue. In 2020, a new all-way-stop was installed at the intersection of Montpellier Drive and St. Moritz Avenue. The

school zone requires an extension on St. Moritz Avenue from Sauve Crescent/St. Moritz Avenue to 507 St. Moritz Avenue and on Bernay Drive to Brandenburg Boulevard.

3. Vista Hills Public School – Ward 2

Vista Hills Public School is located at 314 Sweet Gale Street. The school has two driveway accesses: one off Ladyslipper Drive and one off Sweet Gale Street. The school zone requires an extension on Ladyslipper Drive to 165 meters north of Dewdrop Crescent and on Sweet Gale Street from Buttonbush Street to Ladyslipper Drive.

4. Laurelwood Public School – Ward 3

Laurelwood Public School is located at 460 Brentcliffe Drive. The school has two driveway accesses off Brentcliffe Drive. The school zone requires an extension along Brentcliffe Drive from 440 Brentcliffe Drive to 489 Brentcliffe Drive. In addition to the speed limit changes, staff have been working with Student Transportation Services of Waterloo Region, the School Board and School Council to improve the operations in front of the school. As such, staff are recommending extending the no stopping restrictions along the east side of Brentcliffe Drive and adding no parking restrictions along Beaver Creek Road near the intersection to reduce the amount of vehicle congestion and improve the sight lines for students crossing.

5. Cedarbrae Public School – Ward 3

Cedarbrae Public School is located at 230 Cedarbrae Avenue. The school has one driveway access off Cedarbrae Avenue and another for service vehicles. The school zone requires an extension from 204 Cedarbrae Avenue to 241 Cedarbrae Avenue.

6. Lexington Public School – Ward 5

Lexington Public School is located at 431 Forestlawn Road. The school has three driveway accesses off Forestlawn Road. The school zone requires an extension further east to 403 Forestlawn Road.

7. St. Agnes Catholic School – Ward 5

St. Agnes Catholic School is located at 75 Bluevale Street North. The school has two driveway accesses; one off Neilson Avenue and one off Bluevale Street North. The current school zone requires an extension along Neilson Avenue from Margaret Avenue North to Bluevale Street North.

8. St. Matthew Catholic School – Ward 5

St. Matthew Catholic School is located at 405 Pastern Trail. The school has two driveway accesses off Pastern Trail. The school zone requires an extension south along Pastern Trail.

9. Centennial Public School – Ward 6

Centennial Public School is located at 141 Amos Avenue. The school has two driveway accesses off Amos Avenue. The school zone requires an extension to the intersection of Anatolin Place.

10. Our Lady of Lourdes Catholic School – Ward 7

Our Lady of Lourdes Catholic School is located at 173 Lourdes Street. The school has two driveway accesses: one off Roslin Avenue and one off Lourdes Street. In 2020, two knockdown signs were installed along Roslin Avenue. The school zone requires an extension to include Alexandra Avenue from Hillcrest Avenue to Roslin Avenue and Lourdes Street from Beverley Street to Roslin Avenue.

11. Empire Public School – Ward 7

Empire Public School is located at 83 Empire Street. The school has one driveway access off Empire Street. The school zone requires an extension on Alexandra Avenue to Hilliard Avenue.

Staff have been working with Student Transportation Services of Waterloo Region, School Boards and School Council to discuss improvements to the parking and stopping areas in terms of drop off and pick up

Section 2 - By- Law Update

SCHEDULE “1” PART V SECTION 4, NO PARKING

DELETE

Highway	Side	From	To	Times/Days
Brynhurst Boulevard	East	37m N of Keats Way	145m N of Keats Way	8:00 am - 5:00 pm Monday – Friday

ADD

Highway	Side	From	To	Times/Days
Beaver Creek Road	North	Brentcliffe Drive	54m W of Brentcliffe Drive	8:00 - 5:00 pm Monday – Friday September 1 - June 30
Beaver Creek Road	South	Brentcliffe Drive	50m west of Brentcliffe	8:00 - 5:00 pm Monday - Friday September 1 - June 30

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SCHEDULE “4”, PART V, SECTION 8, NO STOPPING

DELETE

Highway	Side	From	To	Times/Days
Brentcliffe Drive	West	Edenwood Place	18m north of Edenwood Place	8:00 - 9:00 am 3:00 – 4:00 pm Monday – Friday September 1 - June 30

ADD

Highway	Side	From	To	Times/Days
Brentcliffe Drive	West	Edenwood Place	100m N of Edenwood Place	8:00-9:00 am 3:00-4:00 pm Monday to Friday September 1- June 30
Brynhurst Boulevard	East	Keats Way	Amberwood Drive	8:00 am - 9:00 am 11:30 am - 1:30 pm 3:00 pm - 5:00 pm Monday - Friday September 1 – June 30

SCHEDULE “17” PART XIV, SECTION 1- RATES OF SPEED (KM/HR)

DELETE

Highway	From	To	Maximum Rate of Speed
Amos Avenue	Marlow Drive	Coleridge Drive	40 km/h
Bernay Drive	Avignon Place	St. Moritz Avenue	40 km/h
Brentcliffe Drive	Edenwood Place	Beaver Creek Road	40 km/h
Cedarbrae Avenue	Sunnydale Place	Glen Manor Boulevard	40 km/h
Empire Street	Stanley Drive	Alexandra Avenue	40 km/h
Forestlawn Road	525 m east of Meadowvale Drive	856 m east of Meadowvale Drive	40 km/h
Keats Way	Sandford Fleming Drive	Brynhurst Boulevard	40 km/h
Ladyslipper Drive	Buttonbush Street/Dewdrop Crescent	Dewdrop Crescent	40 km/h
Pastern Trail	Auburn Drive	230m south of Auburn Drive	40 km/h

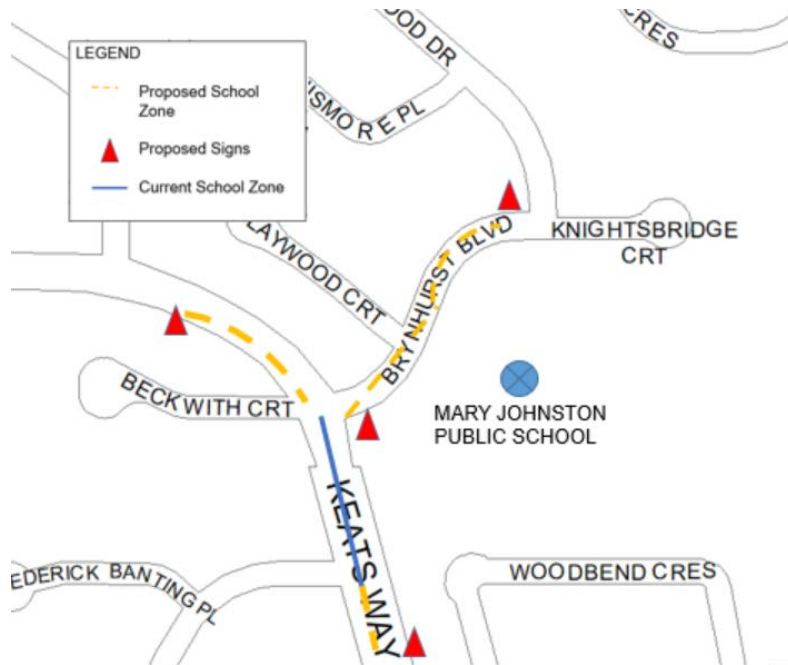
8 Integrated Planning & Public Works

ADD

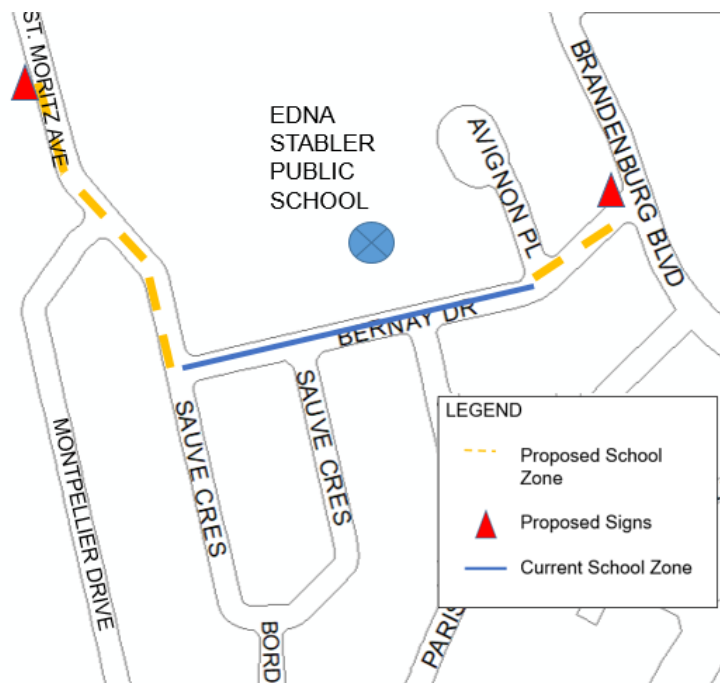
Highway	From	To	Maximum Rate of Speed
Alexandra Avenue	Hillcrest Avenue	Roslin Avenue South	40 km/h
Amos Avenue	Marlowe Drive	Anatolin Place	40 km/h
Bernay Drive	Sauve Crescent/ St. Moritz Avenue	Brandenburg Boulevard	40 km/h
Brentcliffe Drive	150m N of Gatestone Boulevard	80m N of Beaver Creek Road	40 km/h
Brynhurst Boulevard	Keats Way	Amberwood Drive	40 km/h
Cedarbrae Avenue	55m W of Sunnysdale Place	30m E of Glen Manor Boulevard	40 km/h
Empire Street	Alexandra Avenue	Hilliard Avenue	40 km/h
Forestlawn Road	130m E of Meadowvale Drive	856 m E of Meadowvale Drive	40 km/h
Keats Way	100m N of Brynhurst Boulevard	60m S of Sandford Fleming Drive	40 km/h
Ladyslipper Drive	Buttonbush Street/ Dewdrop Crescent	165 m N of Dewdrop Crescent	40 km/h
Lourdes Street	Beverley Street	Roslin Avenue South	40 km/h
Neilson Avenue	Margaret Avenue North	Bluevale Street North	40 km/h
Pastern Trail	Auburn Drive	120m N of Dansbury Drive	40 km/h
St. Moritz Avenue	Bernay Drive	100m N of Montpellier Drive	40 km/h
Sweet Gale Street	Buttonbush Street	Ladyslipper Drive	40 km/h

Section 3 – Maps

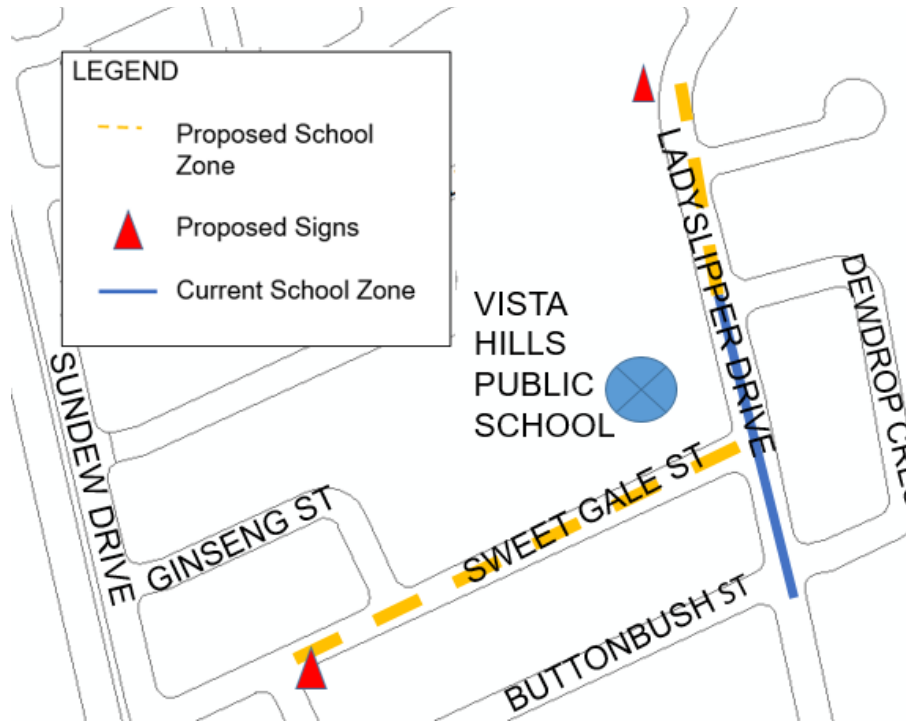
1. Mary Johnston Public School – Ward 1



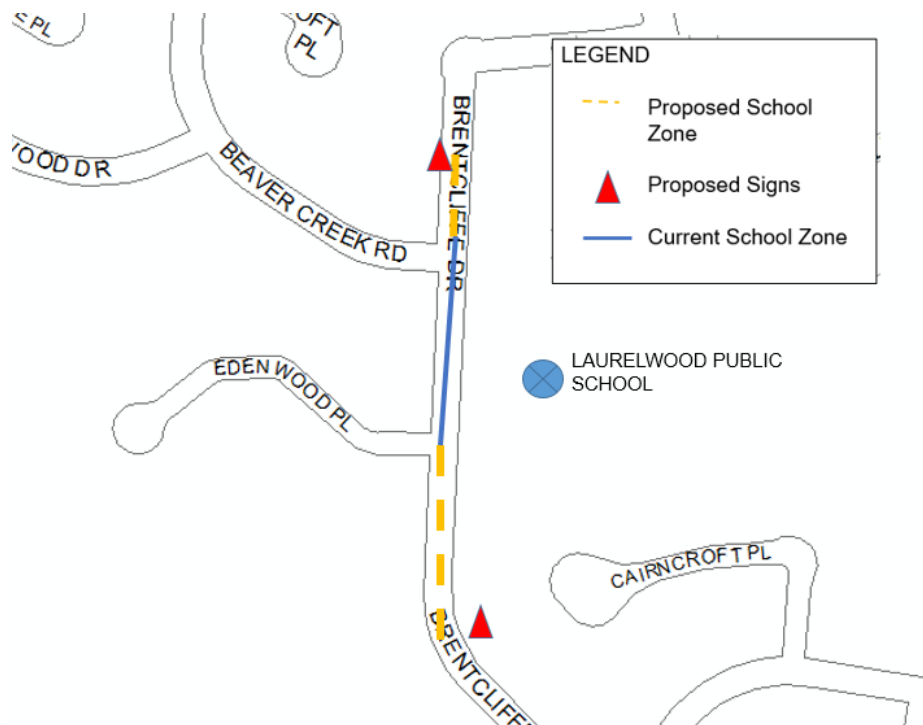
2. Edna Stabler Public School- Ward 2



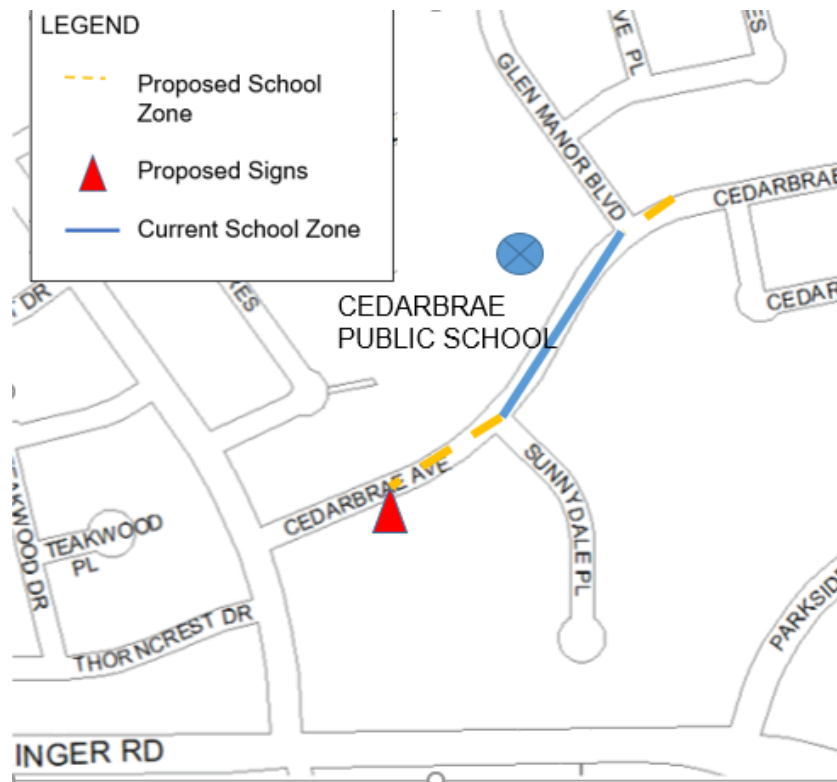
3. Vista Hills Public School – Ward 2



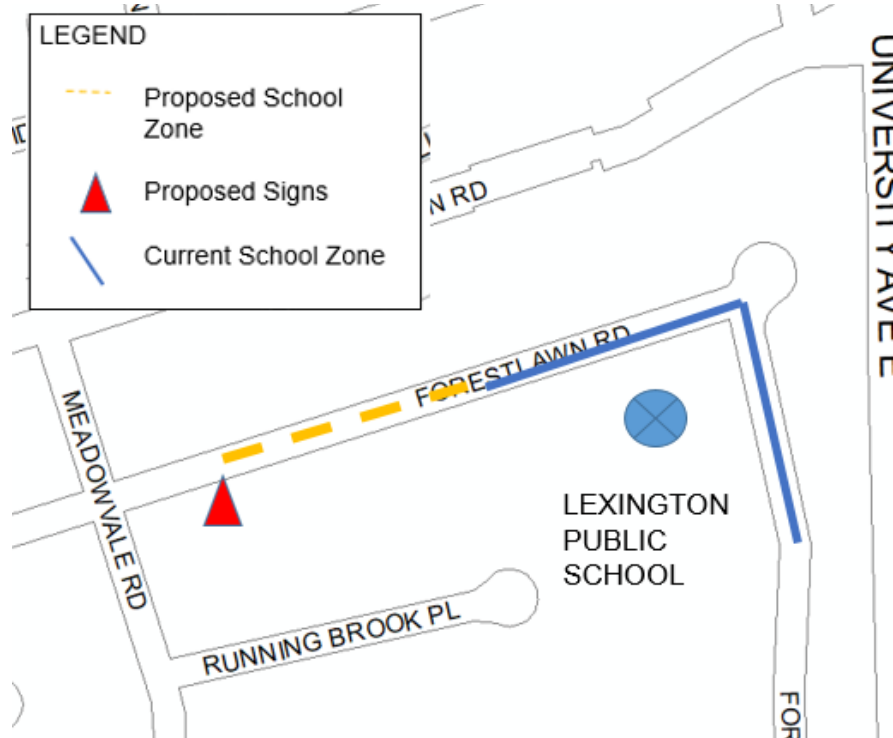
4. Laurelwood Public School – Ward 2



5. Cedarbrae Public School – Ward 3



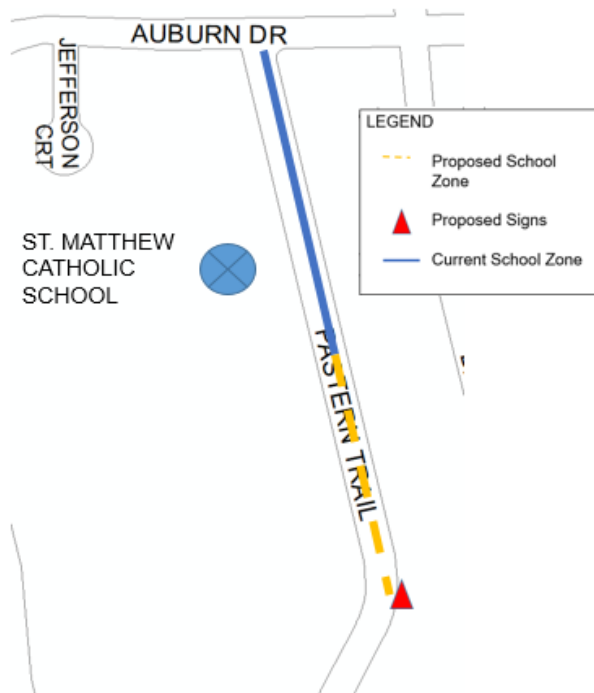
6. Lexington Public School – Ward 5



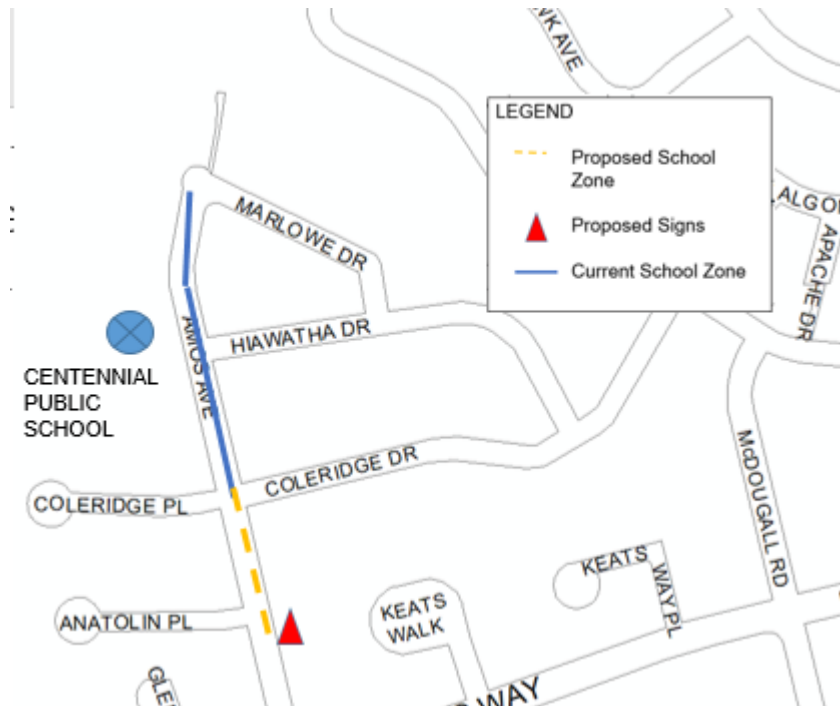
7. St. Agnes Catholic School – Ward 5



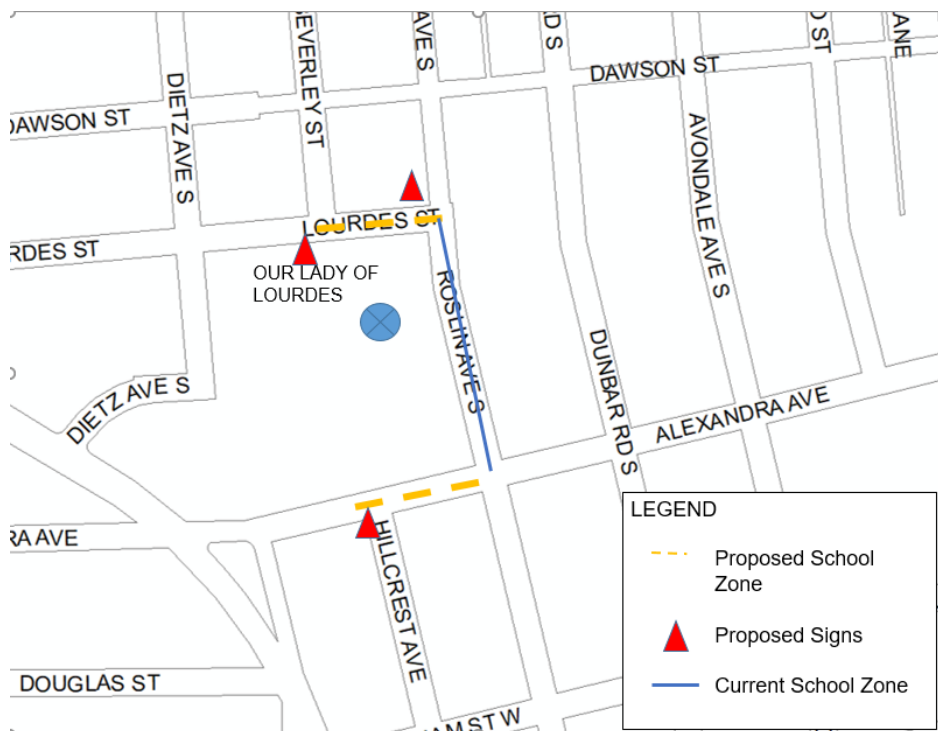
8. St. Matthew Catholic School – Ward 5



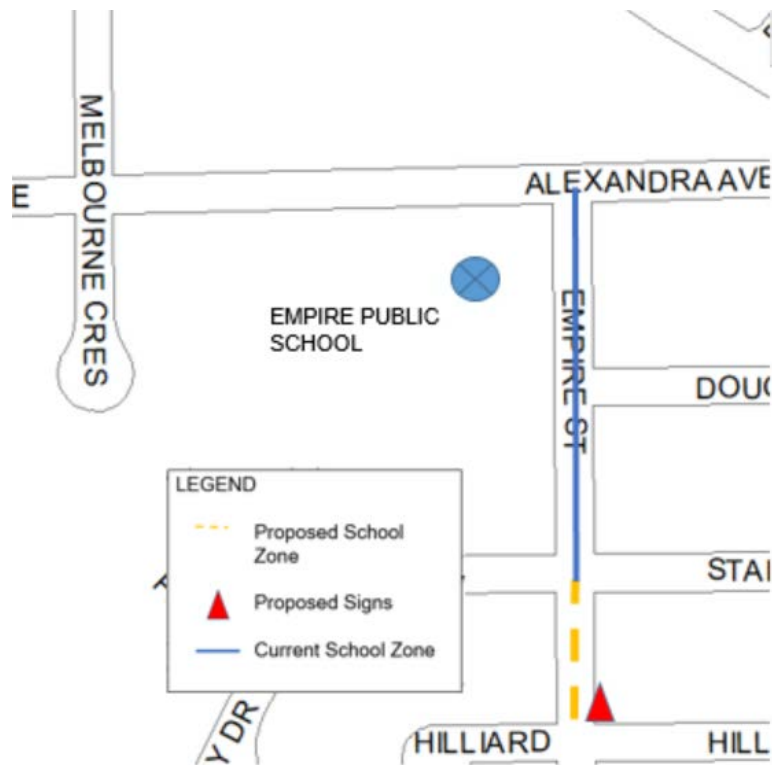
9. Centennial Public School – Ward 6



10. Our Lady of Lourdes – Ward 7



11. Empire Public School Ward 7





STAFF REPORT Transportation Services

Title: Automated Speed Enforcement Program
Report Number: IPPW2020-050
Author: Jenny Setterfield
Meeting Type: Council Meeting
Council/Committee Date: August 24, 2020
File: N/A
Attachments: None
Ward No.: All

Recommendations:

1. That report IPPW2020-050 regarding Automated Speed Enforcement Program be received; and
2. That Council authorize the Mayor and Clerk to execute all necessary agreements and renewals with the Region of Waterloo for the administration and operation of Automated Speed Enforcement on City roads to the satisfaction of the City Solicitor; and further
3. That Council approve the locations for Automated Speed Enforcement as outlined in report IPPW2020-050.

A. Executive Summary

Regional and area municipality staff are seeking to reduce traffic speeds to enhance user safety within school zones situated on Regional and local area municipality roadways through the application of Automated Speed Enforcement (ASE).

With the Region leading the development of an ASE program in Waterloo, Regional and area municipal staff have agreed on an operating model and implementation plan that involves Regional staff administering ASE on Regional roads and on area municipality roads on behalf of all area municipalities subject to Regional and local area municipality Council approvals and legal agreements.

All costs associated with the implementation and maintenance of all ASE site locations including area municipality sites will be the responsibility of the Region and all revenue collected will be retained by the Region.

The proposed phased ASE program launch consists of the implementation of ASE within eight school zones (one school zone per municipality) across the Region (on both Regional and area municipality roadways).

The City provided the Region of Waterloo with four (4) potential ASE site locations. In order of preference:

1. Keats Way - Keatsway Public School
2. Glen Forrest Boulevard – Sir Edgar Bauer Catholic School
3. Chesapeake Drive – Lester B. Pearson Public School and St. Luke's Catholic School
4. Moore Avenue – Elizabeth Ziegler Public School

Regional staff will work with area municipalities to complete the required applicable legal agreements. It is anticipated that the ASE Program will be operational in late 2020, at the earliest.

B. Financial Implications

There are no financial implications with the recommendations of this report. All Capital and Operating costs for the ASE program will be funded by the Region of Waterloo. The estimated start-up capital cost for the ASE program launch with eight (8) semi-fixed sites has an estimated cost of approximately \$360,000 and estimated operating cost of \$135,000 for the year.

All revenue from the program will be retained by the Region. The preliminary estimate for ASE revenue is in the range of \$200,000 to \$400,000 per year, subject to variability based on ASE operating parameters and driver compliance

C. Technology Implications

There are no Technology implications with this Program for the City of Waterloo.

D. Link to Strategic Plan

(Strategic Objectives: Safe, Sustainable Transportation)

(Guiding Principles: Sustainability)

E. Previous Reports on this Topic

Briefing Note: December 2019

F. Approvals

Name	Signature	Date
Author: Jenny Setterfield		
Director: Christine Koehler		
Commissioner: Cameron Rapp		
Finance:		

CAO



Automated Speed Enforcement Program IPPW2020-050

Legislation

In 2019, the provisions of Bill 65, the Safer School Zones Act, that amended the Highway Traffic Act to permit municipalities to use automated speed enforcement (ASE) to improve road safety, came into effect.

This legislative amendment allows municipalities to enact by-laws to permit the use of ASE exclusively in school zones and community safety zones. Municipalities would be responsible for the site selection and installation of cameras and signage, infraction processing and public communications.

Objectives

The main objective of ASE is to lower operating speeds in school and community safety zones to be more in line with the posted speed limits. Lower operating speeds would reduce the likelihood and severity of collisions in those areas. Another objective would be to influence the driving “culture” on all roads in the region whereby more drivers tend to drive at speeds closer to the posted speeds. This could be accomplished by increased awareness of ASE by drivers and also through education and communication of ASE that emphasizes its benefits including the reduced risk of deaths to pedestrians and cyclists at lower driving speeds.

Regional Approach

Regional staff consulted with area municipalities, Waterloo Regional Police Services (WRPS) and the Region’s POA staff regarding various potential ASE operating models. All parties agreed on an operating model that involves Regional staff administering ASE on Regional roads and on area municipality roads on behalf of all area municipalities subject to Regional and local area municipality Council approvals. All parties agreed that a key benefit of this proposed operating model is that the ASE program would be implemented and administered consistently throughout all municipalities. This consistency was considered to be critical to the successful launch and administration of this ASE program.

As part of the proposed operating model, the Region would be responsible for all costs associated with the implementation and maintenance of all ASE site locations including all area municipality sites. All ASE tickets would be administered through the Region's POA court system. In accordance with the current memorandum of understanding between the Region and area municipalities, all revenue collected would be retained by the Region.

Site Selection and Program Launch

Criteria used to prioritize sites was based on, but not necessarily limited to, speed limit compliance, historical pedestrian collisions, traffic volume, presence of sidewalk, boulevard space to install the equipment, and student demand walking to school.

Based on this criteria, City of Waterloo Transportation staff has chosen the following four (4) school zones:

1. Keats Way - Keatsway Public School
2. Glen Forrest Boulevard – Sir Edgar Bauer Catholic School
3. Chesapeake Drive – Lester B. Pearson Public School and St. Luke's Catholic School
4. Moore Avenue – Elizabeth Ziegler Public School

The recommended phased ASE program launch consists of the implementation of ASE within eight school zones (one school zone per municipality) using semi-fixed ASE sites across the Region (on both Regional and area municipality roadways). This phased approach recognizes the financial impact of COVID-19 while allowing POA staff to monitor offence volume while assessing resource needs. Staff recommend that the initial site be Keats Way – Keatsway Public School. Additional sites and cameras may be added to the program in future years based on available capacity and planned increases in staff resources, subject to Council approval.

Legal Agreements

Similar to the Region's Red-light Camera Program, in order to operate an ASE program in the Region of Waterloo, the Region is required to enter into necessary agreements with the following agencies:

- Ministry of Transportation Ontario to use automated speed enforcement on Regional and area municipality roadways and to access license plate registry;

- Redflex Traffic Systems (Canada) Limited to supply, install, operate and maintain ASE sites within the Region of Waterloo based on the semi-fixed equipment described above;
- City of Toronto to operate and cost-share the joint municipal processing centre which issues the certificate of offence; and
- All participating local area municipalities having the Region administer ASE on their behalves based on the costing and site selection criteria described above.

Regional staff have already commenced work on these agreements and will make best efforts to complete the agreements as soon as possible after Council approval of the ASE program.

Education

Regional staff will post on-street signs at all selected school zone sites planned for ASE in accordance with the pending Ministry of Transportation agreements that require three-month advance notification. In addition to providing advanced notice at selected sites, Regional staff will update the Region's website to provide information about ASE and its intended objective to improve road safety in school zones. The Ontario Traffic Council (OTC) is also developing a website that will provide comprehensive information about the ASE program and its participating municipalities. This OTC website would likely be the focal point of public education.

The City of Waterloo will dove-tail both Regional and OTC communications through links on our website.

Costs

The estimated capital cost to initially launch ASE as proposed has a maximum value of approximately \$360,000. The estimated annual operating cost of the ASE program as proposed would be approximately \$135,000. A very preliminary estimate of fine revenue is in the range of \$200,000 to \$400,000 but is subject to variability based on driver compliance.

Timing

Subject to approval of the implementation of ASE by Council and the completion of all necessary legal agreements, staff will continue to expedite this process to be ready to implement ASE as soon as possible after students return to area schools and when there is sufficient capacity in the Region's POA court systems per COVID-19 recovery. Based on timing required for these actions, ASE is anticipated to be operational in late 2020, at the earliest.



STAFF REPORT
Economic Development

Title: Brownfields Financial Incentive Program – TIG Program for
215 Lexington Road

Report Number: CAO2020-006

Author: Justin McFadden and Brad Witzel

Meeting Type: Council Meeting

Council/Committee Date: August 24, 2020

File: N/A

Attachments: Appendix A – Location Map
Appendix B – Site Plan Rendering

Ward No.: Ward 5 – Southeast

Recommendations:

1. That Council approved report CAO2020-006.
2. That Council approves the Tax Increment Grant to Hygate Property Corp. for the property known as 215 Lexington Road.
3. That the joint Tax Increment Grant does not exceed the maximum amount of \$12,434 for the City to be financed from the incremental tax revenue for the property following remediation, redevelopment and reassessment.
4. That Council in accordance with Section 4.3 (3) of the City-Wide Brownfields Community Improvement Plan, and in recognition that the Region no longer reimburses Indirect Remediation Costs, interpret that Indirect Remediation Costs shall no longer be reimbursed by the City as part of a Tax Increment Grant.
5. That the Region of Waterloo brownfield coordinator be advised of City Council's decision regarding this application.
6. That the Mayor and Clerk be authorized to execute a TIG Agreement, and any related documents, in coordination with the Region of Waterloo and with the registered owner of 215 Lexington Road to the satisfaction of the City and Regional Solicitors.

A. Executive Summary

A primary objective of the City of Waterloo ("City") and Region of Waterloo ("Region") 'brownfields program' is to remediate and redevelop contaminated lands with a higher and more intensive land use based on defined eligibility criteria. If eligible, the remediation costs are financed through two incentive programs starting with the Region

of Waterloo Regional Development Charge (“RDC”) Incentive program (*which is being phased-out over 2020-2024*), followed by a Joint Tax Increment Program (“TIG”) program between the City and Region on any remaining remediation costs not recovered via an RDC exemption.

On December 17, 2019 the City of Waterloo (“City”) in coordination with the Region of Waterloo received a joint Tax Increment Grant (TIG) application from Hygate Property Corp. (“HPC”) for the remediation and redevelopment of a 1.904-hectare (4.705 acres) property located at 215 Lexington Road (“Property”) (shown on Appendix A – Location Map).

Approval of the joint TIG by the City of Waterloo and Region of Waterloo is required to facilitate the redevelopment of The Property. Economic Development staff are recommending approval of up to a maximum \$12,434 in City TIG financing for this project. If approved, Regional Council will then give consideration to the Regional TIG recommendation for the eligible remediation costs up to a maximum of \$22,830. The applicant has already been approved for an RDC exemption in the amount of \$525,228 as per the Region’s April 8, 2020 RDC approval letter.

B. Financial Implications

For this project, the total submitted eligible remediation cost was \$560,492 (applicant ineligible for the 10% contingency fee as the application was received after Sept. 1, 2019). It has been determined that the applicant is eligible for a Regional DC Brownfield Exemption of \$525,228, as approved by Region staff on April 8, 2020. Since HPC is able to use \$525,228 of costs towards the RDC, it leaves \$35,264 for the City and Region TIG incentive subject to Council’s approval with an estimated \$12,434 City TIG contribution based on the City-Regional tax split ratio (City 35.3%, Region 64.7%).

Approval of this Brownfield Application will obligate the City of Waterloo to provide a municipal property tax rebate in an amount not to exceed \$12,434 over the course of up to 10 years based on the net difference between the existing tax assessment and future tax re-assessment for 215 Lexington Road.

The actual municipal property tax rebate the City of Waterloo is anticipated to provide is estimated to be \$12,434 over 1 year. Once the TIG is fully paid in 1 year (or has reached the 10 year maximum duration as per the program), the increased assessment resulting from the redevelopment would benefit the overall property tax levy estimated at \$140,846 for perpetuity.

Since the program began back in 2013, the City of Waterloo has received four (4) Brownfields Tax Increment Grant (TIG) applications including 215 Lexington Road. The city share of the Brownfield TIG is estimated to be in the range of \$1.8M - \$4.3M depending on the extent of eligible Regional DC funding. The city’s share is funded from the incremental taxes over several years from these properties and hence does not represent a financial pressure. These properties once fully redeveloped are estimated to

have an increased assessed value of over \$174M and will result in an estimated City annual tax incremental increase of over \$930,000. Once the TIG's are fully repaid this will benefit the City's overall property tax levy for perpetuity.

C. Technology Implications

N/A

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

- Sustainability & the Environment – apply a sustainability lens on all services and projects.
- Infrastructure Renewal- Optimize usage and efficiency of existing facilities and assets.

E. Previous Reports on this Topic

- IPPW2013-063 City-Wide Brownfields Community Improvement Plan
- CAO2019-016 City Brownfield Program Extension

F. Approvals

Name	Signature	Date
Author: Justin McFadden		
Author: Brad Witzel		
Director: Justin McFadden		
Commissioner: N/A		
Finance: Filipa Reynolds		

CAO



Brownfields Financial Incentive Program – TIG Program for 215 Lexington Road CAO2020-006

1.0 Background

On December 2 2013, City Council adopted By-law 2013-123 that introduced a new City-Wide Brownfields Community Improvement Plan Program that enabled the Tax Increment Grant (TIG) incentive. This program is combined with a Regional TIG incentive and had an original sunset clause of September 2018. This sunset clause was extended to September 2019 through the 181 King Street Brownfield TIG Application (report CAO2018-014). Then on June 17, 2019, Council approved an extension to the City Brownfields Community Improvement Plan for another five (5) years to September 2024 (By-law 2019-049). Since 2013, the City has experienced significant intensification activity. During the last several years, the City has received growing interest in the Brownfields Program including some projects that were eligible for the RDC reduction, and a growing number of projects interested in the TIG program.

On June 26, 2019, Region of Waterloo Council approved modifications to the Regional Brownfield's Program and rate changes to the Development Charges By-law. The Brownfield RDC Exemption has been a successful regionally funded program that approved approximately \$11M in brownfield redevelopment projects throughout the Region; however, a more sustainable financial incentive program is required. The Brownfield RDC Exemption program was approved to be phased-out over a five-year term (2020-2024) with a funding shift to a 100% TIG funded program with an approximate 65% (Region of Waterloo) and 35% (City of Waterloo) revenue split based on current property taxes. Any applications that have not previously participated in the program will be subject to the Brownfield RDC phasing out program. Brownfield applications that have received an approved "BFIP Eligibility Letter" from the Region of Waterloo prior to July 31, 2019 are considered to be under the "grandfather" provision with the previous program rules still being applied. Hygate Property Corp. BFIP Eligibility Letter for the property known as 215 Lexington Road was received on May 3, 2019 and as such is being considered under the "grandfather" provision for RDC eligibility.

On December 17, 2019 the City of Waterloo ("City") in coordination with the Region of Waterloo received a joint Tax Increment Grant (TIG) application from Hygate Property Corp. ("HPC") for the remediation and redevelopment of a 1.904-hectare (4.705 acres) property located at 215 Lexington Road ("The Property") (shown on Appendix A – Location Map). For this project, the total submitted eligible remediation cost was \$560,492 (applicant ineligible for the 10% contingency fee as the application was received after Sept. 1, 2019). It has been determined that the applicant is eligible for a

Regional DC Brownfield Exemption of \$525,228, as approved by Region staff on April 8, 2020. Since HPC is able to use \$525,228 of costs towards the RDC, it leaves \$35,264 for the City and Region TIG incentive subject to Council's approval with an estimated \$12,434 City TIG contribution based on the City-Regional tax split ratio (City 35.3%, Region 64.7%).

2.0 Historical Property Use

The Property was first developed between 1963 and 1971. Part of 229 Lexington Road was developed with Pinehaven Nursing Home. The rest of the site remained vacant. Between 1985 and 1995, there was an expansion of the Pinehaven Retirement Nursing Home constructed. By 2018, a small commercial building, which would become the real estate presentation centre, was constructed on 215 Lexington Road.

3.0 Development History

In August 2019, site plan approval was issued for The Property for a proposed six-storey retirement home accommodating 216 units consisting of studios, one bedroom and two bedroom units and included a wide variety of amenities for its residents. Services will range from independent living, supportive independent living and assisted living

4.0 Contamination and Remediation

The environmental consultant for this project is Chung & Vander Doelen.

A Phase One ESA was completed for 215 and part of 229 Lexington Road by Chung & Vander Doelen dated August 16, 2019. The findings of the Phase One ESA identified an area of potential environmental concern related to imported fill material impacted by metals, polycyclic aromatic hydrocarbons and petroleum hydrocarbons.

The Phase Two ESA included twenty-one (21) boreholes and thirteen (13) test pits in and monitoring wells installed in four (4) of the boreholes. Following completion of the Phase Two ESA, three (3) areas were identified to have soil with concentrations exceeding the applicable standards for certain contaminants of concern including metals, polycyclic, aromatic hydro carbons and petroleum hydro carbons. Analytical results of groundwater samples from the monitoring wells indicated that all standards were met. Therefore, to address the three areas of concern, a soil remediation program which included excavation and off-site disposal was completed to remove areas with impacted fill material.

The redevelopment of The Property for a residential land use requires a Record of Site Condition (RSC). As part of the RSCP process, a Phase One and Phase Two ESA were completed followed by remedial action.

5.0 Eligible Brownfield

The Property meets the criteria as an eligible brownfield program. As a brief summary, although the Property was vacant it did contain areas of fill and is proposed to contain a residential use. The redevelopment represents a significant increase in assessed value and tax assessment. In 2019, the property had a total assessed value of \$1,965,750 compared to the estimated \$46,947,000 redevelopment property value. If approved, the City property tax would increase from \$12,523 (2019) to an estimated \$153,369 in annual property tax.

6.0 Brownfield Applications

The RDC Exemption Incentive application was dated December 17, 2019. This Application includes a detailed summary of the direct remediation cost including the submitted eligible costs of \$560,492.

The Brownfields Financial Incentive Program: Joint Tax Increment Grant ("TIG") application was dated December 17, 2019 and identifies the submitted direct remediation costs eligible for TIG financing. Based on the eligible TIG remediation cost remaining after the RDC exemption, and estimated assessed value of the redevelopment, the City would be responsible to provide a municipal property tax rebate in an amount not to exceed \$12,434 over the course of up to 10 years and the Region would be responsible to provide a municipal property tax rebate in an amount not to exceed \$22,830 over the course of up to 10 years.

7.0 Existing Assessment and Taxes

In 2019, the total approximate assessment value was \$1,965,750. Based on this market value, and City tax assessment records, the total property tax was \$38,680. The 2019 City-Region tax split is as follows (City 35.3%, Region 64.7%):

- City of Waterloo: \$12,523
- Region of Waterloo: \$22,992
- Education: \$3,165

8.0 Projected Assessment and Taxes

The development has been approved to introduce a maximum of 216 units. Based on this, and a Municipal Property Assessment Corporate (MPAC) assessment estimate for the proposed development, the assessed value is estimated at approximately \$46,947,000.

Using the 2019 tax rates, the projected annual property taxes following full completion of the project would be \$510,550 with the following projected allocation to the City and Region:

- City of Waterloo: \$153,369
- Region of Waterloo: \$281,596
- Education: \$75,585

Based on this estimated assessed value, the City's Annual Tax Increment (i.e. the different between the existing City tax level and the future City tax level) is estimated to be \$140,846 (\$12,523 – \$153,369) per year. The Regional Tax Increment is estimated at \$258,604 (\$22,992 – \$281,596) per year.

9.0 Estimated Payment Schedule

The TIG payment schedule is based on the size of the total municipal tax increment and the total net eligible remediation costs (after first leveraging the RDC) that is used to calculate the TIG. The applicant received a Regional DC Brownfield Exemption under the grandfathering provisions of RDC By-law 19-037. The actual amount of the RDC exemption was **\$525,228**.

With HPC able to use \$525,228 of costs towards the RDC, the estimated total eligible remaining TIG remediation cost is \$35,264. Based on the City-Regional tax splits, the City of Waterloo would be responsible for 35.3% of the TIG financing and the remaining balance (64.7%) would be financed by the Region. Based on this amount, the TIG would be paid over one (1) year from the incremental property taxes generated from The Property once redeveloped (and reassessed by MPAC) and covers the full value of net eligible remediation costs.

The final joint TIG grant payment schedule will not be confirmed until the future MPAC assessment is received following the redevelopment of the property. Regardless of the actual remediation costs, the City's share of the TIG would be capped at \$12,434.

Table 1: Estimated Payment Schedule (TIG Financing):

*Year	City	Region	Total TIG
1	\$12,434	\$22,830	\$35,264
2	-	-	-
3	-	-	-
4	-	-	-
5	-	-	-
6	-	-	-
7	-	-	-
8	-	-	-
9	-	-	-
10	-	-	-
Total TIG	\$12,434	\$22,830	\$35,264

*subject to construction and occupancy timing

10.0 Conclusion

The Region of Waterloo and the City of Waterloo's Economic Development Division (in consultation with IPPW, Financial Services, and Legal Services) have reviewed the Brownfield Application and are satisfied that it meets the brownfield remediation eligibility and application requirements. Staff supports the acceptance with the terms and conditions of the Region of Waterloo – City Brownfield Remediation Program.

If City Council approves this report, the Region of Waterloo will be advised and the Regional TIG decision will follow. Following City and Regional TIG decisions, a Brownfield TIG Agreement will be prepared to the satisfaction of the City and Regional Solicitors.

Appendix A – Location Map



Appendix B – Site Plan Rendering





STAFF REPORT
Economic Development

Title: Alexandra Park Public Art
Report Number: CAO2020-012
Author: Sonya Poweska
Meeting Type: Council Meeting
Council/Committee Date: August 24, 2020
File: 202068
Attachments: Appendix A – Artist Renderings
Ward No.: Ward 7 - Uptown

Recommendations:

1. That CAO2020-012 be approved.
2. That Council approve the award of tender RFP20-04 to Sandra Dunn and Mark Resmer as per the recommendation of the jury and their selection of Public Art for the Alexandra Park Public Art Call.

A. Executive Summary

With the support of Purchasing, a RFP was publicly issued and disseminated. Artists were asked to respond to a number of criteria including creating an artistic element to be added to the forest play area of Alexandra Park.

The intent of the Alexandra Park Public Art project was to create a welcoming place to gather, celebrate, and connect with other members of the community. The RFP was issued with stories and thoughts collected through Engage Waterloo.

Jurors reviewed applications and unanimously agreed to award the RFP to Sandra Dunn and Mark Resmer based on their ability to meet the criteria. The proposed artwork is appropriate in terms of scale, function, and uses of the site while also meeting aesthetic criteria of the jury.

B. Financial Implications

The total all-inclusive budget for the public art award was \$18,000 as outlined in RFP20-04. Public Art Funding of \$19,000 was collected from the Alexandra Park project (2016-2018 capital ref #219 and 2020-2022 capital ref #229) in accordance with the Public Art Policy, A-018. The required budget of \$19,000 for the Alexandra Park Public Art project (RFP award, jury fess, miscellaneous) has already been released as per the 2020-2022 approved capital budget ref #113 - Public Art Implementation. This routine project was approved by Council on February 10, 2020. This report is seeking approval of the public art award which is within budget.

C. Technology Implications

None

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

Healthy Community & Resilient Neighbourhoods

- Create and maintain safe, accessible and vibrant public spaces that promote opportunities for diverse use.
- Support the arts and culture community to enhance Waterloo's quality of place.

E. Previous Reports on this Topic

N/A

F. Approvals

Name	Signature	Date
Author: Sonya Poweska		
Director: Justin McFadden		
Commissioner: N/A		
Finance: Filipa Reynolds		

CAO



**Alexandra Park Public Art
CAO2020-012**

Background

Public Art was a planned addition to Alexandra Park and was funded by the 1% for art commitment as outlined in the City of Waterloo Public Art Policy (A-018).

With the support of Purchasing, Economic Development - Arts & Culture issued a RFP to support the addition of Public Art in Alexandra Park. Public Art was a planned element of the park. The type of art, an interactive piece at a child-friendly scale, was vetted, supported, and endorsed by the community during the consultation and design phase of the park development.

Community feedback and stories, and memories of the park were collected to include with the RFP through an Engage Waterloo survey. Applicants were asked to respond to these themes in their proposals.

Submissions and proposals were reviewed by a jury of assessors. The assessment team included:

- Tara Cooper, Artist
- Teresa Dwyer, member of the Uptown West Neighbourhood Association
- Mary Tremain, Partner, PLANT Architect Inc.
- Daniel Waters, Landscape Technologist, from City of Waterloo was asked to comment on the submissions as the project lead for the design and implementation of the park

Discussion

The goal for the Public Art in this project was to create a welcoming place to gather, celebrate, and connect with other members of the community. Artists were asked to respond to the following themes:

- The artwork will include interactive elements
- The artwork will be at a child-friendly scale
- The artwork will encourage imaginative play
- The artwork will include references to the surrounding area/neighbourhood
- The artwork will be appealing to all users of the park (includes elements of play for children while standing as an aesthetically pleasing piece of art for adults)
- The artwork considers the natural features of the park

The applications were reviewed and scored based on the artists' response to project objectives, creative merit, site considerations, safety, durability and maintenance, artist references, and price analysis. The jury has unanimously agreed to award the RFP to Sandra Dunn and Mark Resmer based on their ability to meet the criteria of the call. The proposed artwork is appropriate in terms of scale, function, and uses of the site while also meeting aesthetic criteria of the jury.

The proposed work is a low maintenance piece comprised of five birdhouse-like structures. These structures will be placed throughout the wooded area of the park. Two of the five pieces will be located along the paved walkway to ensure that the pieces are accessible. These small and colourful structures will take on the look of dollhouses. The pieces will be suggestive of wooden block constructions and will echo the shapes of homes in the surrounding neighbourhood.

The giant birdhouses bridge the architecture of the neighbourhood and the natural life that exists in pockets of urban greenspaces. The artists describe the birdhouses as "an expression of community caretaking - we feed birds, we count birds, we invite them into our urban backyards. We can't train them, they come and go with the seasons and they wake us up before the sun rises."

The installation will be constructed of concrete, slate and ceramic tiles, and will be reinforced by galvanized steel. Dunn and Resmer are both accomplished artists from Waterloo region.

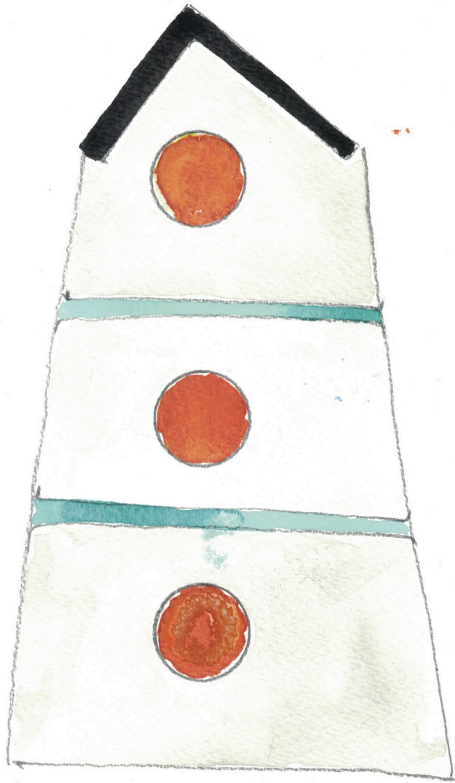
Dunn is a craft-based artist and is a graduate of University of Waterloo. She established a full-time blacksmithing practice, Two Smiths, in 1993. Two Smiths is a design and prototyping studio that has developed and built a wide variety of sculptures, functional objects, and architectural features in forged steel, hammered copper, and bronze for both private and public spaces.

Resmer is an Ontario artist whose work focuses on landscape and environmental themes predominantly working in mixed media, combining drawing, oil and acrylic painting, and sculpture.

Conclusion

The jury has unanimously agreed to award the RFP to Dunn and Resmer based on their ability to meet the criteria of the call. Dunn and Resmer are both accomplished artists with the skill and know-how to execute the proposed artwork. The artwork speaks to the imaginative play, community caretaking, the local architecture, and the natural elements of the park. The proposed design will be a welcome addition to the City of Waterloo Public Art Collection as it adds to the narrative of the neighbourhoods and the communities that call Waterloo home.

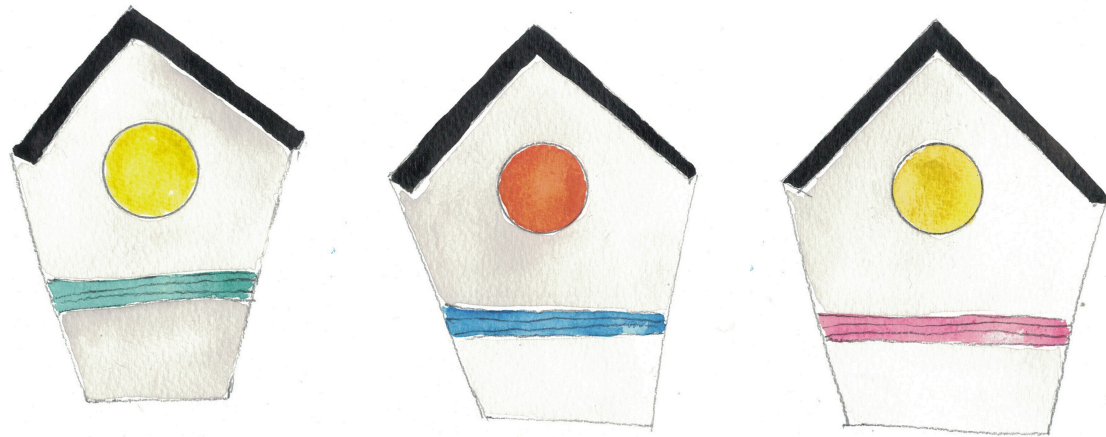
design !



birdhouse design no. 1
18" x 18" x 48"
concrete, ceramic tile,
slate
weight 1500 lbs
Special Council Meeting



birdhouse design no. 2
18" x 18" x 32"
concrete, ceramic tile,
slate
weight. 500 lbs



birdhouse design no. 3
12" x 18" x 48"
concrete, ceramic tile,
slate
weight 1300 lbs





STAFF REPORT
Community Programming & Outreach Services

Title: Temporary Amendments to Community Grants Programs during COVID-19 Pandemic
Report Number: COM2020-015
Author: Julie Legg, Coordinator, Neighbourhoods
Nadia Nassar, Policy Analyst
Meeting Type: Council Meeting
Council/Committee Date: August 24, 2020
File: N/A
Attachments: None
Ward No.: City wide

Recommendations:

1. That Council approve report COM2020-015.
2. That temporary amendments to the Community Cash Grants Program ([M-004 Community Cash Grants Policy](#)) be approved to support COVID-19 community recovery until they are no longer warranted.
3. That temporary amendments to the Neighbourhood Matching Fund Program ([M-007 Neighbourhood Matching Fund Policy](#)) be approved to support COVID-19 community recovery until they are no longer warranted.

A. Executive Summary

The COVID-19 pandemic has created many unforeseen challenges for members of our community and has posed particular challenges for Community Cash Grant and Neighbourhood Matching Fund recipients. Many recipients of 2019 and 2020 grants have been unable to use some or all of the funds they received as originally intended due to closures and restrictions on community gatherings.

In anticipation of continuing restrictions on public gatherings, physical distancing, and other public health measures, future grant applicants will likely face ongoing challenges when delivering services and creating opportunities for the community. To remove as many barriers as possible for future applicants, several temporary amendments are proposed for the Community Cash Grants program and the Neighbourhood Matching Fund program. These amendments include allowing applicants to utilize funds for

pandemic adaptation and recovery initiatives. It also includes encouraging applicants to utilize funds for innovative community-building activities that adhere to public health guidelines while increasing community connection and engagement.

B. Financial Implications

There are no financial implications. Programs will be delivered within available budgets.

C. Technology Implications

None

D. Link to Strategic Plan

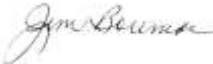
(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

Temporary amendments to community grant program guidelines will provide greater support and flexibility to community groups seeking grant funds for projects and activities that contribute to Healthy Community & Resilient Neighbourhoods.

E. Previous Reports on this Topic

F. Approvals

Name	Signature	Date
Author: Nadia Nassar		
Author: Julie Legg		
Director: Jim Bowman		Aug 10, 2020
Commissioner: Mark Dykstra		
Finance: N/A		

CAO



**Temporary Amendments to Community Grants Programs during COVID-19
Pandemic
COM2020-015**

Introduction:

The Community Cash Grants program supports organizations and community projects that encourage participation in a wide spectrum of interest areas, including recreation and sports, arts and culture, festivals and events, and neighbourhoods. The program is intended to support not-for-profit and community organizations as providers of programs and services to help create a healthy, creative and resilient community.

The Neighbourhood Matching Fund (NMF) program provides financial resources and guidance from staff to support grassroots neighbourhood projects that empower more vibrant communities. The NMF helps residents working with their neighbours to lead projects, events, placemaking, and activities that are inclusive and welcoming to encourage or enhance neighbourhood connections.

The COVID-19 pandemic has created many unforeseen challenges for members of our community and has posed particular challenges for Community Cash Grant and Neighbourhood Matching Fund recipients. Many recipients of 2019 and 2020 grants have been unable to use some or all of the funds they received as originally intended due to closures and restrictions on community gatherings.

In anticipation of continuing restrictions on public gatherings, physical distancing, and other public health measures, future grant applicants will likely face ongoing challenges when delivering services and creating opportunities for the community. To remove as many barriers as possible for future applicants, several temporary amendments are proposed for the Community Cash Grants program and the Neighbourhood Matching Fund program.

Challenges Facing Current and Future Grant Recipients

Grant recipients, both current and future, face several challenges with moving forward with their projects and other operations due to the impacts of the COVID-19 pandemic and related public health guidelines and provincial restrictions. Many projects funded under both Community Cash Grants and Neighbourhood Matching Fund involve community gatherings, such as sporting events and performance-based events.

Some of the challenges currently faced by recipients include:

- Uncertainty of future gathering sizes, guidelines and need for physical distancing
- Uncertainty of recovery timing and actions

- Impacts on volunteer availability to support programming and service
- Speed at which public health related guidelines and rules can change
- Public health, provincial, and federal regulations, guidelines, and rules are not always clear to residents
- Due to more limited in person connections, consensus can be challenging as neighbours are not getting as many opportunities to collaborate or work together
- Financial losses, causing uncertainty in planning as well as possible staff shortages
- Shifting priorities towards new approaches to programming (online) or other protective measures (such as PPE and physical distancing measures for staff) and away from typical activities

Additionally, standard grant requirements may cause barriers for recipients at this time. These include: submitting receipts, working as a group, obtaining supplies, or connecting safely.

Proposed Temporary Grant Program Amendments:

Staff involved in delivering both the Community Cash Grant and Neighbourhood Matching Fund have supported 2019 and 2020 grant recipients who have expressed concern or uncertainty in using funds that were allocated prior to the start of the pandemic. Shortly after the pandemic was declared, staff informed 2020 grant recipients that there is support and flexibility for grant adaptations due to COVID-19. This includes allowing funding extensions, modifying events to adhere to new guidelines, allowing funding to be used for different or complementary activities, and rescheduling gatherings and events for future dates.

In anticipation of continuing restrictions on public gatherings, physical distancing, and other public health measures into 2021, future grant applicants will likely face ongoing challenges. Applicants will need to look for alternate or new ways to serve the community. To remove as many barriers as possible for future recipients, several temporary amendments are proposed for each grant program.

Community Cash Grants Program:

- In addition to any activities that would normally qualify for this program, applicants applying for operational or project funding may utilize funds for “COVID-19 recovery” purposes, including supporting one or more of the following:
 - Purchasing PPE equipment for staff or volunteers,
 - Transitioning operations to be in compliance with public health and provincial guidelines,
 - Transitioning programs and events to be held in a manner that supports public health and provincial guidelines (e.g. virtually),
 - Other innovative projects to help recover and/or adapt to the current environment.

- Applicants will be asked to state if funds will be used to assist them with COVID-19 recovery or to adapt initiatives to meet public health guidelines. If they answer yes, applicants will be asked to explain how funds will be used.
- The current policy indicates that applicants may be deemed ineligible if they have had liabilities exceeding assets for a period of two or more years; or have had an operating loss for two consecutive year (as per Section 5.4 of M-004 Community Cash Grants Policy). Flexibility on application of these elements of the policy will be given, recognizing the financial impact the pandemic has had on many community groups.
- If public health and provincial restrictions continue or are reinstated, staff will continue to provide flexibility to successful applicants concerning the use of grant funds.

Neighbourhood Matching Fund:

- Encourage applications that address social isolation, support community wellbeing and build neighbourhood community in COVID-19 safe ways. This could include ideas such as contact-free connections or capital projects in parks.
- Adjust “matching requirement”. Applicants will be required to continue to demonstrate how the community will contribute to the project, but will not be required to document a match that is equal to or exceeds total funding requests during this time. The match often involves a large portion of volunteer hours, which may not be possible under public health directives.
- Allow submissions of a spending summary without receipt requirement, where needed, to support reporting of grant completion.

Communication of Temporary Amendments to Future Applicants

Future applicants will be encouraged to consider how planned events could be adapted should physical distancing or other public health requirements remain in place in order to support the objectives of the grant to the extent possible during the pandemic.

Staff will also inform potential grant applicants about the temporary changes to the program as follows

- Former Community Cash Grant applicants will be informed when they receive the standard annual communication in the fall.
- Information about the temporary amendments will be posted on the grant pages of the City of Waterloo website.
- Promotional materials related to the grants will indicate temporary amendments.
- Application forms will be altered to indicate changes related to the amendments.
- A virtual information session will be scheduled to take place once the Community Cash Grants application opens in fall 2020. Staff will be available to communicate the temporary amendments and answer questions from attendees during the session.

- Staff will provide one-to-one support to potential applicants of either program to ensure understanding of opportunities provided by these amendments.

Given that pandemic recovery timelines are unpredictable, set expiry timelines for these changes have not been identified. Instead, staff will continue to monitor public health directives and the changes will be in place until they are not longer warranted.

Staff will continue to support grant applicants and recipients during this period of transition and uncertainty for the community. The Community Grants Committee will be informed of the temporary amendments and will reconvene in fall 2020.



STAFF REPORT
Environment & Parks Services

Title: Outdoor Sports Field Strategy Implementation
Report Number: COM2020-016
Author: Andrea Bazler, Landscape Architect
Meeting Type: Council Meeting
Council/Committee Date: August 24, 2020
File: N/A
Attachments: N/A
Ward No.: Ward 5 - Southeast

Recommendations:

1. That Council approve report COM2020-016.
2. That the 2020 non-routine capital funding for the Outdoor Sports Field Strategy Implementation project #160008 in the amount of \$92,000 be released, as approved in the 2020-2022 Capital Budget (Ref #242).
3. That the 2021 non-routine capital funding for the Outdoor Sports Field Strategy Implementation in the amount of \$286,000, as approved in the 2020-2022 Capital Budget (Ref #242), be advanced from 2021 and approved for release with this report in 2020.
4. That the 2022 non-routine capital funding for the Outdoor Sports Field Strategy Implementation in the amount of \$96,000, as approved in the 2020-2022 Capital Budget (Ref #242), be advanced from 2022 and approved for release with this report in 2020.
5. That the 2021 capital funding of \$133,000 to be released on January 1, 2021 for the Parks Infrastructure Replacement & Rehabilitation Needs funding (Ref #226), as approved in COM2020-013, be advanced from 2021 and approved for release with this report in 2020 to the Outdoor Sports Field Strategy Implementation project.

A. Executive Summary

In 2019 Council directed staff to proceed with public engagement and detailed design for the rehabilitation and upgrades of RIM Park diamonds #4, #5 and #6, the Bechtel Park stadium and the two Hillside Park diamonds (COM2019-006 – Outdoor Sports Field

Strategy Implementation). This report provides an update on the progress for these projects and is requesting the release of funding for the Outdoor Sports Field Strategy Implementation capital project for the 2020-2022 period, as per the approved 2020-2022 Capital Budget.

Due to COVID-19 impact on diamond use this year, staff in consultation with the user groups are proposing to bring forward the Hillside Park diamond rehabilitation/upgrades project construction to this year, in order to avoid the disruption to the use of the facility in the 2021 season. The completion of this task requires the advancement and release of the 2021-2022 Outdoor Sports Field Implementation funds and the advancement and release of the 2021 funding from the Parks Infrastructure Replacement and Rehabilitation Needs implementation plan (Ref #226).

B. Financial Implications

The current available funding for the Outdoor Sports Field Strategy Implementation project #160008 is \$370,752. The approved 2020-2022 capital budget for this project (Ref #242) totals \$474,000, including \$92,000, \$286,000 and \$96,000 respectively for each of the three years. This report requests the advancement of 2021 and 2022 project funds of \$382,000 to 2020 in order to undertake accelerated construction work in 2020.

Additional funding, in the amount of \$133,000 from the Parks Infrastructure Replacement and Rehabilitation Needs funding that will be received on January 1, 2021 is also requested to be advanced to 2020. Total estimated project costs of \$977,752 are identified in Table 1.

C. Technology Implications

There are no technological implications with respect to this report.

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

Healthy Community and Resilient Neighbourhoods: Create and maintain safe, accessible and vibrant public spaces that promote opportunities for diverse use.

Infrastructure Renewal: Ensure park infrastructure needs are met and service levels are maintained while ensuring fiscal sustainability.

E. Previous Reports on this Topic

PWS2012-023 – Outdoor Sports Field Strategy
 IPPW2017-003 – Outdoor Sports Field Strategy Implementation
 IPPW2017-035 – Outdoor Sports Field Strategy Implementation Update
 COM2018-010 – Outdoor Sports Field Strategy Implementation
 COM2019-006 – Outdoor Sports Field Strategy Implementation
 COM2020-013 – Parks Infrastructure Replacement and Rehabilitation Needs

F. Approvals

Name	Signature	Date
Author: Andrea Bazler		August 5, 2020
Director: Jeff Silcox-Childs		August 5, 2020
Commissioner: Mark Dykstra		
Finance:		

CAO



Outdoor Sports Field Strategy Implementation COM2020-016

Section #1 - Background

On March 25, 2019, Council approved staff report COM2019-006 – Outdoor Sports Field Strategy Implementation. The report outlined the rehabilitation and upgrades of ball diamonds to be completed in the 2020-2022 budget period. The three major projects to be completed are:

- Improvements to the diamonds at Hillside Park; funded from the Outdoor Sports Field Strategy Implementation capital project (Capital Budget Ref #242)
- Improvements to Bechtel Park Stadium; funded from the Bechtel Park Stadium Rehabilitation capital project (Capital Budget Ref #241)
- Adding lighting to RIM Park diamonds #4, #5 and #6; funded from the RIM Park Ball Diamond Upgrades capital project (Capital Budget Ref #221)

Staff is currently working with the design consultant and the user groups on completing the design for the Bechtel Park Stadium and Hillside Park diamond upgrades. Both projects were originally scheduled to be completed in 2021, with the design and user group/public consultation taking place in 2020.

The RIM Park diamond upgrades are scheduled to be completed in 2022, when funding for that project becomes available. Staff will return to Council with details for this project in 2021, as the design and public consultations take place.

Section #2 – COVID-19 Impact on Project Schedule

Extensive facility rehabilitations/upgrades such as the works scheduled for the Hillside and Bechtel Park facilities are usually associated with significant disruption to the use of the facility and have to be coordinated with user groups before the bookings for the applicable season are finalized, usually close to a year ahead of construction.

As diamond facility use ceased throughout the City due to COVID-19, staff sees an opportunity to complete the Hillside Park diamond upgrades in 2020, in order to avoid the disruption in facility use in 2021. The completion of the Hillside Park diamond upgrades was prioritized over the Bechtel Park Facility upgrades, as the design and public consultation requirements for Bechtel Park are more extensive, and cannot be accelerated to be ready for construction this year; particularly in light of COVID-19

impacts. In comparison, the Hillside Park diamond upgrades project requires less complex design and user group consultations and therefore staff and the design consultant were able to accelerate the process to allow construction to commence this year. In addition, this past spring the Hillside Park facility faced escalating safety and security concerns, which highlighted the need to implement site improvements now to help activate the site and improve visibility per CPTED strategies.

Staff were also able to consult with the Hillside Park diamond user groups and the groups agreed that bringing forward the construction to 2020 is the preferred scenario in order to avoid disruption to the 2021 season. The user groups are in support of the proposed improvements and staff and the consultant are currently preparing the detail design in consultation with the groups.

The proposed works include the replacement of ball diamond fencing, dugouts, bullpens, batting cages, site perimeter fencing, installation of safety netting to protect the parking lot from stray balls and general site accessibility improvements.

The replacement of retaining walls and parking lot surfacing, funded from the Parks Infrastructure Replacement and Rehabilitation Needs Implementation plan funding (Ref #226), will be completed at the same time; thereby completing all site improvements at once and minimizing future facility impacts. To accomplish this, advance funding from the approved 2020 capital budget is required.

Section #3 – Financial Implications

The current available funding for the Outdoor Sports Field Strategy Implementation project #160008 is \$370,752. The 2020-2022 approved capital budget for project #160008 (Ref #242) includes \$474,000 in total non-routine funding over the three years:

- \$92,000 in 2020, funded \$46,000 from the Capital Reserve Fund (CRF) and \$46,000 from Development Charges Reserve fund (DC)
- \$286,000 in 2021, funded \$143,000 from CRF and \$143,000 from DC
- \$96,000 in 2022, funded \$48,000 from CRF and \$48,000 from DC

In accordance with the approved 2020-2022 capital budget, part of the funding for the Hillside Park diamond upgrades \$286,000 is budgeted for 2021 and \$96,000 is budgeted in 2022. Staff request to advance the total of the \$382,000 in funding from the Outdoor Sports Field Strategy Implementation capital project #160008 (Ref #242) from 2021 and 2022 in order to be able to complete the Hillside Park project in 2020. Both the CRF and DC Reserve Funds have to capacity to handle the advancement of funds from 2021 and 2022 to 2020.

Staff also request to advance funding of \$133,000 in 2020 from the Parks Infrastructure Replacement and Rehabilitation Needs Implementation plan funding (Ref #226). This funding has been approved for Hillside Park in council report COM2020-013 on June 22, 2020, for release on January 1, 2021. The advancement and release of funding from 2021

to 2020 will put the Capital Infrastructure Reinvestment Reserve Fund (CIRRF) sub-reserve for the new Replacement and Rehabilitation Infrastructure funding, as approved in the 2020-2022 Budget (Ref #226), into a \$68,000 deficit. However, on a consolidated basis the CIRRF has the capacity to handle the advancement of these funds from 2021 to 2020.

A total budget of \$977,752 is allocated to support the Outdoor Sports Field Strategy Implementation capital project for the implementation of the Hillside Park diamond upgrades, upgrades to the land and parking around Hillside Park, and other future diamond projects, as outlined in Table 1 below.

Table 1: Funding approvals to Date and Estimated Costs:

Description	Report Number	Approval Date	\$ Amount*
Funding:			
Current available funding Outdoor Sports Field Strategy project #160008			(\$370,752)
2020 Outdoor Sports Field Strategy project #160008	COM2020-016	Aug 24, 2020	(\$92,000)
2021 Outdoor Sports Field Strategy project #160008	COM2020-016	Aug 24, 2020	(\$286,000)
2022 Outdoor Sports Field Strategy project #160008	COM2020-016	Aug 24, 2020	(\$96,000)
2021 Parks Infrastructure Replacement & Rehabilitation Needs funding	COM2020-016	Aug 24, 2020	(\$133,000)
Total Funding			(\$977,752)
Expenditures:			
Design and construction of Hillside Park ball diamonds			\$700,000
Parking lot and retaining wall upgrades at Hillside Park			\$205,000
Contingency and other future projects, including but not limited to: <i>contract administration, overhead, construction and permanent signage</i>			\$72,752
Total Projected Expenditures			\$977,752
TOTAL			\$0

*Note: non-recoverable portion of HST included



**STAFF REPORT
Legislative Services**

Title: Remaining 2020 Council
Report Number: Schedule CORP2020-044
Author: Julie Scott
Meeting Type: Special Council Meeting
Council/Committee Date: August 24, 2020
File: N/A
Attachments: [Attachments]
Ward No.: All

Recommendation:

1. That report CORP2020-044 be approved;
2. That the following Special Meetings of Council be held for the remaining 2020 schedule:
 - I. September 21, 2020
 - II. October 5, 2020
 - III. November 2, 2020
 - IV. Hold for tentative November 16, 2020
 - V. December 7, 2020
 - VI. Hold for tentative December 21, 2020

A. Executive Summary

Due to the worldwide Novel Coronavirus pandemic, the City of Waterloo declared an emergency and has been holding Special Meetings of Council on a more consolidated basis since March 2020.

As the City continues a phased reopening and prepares for a possible second wave, it is recommended at this time to establish a remaining 2020 Council schedule as follows:

- I. September 21, 2020
- II. October 5, 2020
- III. November 2, 2020
- IV. Hold for tentative November 16, 2020

- V. December 7, 2020
- VI. Hold for tentative December 21, 2020

Establishing the schedule now will assist staff with coordinating public engagement opportunities and will solidify meeting dates for potential delegations. Staff recommend continuing with the practice of holding one meeting a month with a second tentative hold meeting date in November and December. Due to the additional resources required to host electronic meetings and test delegations in advance; staff recommend providing at least one full week between meetings of Council. However, urgent meetings may be called at any time and the schedule is open for review if significant changes are observed with the pandemic. The dates have been circulated with staff to ensure they are not conflicting with time constrained matters such as *Planning Act* items.

B. Financial Implications

None

C. Technology Implications

None

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community and Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)
(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplaces; Effective Engagement; Personal Leadership; Service Excellence)

The establishment of a clear remaining 2020 schedule aligns with the Strategic Plan's guiding principles for ongoing service excellence and engagement.

F. Previous Reports on this Topic

G. Approvals

Name	Signature	Date
Author: Julie Scott		
Director:		
Commissioner: Olga Smith		
Finance: N/A		

CAO



**STAFF REPORT
Legislative Services**

Title: Regional Council Composition
Report Number: CORP2020-045
Author: Julie Scott
Meeting Type: Council Meeting
Council/Committee Date: August 24, 2020
File: N/A
Attachments: Appendix A – Region of Waterloo Report – Regional Council Composition Review Options and Consultation Process
Ward No.: All

Recommendation:

1. That report CORP2020-045 be approved.
2. That Waterloo City Council support Option 1 – Status Quo and that the Acting City Clerk be directed to advise the Regional Municipality of Waterloo of the preferred option for regional council composition.

A. Executive Summary

Section 218 and 2019 of The *Municipal Act* outlines the composition of an upper-tier council and the process to review composition. The legislation requires all upper-tier governments including the Regional Municipality of Waterloo (Region) to review the number of members of its council that represent the lower-tier municipalities. This review must be completed by the end of 2020 for this Council term and then following every second regular election. There has been no extension granted due to the Covid-19 pandemic.

While there are many different methods of electing representatives and forming an upper-tier government in Ontario; this review per the legislation is scoped to the number of members elected.

On June 16, 2020 the Region Committee of the Whole approved Report PDL-CAS20-05 which scoped the composition review to four options and requested the report be circulated to area municipal councils for input.

The four options for consideration are as follows:

- status quo (Option 1);
- an allocation of one Regional Councillor per 25,000 residents in an area municipality, based on largest Township population (Option 2);
- an overall target of 30,000 residents per Regional Councillor for all Regional Council, based on previous representation (Option 3); and
- a system of combined urban and rural representatives (Option 4)

As noted in the Regional Report PDL-CAS20-05 attached, the population balance between the area municipalities has not changed significantly since the time the current composition was put into effect. All scenarios except status quo would increase the size of Regional Council. There is presumably little appetite to consider increasing the size of Regional Council at this time; however an engagement survey was undertaken by the Region and will presumably be included in their report to Regional Council on September 15th. For these reasons staff recommend Council endorse the status quo option and advise Regional Council in advance of their next meeting to consider this item.

Next Steps:

Regional staff will present a report to Council on September 15th which will include feedback from area municipal councils along with feedback from additional public engagement. At that meeting it is anticipated Regional Council will make a decision on the preferred option.

On September 30th the Region will hold a public meeting and receive delegations on the preferred option with the intention of passing the by-law to either confirm the current composition or changing the composition of Regional Council on October 14th. After this date, area municipalities will have another opportunity to consider and vote on the preferred option prior to the final passing in November. The Region must receive triple majority consent from the area municipal Councils to the current composition or to a change in order to proceed.

Triple majority includes:

- a majority of votes on Regional Council;
- supportive resolutions from a majority of Councils of the area municipalities; and
- the area municipalities that have passed resolutions consenting to the by-law, or the resolution, must represent a majority of electors in the Region.

If a triple majority consent is not achieved by the end of this calendar year, the Minister has the power under the *Municipal Act* to change the composition of Regional Council through a regulation.

B. Financial Implications

None.

C. Technology Implications

None.

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

Effective Engagement:

- The review of Regional Council composition provides Waterloo City Council with an opportunity to provide effective engagement and input into the process.

E. Previous Reports on this Topic

None

F. Approvals

Name	Signature	Date
Author: Julie Scott		
Acting Director: Julie Scott		
Acting Commissioner: Olga Smith		
Finance: N/A		

CAO



Report: PDL-CAS-20-05

Region of Waterloo

Planning, Development and Legislative Services

Council and Administrative Services

To: Chair Tom Galloway and Members of Council

Date: June 16, 2020

File Code: A34-80

Subject: **Regional Council Composition Review Options and Consultation Process**

Recommendation:

That the Regional Municipality of Waterloo direct staff to undertake public consultation on the four options for Regional Council Composition described in report PDL-CAS-20-05, dated June 16, 2020;

And that a public meeting be scheduled for September 30, 2020 to consider the matter;

And that the report be circulated to the Area Municipal Councils for their input on the four options.

Summary:

The Region of Waterloo is required by the Municipal Act to conduct a Council composition review by the end of 2020. Staff have prepared four options for consideration:

- the status quo;
- an allocation of one Regional Councillor per 25,000 residents in an area municipality, based on largest Township population;
- an overall target of 30,000 residents per Regional Councillor for all of Regional Council , based on previous representation; and
- a system of Combined Urban and Rural Representatives

Staff are recommending that these options be provided to the Councils of the area municipalities and to the public for input.

After the public consultation, any option selected by the Region must be supported by the triple majority as outlined in this report.

Report:

The Region of Waterloo is required by the Municipal Act to conduct a review of the composition of Regional Council by the end of 2020. While staff have made inquiries, there has been no confirmation that the province is considering waiving or delaying this requirement due to the Covid-19 pandemic.

On March 24, 2020 Council approved report PDL-CAS-20-03 and directed the Regional Clerk to complete the required Council Composition Review using in house resources with the assistance of a consultant. Dr. Robert Williams was selected as the consultant and has met with staff on the formulation of the options included in the report and the development of the public consultation process.

The Municipal Act requires that Regional Council be composed of a minimum of five members and that each area municipality be represented on the upper-tier council. Currently each area municipality is represented on Regional Council by the City and Township Mayors. Historically this was the requirement in the Regional Municipality of Waterloo Act passed in 1973. This remained in place in 2000 when provincial legislation was passed that set the current composition of Council and the direct election of Regional Councillors.

Section 218 and 219 of the Municipal Act (Appendix 1) outlines the requirements for the review of the composition of Regional Council. The Region is required to pass a resolution to maintain the status quo or pass a by-law to change the size of Council by the end of 2020. This by-law or resolution must be endorsed by a triple majority, being:

- a majority of the votes on Regional Council;
- supportive resolutions from a majority of the Councils of the area municipalities; and
- the area municipalities that have passed resolutions consenting to the by-law, or the resolution, must represent a majority of the electors in the Region.

If the triple majority is not obtained, the Municipal Act allows the Minister to change the composition of Regional Council through a regulation.

Guiding Principles

Staff have utilized the following guiding principles when reviewing the council composition

- Representation by Population – Subject to the overriding principle of effective representation, it is desirable that voters should be relatively equally represented across the Region. The principle is intended to ensure that residents have

comparable access to their elected representatives and that the workload of these representatives is relatively balanced. Representation by population will be calculated using total population figures rather than by the number of eligible electors, recognizing that non-voters are also participants within the community.

- Balance of Rural and Urban Communities (as outlined in the Strategic Plan) – It is important to recognize the uniqueness of our rural and urban communities and to ensure that residents of Townships and Cities are all provided with effective representation.
- Current and Future Population Trends – The next composition review will occur between 2026 and 2028 as mandated by the Municipal Act. This review will consider anticipated population trends to ensure effective representation for the 2022 and 2026 Municipal Elections.
- Effective Representation – In the “Carter decision”, the Supreme Court of Canada concluded that the “purpose of the right to vote enshrined in s.3 of the Charter is not equality of voting power per se but the right to ‘effective representation’”. While voter parity is important, exact voter parity is not obtainable. Rather, since a vote is intended to provide meaningful on-going representation after the election, it may be necessary to consider the best forms of representation and place a higher priority on other principles to create plausible and coherent electoral areas that better contribute to ‘effective representation’ than electoral areas that are equal in population.

Previous Composition Reviews

The composition of Regional Council was last reviewed in 2008. At that time Regional Council decided to defer an Administration and Finance Committee motion that would have increased the size of Council by four members (two in Kitchener and one in each of Waterloo and Cambridge), but the issue was not brought back.

The last change to the composition of Regional Council was done by the province through the Direct Democracy Through Municipal Referendums Act for the municipal election held in November 2000. At that time Council was reduced from twenty-two (22) members to the current sixteen (16) members, with eight (8) members being directly elected. The Regional Chair was first directly elected starting in 1997.

As Table 1 demonstrates, the population balance between the area municipalities has not varied significantly from the creation of the current composition. After the 2026 election provincial legislation requires that the composition of Regional Council be reviewed again. Population projections to 2026 demonstrate that that all of the area municipalities are expected to continue to grow at a somewhat equal rate.

Table 1 – Regional Population Figures for 2001, 2019, and 2026

Municipality	2001 Pop.	% Region Pop.	2019 Pop.	% Region Pop. ¹	2026 Pop.	% Region Pop. ²
Cambridge	113,571	25%	136,345	23%	156,137	24%
Kitchener	199,027	43%	256,340	43%	272,965	42%
North Dumfries	8,883	2%	10,769	2%	14,222	2%
Waterloo	93,296	20%	135,127	23%	146,407	22%
Wellesley	9,581	2%	11,570	2%	11,785	2%
Wilmot	15,187	3%	21,783	4%	24,155	4%
Woolwich	18,566	4%	26,622	4%	30,776	5%
Region	458,111	100%	598,556	100%	656,447	100%

Option 1 – Status Quo

The Region is permitted to pass a resolution supporting the status quo. Just like the other options, a resolution to maintain the status quo must also be endorsed by a triple majority.

The current composition does not strictly match with the principle of representation by population but it may strike an acceptable balance for ensuring the principle of effective representation is being met. Although the population balance between the municipalities has not varied significantly since 2001, the number of residents that are represented by each Councillor has risen by approximately 9,000 to approximately 39,000 per Regional Councillor. This is projected to continue to increase through 2026 to approximately 43,000.

Table 2 – Status Quo

Municipality	2019 Population	Regional Councillors*	2019 Population per Regional Councillor	2026 Population per Regional Councillor
Cambridge	136,345	3	45,448	52,046
Kitchener	256,340	5	51,268	54,593
North Dumfries	10,769	1	10,769	14,222
Waterloo	135,127	3	45,042	48,802
Wellesley	11,570	1	11,570	11,785
Wilmot	21,783	1	21,783	24,155
Woolwich	26,622	1	26,622	30,776
Region	598,556	15*	39,904	43,763

*Does not include the Regional Chair, includes Mayors

¹ 2019 are best estimates based on information currently available.

² Population forecasts to 2026 reflect the Region's moderate forecast scenario that is used in master plans.

Option 2 – One Regional Councillor per 25,000 Residents in an Area Municipality (Based on Largest Township Population)

This option would aim to balance the representation by population. A target of 25,000 residents per councillor would be set based on the population of the largest Township. Setting the target at 10,000 to be in line with the smallest Township would result in a Regional Council of 58 members, which is not practical nor fiscally desirable.

Under this option the size of Council would increase by 8, to 24 members including the Regional Chair, with Cambridge and Waterloo increasing their Councillors by 2 and Kitchener increasing by 4. None of the Townships would see an increase in the number of representatives but the population per Regional Councillor would become closer to those in the Cities.

This option better aligns with the principle of representation by population but may negatively impact the principle of balancing rural and urban communities. The size of Regional Council and the average population represented by each Councillor would be closer to those of Halton and Durham Regions (see table 6), under this option.

Table 3 - One Regional Councillor per approximately 25,000 - 30,000 Residents

Municipality	2019 Population	Regional Councillors*	2019 Population per Regional Councillor	2026 Population per Regional Councillor
Cambridge	136,345	5	27,269	31,227
Kitchener	256,340	9	28,482	30,329
North Dumfries	10,769	1	10,769	14,222
Waterloo	135,127	5	27,025	29,281
Wellesley	11,570	1	11,570	11,785
Wilmot	21,783	1	21,783	24,155
Woolwich	26,622	1	26,622	30,776
Region	598,556	23*	26,024	28,541

*Does not include the Regional Chair, includes Mayors

Option 3 –Target of 30,000 residents per Regional Councillor for all of Regional Council (Based on Previous Representation)

This option recognizes the balance of rural and urban communities that is served under the current model, while acknowledging that the number of residents that are represented by each Councillor has risen by an average of more than 9,000 since the current composition was established and is projected to be over 13,000 by 2026.

Under this option a target of 30,000 residents per Regional Councillor, for all of Regional Council would be set. This target is based on the average number of residents that were represented by Regional Councillors when the current composition was

established.

In order to reach this target, while being mindful of the principle of representation by population, Cambridge and Waterloo would each increase by 1 Regional Councillor and Kitchener would increase by 2. Including the Regional Chair, this would result in a 20-member Regional Council.

Table 4 – Overall Target of approximately 30,000 Residents per Regional Councillor

Municipality	2019 Population	Regional Councillors*	2019 Population per Regional Councillor	2026 Population per Regional Councillor
Cambridge	136,345	4	34,086	39,034
Kitchener	256,340	7	36,620	38,995
North Dumfries	10,769	1	10,769	14,222
Waterloo	135,127	4	33,782	36,602
Wellesley	11,570	1	11,570	11,785
Wilmot	21,783	1	21,783	24,155
Woolwich	26,622	1	26,622	30,776
Region	598,556	19*	31,503	34,550

*Does not include the Regional Chair, includes Mayors

Option 4 – Combined Urban and Rural Representatives

This option attempts to address the principles of effective representation, representation by population, and rural and urban communities. Under this option the Mayors would continue to represent their area municipalities. The directly elected Councillors would change from representing a single City, to representing at least one Township and one City.

A target of approximately 50,000 residents per directly elected Regional Councillor would be used which results in 3 Councillors for North Dumfries and Cambridge; 3 Councillors for Waterloo, Woolwich, and Wellesley; and 5 Councillors for Kitchener and Wilmot. The directly elected Regional Councillors would be elected by, and accountable to, all of the residents in the City and Township(s) that they would represent. This would result in a 19-member Regional Council, including the Regional Chair.

The target of 50,000 residents per directly elected Regional Councillor is higher than the targets in the other options that are proposed in the report. This target would only apply to the directly elected Regional Councillors. Because the Mayors are not factored into this calculation, the number of Regional Councillors involved is lower than the other options, without reducing the number of representatives that residents can contact. If a target of 30,000 residents per directly elected Regional Councillor was used under this option, the size of Council would increase to 27, including the Regional Chair. If a target

of 40,000 residents per directly elected Regional Councillor was used under this option, the size of Council would increase to 23, including the Regional Chair.

Table 5 – Combined Urban and Rural Representatives

Municipality	2019 Population	Regional Councillors*	2019 Population per Regional Councillor	2026 Population per Regional Councillor
Cambridge	136,345	1 (Mayor)	136,345	156,137
North Dumfries	10,769	1 (Mayor)	10,769	14,222
Waterloo	135,127	1 (Mayor)	135,127	146,407
Woolwich	26,622	1 (Mayor)	26,622	30,776
Wellesley	11,570	1 (Mayor)	11,570	11,785
Kitchener	256,340	1 (Mayor)	256,340	272,965
Wilmot	21,783	1 (Mayor)	21,783	24,155
Cambridge and North Dumfries	147,114	3 (Directly Elected)	49,038	56,786
Waterloo Woolwich and Wellesley	173,319	3 (Directly Elected)	57,773	62,989
Kitchener and Wilmot	278,123	5 (Directly Elected)	55,625	59,424
Region	598,556	18*	33,253	36,469

*Does not include the Regional Chair

Reducing the Size of Council

None of the options that are being presented for public input will reduce the size of Regional Council. This is due to a number of reasons. Waterloo Region already has the smallest Regional Council compared to the other Regions and has the same or fewer Councillors than similar sized single-tier municipalities such as Ottawa (23) or Hamilton (15). Additionally, as the following table demonstrates, on average, each Councillor represents a population of 39,904 which falls within the range of the other Regions.

Table 6 – Other Regions

Region	Regional Councillors *	Local Municipalities	2019 Population.³	Population per Councillor	Range of local municipal representation
Waterloo	15	7	598,556	39,904	10,000 to 52,000
Durham	28	8	697,355	24,906	6,000 to 29,000
Halton	23	4	596,369	25,929	20,000 to 26,000
Niagara	31	12	479,183	15,458	6,000 to 22,000
Peel	24	3	1,541,994	64,250	14,000 to 91,000
York	20	9	1,181,485	59,074	24,000 to 82,000

*Does not include Regional Chairs

Finally, reducing the size of Council would require either:

- Reducing the directly elected urban Councillors which is not in line with the principle of representation by population;
- Reducing the representation of the area Mayors on Regional Council; or
- A complex system of weighted voting for Regional Council.

Staff are not recommending any of these options for reducing Regional Council, so no option was developed.

Public Engagement and Public Meeting Requirements

With respect to public consultation, a public survey will be available on Engage Waterloo Region for six weeks, starting on June 25, 2020. A public input meeting of the Administration and Finance Committee will be held to hear delegations on September 30, 2020.

Staff had originally planned to hold three (3) consultation centres/open houses in various areas of the Region in June 2020. However, due to the Covid-19 pandemic these events are currently not possible. Staff will monitor the situation and look for additional opportunities for consultation throughout the summer.

Consultation with the Area Municipalities

The Municipal Act requires that whichever option Council wishes to pursue, it must be endorsed by a triple majority, namely:

- a majority of the votes on Regional Council;
- supportive resolutions from a majority of the Councils of the area municipalities;
- and

³ 2019 population figures for the other Regions were obtained from Stats Canada at <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=1710013901>

- the area municipalities that have passed resolutions consenting to the by-law, or the resolution, must represent a majority of the electors in the Region.

Staff are recommending that this report be circulated to the Area Municipal Councils to seek their input on which of the four options they would be prepared to support.

Staff will review the feedback from the Area Municipal Councils and the public, and will recommend an option to the Committee on September 15, 2020. The Committee will be able to hear from delegations at the public meeting on September 30, 2020. Council will need to declare its intention to confirm the current composition or to approve a by-law adopting a change to the composition of Council on October 14, 2020. This will then be circulated to the Area Municipal Councils to obtain the triple majority with the final confirmation of the resolution or by-law on November 25, 2020.

If a triple majority is not obtained for a resolution supporting the status quo, or a by-law changing the composition of Regional Council within the timeframe outlined below, Section 218(7) of the Municipal Act allows the Minister to change the composition of Council through a regulation.

Next Steps

The following is a high level project plan for the proposed work.

Table 7 – Next Steps

Timeframe	Tasks
Late June - August	- Present the options to the Area Municipal Councils and public for input - Utilize the Engage Waterloo Region Platform
September	- Present preferred option to Council on September 15th (No Decision) - Hold the required Public Meeting to hear from delegations on the preferred option on September 30th - Pass intention to confirm the current composition or intention to approve a by-law adopting a change to the composition of Council on October 14th
October 15 – November 20	Seek triple majority consent from Area Municipal Councils to the confirmation of the current composition or the by-law
November 25 th Council Meeting	Final confirmation of current composition or approval of a by-law changing the composition of Council

Corporate Strategic Plan:

The proposed review of council composition aligns with Focus Area 5 of the Strategic Plan – Responsive and Engaging Public Service and Strategic Imperative, Balance of Rural and Urban Communities.

Financial Implications:

In 2019 the average cost of a directly elected councillor was approximately \$66,000. This accounts for salary, benefits, mileage, communication, and conferences. It does not account for additional staff that would be required to support the additional councillors or physical modifications to offices that would be required for any new councillors.

Other Department Consultations/Concurrence:

Staff from Legal Services and Planning provided input on the report.

Attachments:

Appendix 1 – Municipal Act Section 218

Prepared By: Tim Brubacher, Council/Committee Support Specialist

Lee Ann Wetzel, Deputy Clerk/Manager, Council and Administrative Services

Approved By: Kris Fletcher, Regional Clerk/Director, Council and Administrative Services

Rod Regier, Commissioner, Planning, Development and Legislative Services

Appendix 1 – Municipal Act Section 218

Composition of upper-tier council

218 (1) Without limiting sections 9, 10 and 11, those sections authorize an upper-tier municipality to change the composition of its council subject to the following rules:

1. There shall be a minimum of five members, one of whom shall be the head of council.
2. The head of council shall be elected by general vote, in accordance with the *Municipal Elections Act, 1996*, or shall be appointed by the members of council.
- 2.1 Repealed: 2018, c. 11, Sched. 2, s. 1 (2).
3. The members of council, except the head of council, shall be elected in accordance with the *Municipal Elections Act, 1996* to the upper-tier council or to the council of one of its lower-tier municipalities.
4. The head of council shall be qualified to be elected as a member of council of the upper-tier municipality.
5. If the members of council are directly elected to the upper-tier council and not to the council of a lower-tier municipality, the members shall be elected by general vote or wards or by any combination of general vote and wards.
6. Each lower-tier municipality shall be represented on the upper-tier council. 2001, c. 25, s. 218 (1); 2006, c. 32, Sched. A, s. 93 (1); 2016, c. 37, Sched. 15, s. 1; 2018, c. 11, Sched. 2, s. 1.

Types of changes

(2) Without limiting sections 9, 10 and 11, the power to change the composition of council includes the power to,

- (a) change the number of members of its council that represent one or more of its lower-tier municipalities;
- (b) change the method of selecting members of the council, including having members directly elected to the upper-tier council and not to the council of a lower-tier municipality, members elected to serve on both the upper-tier and lower-tier councils or members elected to the lower-tier councils and appointed to the upper-tier council by the lower-tier municipalities, or a combination of methods of election;
- (c) have a member representing more than one lower-tier municipality;
- (d) require that if a member of council is appointed by the members of council as the head of the upper-tier council, the member is no longer entitled to hold office on the council of a lower-tier municipality or any other office on the council of the upper-tier municipality or both; and
- (e) require that if a member of council is appointed by the members of council as the head of the upper-tier council, the appointed member must hold office on the council of

a lower-tier municipality. 2001, c. 25, s. 218 (2); 2006, c. 32, Sched. A, s. 93 (2); 2017, c. 10, Sched. 1, s. 14 (1).

Number of votes

(3) Without limiting sections 9, 10 and 11, those sections authorize an upper-tier municipality to change the number of votes given to any member but each member shall have at least one vote. 2006, c. 32, Sched. A, s. 93 (3).

Term of office

(4) Without limiting sections 9, 10 and 11, those sections authorize an upper-tier municipality to change the term of office of an appointed head of council so long as the new term does not extend beyond the term of council. 2006, c. 32, Sched. A, s. 93 (3).

Term unaffected

(5) Except as provided in subsection (4), nothing in this section authorizes an upper-tier municipality to change the term of office of a member of council. 2017, c. 10, Sched. 1, s. 14 (2).

Reviews by regional municipalities

(6) Following the regular election in 2018 and following every second regular election after that, a regional municipality shall review, for each of its lower-tier municipalities, the number of members of its council that represent the lower-tier municipality. 2017, c. 10, Sched. 1, s. 14 (2).

Regulations

(7) The Minister may make a regulation changing the composition of a council of a regional municipality if the regional municipality does not, in the period of time that starts on the day the new council is organized following a regular election referred to in subsection (6) and ends on the day two years after that day, either,

(a) pass a by-law to change, for one or more of its lower-tier municipalities, the number of the members of its council that represent the lower-tier municipality; or

(b) pass a resolution to affirm, for each of its lower-tier municipalities, the number of the members of its council that represent the lower-tier municipality. 2017, c. 10, Sched. 1, s. 14 (2).

When regulation may be made

(8) The Minister may make a regulation under subsection (7) only after the period of time referred to in that subsection but before the year of the next regular election after which the regional municipality has a duty to conduct a review under subsection (6). 2017, c. 10, Sched. 1, s. 14 (2).

What regulation may include

(9) A regulation made under subsection (7) may include anything that could be included

in a by-law of the upper-tier municipality under subsections (1) to (5) and is subject to the limitations set out in those subsections. 2017, c. 10, Sched. 1, s. 14 (2).

What Minister shall have regard to

(10) When considering whether to make a regulation under subsection (7), the Minister shall, in addition to anything else the Minister wishes to consider, have regard to the principle of representation by population. 2017, c. 10, Sched. 1, s. 14 (2).

Transition

(11) Until after the regular election in 2026, subsections (6) and (7) do not apply to a regional municipality that, during the period between the regular election in 2014 and the regular election in 2018, passes a by-law to change, for one or more of its lower-tier municipalities, the number of members of its council that represent the lower-tier municipality. 2017, c. 10, Sched. 1, s. 14 (2).

Section 219 Notice and Triple Majority

Notice

219 (1) Before passing a by-law described in section 218 or a resolution described in clause 218 (7) (b), the municipality shall give notice of its intention to pass the by-law or resolution and shall hold at least one public meeting to consider the matter. 2017, c. 10, Sched. 1, s. 15.

Validity

(2) A by-law described in section 218 making changes described in clauses 218 (2) (a), (b) and (c) or in subsection 218 (3) or a resolution described in clause 218 (7) (b) is not valid unless,

(a) a majority of all votes on the upper-tier council are cast in favour of the by-law or the resolution;

(b) a majority of the councils of all lower-tier municipalities forming part of the upper-tier municipality have passed resolutions consenting to the by-law or the resolution; and

(c) the total number of electors in the lower-tier municipalities that have passed resolutions consenting to the by-law or the resolution form a majority of all the electors in the upper-tier municipality. 2017, c. 10, Sched. 1, s. 15.



STAFF REPORT Planning

Title: Heritage Permit Application (HP2020-003) – 41 Central Street
Report Number: IPPW2020-052
Author: Vincent Wen
Meeting Type: Council Meeting
Council/Committee Date: August 24, 2020
File: N/A
Attachments: Appendix A. Photos and Elevation Drawings
Appendix B. Heritage Permit Application 2020-003

Ward No.: Ward 7 - Uptown

Recommendations:

1. That Staff Report IPPW2020-052 be approved.
2. That Heritage Permit Application HP2020-003 be approved subject to the conditions outlined in Section 2.1 of IPPW2020-052.

A. Executive Summary

A Heritage Permit application has been submitted for 41 Central Street. Some of the proposed works were authorized by the Director of Planning through the delegated approval process, and the remaining alterations are being brought to Council for approval as they are not considered minor. The alterations before Council are the demolition of an existing one storey addition at the rear of the house and construction of a two storey addition in its place, and the wholesale replacement of the existing wood windows with vinyl on the side and rear facades.

The property is within the MacGregor-Albert Heritage Conservation District and is designated under Part V of the *Ontario Heritage Act*. Heritage Permits require Council approval where the proposed alterations are not minor in nature (such as extensive restoration activities or significant new construction) and or are not compliant with the City's heritage policies.

Staff and the Municipal Heritage Committee are of the opinion that the proposed work complies with the City's Official Plan and MacGregor-Albert Heritage Conservation District Plan policies for alterations to Part V designated properties. Staff and the

2 Integrated Planning & Public Works

Municipal Heritage Committee recommend that Council approve Heritage Permit HP2020-003 subject to the conditions outlined in Section 2.1 of this report.

B. Financial Implications

None

C. Technology Implications

None

D. Link to Strategic Plan

(Strategic Priorities: Multi-modal Transportation, Infrastructure Renewal, Strong Community, Environmental Leadership, Corporate Excellence, Economic Development)

Priority: Strong Community

Strategic Objective: Foster a strong sense of place and identity through the conservation of heritage resources.

The City's Heritage Permit process ensures the conservation of Waterloo's distinct cultural heritage and helps foster a strong sense of place. Conserving cultural heritage can also have positive, local economic impacts through attraction and retention of cultural economy workers.

E. Previous Reports on this Topic

None

F. Approvals

Name	Signature	Date
Author: Vincent Wen		
Director: Joel Cotter		
Commissioner: Cameron Rapp		
Finance: N/A		

CAO



Heritage Permit Application (HP2020-003) – 41 Central Street IPPW2020-052

1.0 Background

A Heritage Permit application has been submitted at 41 Central Street for the following alterations:

- replacement of wood windows on the front façade with matching wood windows
- replacement of existing front posts with like wood posts and matching fluting details
- replacement of eaves and fascia with complementary aluminium product
- replacement of soffits and frieze boards with like wood product as existing
- demolition of non-original detached garage
- wholesale replacement of existing wood windows with vinyl on the side and rear facades
- demolition of the existing one storey addition at the rear of the house and construction of a two storey addition in its place



Figure 1: Location Map

The replacement of windows on the front façade, the replacement of the front porch posts, eaves, fascia, soffits, and frieze boards, and the demolition of the non-original detached garage was authorized by the Director of Planning through the delegated heritage permit approval process, as the alterations are considered minor by both staff and the Chair of the Municipal Heritage Committee. The wholesale replacement of existing wood windows with vinyl windows on the side and rear facades, and the proposed two storey addition at the rear of the house are not considered minor with the City's heritage policies and therefore require Council approval.

The owners is proposing to remove the existing addition, and construct a new addition to create a second storey ensuite bathroom. The single detached house was constructed in approximately 1925 and is representative of an Edwardian Classical home. The property is within the MacGregor-Albert Heritage Conservation District and is designated under Part V of the Ontario Heritage Act.

The MacGregor-Albert Heritage Conservation District Plan guides alterations to properties in the District. Certain alterations to properties in the District require Council approval, as detailed in the City's Heritage Permit process. Council has delegated its authority to approve certain Heritage Permits to the Director of Planning, more specifically permits related to emergency alterations or those that are considered to be minor in nature and compliant with the City's heritage policies. While the proposed addition at 41 Central Street generally aligns with the City's heritage policies, the addition is not considered minor nature and therefore requires Council approval. Additionally, the wholesale replacement of wood windows with vinyl windows is not compliant with the policies and guidelines in the Heritage Conservation District Plan as wholesale replacement is considered unnecessary unless the windows have wholly failed and are beyond repair, only then should they be replaced with ones that match the existing.

The Heritage Permit process provides the City with an opportunity to review proposed works against the heritage policies in the City's Official Plan, the Heritage Conservation District Plan and Parks Canada's Standards & Guidelines for the Conservation of Historic Places in Canada to ensure that the proposed alterations will conserve the heritage value of the property and Heritage District.

2.0 Heritage Permit Application HP2020-003

The property owner of 41 Central Street seeks permission from Council to carry out the following alterations to the existing single detached house:

- Wholesale replacement of existing wood windows with vinyl windows on the side and rear facades. The vinyl windows would match the existing wood windows in terms of profile, shape, dimensions and divisions of frame, sash, muntin bars and surrounds.
- Construction of a two (2) storey addition at the rear of the existing single detached building. The existing addition will be demolished and the proposed two (2) storey addition is to be constructed (Appendix A). The addition will not extend further into the rear yard and will not extend further than the dwelling's existing side yard. Elements of the additions include:
 - o Windows: The proposed vinyl windows on the south façade (rear) and east façade (left side) of the addition would match the size and shape of the existing windows (Appendix A).

- o Siding: The proposed addition would be clad with Gentek Rich grain siding stained to a colour that is compatible with the existing brown brick.

2.1 Staff Recommendation of Approval

Planning staff recommend approval of the Heritage Permit subject to the following conditions:

- that the second storey addition at the rear of the building not exceed the height of the existing building and that the existing eave lines be matched;
- that the new windows on the addition and replaced windows match (or be compatible with) the existing windows in terms of profile, shape, dimensions, division of sash and frame, muntin bars and surrounds; and
- that the proposed material and colour of the addition be compatible with and sympathetic to the existing brown brick building.

In staff's opinion, the proposed work generally aligns with all relevant policies of the MacGregor-Albert Heritage Conservation District Plan, including policies in Section 3.3 (Additions and New Construction). In summary:

- the walls of the proposed addition will be at or below the eaves of the existing building and will not exceed two storeys above grade in building height (Policy 3.3.2);
- the proposed addition is located at the rear of the existing building and is not visible from the street (Policy 3.3.5);
- the proposed siding material (Gentek Rich grain siding) will be stained to complement the existing brown brick (Policy 3.3.7);
- the proposed windows are flat-headed and are taller than wide (Policy 3.3.8); and
- the proposed addition would extend the hip roof and match the existing eave lines (Policy 3.3.10).

While wholesale replacement of windows is considered unnecessary in most scenarios, the owner has demonstrated that many of the windows have wholly failed and are beyond repair and that the replacement cost with wood windows is not feasible. Given the condition of the existing windows and the cost to replace all windows with wood, it is reasonable to accept vinyl windows as an alternative solution in this instance, in staff's opinion.

2.2 Municipal Heritage Committee Recommendation of Approval

The Municipal Heritage Committee reviewed the Heritage Permit application at their July 16, 2020 meeting and supported staff's recommendation related to Heritage Permit HP2020-003. The following motion was passed:

Motion: "That the Municipal Heritage Committee support the staff recommendation and approve the heritage permit as presented." Carried UN.

3.0 Other Permit Requirements

The proposed alterations will require a Building Permit. The property owner is responsible for obtaining the Building Permit prior to the commencement of construction on the property. Staff will work with Building Standards to confirm the design of the addition and to coordinate the issuance of the Heritage Permit and Building Permit.

Prepared by:

Vincent Wen
Student Planner
Planning Division
IPPW

Appendix A. Photos & Elevation Drawings



Figure 2: Existing South Façade (Rear) – Existing addition with porch to be demolished and replaced with a two (2) storey addition.



Figure 3: Existing South Façade (Rear) Window – Existing windows (excluding front façade) to be replaced with vinyl windows.

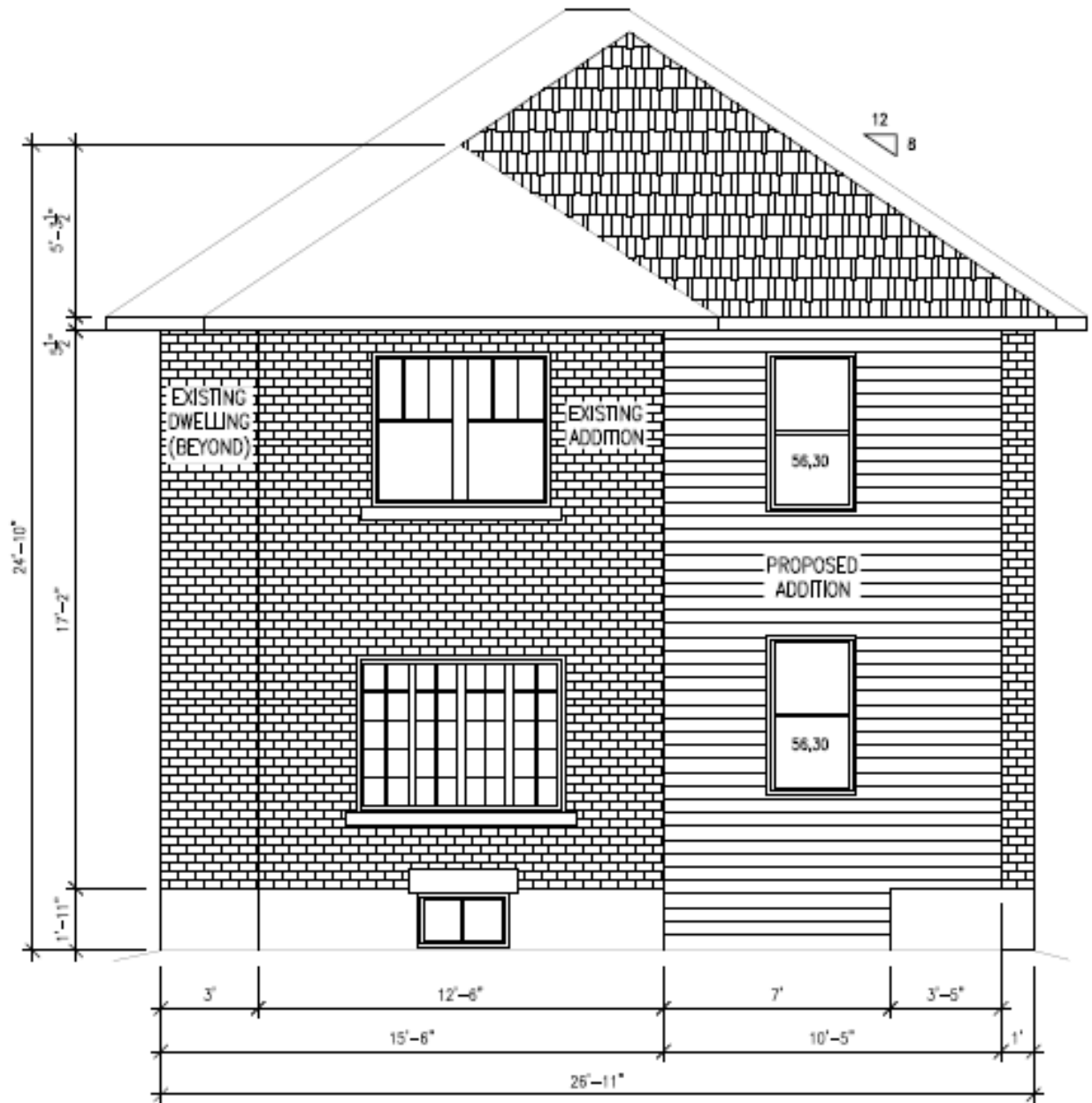


Figure 3: Proposed South Elevation (Rear) – Proposed two (2) storey addition in place of existing addition.

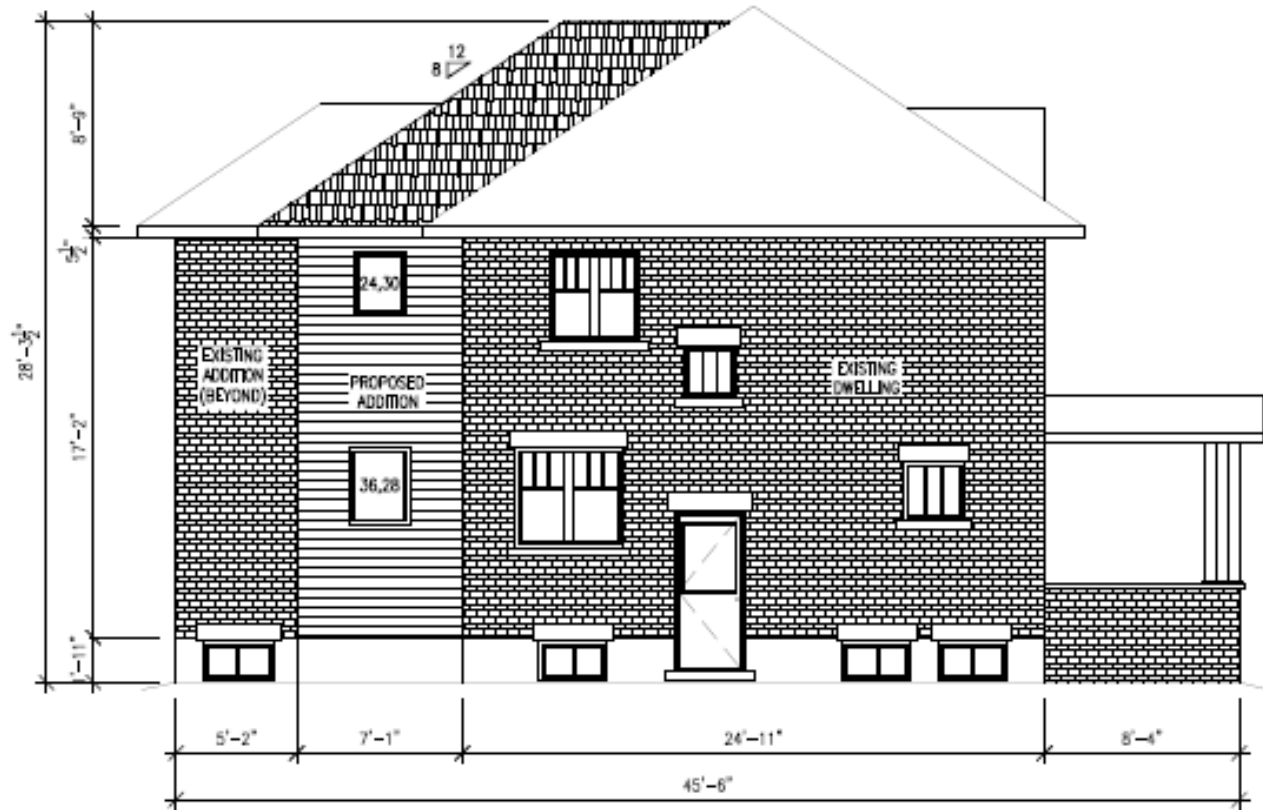


Figure 4: Proposed East Elevation (Left Side) – Elevation illustrates proposed two (2) storey addition maintaining existing rear yard setback.

Appendix B. Heritage Permit Application HP2020-003



Application No.
HP 20 / 03

APPLICATION FOR A HERITAGE PERMIT: Properties designated under Part V or Part IV of the Ontario Heritage Act

Note: A. Before making your application, please review the Heritage Permit Application Submission Guidelines and contact the City of Waterloo Heritage Planner at: 519-747-6068 or heritage@waterloo.ca to discuss your application.
B. For properties in the MacGregor/Albert Neighbourhood, The Heritage Conservation District Plan will help you in making an informed application. This can be found online at www.waterloo.ca.
C. In addition to a heritage permit, you may require a building permit or other planning approvals. City staff will strive to co-ordinate the review of the heritage permit application with other applications and expedite approvals.

1. Property Information

Municipal Address 41 CENTRAL ST. WATERLOO Postal Code N2L 3A7
Legal Description Detached 2 story

2. Applicant Information

Applicant's Name _____
Telephone _____ E-mail Address _____
Address _____ Postal Code _____
Registered Owner's Name (if different from above) _____
Telephone _____ E-mail Address _____
Address _____ Postal Code _____

3. Agent Information (if applicable)

Agent's Name _____
Telephone _____ E-mail Address _____
Address _____ Postal Code _____

FOR STAFF USE ONLY

DATE RECEIVED March 10, 2020 DATE REVIEWED BY MHC _____
PLANNING COMMENTS _____
BUILDING COMMENTS _____
MHC COMMENTS _____

4. Builder/Contractor Information	
i.) Name	Caliber Contracting N1T 1J4
Telephone	519-500-6582 E-mail Address marc@calibercontracting.ca
Address	130 Shearson Cr. Cambridge Postal Code
ii.) Name	
Telephone	E-mail Address
Address	Postal Code
5. Type of Application	
ALTERATION ☒	ADDITION ☒ DEMOLITION ☒ ERECTION ☐
MAINTENANCE ☐	REMOVAL ☐ REPAIR ☐
6. Project Proposal Information (attachments if necessary)	
a) Please describe your proposed project: All changes to the heritage features of a property must be described in detail. Include photographs (of property, streetscape, areas affected by proposed project), scaled drawings or plans of scope of work, information on conservation or construction methods to be used, information regarding details and building elements or materials (trim, moldings, siding, windows, signs, awnings), sketches, electrical/mechanical information if important, and any other information necessary to understand the proposed project. City Staff may specify which documents, if any, are appropriate for your proposed project. Please review the City of Waterloo Heritage Permit Application Submission Guidelines to ensure your application is complete.	

41 Central St. Waterloo / Project Proposal Information

Expected Start Date: March 23, 2020

Expected Completion Date: August 14, 2020

Windows:

Current original windows have extensive water damage making repairs to their integrity not feasible.

We propose to replace all the windows in the home with a similar style window, wood single hung windows with similar grids will be used to replace street facing windows, and matching vinyl style windows on the rest of the home.

Window opening sizes will remain the same in original home and consistent in addition.

New windows will all match and reflect current profile, style and shape of original home.

Posts:

Posts have extreme water damage and are rotting out.

We propose to replace with same style of wood posts.

Roof/eaves/soffit/fascia:

Asphalt shingles are deteriorated.

We would replace roof with the same style asphalt shingles.

Eaves, Fascia and soffits have extreme water damage and are rotted out and missing.
We would propose to replace all eaves, fascia and soffit with a complimentary aluminum product.

Addition:

We propose to remove existing addition and rebuild a two story addition.

Second story will be used as an en-suite bathroom. Existing doorway to current second story deck will be used as access to the new second story en-suite bathroom.

Addition will not exceed the existing/current rear set back.

Addition will be at the same height as the second story at the eaves.

Addition will increase to 10.5 feet towards the side of the home, which will still remain inside the footprint of the existing home and behind the home, not visible from the street.

Floor plan has outlined the proposed project.

Addition Cladding and Windows:

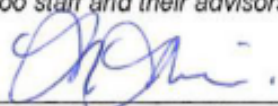
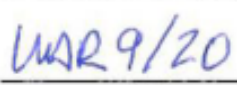
We propose to use vinyl siding and windows to compliment the look of the home.

Siding material-Gentek Rich grain siding. Low gloss finish achieves natural appeal and excellent durability. Colour to be determined by homeowner-Colour will remain within the tones of the original home.

Garage Demolition:

Non-original detached garage has extreme deterioration and water damage which is sinking and beyond salvage.

We propose to demolish the structure. No other structure will be built in its place.

7. Declaration	
<i>I hereby declare that the statements made herein and contained within any of the attachments are, to the best of my belief and knowledge, a true and complete representation of the purpose and intent of this application. I hereby agree that the proposed project shall be done in accordance with this application and to permit City of Waterloo staff and their advisors to enter the property so as to assess the application fully.</i>	
 Applicant's/Authorized Agent's Signature	 Date
8. Notes for Declaration	
The applicant agrees that the proposed work shall be done in accordance with this application and understands that the issuance of the Heritage Permit under the Ontario Heritage Act shall not be a waiver of any of the provisions of any By-law of the City of Waterloo, or the requirements of the Building Code Act, RSO 1980, c. 51. The applicant acknowledges that in the event of a permit being issued, any departure from the conditions imposed by the Council of the City of Waterloo, or plans and specifications approved is prohibited and could result in the permit being revoked. The applicant further agrees that if the Heritage Permit is revoked for any cause of irregularity, in the relation to non-conformance with the said agreements, By-laws, acts, or regulations that, in consideration of the issuance of the permit, all claims against the City for any resultant loss or damage are hereby expressly waived.	



STAFF REPORT Planning

Title: Heritage Permit Application (HP2020-004) – 43 Young Street West

Report Number: IPPW2020-053

Author: Fredrick VanRooyen

Meeting Type: Council Meeting

Council/Committee Date: August 24, 2020

File: N/A

Attachments: Appendix A. Photos and Elevation Drawings
Appendix B. Heritage Permit Application 2020-003

Ward No.: Ward 7 - Uptown

Recommendations:

1. That Staff Report IPPW2020-053 be approved.
2. That Heritage Permit Application HP2020-004 be approved subject to the conditions outlined in Section 2.1 of IPPW2020-052.

A. Executive Summary

A Heritage Permit application has been submitted for 43 Young Street West. Some of the proposed works were authorized by the Director of Planning through the delegated approval process, and the remaining alterations are being brought to Council for approval as they are not considered minor. The alterations before Council are the creation of one (1) new basement window and one (1) new skylight, both located on the east side of the building behind the turret.

The property is within the MacGregor-Albert Heritage Conservation District and is designated under Part V of the *Ontario Heritage Act*. Heritage Permits require Council approval where the proposed alterations are not minor in nature (such as extensive restoration activities or significant new construction) and or are not compliant with the City's heritage policies.

Staff and the Municipal Heritage Committee are of the opinion that while the proposed work is not compliant with the MacGregor-Albert Heritage Conservation District Plan policies, the alterations are minor in nature and reasonable given the context. Staff and

2 Integrated Planning & Public Works

the Municipal Heritage Committee recommend that Council approve Heritage Permit HP2020-004 subject to the conditions outlined in Section 2.1 of this report.

B. Financial Implications

None

C. Technology Implications

None

D. Link to Strategic Plan

(Strategic Priorities: Multi-modal Transportation, Infrastructure Renewal, Strong Community, Environmental Leadership, Corporate Excellence, Economic Development)

Priority: Strong Community

Strategic Objective: Foster a strong sense of place and identity through the conservation of heritage resources.

The City's Heritage Permit process ensures the conservation of Waterloo's distinct cultural heritage and helps foster a strong sense of place. Conserving cultural heritage can also have positive, local economic impacts through attraction and retention of cultural economy workers.

E. Previous Reports on this Topic

None

F. Approvals

Name	Signature	Date
Author: Fredrick VanRooyen		
Director: Joel Cotter		
Commissioner: Cameron Rapp		
Finance: N/A		

CAO



Heritage Permit Application (HP2020-004) – 43 Young Street West IPPW2020-053

1.0 Background

A Heritage Permit application has been submitted at 43 Young St W for the following alterations:

- Basement Window Replacement /Restoration: nine (9) existing basement windows to be replaced with vinyl, double glazed, hopper style windows that fit within the existing window frame.
- Third Floor Skylight Replacement /Restoration: three (3) existing skylights to be replaced with custom skylights and remove rotten surrounding sheathing.
- New Basement Window: one (1) new window proposed on the east side of the building beside the driveway. The window would match the other existing basement windows.
- New Third Floor Skylight: one (1) new skylight proposed on the east side of the building behind the turret. The skylight would match the other existing skylights.

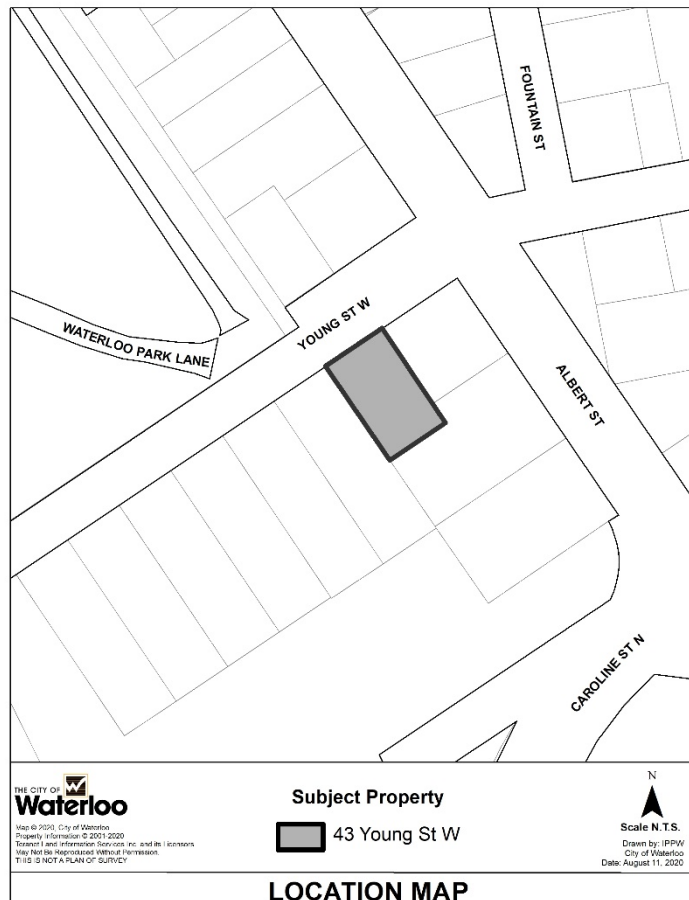


Figure 1: Location Map

The replacement of the existing basement windows and existing skylights was authorized by the City's Director of Planning through the delegated approval process. The existing basement windows are not significant heritage features on the property, they are not visible or have limited visibility from the street, and their current condition is beyond repair; as such, their replacement/restoration was considered minor and complaint with applicable heritage policies by both staff and the Chair of the Municipal

Heritage Committee. Similarly, the existing skylights are modern features not original to the building and are not visible or have limited visibility from the street.

Conversely, the creation of new windows and/or skylights is not considered compliant with the City's heritage policies and therefore requires Council approval.

The new owners are proposing to create the new basement window for a future bedroom and a new skylight is proposed as a source of light and ventilation for the room on the third floor which does not currently have a window or direct ventilation to the outside. The single detached house was constructed in approximately 1908 and is representative of a modified Edwardian Classical home, with a turret on the east side of the building. The property is within the MacGregor-Albert Heritage Conservation District and is designated under Part V of the Ontario Heritage Act.

The MacGregor-Albert Heritage Conservation District Plan guides alterations to properties in the District. Certain alterations to properties in the District require Council approval, as detailed in the City's Heritage Permit process. Council has delegated its authority to approve Heritage Permits to the Director of Planning for emergency alterations or those that are considered to be minor in nature and compliant with the City's heritage policies. The MacGregor-Albert Heritage Conservation District (HCD) Plan does not have any policies that speak to nor support the creation of new windows or skylights. As such, the creation of new windows and/or skylights would not be compliant with the City's heritage policies, requiring Council's approval.

The Heritage Permit process provides the City with an opportunity to review proposed works against the heritage policies in the City's Official Plan, the Heritage Conservation District Plan and Parks Canada's Standards & Guidelines for the Conservation of Historic Places in Canada to ensure that the alterations will conserve the heritage value of the property and Heritage District.

2.0 Heritage Permit Application HP2020-004

The property owner of 43 Young Street West seeks permission from Council to carry out the following alterations to the property:

- New Basement Window: one (1) new window proposed on the east side of the building beside the driveway. The window would match the other existing basement windows.
- New Third Floor Skylight: one (1) new skylight proposed on the east side of the building behind the turret. The skylight would match the other existing skylights

2.1 Staff Recommendation of Approval

Planning staff recommend approval of the Heritage Permit subject to the following conditions:

- that the new basement window and new skylight match the existing basement windows and skylights in terms of profile, shape, dimension, and division of sash and frame
- that the new basement window be in line with the other basement windows and be entirely in the foundation and not impact or expand into the red bricks on the east façade

In staff's opinion, while the policies of the MacGregor-Albert Heritage Conservation District Plan do not address the creation of new windows or skylights, the proposed alteration is minor and reasonable given that:

- the new basement window and third floor skylight would be located behind the turret and not visible from the street (Policy 3.4.3)
- the new basement window and third floor skylight would match the existing windows and skylights
- the new basement window and third floor skylight would not impact any other heritage attributes on the building or detract from the heritage value of the district

Moving forward, staff would like to explore the possibility of amending the delegation by-law for heritage permits (By-law 2014-102) to account for scenarios similar to this heritage permit. Where a heritage permit application may not be compliant with the policies in the Heritage Conservation District Plan, but is minor in nature and would not have any significant impact on the heritage value of the property, the surrounding properties, or the district, staff believe that delegation of authority may be an effective option to consider such proposals. Such delegation would still involve a review by the entire Municipal Heritage Committee to consider the application and its impacts, but it would expedite the timeline for heritage permits that are minor in nature, and the Committee could still reserve the right to defer to Council for a decision where an application is not considered minor or in alignment with the City's heritage policies.

2.2 Municipal Heritage Committee Recommendation of Approval

The Municipal Heritage Committee reviewed the Heritage Permit application at their July 16, 2020 meeting and supported staff's recommendation related to Heritage Permit HP2020-004. The following motion was passed:

Motion: "That the Municipal Heritage Committee support the staff recommendation and approve the heritage permit as presented." Carried UN.

3.0 Other Permit Requirements

The proposed alterations will require a Building Permit. The property owner is responsible for obtaining the Building Permit prior to the commencement of construction on the property. Staff will work with Building Standards to confirm the design of the works and to coordinate the issuance of the Heritage Permit and Building Permit.

Prepared by:

Fredrick VanRooyen, BES
Zoning/Committee Coordinator
Planning Division
IPPW

**Appendix A.
Photos & Elevation Drawings**



Figure 2: Existing North Façade (Front) – Proposed basement window and skylight would be located behind the front turret and not visible from the street.



Figure 3: Existing East Façade (Left Side) W– Approximate location of proposed basement window.

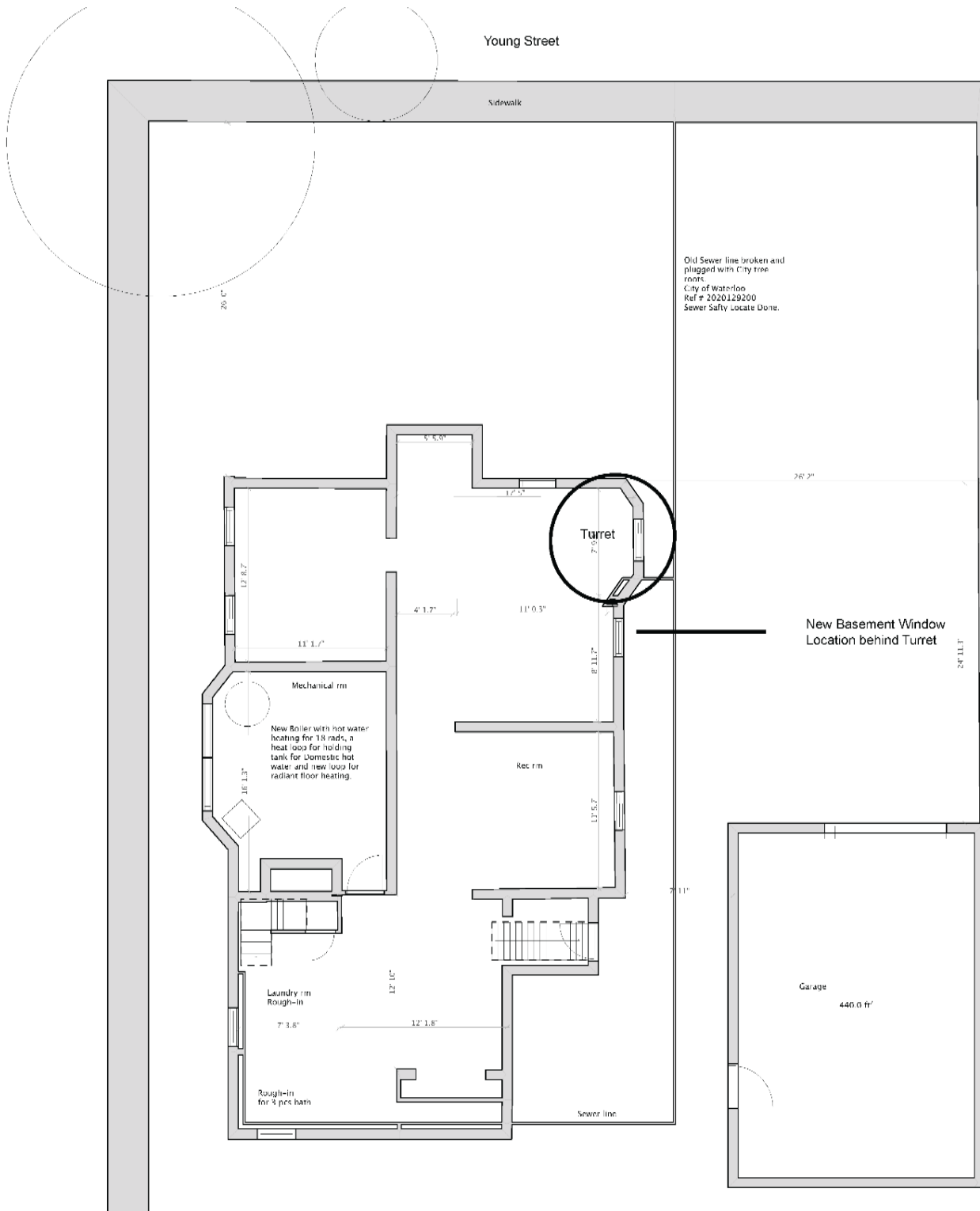


Figure 3: Site Plan with Basement Windows – Plan showing the location of the proposed basement window.

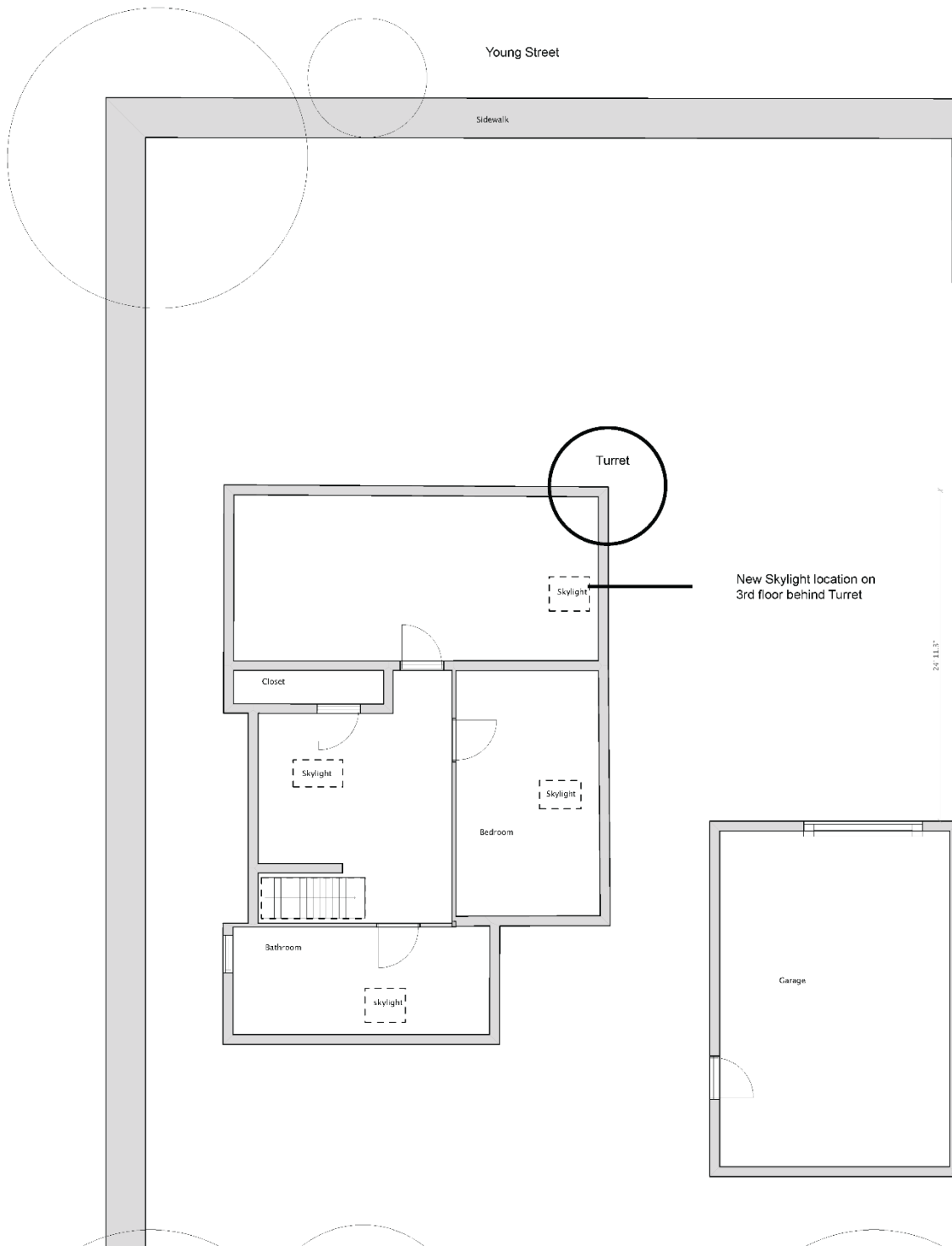


Figure 4: Site Plan with Skylights – Plan showing the location of the existing and proposed skylights.

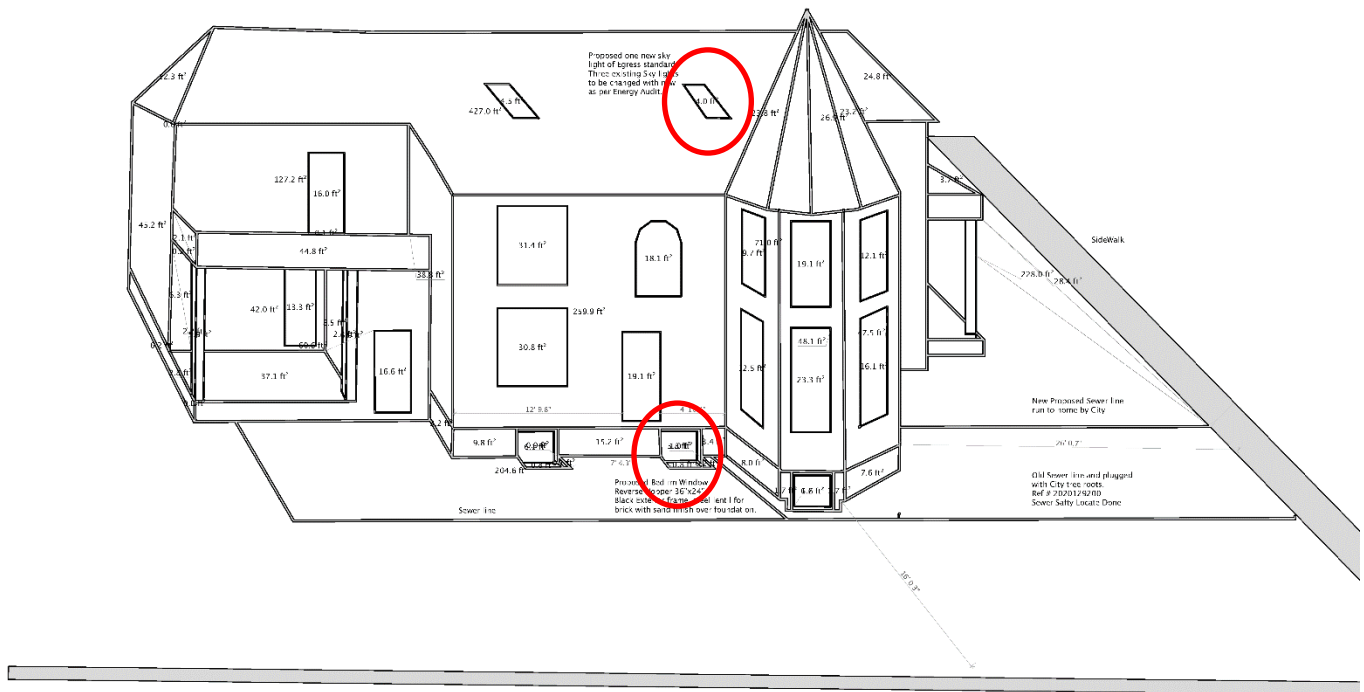


Figure 5: East Elevation – East elevation showing the location of the existing and proposed windows and skylights.

Appendix B. Heritage Permit Application HP2020-004

HERITAGE WATERLOO

APPLICATION FOR HERITAGE PERMIT:

6. Project Proposal Information

Expected Start Date. Upon Approval

Expected Completion Date: August 2020

- A. Basement window replacement of 9 Window inserts, 1 New Window installed
All 8 original windows that are hopper style have been sealed closed over the years by several different home owner attempts. Some ideas are spray foam, silicon, large nails and one window has been completely removed and replaced with plywood. All windows have suffered a degree of deterioration and need replacement to provide proper ventilation and humidity control for the health of the home.

The proposal that I'm suggesting is replacement of the window frame and glass and inserting into the original wood frame. (prep work sanding priming and painting of wood frame) In Schedule A attached you can see all the proposed windows are hopper style, with original Black exterior, all windows are double glazed with screens and made of vinyl.

1 New Window install is requested on the East side of home beside the driveway for a future bedroom. In Schedule A Attached Line item 3 is the proposed window and as you can see is of same style and sizing of all windows. A new wood frame to match all other windows would be constructed and painter to match. The height and orientation of the new window opening in Schedule B page 2 and in provided photograph lands at the same height as of all other windows. This is also dictated by the floor level on main floor.

- B. Third Floor Skylights replacement of 3 and 1 new Skylight installed.
The same type of deterioration is occurring in the skylight as in the basement windows. Years of home owners trying to seal or fix has resulted in moisture wicking in and damaging the area around them. As important as the functioning basement windows are as to are the functioning skylights on the third floor. Once you open the basement windows and the third-floor skylights it draws out all moisture and creates great ventilation by way of the four staircases in the home.

1 new Egress style skylight Schedule 3 proposed location page 1, style page 2.
Photograph provided. Location of new skylight is on east side of home behind Turret not visible from Young Street. Reasoning for new opening is safety there is only one way up to third floor by way of one staircase. No alternate way out of living space and room that is suggested for this skylight has no window or ventilation.

NOTICE OF A FORMAL PUBLIC MEETING

ZONING BY-LAW AMENDMENT Z-19-06

GENERAL AMENDMENTS TO CITY OF WATERLOO ZONING BY-LAW 2018-050

TAKE NOTICE that the Council of The Corporation of the City of Waterloo will hold an electronic Formal Public Meeting on **Monday, August 24, 2020**, during the electronic Council Meeting, to consider the above noted application to amend **Zoning By-law 2018-050** pursuant to Section 34 of the Planning Act.

The City of Waterloo is proposing administrative and general amendments to **Zoning By-law 2018-050**. The proposed amendments primarily correct, update, and/or add zoning provisions to the by-law in response to issues identified through the day-to-day application of the by-law over the past year. The primary objectives are to make the by-law more understandable, consistent, and enforceable, fix administrative errors, and respond to minor site specific requests. The proposed amendments primarily relate to:

- clarifying existing definitions
- modifying transition regulations
- modifying regulations for cluster developments, non-conforming building, parking, driveways, and servicing
- adding and/or modifying general provisions related to balconies, mezzanines, decks, reserves, and mechanical equipment
- resolving mapping errors and updating mapping
- minor modifications to various residential, commercial, and employment zones
- rezoning the following lands from Residential Three (R3) to Residential One (R1): 446-482 Anndale Rd, 453-475 Lee Ave, 252-312 Lexington Rd, 251-307 Whitmore Dr, 252-208 Whitmore Dr, 251-309 Normandy Ave, 256-310 Normandy Ave, 251-307 Castlefield Ave, 250-304 Castlefield Ave, and 249 Anita Crt
- zoning correction related to the BarrelYards (108-110 Erb St W, 2-29 Father David Bauer Dr, 22-42 Avondale Ave N)
- site specific zoning amendments to various properties, including: 635 Erb St W & 12 Westhill Dr; 605 & 609 Davenport Road; 651-663 Erb St W; 285 Benjamin Road; and 40 Blue Springs Drive
- any other general amendment to Zoning By-law 2018-050 deemed appropriate by the City of Waterloo

This meeting shall constitute the formal public meeting required under Section 34 of The Planning Act, R.S.O., 1990, as amended. It is expected that Council will decide whether the application should be approved, denied or amended. A copy of the staff report will be available prior to the Public Meeting on the City's website.

If Council approves the application, a by-law to amend the Zoning By-law will be passed.

For further information regarding the above matter, please contact the **City of Waterloo, Integrated Planning & Public Works, 2nd Floor, Waterloo City Centre, Waterloo, Ontario**, by calling **Dominik Simpson at 519-747-8583** or email dominik.simpson@waterloo.ca

HOW TO GET INVOLVED:

The purpose of the public meeting is to share information and to hear and consider public and stakeholder comments regarding the planning application as part of City Council's decision making process. The public is invited to watch and/or listen to the electronic meeting on www.youtube.com/citywaterloo/live and may participate by submitting written comments in advance of the public meeting and/or arranging to speak to the application.

TO SUBMIT WRITTEN COMMENTS

You can submit written comments, no later than **9:00 a.m. on Wednesday, August 19, 2020** to ensure your comments are included in the City Council Agenda, in the following ways:

- Via email to clerkinfo@waterloo.ca
- By dropping off a hardcopy at **Waterloo City Hall**, addressed to the office of the **City Clerk, 3rd floor, 100 Regina St S, Waterloo, ON**
- By placing a hardcopy in the **after hours mail slot beside the side door entrance on William Street**

All written submissions should clearly state "Formal Public Meeting, August 24, Zoning By-law Amendment Z-19-06" at the top of the letter/correspondence.

TO SPEAK TO THE APPLICATION

If you wish to speak to the application, please contact the **Legislative Services Division** no later than **10:00 a.m. on Monday, August 24, 2020** by any of the following ways:

- By phone at **519-747-8705**
- By email to clerkinfo@waterloo.ca

When we receive your request, we will send you a confirmation message and instructions for participating in the electronic public meeting. Instructions will also be provided during the meeting to allow those watching an opportunity to speak to this application.

We encourage the public to provide input into this important Zoning By-law Amendment application. Individuals may submit written/electronic comments. The public is informed and notified that names, addresses and comments may be made public.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Corporation of the City of Waterloo before the by-law is passed, the person or public body is not entitled to appeal the decision of Council to the Local Planning Appeal Tribunal. In addition, if a person or public body does not make oral submissions at a public meeting, or make written submissions to the Corporation of the City of Waterloo before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Olga Smith, City Clerk, City of Waterloo



STAFF REPORT Planning

Title: General Amendments to Zoning By-law 2018-050 (Part 2)
Report Number: IPPW2020-051
Author: Dominik Simpson
Meeting Type: Council Meeting
Council/Committee Date: August 24, 2020
File: Z-19-06
Attachments: Schedule A – General Amendments
Appendix A – Informal Public Meeting Minutes
Ward No.: City-wide

Recommendations:

1. That Council approve report IPPW2020-051.
2. That Zoning By-law Amendment Z-19-06, General Amendments to Zoning By-law 2018-050 (Part 2) be approved as set out in Schedule 'A' to IPPW2020-051.

A. Report

The City of Waterloo completed a comprehensive Zoning By-law Review and passed Zoning By-law 2018-050 on September 10, 2018. The by-law was subsequently appealed to the Local Planning Appeal Tribunal ("LPAT"). The by-law is now in force and effect by order of LPAT issued on November 28, 2019 save and except for two geographic areas. In order to create efficiencies and keep the by-law current, general amendments are undertaken from time to time.

Waterloo City Council passed Part 1 of General Amendments to ZBL2018-050 on June 24, 2019 (re: IPPW2019-046). The Planning Division completed its annual review of the Zoning By-law in mid-2020, and is advancing report IPPW2020-051 for Council's consideration to resolve minor issues identified through the day-to-day use of the by-law since June 2019 (re: Part 2 of General Amendments to ZBL2018-050). The proposed amendments primarily correct, update, and/or add zoning provisions to the by-law in response to issues identified to date. The amendments are intended to make the by-law more understandable, consistent, and enforceable, fix administrative errors, and respond to minor site-specific requests.

The proposed amendments primarily relate to:

- clarifying existing definitions
- modifying transition regulations

- modifying regulations for cluster developments, non-conforming building, parking, driveways, and servicing
- adding and/or modifying general provisions related to balconies, mezzanines, decks, reserves, and mechanical equipment
- resolving mapping errors and updating mapping
- minor modifications to various residential, commercial, and employment zones
- correct a reference error in Site Specific Exemption C82 which applies to The Barrelyards development (108-110 Erb St W, 2-29 Father David Bauer Dr, 22-42 Avondale Ave N), more specifically the zoning reference for the building setback from the westerly lot line
- site specific zoning amendments to various properties, including: 635 Erb St W & 12 Westhill Dr; 605 & 609 Davenport Road; 651-663 Erb St W; 285 Benjamin Road; and 40 Blue Springs Drive

The notice for the Formal Public Meeting identified potential general amendments for part of the Colonial Acres neighbourhood. In response to concerns raised, the proposed amendments have been deferred to allow additional time for planning analysis and community consultation, and will be brought to Council in October 2020 for consideration (re: Part 2B of General Amendments to ZBL2018-050).

The proposed amendments are detailed in Schedule 'A' to this report.

B. Financial Implications

Staff is not aware of any financial implications to the City with respect to Zoning By-law Amendment Z-19-06. Should the proposed amendments be appealed, costs related to a Local Planning Appeal Tribunal (LPAT) hearing will be incurred.

C. Technology Implications

None.

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

Zoning By-law Amendment Z-19-06 generally aligns with the Economic Growth & Development objective by implementing improved zoning regulations city-wide.

E. Previous Reports on this Topic

Enactment of Zoning By-law 2018-050:

- IPPW2018-058, IPPW2018-058.1, IPPW2018-058.2 and IPPW2018-058.3

General Amendments to Zoning By-law 2018-050 (Part 1):

- IPPW2019-046

F. Approvals

Name	Signature	Date
Author: Dominik Simpson		
Director: Joel Cotter		
Commissioner: Cameron Rapp		
Finance: N/A		

CAO

SCHEDULE 'A'

**General Amendments to Zoning By-law 2018-050
August 2020**

Description

To add or modify various definitions in Zoning By-law 2018-050.

Amendment

No. 1

Comments

To clarify existing terms in the Zoning By-law.

Amendment

Legend: underline = addition / modification to regulation

~~striketrough~~ = deletion to regulation

Definitions to be added to or modified in Section 2 of Zoning By-law 2018-050:

PROPOSED

1. To add the following definitions to Zoning By-law 2018-050:

MEZZANINE means an intermediate floor within a STOREY which is predominantly open to the floor below.

PRIVATE ROAD means a non-municipal privately-owned road other than a COMMON ELEMENT ROAD.

2. **ADVANCED TECH** means an establishment specializing in the research, development, and or creation of advanced technology products (software and or hardware), services, systems, processes, and or prototyping related to one or more of the following ~~technology~~ sectors:
 - Aerospace
 - Artificial Intelligence
 - Biotechnology
 - Computer Engineering
 - Computer Science, including software
 - Data Centre
 - Electronic Device Technology
 - Energy Technology
 - Financial Technology
 - Information Technology
 - Medical Technology (including precision medical devices / products such as health wearables, virtual reality systems / devices, artificial health devices, 3-D printing of health products, bio-printing of health products, medical / health sensors, medical / health robotics, smart medical / health devices, implants, prosthesis, optical lens, precision medicine, and telehealth devices / services)
 - Nanotechnology
 - Photonics

- Quantum Computing / Technology
- Robotics
- Semiconductors
- Telecommunications

ADVANCED TECH includes software companies, open data companies, digital content companies, wireless technology companies, advanced technology hardware companies, cyber security companies, cloud computing companies, and 3D printing companies.

3. That the definition of **DRIVEWAY** be amended to read:

DRIVEWAY means that portion of a LOT used for the passage of motor vehicles from a STREET, LANE, PRIVATE ROAD or COMMON ELEMENT ROAD to a PARKING SPACE or loading area.

4. That the definition for **MAJOR OFFICE** appear before the definition of **MAKERSPACE**.

Description

To amend various general regulations in Zoning By-law 2018-050.

Amendment

No. 2

Comments

To clarify existing general regulations in the Zoning By-law to make the by-law more understandable, consistent, and enforceable, and to fix administrative errors.

Amendment

Legend: underline = addition / modification to regulation
~~strikethrough~~ = deletion to regulation

General Provisions to be modified in Section 3 of Zoning By-law 2018-050:

PROPOSED

1. To add the following note between the existing sections 3.C.1 and 3.C.2 to direct the reader to the regulations for Cluster Developments:

NOTE: See section 3.C.10 for CLUSTER DEVELOPMENT provisions.

2. To amend section 3.C.10.1 to require a minimum building setback from a private road. Through a plan of condominium, a private road is converted to common element road, therefore the same setback is proposed:

3.C.10.1 Notwithstanding anything to the contrary, for CLUSTER DEVELOPMENT, BUILDINGS shall comply with the regulations in Table 3C and the regulations of the zoning applied to the LOT, whichever is more restrictive:

Table 3C: CLUSTER DEVELOPMENT Regulations

STREET LINE setback (minimum)	6.00 metres
COMMON ELEMENT ROAD <u>or PRIVATE ROAD</u> setback (minimum)	6.00 metres
INTERIOR LOT LINE setback (minimum)	7.50 metres
BUILDING Separation – residential (minimum)	2.40 metres
BUILDING Separation – non-residential (minimum)	6.00 metres

3. To amend section 3.D.2 (re: Decks) to provide clarity related to deck regulations, as follows:

In a zone which permits a DWELLING UNIT or on a LOT used solely for residential purposes, the following regulations shall apply to DECKS:

3.D.2.1 DECKS shall be attached to the principal BUILDING. ~~which are not attached to the principal BUILDING are prohibited.~~

3.D.2.2 DECKS shall not be attached to the ~~rear facade~~ FRONT BUILDING FAÇADE of the principal BUILDING.

3.D.2.3 The FLANKAGE YARD setback applied to the principal BUILDING shall apply to the DECK.

3.D.2.4 The SIDE YARD setback applied to the principal BUILDING shall apply to the DECK.

3.D.2.5 DECKS shall be permitted to extend into the REAR YARD setback by a maximum three metres (3.0m), excluding stairs.

3.D.2.6 Notwithstanding anything to the contrary, DECKS are prohibited within four metres (4m) of the REAR LOT LINE.

3.D.2.7 The area directly beneath the DECK may be enclosed, but shall not contain HABITABLE FLOOR SPACE.

3.D.2.8 a.) Notwithstanding anything to the contrary, the top of the raised platform (the walking surface) of a DECK shall not exceed the height of the floor of the upper STOREY of the DWELLING.

b.) Notwithstanding section 3.D.2.8.a.), for the portion of a DECK extending into the REAR YARD setback pursuant to 3.D.2.5, the top of the raised platform (the walking surface) of a DECK shall be a maximum three metres (3.0m) above GRADE, measured at any point around the perimeter of that portion of the DECK extending into the REAR YARD setback pursuant to 3.D.2.5. Excludes any roof permitted in accordance with this BY-LAW.

3.D.2.9 A roof shall be permitted above a DECK provided that the roof complies with the same setbacks applicable to the principal BUILDING on the LOT.

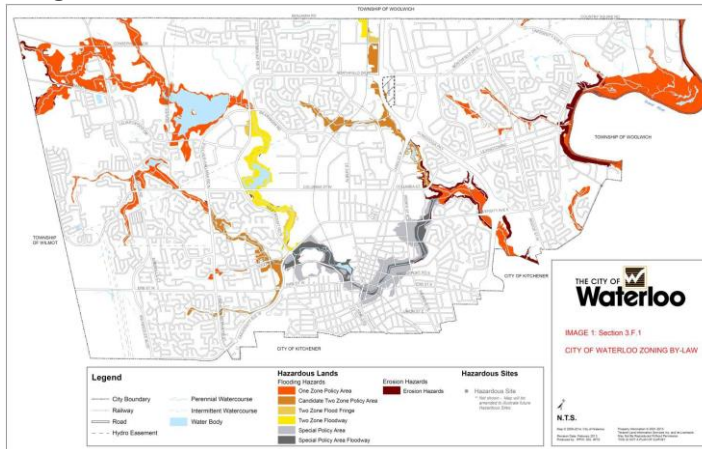
3.D.2.10 Notwithstanding anything to the contrary, the area of a DECK that is roofed pursuant to 3.D.2.9 shall be included in LOT COVERAGE calculations.

3.D.2.11 Notwithstanding anything to the contrary, DECKS shall be excluded from IMPERVIOUS AREA calculations provided that:

- a.) the DECK is constructed with at least three millimetre (3mm) spaces between each DECK board;
- b.) the DECK boards do not exceed zero-point-three metres (0.30m) in width;
- c.) the DECK is not roofed;
- d.) no impervious materials are stored or installed beneath the DECK; and,
- e.) the ground surface beneath the DECK is pervious.

4. To add the following note below Image 1 in section 3.F.1 (re: Floodplain Zoning):

Image 1 – Section 3.F.1



NOTE: For more detailed information regarding Image 1 above, please see OFFICIAL PLAN Schedule 'A5' (Natural Hazards) or contact the Grand River Conservation Authority.

5. To establish section 3.M.2B, to create general regulations for mezzanines which are becoming more common in Waterloo:

3.M.2B MEZZANINE

3.M.2B.1 For non-residential USES, the floor area of a MEZZANINE shall be deemed to be BUILDING FLOOR AREA.

3.M.2B.2 If the floor area of a MEZZANINE exceeds forty percent (40%) of the open floor area of the room in which it is located, the MEZZANINE shall be considered a STOREY.

3.M.2B.3 The MEZZANINE shall be open and unobstructed to the room in which such MEZZANINE is located except for safety guards required by the BUILDING CODE and any enclosed space permitted by section 3.M.2B.4.

3.M.2B.4 The floor area of the MEZZANINE is permitted to contain enclosed spaces that collectively shall not exceed ten percent (10%) of the floor area of the room in which the MEZZANINE is located, provided the enclosed spaces do not obstruct the visual connection between the open floor area of the MEZZANINE and the room below.

3.M.2B.5 A MEZZANINE in contravention of section 3.M.2B.4 shall be considered an additional STOREY.

3.M.2B.6 A MEZZANINE shall not be located adjacent to the STREET LINE BUILDING FAÇADE.

6. To correct a text omission in section 3.N.2.5, and to add section 3.N.2.5.1 to allow certain roof alterations to non-conforming buildings, such as adding dormers:

3.N.2.5 Nothing in this BY-LAW shall apply to prevent the repair, strengthening, altering, or restoration to a safe condition of a BUILDING or STRUCTURE or any part thereof that is legal non-conforming with respect to this BY-LAW, so long as such repair, strengthening, alteration, or restoration does not increase the height, size, or volume of the BUILDING or STRUCTURE.

3.N.2.5.1 Notwithstanding anything to the contrary, nothing in this BY-LAW shall apply to prevent the alteration of a roof on a BUILDING or STRUCTURE or any part thereof that is legal non-conforming with respect to this BY-LAW, including the construction of dormers, so long as such alteration does not extend beyond the EXISTING footprint of the roof.

7. To amend section 3.N.2.6 to also recognizing existing driveway widths in historic areas of the City, to avoid the need to obtain minor variances for alterations and additions to historic homes:

Non-Conforming Location of Buildings and Structures / Driveways

3.N.2.6 Where:

- the use of an EXISTING BUILDING or STRUCTURE or the intended use of an EXISTING BUILDING or STRUCTURE conforms to this BY-LAW;
- the size of the LOT for such use or intended use conforms to this BY-LAW; and,
- the ~~parking~~ PARKING SPACE requirements of this BY-LAW for such use or intended use are satisfied or capable of being satisfied,

and the location of the EXISTING BUILDING or STRUCTURE on the LOT is such that it does not conform to the provisions of the zoning applied to the LOT;

- a.) the location of the EXISTING BUILDING or STRUCTURE on the LOT shall be deemed to conform to the BY-LAW; and
- b.) the EXISTING width of the DRIVEWAY, if less than the minimum provisions of this BY-LAW, shall be deemed to conform to the BY-LAW.

8. Zoning regulations for reserves were clarified through Part 1 of the General Amendments to Zoning By-law 2018-050, approved by Council on June 24, 2019. Additional clarification is required in relation to reserves that abut the rear lot line:

3.R.5 RESERVES

3.R.5.1 Where a RESERVE separates a LOT from a STREET:

- a.) the LOT shall be deemed to abut the STREET for the purposes of this BY-LAW;
- b.) the RESERVE shall not be considered part of the LOT for the purposes of determining compliance with the provisions of this BY-LAW;
- c.) the RESERVE LOT LINE shall be deemed to be a STREET LINE.

3.R.5.2 Notwithstanding section 3.R.5.1.c.), where:

- a.) the LOT would be deemed to be a THROUGH LOT if the RESERVE is lifted; and
- b.) a DRIVEWAY does not traverse the RESERVE LOT LINE.

the RESERVE LOT LINE shall be deemed to be a REAR LOT LINE for the purposes of determining compliance with the provisions of the BY-LAW.

3.R.5.3 Notwithstanding anything to the contrary, access to the STREET from the LOT, or vice versa, shall be prohibited where a RESERVE is located.

9. To add sections 3.S.2.1.3.c.) and 3.S.2.2.3.c.) to clarify regulations related to accessory structures where municipal sanitary and/or water services do not exist -- where municipal services are unavailable, the owner may still construct a shed, detached garage, and the like, as such uses do not require servicing and are ancillary to the principal use of the lands.

3.S.2 SERVICES

3.S.2.1 Sanitary Services

3.S.2.1.1 No PERSON shall erect, alter, enlarge, or use any BUILDING or STRUCTURE in whole or in part unless:

- a.) a municipal sanitary service is available to service the BUILDING or STRUCTURE;
- b.) municipal sanitary servicing capacity is available to service the BUILDING or STRUCTURE.

3.S.2.1.2 Every BUILDING and STRUCTURE containing or intended to contain a water service shall be connected to a municipal sanitary service with sufficient capacity and design to accommodate the BUILDING or STRUCTURE.

3.S.2.1.3 Where no municipal sanitary service exists within the STREET abutting the LOT:

- a.) Sections 3.S.2.1.1 and 3.S.2.1.2 shall not apply to the alteration, enlargement, or use of an EXISTING BUILDING or EXISTING STRUCTURE that is serviced by an EXISTING sanitary septic system.
- b.) The EXISTING sanitary septic system in section 3.S.2.1.3.a.) may be maintained and replaced to service the BUILDING or STRUCTURE.
- c.) Section 3.S.2.1.1 shall not apply to the erection, alteration, enlargement, or use of an ACCESSORY BUILDING or ACCESSORY STRUCTURE provided the ACCESSORY BUILDING or ACCESSORY STRUCTURE is not be used for human habitation.

3.S.2.1.4 Where a BUILDING or STRUCTURE that is serviced by an EXISTING sanitary septic system connects to a municipal sanitary service, the EXISTING sanitary septic system shall be decommissioned in accordance with applicable law.

3.S.2.2 Water Services

3.S.2.2.1 No person shall erect, alter, enlarge, or use any BUILDING or STRUCTURE in whole or in part unless:

- a.) a municipal water service is available to service the BUILDING or STRUCTURE;
- b.) the supply and pressure of the municipal water is sufficient to service the BUILDING or STRUCTURE.

3.S.2.2.2 Every BUILDING and STRUCTURE containing or intended to contain a water service shall be connected to a municipal water service with sufficient supply and pressure to accommodate the BUILDING or STRUCTURE.

3.S.2.2.3 Where no municipal water distribution system exists within the STREET abutting the LOT:

a.) Sections 3.S.2.2.1 and 3.S.2.2.2 shall not apply to the alteration, enlargement, or use of an EXISTING BUILDING or EXISTING STRUCTURE that is serviced by an EXISTING private water well.

b.) The EXISTING private water well in section 3.S.2.2.3.a.) may be maintained and replaced to service the BUILDING or STRUCTURE.

c.) Section 3.S.2.2.1 shall not apply to the erection, alteration, enlargement, or use of an ACCESSORY BUILDING or ACCESSORY STRUCTURE provided the ACCESSORY BUILDING or ACCESSORY STRUCTURE is not be used for human habitation.

3.S.2.2.4 Where a BUILDING or STRUCTURE that is serviced by an EXISTING private water well connects to a municipal water service, the EXISTING private water well shall be decommissioned in accordance with Regulation 903 of the Ontario Water Resources Act R.S.O. 1990 c.0.40 and all other applicable law.

3.S.2.2.5 Notwithstanding anything to the contrary, on a residential LOT, a private water well used for any purpose other than human consumption, such as irrigation, shall be prohibited.

3.S.2.2.6 Notwithstanding anything to the contrary, on an EXISTING golf course, an EXISTING private water well used for irrigation shall be permitted and may be replaced.

10. To add section 3.T.5.3 to exclude balconies from the horizontal tower dimension calculation, allowing for more architectural flexibility in exterior building design and the provision of amenity space. Balconies will continue to be included in the tower separation calculation and the tower stepback calculation above the podium, to achieve the City's planning objectives for tall buildings.

3.T.5.3 Notwithstanding anything to the contrary, balconies shall be excluded from the measurement of a Horizontal TOWER Dimension.

Description

Amend the definition of BUILDING HEIGHT to regulate the height of rooftop mechanical equipment, accesses, and elevator penthouses.

Amendment

No. 3

Comments

Rooftop mechanical and service equipment has traditionally been excluded from the building height calculation. Recently, the size and height of rooftop mechanical equipment / enclosures and rooftop accesses (stairwells and elevator penthouses) has increased. To ensure the height of such equipment and accesses is not excessive, to minimize impacts in relation to the building's appearance and/or the city's skyline, staff recommend establishing maximum height regulations for such equipment and accesses, as specified below. Additional design requirements are anticipated to be included in the update to the City's Urban Design Manual.

Amendment

Legend: underline = addition / modification to regulation
~~strikethrough~~ = deletion to regulation

Excerpt from the definition of BUILDING HEIGHT:

EXISTING	PROPOSED
The following shall be disregarded when calculating BUILDING HEIGHT: • chimney • church spire, church steeple, church belfry, and the like • mechanical and service equipment penthouse • rooftop architectural feature (see section 3.A.5) • mechanical and service equipment noise barriers • elevator penthouse • stairway structure • non-habitable and unenclosed rooftop amenity structures • safety guards • ornamental domes, skylights, and cupolas • telecommunication equipment	The following shall be disregarded when calculating BUILDING HEIGHT: • chimney • church spire, church steeple, church belfry, and the like • <u>rooftop mechanical, ventilation, electrical, utility</u> and service equipment <u>not exceeding four metres in height</u> • <u>enclosed stairwell roof access not exceeding four metres in height</u> • <u>elevator penthouse not exceeding six metres in height</u> • rooftop architectural feature (see section 3.A.5) • mechanical and service equipment noise barriers • elevator penthouse • stairway structure • non-habitable and unenclosed rooftop amenity structures • safety guards • ornamental domes, skylights, and cupolas

- telecommunication equipment

Description

Amend the Interpretations Section of Zoning By-law 2018-050 (re: conflicts).

Amendment

No. 4

Comments

To clarify the intent of the Zoning By-law that, in the event of a conflict between provisions, the most restrictive provision prevails.

Amendment

Legend: underline = addition / modification to regulation
~~strikethrough~~ = deletion to regulation

Amended section 4.3 as follows:

EXISTING

4.3 CONFLICT

In the event of any conflict between this BY-LAW and any other by-law passed by the CITY, the more restrictive provision prevails unless applicable law requires otherwise.

PROPOSED

4.3 CONFLICT

In the event of any conflict between this BY-LAW and any other by-law passed by the CITY, the more restrictive provision prevails unless applicable law requires otherwise.

In the event of any conflict between provisions in this BY-LAW, the more restrictive provision prevails unless applicable law requires otherwise.

Description

Amend various parking and driveway regulations in Section 6 of Zoning By-law 2018-050.

Amendment

No. 5

Comments

To amend existing parking and driveway regulations in the Zoning By-law to make the by-law more progressive, more flexible, and to fix administrative errors.

Amendment

Legend: underline = addition / modification to regulation

~~strikethrough~~ = deletion to regulation

Parking and driveway regulations to be modified in Section 6 of Zoning By-law 2018-050:

PROPOSED

1. To amend section 6.1.5 to exempt low rise residential buildings from certain parking regulations in Table 6B:

6.1.5 PARKING SPACE DIMENSIONS

6.1.5.1 Each PARKING SPACE shall comply with the PARKING SPACE angles and the PARKING SPACE dimensions identified in Table 6B, except as specified in section 6.1.5.2:

TABLE 6B: PARKING SPACE DIMENSIONS		
PARKING SPACE angle to the Driveway, Drive Aisle, or STREET	PARKING SPACE Dimension (minimum)	
Parallel Parking	Width	2.8 metres
	Length	6.5 metres
45° and TANDEM PARKING	Width	2.8 metres
	Length	6.0 metres
90°	Width	2.8 metres
	Length	5.5 metres
90° when one side abuts a wall or column	Width	3.0 metres
	Length	5.5 metres
90° when both sides abut a wall or column	Width	3.2 metres
	Length	5.5 metres

6.1.5.2 Notwithstanding anything to the contrary, the minimum PARKING SPACE width dimensions of 3.0 metres and 3.2 metres in Table 6B where one or both sides of the PARKING SPACE abut a wall or column shall not apply to a PRIVATE GARAGE or carport of a:

- SINGLE DETACHED BUILDING
- SEMI-DETACHED BUILDING
- FREEHOLD SEMI-DETACHED BUILDING
- TOWNHOUSE BUILDING

- FREEHOLD TOWNHOUSE BUILDING
- DUPLEX BUILDING
- TRIPLEX BUILDING

2. As part of Council's consideration of the General Amendments (Part 1) to Zoning By-law 2018-050 in June 2019, it directed staff to examine a more progressive electric vehicle parking requirement in section 6.3.1.1 of the by-law, more specifically to require all structured parking spaces to be designed to accommodate the future installation of electric vehicle equipment. It is recommended that section 6.3.1.1 be amended as follows:

6.3.1 Electric Vehicle Parking

6.3.1.1 ~~A minimum eighty percent (80%) of All~~ STRUCTURED PARKING SPACES for:

- APARTMENT BUILDING
- MULTI-UNIT RESIDENTIAL BUILDING
- MIXED USE BUILDING
- Non-Residential BUILDINGS

constructed on or after the effective date of this BY-LAW January 1, 2021 shall be Designed Electric Vehicle Parking Spaces. "Designed Electric Vehicle Parking Space" means a PARKING SPACE designed and constructed to be electric vehicle ready, allowing for the future installation of electric vehicle supply equipment that conforms to Section 86 of the Electrical Safety Code.

This amendment to section 6.3.1.1 will be passed by separate by-law, stating that it shall not take effect until January 1, 2021.

3. Recommend that section 6.8.4 be repealed, deleting the maximum driveway width requirement for non-residential uses. The City has other mechanisms to control the width of non-residential driveways, including site plan control, and greater flexibility is required (e.g., wider driveways in industrial areas to accommodate context specific transport truck movements). Section 6.8.4 to be amended to read:

6.8.4 ~~Notwithstanding anything to the contrary, on a LOT exclusively used for non-residential purposes, the maximum DRIVEWAY width shall be eight point five metres (8.5 metres). (repealed by By-law -)~~

Description

Amend the general provisions to permit commuter parking facilities in Station Areas.

Amendment

No. 6

Comments

Recommend that commuter parking facilities owned by the Province, Region, or City be permitted in Station Areas to facilitate connections to and use of ION, and reduce automobile use. To align with the City's planning objectives for Station Areas, Commuter Parking Facilities should be restricted to structured parking in these zones.

Amendment

Legend: underline = addition / modification to regulation
~~strikethrough~~ = deletion to regulation

Amend provision 3.C.8.1 as follows:

EXISTING

3.C.8.1 Notwithstanding anything to the contrary, commuter parking facilities owned or leased by the Province of Ontario, the REGION, or the CITY shall be permitted in the following zones:

- RMU (all suffixes)
- RN (all suffixes)
- U1, U2
- C1, C2, C3, C4, C5, C6, C7
- E1, E2, E3, UC
- EI, I

PROPOSED

3.C.8.1 Notwithstanding anything to the contrary, commuter parking facilities owned or leased by the Province of Ontario, the REGION, or the CITY shall be permitted in the following zones:

- RMU (all suffixes)
- RN (all suffixes)
- U1, U2
- C1, C2, C3, C4, C5, C6, C7
- C1A, C2A, C2B, C4A (restricted to STRUCTURED PARKING)
- E1, E2, E3, UC
- E2A, E2B (restricted to STRUCTURED PARKING)
- EI, I

Description

Amend various Residential regulations in Section 7 of Zoning By-law 2018-050.

Amendment

No. 7

Comments

To clarify existing Residential regulations in the Zoning By-law to make the by-law more understandable, consistent, and enforceable, and to fix administrative errors.

Amendment

Legend: underline = addition / modification to regulation
~~strikethrough~~ = deletion to regulation

Residential regulations to be modified in Section 7 of Zoning By-law 2018-050:

PROPOSED

1. To amend Table 7K in the Residential Six (R6) zone to delete the density provisions applied to Freehold Townhouse Buildings. The density provisions were inadvertently applied to Freehold Townhouse Buildings, whereas the provision only applies to Townhouse Buildings. Table 7K to be amended as follows:

Table 7K: Regulations – RESIDENTIAL SIX ZONE (R6) – CONTINUED			
		TOWNHOUSE	FREEHOLD TOWNHOUSE
LOT AREA (minimum)	INTERIOR LOT: Internal Unit	(none)	225 square metres
	INTERIOR LOT: End Unit	(none)	262 square metres
	CORNER LOT:	(none)	322 square metres
LOT FRONTAGE (minimum)	INTERIOR LOT: Internal Unit	(none)	7.5 metres
	INTERIOR LOT: End Unit	(none)	8.75 metres
	CORNER LOT	(none)	10.75 metres
Average LOT DEPTH (minimum) (see 7.6.7)		(none)	30 metres
FRONT YARD setback (minimum)		6 metres	
FLANKAGE YARD setback (minimum)		3 metres	6 metres
SIDE YARD setback (minimum)		1.2 metres	
REAR YARD setback (minimum)		7.5 metres	
Setback between Main BUILDINGS (minimum)		2.4 metres	(none)
BUILDING HEIGHT (maximum)		10 metres	
Density (maximum)		150 BEDROOMS per hectare	<u>(none)</u>
LANDSCAPED OPEN SPACE (minimum)		30%	
IMPERVIOUS COVERAGE (maximum)		N/A	
PARKING SPACES (minimum)		1.4 per DWELLING UNIT	1 per DWELLING UNIT

PRIVATE GARAGE Width (minimum)	3.55 metres	4.28 metres
PRIVATE GARAGE Depth (minimum)	6.25 metres	
PRIVATE GARAGE Area (minimum)	22 square metres	26.75 square metres
Driveway Width (minimum)	(none)	5.07 metres
Number of main BUILDINGS per LOT (maximum)	More than one (1) permitted	1

2. To amend section 7.6.9 in the Residential Six (R6) zone to delete the wording regulating the maximum driveway width. This previous Neighbourhood Residential (NR) zone in By-law 1418 did not contain such wording, and other provisions in the zone regulate the size of driveways. Section 7.6.9 to be amended to read:

7.6.9 Notwithstanding anything to the contrary, the width of a PRIVATE GARAGE attached to the main BUILDING ~~and the associated DRIVEWAY~~ shall not exceed fifty eight percent (58%) of the FRONT YARD BUILDING FAÇADE LENGTH.

3. To amend Table 7L in the Residential Seven (R7) zone to delete the density provisions applied to Freehold Townhouse Buildings. The density provisions were inadvertently applied to Freehold Townhouse Buildings, whereas the provision only applies to Townhouse Buildings. Table 7L to be amended as follows:

Table 7L: Regulations – RESIDENTIAL SEVEN ZONE (R7)			
		TOWNHOUSE	FREEHOLD TOWNHOUSE
LOT AREA (minimum)	INTERIOR LOT	(none)	185 square metres
	CORNER LOT	(none)	400 square metres
LOT FRONTAGE (minimum)	INTERIOR LOT	(none)	5.5 metres
	CORNER LOT	(none)	11.5 metres
Average LOT DEPTH (minimum) (see 7.7.3)		30 metres	
STREET LINE setback (minimum)		6 metres	
INTERIOR LOT LINE setback (minimum)		7.5 metres	(none)
SIDE YARD setback (minimum)		1.2 metres	1.8 metres
REAR YARD setback (minimum)		(none)	7.5 metres
Setback between Main BUILDINGS (minimum)		2.4 metres	(none)
BUILDING HEIGHT (maximum)		10 metres	
Density (maximum)		150 BEDROOMS per hectare	<u>(none)</u>
LOT COVERAGE, all BUILDINGS (maximum)		50%	40%
PARKING SPACES (minimum)		1.4 per DWELLING UNIT	1 per DWELLING UNIT
Number of main BUILDINGS per LOT (maximum)		More than one (1) permitted	1

4. To add section 7.8.1.4 to the Residential Eight (R8) zone to establish provisions for existing single detached dwellings on lands zoned R8:

7.8.1.4 Notwithstanding anything to the contrary, the provisions in the Residential Four (R4) zone shall apply to all SINGLE DETACHED BUILDINGS which lawfully and actually existed on the date of the passing of this BY-LAW.

5. To amend Table 7M in the Residential Eight (R8) zone to delete the density provisions applied to Freehold Townhouse Buildings. The density provisions were inadvertently applied to Freehold Townhouse Buildings, whereas the provision only applies to Townhouse Buildings. Table 7M to be amended as follows:

Table 7M: Regulations – RESIDENTIAL EIGHT ZONE (R8)					
		TOWNHOUSE	STACKED TOWNHOUSE	FREEHOLD TOWNHOUSE	TRIPLEX
LOT AREA (minimum)		(none)	(none)	165 sq.m.	540 sq.m.
LOT FRONTAGE (minimum)	INTERIOR LOT	(none)	(none)	5.5 metres	15 metres
	CORNER LOT	(none)	(none)	11.5 metres	18 metres
STREET LINE setback (minimum)		6 metres			
INTERIOR LOT LINE setback (minimum)		7.5 metres	(none)	(none)	(none)
SIDE YARD setback (minimum)		(none)	1.8 metres	1.8 metres	1.8 metres
REAR YARD setback (minimum)		7.5 metres			
BUILDING HEIGHT (maximum)		10 metres			
Density (maximum)		150 BEDROOMS per hectare	150 BEDROOMS per hectare	(none)	(none)

6. To amend Table 7O in the Residential Mixed-Use (RMU) zone to clarify the wording of the “Street Line Setback (maximum)” regulation:

Table 7O: Regulations - RESIDENTIAL MIXED-USE ZONE (RMU)					
	RMU-20	RMU-30	RMU-40	RMU-60	RMU-81
LOT FRONTAGE (minimum)	20 metres				
STREET LINE setback (minimum)	5 metres				

STREET LINE setback (maximum)	At least 75% of the <u>STREET LINE</u> BUILDING FAÇADE <u>shall be</u> within 7.5 metres of the STREET LINE	At least 75% of the <u>STREET LINE</u> BUILDING FAÇADE <u>shall be</u> within 7.5 metres of the STREET LINE	At least 75% of the <u>STREET LINE</u> BUILDING FAÇADE <u>shall be</u> within 7.0 metres of the STREET LINE	At least 75% of the <u>STREET LINE</u> BUILDING FAÇADE <u>shall be</u> within 6.0 metres of the STREET LINE	At least 75% of the <u>STREET LINE</u> BUILDING FAÇADE <u>shall be</u> within 6.0 metres of the STREET
SIDE YARD setback (minimum)	3 metres				
REAR YARD setback (minimum)	7.5 metres	7.5 metres	7.5 metres	5.0 metres	5.0 metres
LOW RISE RESIDENTIAL LOT LINE setback (minimum)	7.5 metres or half the height of the BUILDING, whichever is greater, except for TOWNHOUSE BUILDINGS and FREEHOLD TOWNHOUSE BUILDINGS where no LOW RISE RESIDENTIAL LOT LINE setback shall apply				
BUILDING HEIGHT (minimum)	7.5 metres	7.5 metres	10.5 metres	13.5 metres	13.5 metres
BUILDING HEIGHT (maximum)	20 metres and 6 storeys	30 metres and 9 storeys	40 metres and 12 storeys	60 metres and 18 storeys	81 metres and 25 storeys
Density (minimum)	(none)	(none)	150 BEDROOMS per hectare	150 BEDROOMS per hectare	150 BEDROOMS per hectare
Density (maximum)	450 BEDROOMS per hectare	525 BEDROOMS per hectare	600 BEDROOMS per hectare	675 BEDROOMS per hectare	750 BEDROOMS per hectare
LANDSCAPED OPEN SPACE (minimum)	30%				
Number of main BUILDINGS per LOT (maximum)	More than one (1) permitted				

7. To amend Table 7P in the Residential Mixed-Use (RMU) zone to clarify references:

Table 7P: Regulations - RESIDENTIAL MIXED-USE ZONE (RMU)					
	RMU-20	RMU-30	RMU-40	RMU-60	RMU-81
Height of FIRST STOREY (minimum)	4.5 metres	4.5 metres	4.5 metres	4.5 metres	4.5 metres
PODIUM Height (minimum)	(none)	10.5 metres	10.5 metres	10.5 metres	10.5 metres
PODIUM Height (maximum)	(none)	14.3 metres and 4 storeys	14.8 metres and 4 storeys	21 metres and 6 storeys	21 metres and 6 storeys
TOWER Separation measured from exterior face of the BUILDING, including balconies (minimum) (see 7.10.4)	(none)	a.) 22 metres from a TOWER on the same LOT b.) 11 metres from an INTERIOR LOT LINE, except where the INTERIOR LOT LINE abuts lands zoned OS1 (see 3.T.5.1 and 3.T.5.2)			
Horizontal TOWER Dimension (maximum)	(none)	40 metres	40 metres	40 metres	40 metres
TOWER Footprint (maximum)	(none)	1,000 square metres	1,000 square metres	1,000 square metres	1,000 square metres
TOWER STEPBACK above PODIUM, including balconies, on the FRONT BUILDING FAÇADE and FLANKAGE BUILDING FAÇADE (minimum)	(none)	3 metres (see 3.T.5.1)	3 metres (see 3.T.5.1)	3 metres (see 3.T.5.1)	3 metres (see 3.T.5.1)
AMENITY AREA (minimum)	3 square metres for the first BEDROOM and 2 square metres for each additional BEDROOM in the DWELLING UNIT				

8. To amend Tables 7Q, 7R, 7S, and 7T in the applicable Residential Northdale (RN) zones to clarify the provision pertaining to the "Street Line Setback (maximum)" and correct reference errors:

Table 7Q: Regulations – RESIDENTIAL NORTHDAL SIX ZONE (RN-6)			
		Primary Uses specified in 7.11.1.1 and Complementary Uses specified in 7.11.1.3	Primary Uses specified in 7.11.1.2
LOT AREA (minimum)		1,000 square metres	(none)
LOT FRONTAGE (minimum)		20 metres	5.5 metres
STREET LINE setback (minimum)	Active Frontage	1 metre	1 metre
	Convertible Frontage	1 metre	1 metre
	Neighbourhood Frontage	3 metres	3 metres
STREET LINE setback (maximum)	Active Frontage	3 metres	3 metres
	Convertible Frontage	<u>At least</u> 75% of the STREET LINE BUILDING FAÇADE shall be within 5 metres of the STREET LINE	<u>At least</u> 75% of the STREET LINE BUILDING FAÇADE shall be within 5 metres of the STREET LINE
	Neighbourhood Frontage	6 metres	6 metres
SIDE YARD setback (minimum)	Active Frontage, applicable to BUILDINGS constructed after the effective date of this BY-LAW	3 metres	3 metres
	Convertible Frontage	3 metres	3 metres
	Neighbourhood Frontage	3 metres	3 metres
REAR YARD setback (minimum)		7.5 metres	7.5 metres
[...]		[...]	[...]

Table 7R: Regulations – RESIDENTIAL NORTHDAL EIGHT ZONE (RN-8)		
LOT AREA (minimum)		1,000 square metres
LOT FRONTAGE (minimum)		20 metres
STREET LINE setback (minimum)	Active Frontage	1 metre
	Convertible Frontage	1 metre
	Neighbourhood Frontage	3 metres
STREET LINE setback (maximum)	Active Frontage	3 metres
	Convertible Frontage	<u>At least</u> 75% of the STREET LINE BUILDING FAÇADE <u>shall be</u> within 5 metres of the STREET LINE
	Neighbourhood Frontage	6 metres
SIDE YARD setback (minimum)	Active Frontage, applicable to BUILDINGS constructed after the effective date of this BY-LAW	3 metres
	Convertible Frontage	3 metres
	Neighbourhood Frontage	3 metres
REAR YARD setback (minimum)		7.5 metres
[...]		[...]

Table 7S: Regulations – RESIDENTIAL NORTHDAL EIGHT ZONE (RN-8)		
LOT AREA (minimum)		1,000 square metres
LOT FRONTAGE (minimum)		20 metres
STREET LINE setback (minimum)	Active Frontage	1 metre
	Convertible Frontage	1 metre
	Neighbourhood Frontage	3 metres
STREET LINE setback (maximum)	Active Frontage	3 metres
	Convertible Frontage	<u>At least</u> 75% of the STREET LINE BUILDING FAÇADE <u>shall be</u> within 5 metres of the STREET LINE
	Neighbourhood Frontage	6 metres
SIDE YARD setback (minimum)	Active Frontage, applicable to BUILDINGS constructed after the effective date of this BY-LAW	3 metres
	Convertible Frontage	3 metres
	Neighbourhood Frontage	3 metres
[...]		[...]

Table 7S: Regulations – RESIDENTIAL NORTHDALÉ TWELVE ZONE (RN-12)	
Residential PARKING SPACES (minimum)	0.20 per BEDROOM
VISITOR PARKING SPACES (minimum)	0.05 per BEDROOM
PARKING SPACES for Non-Residential Uses (minimum) (see 7.13.13)	3.0 per 100 square metres of BUILDING FLOOR AREA
[...]	[...]

Table 7T: Regulations – RESIDENTIAL NORTHDALÉ TWENTY FIVE ZONE (RN-25)		
LOT AREA (minimum)		1,000 square metres
LOT FRONTAGE (minimum)		20 metres
STREET LINE setback (minimum)	Active Frontage	1 metre
	Convertible Frontage	1 metre
	Neighbourhood Frontage	3 metres
STREET LINE setback (maximum)	Active Frontage	3 metres
	Convertible Frontage	At least 75% of the STREET LINE BUILDING FAÇADE shall be within 5 metres of the STREET LINE
	Neighbourhood Frontage	6 metres
SIDE YARD setback (minimum)	Active Frontage, applicable to BUILDINGS constructed after the effective date of this BY-LAW	3 metres
	Convertible Frontage	3 metres
	Neighbourhood Frontage	3 metres
[...]		[...]
Residential PARKING SPACES (minimum)		0.20 per BEDROOM
VISITOR PARKING SPACES (minimum)		0.05 per BEDROOM
PARKING SPACES for Non-Residential Uses (minimum) (see 7.14.13)		3.0 per 100 square metres of BUILDING FLOOR AREA
[...]		[...]

9. To amend:

- section 7.11.7 in the Residential Northdale Six (RN-6) zone
- section 7.12.6 in the Residential Northdale Eight (RN-8) zone
- section 7.13.7 in the Residential Northdale Twelve (RN-12) zone
- section 7.14.7 in the Residential Northdale Twenty-Five (RN-25) zone

to align with the Northdale Urban Design & Built Form Guidelines (June 2012) that seeks to orient the main entrance of a building towards the street for visibility, safety, and activation of the streetscape.

Amend sections to read, respectively:

7.11.7 Notwithstanding anything to the contrary, every BUILDING shall have a main entrance at GRADE on the FRONT BUILDING FAÇADE or FLANKAGE BUILDING FAÇADE. For the purposes of calculating the number of FIRST STOREY entrances to a BUILDING, any fraction shall be rounded to the next highest whole number.

7.12.6 Notwithstanding anything to the contrary, every BUILDING shall have a main entrance at GRADE on the FRONT BUILDING FAÇADE or FLANKAGE BUILDING FAÇADE. For the purposes of calculating the number of FIRST STOREY entrances to a BUILDING, any fraction shall be rounded to the next highest whole number.

7.13.7 Notwithstanding anything to the contrary, every BUILDING shall have a main entrance at GRADE on the FRONT BUILDING FAÇADE or FLANKAGE BUILDING FAÇADE. For the purposes of calculating the number of FIRST STOREY entrances to a BUILDING, any fraction shall be rounded to the next highest whole number.

7.14.7 Notwithstanding anything to the contrary, every BUILDING shall have a main entrance at GRADE on the FRONT BUILDING FAÇADE or FLANKAGE BUILDING FAÇADE. For the purposes of calculating the number of FIRST STOREY entrances to a BUILDING, any fraction shall be rounded to the next highest whole number.

Description

Amend various Commercial regulations in Section 8 of Zoning By-law 2018-050.

Amendment

No. 8

Comments

To clarify existing Commercial regulations in the Zoning By-law to make the by-law more understandable, consistent, and enforceable, and to fix administrative errors.

Amendment

Legend: underline = addition / modification to regulation

~~strikethrough~~ = deletion to regulation

Commercial regulations to be modified in Section 8 of Zoning By-law 2018-050:

PROPOSED

1. To amend Table 8J in the Convenience Commercial (C3) zone to align with Policy 10.2.2.7.7 of the Official Plan, which states that the gross leasable area of ground floor uses shall not exceed 2,000 square metres, whereas the C3 zone restricts the maximum building floor area of the entire building to 2,000 square metres. To resolve the discrepancy between the Official Plan and the Zoning By-law, recommended that Table 8J be amended as follows:

Table 8J: Regulations - CONVENIENCE COMMERCIAL (C3)	
STREET LINE setback (minimum)	5.0 metres
SIDE YARD setback (minimum)	3.0 metres
REAR YARD setback (minimum)	7.5 metres
LOW RISE RESIDENTIAL LOT LINE setback (minimum)	7.5 metres or half the height of the BUILDING, whichever is greater
BUILDING <u>GROUND FLOOR AREA</u> (maximum)	2,000 square metres
Complementary Uses (maximum)	Complementary uses specified in section 8.4.1.3 shall not collectively exceed 50% of the BUILDING FLOOR AREA on the LOT
Number of BUILDINGS on a LOT (maximum)	More than one (1) main BUILDING permitted

2. To amend:

- section 8S.1.15 in the Station Area Mixed-Use Community Commercial (C1A) zone
- section 8S.2.16 in the Station Area Mixed-Use Neighbourhood Commercial A (C2A) zone
- section 8S.3.16 in the Station Area Mixed-Use Neighbourhood Commercial B (C2B) zone
- section 8S.4.16 in the Station Area Mixed-Use Office (C4A) zone

to replace "Non-Residential PARKING SPACE" with "Non-Residential STRUCTURED PARKING", to differentiate the maximum parking rate for 'surface parking' versus 'structured parking' as intended in Station Areas. The maximum parking rate of 'structured parking' is higher than 'surface parking' to encourage a more compact built form and less surface parking. The proposed section 8S.1.15 is provided below as an example:

8S.1.15 The following maximum PARKING SPACE regulations shall apply to every LOT, BUILDING and STRUCTURE in the Station Area Mixed-Use Community Commercial (C1A) zone:

Maximum Parking Rate		Area A on Schedule A1	Area B on Schedule A1	Area C on Schedule A1	Area D on Schedule A1	Area E on Schedule A1	Area F on Schedule A1	All Other	
Residential	Use	1.50	1.50	1.50	1.50	1.50	1.50	1.50	PDU*
Residential	Visitor	0.15	0.15	0.15	0.15	0.15	0.15	0.15	PDU*
		1.65	1.65	1.65	1.65	1.65	1.65	1.65	PDU*
Non-Residential SURFACE PARKING	All	3.00	3.00	3.00	3.00	3.00	3.00	3.00	/100m2*
Non-Residential <u>STRUCTURED PARKING SPACES</u>	All	4.00	4.00	4.00	4.00	4.00	4.00	4.00	/100m2*

* PDU = Per Dwelling Unit

/100m2 = Per 100 square metres of BUILDING FLOOR AREA

Description

Amend the transition regulations in Zoning By-law 2018-050.

Amendment

No. 9

Comments

Zoning By-law 2018-050 was passed in September 2018, and appealed to the Local Planning Appeal Tribunal (LPAT). LPAT issued an order dated November 28, 2019 (PL180874), bringing Zoning By-law 2018-050 into force and effect with the exception of two geographic appeals. The LPAT order is retroactive, meaning the effective date of Zoning By-law 2018-050 is September 10, 2018 (i.e., the date passed by Waterloo City Council). Shortly after LPAT's order, the global pandemic caused by coronavirus significantly impacted global economies and resulted in prolonged closures and operating restrictions enacted by the Province and the Regional Medical Officer of Health to protect the health and well-being of Ontarians and Canadians. In response to the additional 14 months required to bring the by-law into force and effect coupled with impacts and delays caused by the pandemic, it is recommended that the timelines in the transition regulations be extended. The extensions will provide the necessary time to facilitate quality site planning and urban design, and better construction.

Amendment

Legend: underline = addition / modification to regulation
~~strikethrough~~ = deletion to regulation

To modify the transition regulations in section 1.17.4 of By-law 2018-050 as follows:

EXISTING

1.17.4 Nothing in this BY-LAW shall prevent the erection, alteration, enlargement, reconstruction, or use of a BUILDING or STRUCTURE provided that:

- a.) a complete site plan application is submitted to the CITY prior to the effective date of this BY-LAW which is in compliance with the zoning provisions in effect on the day before the effective date of this BY-LAW; and,
- b.) a building permit is obtained in accordance with the following:

Where the complete site plan application identifies one (1) main BUILDING or STRUCTURE on the LOT	a.) A building permit is obtained within two (2) years of the effective date of this BY-LAW for the main BUILDING / STRUCTURE which shall be in compliance with the approved site plan submitted pursuant to section 1.17.4.a.).
---	--

Where the complete site plan application identifies two (2) main BUILDINGS or STRUCTURES on the LOT	a.) A building permit is obtained within two (2) years of the effective date of this BY-LAW for the first main BUILDING / STRUCTURE which shall be in compliance with the approved site plan submitted pursuant to section 1.17.4.a.). b.) A building permit is obtained within three-point-five (3.5) years of the effective date of this BY-LAW for all remaining BUILDINGS / STRUCTURES which shall be in compliance with the approved site plan submitted pursuant to section 1.17.4.a.).
Where the complete site plan application identifies three (3) or more main BUILDINGS or STRUCTURES on the LOT	a.) A building permit is obtained within two (2) years of the effective date of this BY-LAW for the first main BUILDING / STRUCTURE which shall be in compliance with the approved site plan submitted pursuant to section 1.17.4.a.). b.) A building permit is obtained within three-point-five (3.5) years of the effective date of this BY-LAW for the second main BUILDING / STRUCTURE which shall be in compliance with the approved site plan submitted pursuant to section 1.17.4.a.). c.) A building permit is obtained within five (5) years of the effective date of this BY-LAW for all remaining BUILDINGS / STRUCTURES which shall be in compliance with the approved site plan submitted pursuant to section 1.17.4.a.).
Where the complete site plan application is appealed to the Ontario Municipal Board or Local Planning Appeal Tribunal	a.) A building permit is obtained within two (2) years of the date of the decision of the Ontario Municipal Board or Local Planning Appeal Tribunal for the BUILDINGS / STRUCTURES which shall be in compliance with the Ontario Municipal Board or Local Planning Appeal Tribunal approved site plan.

"Approved Site Plan" means the approved plans and drawings pursuant to Subsection 41(4) and Subsection 41(5) of the PLANNING ACT and execution of an agreement pursuant to Subsection 41(7)(c) of the PLANNING ACT.

PROPOSED

1.17.4 Nothing in this BY-LAW shall prevent the erection, alteration, enlargement, reconstruction, or use of a BUILDING or STRUCTURE provided that:

- a.) a complete site plan application is submitted to the CITY prior to the effective date of this BY-LAW which is in compliance with the zoning provisions in effect on the day before the effective date of this BY-LAW; and,
- b.) a building permit is obtained in accordance with the following:

Where the complete site plan application identifies one (1) main BUILDING or STRUCTURE on the LOT	a.) A building permit is obtained within <u>four (4)</u> years of the effective date of this BY-LAW for the main BUILDING / STRUCTURE which shall be in compliance with the approved site plan submitted pursuant to section 1.17.4.a.).
Where the complete site plan application identifies two (2) main BUILDINGS or STRUCTURES on the LOT	a.) A building permit is obtained within <u>four (4)</u> years of the effective date of this BY-LAW for the first main BUILDING / STRUCTURE which shall be in compliance with the approved site plan submitted pursuant to section 1.17.4.a.). b.) A building permit is obtained within <u>five-point-five (5.5)</u> years of the effective date of this BY-LAW for all remaining BUILDINGS / STRUCTURES which shall be in compliance with the approved site plan submitted pursuant to section 1.17.4.a.).
Where the complete site plan application identifies three (3) or more main BUILDINGS or STRUCTURES on the LOT	a.) A building permit is obtained within <u>four (4)</u> years of the effective date of this BY-LAW for the first main BUILDING / STRUCTURE which shall be in compliance with the approved site plan submitted pursuant to section 1.17.4.a.). b.) A building permit is obtained within <u>five-point-five (5.5)</u> years of the effective date of this BY-LAW for the second main BUILDING / STRUCTURE which shall be in compliance with the approved site plan submitted pursuant to section 1.17.4.a.). c.) A building permit is obtained within <u>seven (7)</u> years of the effective date of this BY-LAW for

	all remaining BUILDINGS / STRUCTURES which shall be in compliance with the approved site plan submitted pursuant to section 1.17.4.a.).
Where the complete site plan application is appealed to the Ontario Municipal Board or Local Planning Appeal Tribunal	a.) A building permit is obtained within <u>three (3)</u> years of the date of the decision of the Ontario Municipal Board or Local Planning Appeal Tribunal for the BUILDINGS / STRUCTURES which shall be in compliance with the Ontario Municipal Board or Local Planning Appeal Tribunal approved site plan.

"Approved Site Plan" means the approved plans and drawings pursuant to Subsection 41(4) and Subsection 41(5) of the PLANNING ACT and execution of an agreement pursuant to Subsection 41(7)(c) of the PLANNING ACT.

Description

Amend the zoning applied to 285 Benjamin Road (Lutherwood Children's Mental Health Centre).

Amendment

No. 10

Comments

The lands known municipally as 285 Benjamin Road are zoned "Institutional 10 (I-10)" and "Conservation (OS3)" in Zoning By-law 2018-050.

Through the comprehensive zoning by-law review, residential uses were removed from the Institutional zone. The existing use at 285 Benjamin Road (Lutherwood) includes residential. A site specific amendment is proposed to recognize the existing residential use on the lands.

Through the comprehensive zoning by-law review, the zone boundary between the I-10 and OS3 zones was set based on a GIS layer referencing aerial photographs. A more detailed review has been subsequently completed, that determined that the current zone boundary does not accurately reflect existing conditions, the approved site plan (SP-10-11), or the "building area" defined in By-law 76-053. A modified zone boundary is proposed to resolve the inaccuracies.

Lutherwood is requested an amendment to the maximum building height of 10 metres. In order to allow design flexibility, and recognizing the minimum 15 metre OS3 buffers to residential lands to the west and east, Lutherwood is proposing a maximum building height of 12 metres and 3 storeys. Through Official Plan Amendment 22, Council modified the Official Plan to allow for a maximum building height of 14 metres for spiritual uses, private schools and public schools in the Low Density Residential designation. Lutherwood includes a private school. Staff have no objection to the proposed maximum building height of 12 metres and 3 storeys in this context.

Lutherwood is requested a site specific parking regulation based on:

- actual demands
- its operations, which focuses on children (who do not drive)
- desire to retain green space on the lands rather than constructing unneeded parking as its facilities expand over time

The current parking requirement in the Zoning By-law is 3.0 spaces per 100 square metres of building floor area. In the past, the City has not required Lutherwood to construct all required parking through site plan control. Lutherwood showed how it could construct the required parking (on paper), but actually constructed substantially less parking based on its needs and desire to preserve as much green space as possible on the lands. Lutherwood completed a parking demand analysis in 2020 in support of its request for a site specific parking regulation, updating a previous parking demand analysis completed in 2010. The updated parking demand analysis in 2020 recommends a parking requirement of 1.5 spaces per 100 square metres of

building floor area. Based on available information, staff support the proposed parking requirement for reasons including:

- the proposed parking rate is higher than current demand (i.e., 1.32 spaces / 100 sq.m.)
- the proposed parking rate is a minimum requirement – additional parking can be constructed if needed
- Lutherwood has not caused parking issues on adjacent streets or in the surrounding area
- the proposed parking rate facilitates compact built form and tree saving on the lands

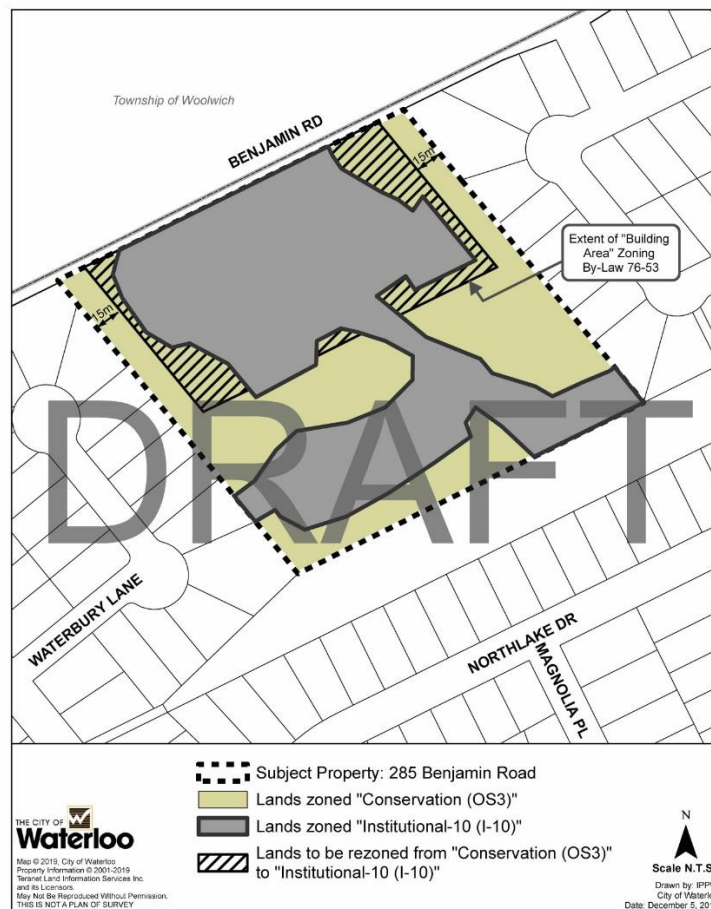
Amendment

Legend: underline = addition / modification to regulation
~~strikethrough~~ = deletion to regulation

To establish site specific zoning provisions for 285 Benjamin Road:

PROPOSED

1. For the lands known municipally as 285 Benjamin Road, that Schedule 'A' to By-law 2018-050 be amended as follows:



2. That Schedule 'C1' to By-law 2018-050 be amended by adding Exception C____* to the lands known municipally as 285 Benjamin Road.

* Exception number to be assigned through the implementing by-law.

3. That Schedule 'C' to By-law 2018-050 be amended by adding Exception C____*, as follows:

Exception	Address	Zoning	File Reference
C____*	285 Benjamin Road	1-10 and OS3	Z-19-06

Location: 285 Benjamin Road
as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

- a) Notwithstanding anything to the contrary, for the lands known municipally as 285 Benjamin Road, an INSTITUTION shall mean:

INSTITUTION means a not-for-profit organization or foundation devoted to a public, educational, health, social welfare, or charitable cause or program. Includes a public hospital, library, community centre, and GOVERNMENT USE. Includes a residence and DWELLING UNITS. Excludes a SPIRITUAL USE, MEDICAL CLINIC, PUBLIC SCHOOL, PRIVATE SCHOOL, EDUCATIONAL INSTITUTION, UNIVERSITY, and COLLEGE.

- b) Notwithstanding anything to the contrary, for the lands known municipally as 285 Benjamin Road, the maximum BUILDING HEIGHT shall be twelve metres (12m) and three (3) storeys.
- c) Notwithstanding anything to the contrary, the parking regulation for the lands known municipally as 285 Benjamin Road shall be a minimum 1.5 parking spaces per 100 square metres of BUILDING FLOOR AREA.

Description

Rezone a portion of 40 Blue Springs Drive from ZC to OS1

Amendment

No. 11

Comments

A portion of the lands known municipally as 40 Blue Springs Drive is zoned Zone Change Application (ZC). Council recently amended the zoning for 40 Blue Springs Drive (re: Z-18-04), rezoning the majority of the lands to Residential Mixed-Use 60 (RMU-60) with site specific provisions. A remnant parcel adjacent to the existing pond was left "ZC". Staff recommend that the remnant parcel be rezoned from Zone Change Application (ZC) to Parks & Recreation (OS1) for consistency with the Official Plan and to match the zoning applied to the pond feature. The Official Plan designates the lands "Open Space" on Schedule 'A' and "Green Space" on Schedule 'B1'.

Amendment

Legend: underline = addition / modification to regulation
~~strikethrough~~ = deletion to regulation

To rezone part of 40 Blue Springs Drive from Zone Change Application (ZC) to Parks & Recreation (OS1)

EXISTING



PROPOSED

1. For a portion of the lands known municipally as 40 Blue Springs Drive, that Schedule 'A' to By-law 2018-050 be amended to rezone the lands from Zone Change Application (ZC) to Parks & Recreation (OS1) as follows:



Description

Correct mapping error to Schedule 'A' (139 Father David Bauer Drive - Sunshine Avenue and Dietz Avenue North)

Amendment

No. 12

Comments

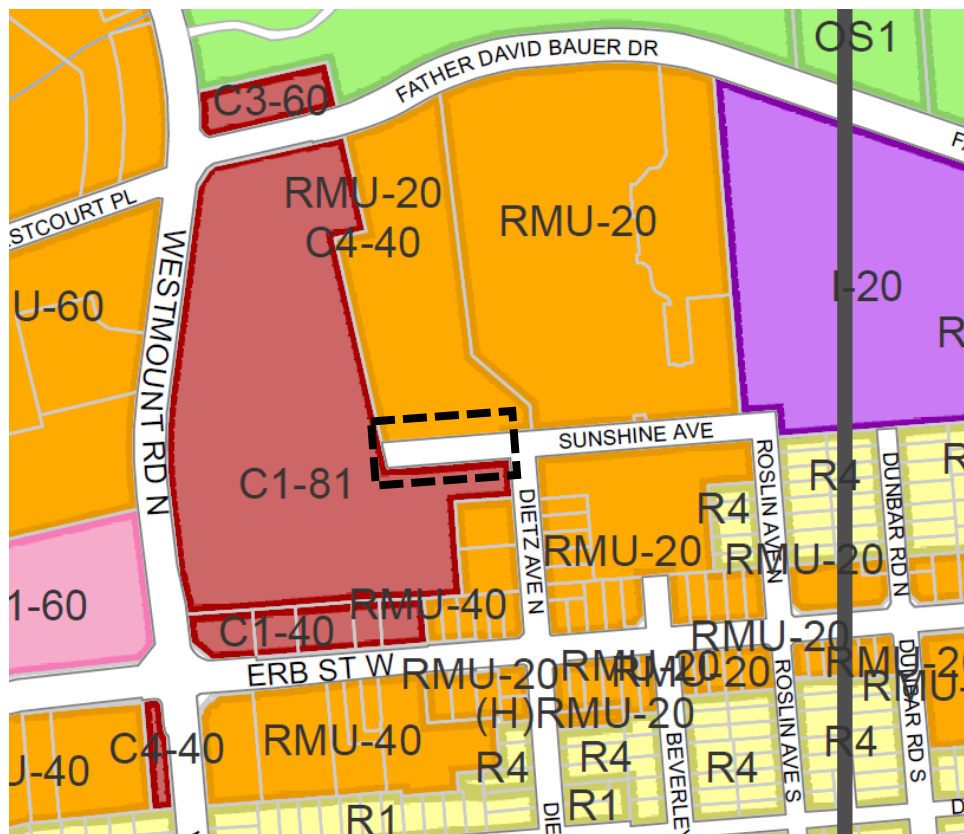
A portion of Luther Village on the Park (139 Father David Bauer Drive) was inadvertently left blank (white) on Schedule 'A' of By-law 2018-050. The lands contain existing townhomes, and should be zoned RMU-20 / C4-40 for consistency with the balance of the property.

Amendment

Legend: underline = addition / modification to regulation
~~strikethrough~~ = deletion to regulation

To correct the mapping error to Schedule 'A' on a portion of 139 Father David Bauer Drive

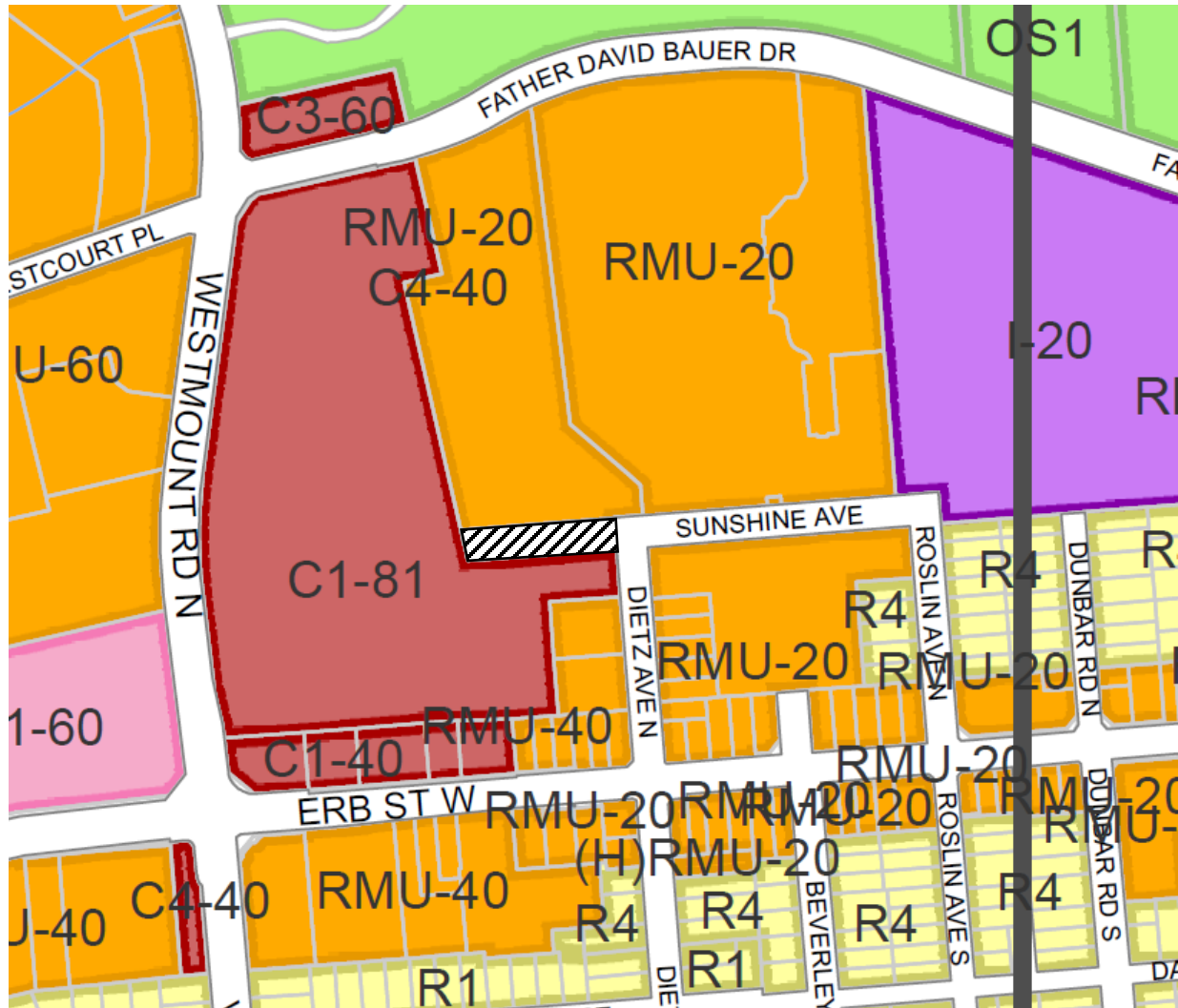
EXISTING



PROPOSED

1. For the portion of the lands known municipally as 139 Father David Bauer Drive identified in hatch on Image 1, that Schedule 'A' to By-law 2018-050 be amended to rezone the lands from [no zoning] to Residential Mixed-Use (RMU-20) / Mixed-Use Office (C4-40):

Image 1: Part of 139 Father David Bauer Drive



Description

Correct reference error in Exception C82
(BarrelYards)

Amendment

No. 13

Comments

Incorrect zoning reference. The westerly lot line regulation should refer to the existing RMU-81 zone as opposed to C4-40.

Amendment

Legend: underline = addition / modification to regulation
~~strikethrough~~ = deletion to regulation

Correct reference error in Exception C82

PROPOSED

Exception	Address	Zoning	File Reference
C82	108-110 Erb Street West, Barrel Yards Boulevard, Father David Bauer Drive, 22-42 Avondale N	C4-40, RMU-81, R8	By-law 2008-104 SPA 17, SPA 18 Barrel Yards

Location: 108-110 Erb Street West, Barrel Yards Boulevard, Father David Bauer Drive, 22-42 Avondale Avenue North as shown on Appendix 'C1' to this BY-LAW.

Site Specific Regulations:

[...]

- b) Notwithstanding anything to the contrary, the following regulations shall apply:
- i. There shall be no FRONT YARD, FLANKAGE YARD, SIDE YARD or REAR YARD setbacks on the Lands with the exception of the following:

Lands Zoned Residential Eight "R8"	4.0m to all above grade BUILDINGS and STRUCTURES	Southerly LOT LINE
Lands Zoned Residential Eight "R8"	2.5m to all above grade BUILDINGS and STRUCTURES	Northerly LOT LINE
Lands Zoned Residential Eight "R8"	3.0m to all above grade BUILDINGS and STRUCTURES	Westerly LOT LINE
Lands Zoned Residential Eight "R8"	1.0m to the UNDERGROUND PARKING STRUCTURE	Southerly LOT LINE

Lands Zoned Residential Eight "R8"	1.0m to the UNDERGROUND PARKING STRUCTURE	Westerly LOT LINE
Lands Zoned Residential Eight "R8"	0.4m to UNDERGROUND PARKING STRUCTURE	Northerly LOT LINE
Lands Zoned Commercial <u>Four 40 "C4-40" Residential</u> <u>Mixed-Use 81 "RMU-81"</u>	7.5m to all BUILDINGS and STRUCTURES	Westerly LOT LINE of the portion fronting Erb Street West to the boundary of the Residential Eight "R8" lands fronting Avondale Avenue North

Description

Clarification of the first storey height regulation in Exception C226
(635 Erb Street West & 12 West Hill Drive)

Amendment

No. 14

Comments

Through the approval of Z-17-21, the City established site specific zoning provisions for 635 Erb Street West & 12 West Hill Drive, including a minimum first storey height of 3.6 metres. An amendment is proposed to clarify intent, that the first storey height regulation is intended to apply to apartment buildings and the like, not townhouses or stacked townhouses.

Amendment

Legend: underline = addition / modification to regulation
~~strikethrough~~ = deletion to regulation

Clarify the first storey height provision in Exception C226

PROPOSED

Exception	Address	Zoning	File Reference
C226	635 Erb Street West & 12 Westhill Drive	RMU-40	Z-17-21

Location: 635 Erb Street West & 12 Westhill Drive
as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

[...]

- b) Notwithstanding anything to the contrary, the following site specific regulations shall apply:
- i. A minimum setback of 5.0 metres from the westerly LOT LINE between Westhill Drive and Erb Street West;
 - ii. A minimum LOW RISE RESIDENTIAL LOT LINE setback of 5.0 metres;
 - iii. The maximum BUILDING HEIGHT shall be 40 metres and 13 storeys for the lands identified as "Area 'A'" on Image 1;
 - iv. The maximum building height shall be 16 metres and 4 storeys for the lands identified as "Area 'B'" on Image 1;
 - v. A minimum FIRST STOREY height of 3.6 metres for an APARTMENT BUILDING, MIXED USE BUILDING, LONG TERM CARE FACILITY, ASSISTED LIVING FACILITY;

[...]

Description

Add uses to Exception C86
(651-663 Erb Street West)

Amendment

No. 15

Comments

Based on a review of existing tenancies in mid-2020, the owner of the subject lands determined that a number of businesses in the existing commercial centre are non-compliant. Many of the businesses have existed for some time, and pre-date the acquisition of the property by the owner. More specifically, the owner is requesting that Exception C86 be amended to legalize:

- Dutchies Food Market in Area 1
- Pita Pit in Area 3
- Your Neighbourhood Credit Union in Area 3

Further, there is an existing 3,600 square foot vacancy in Area 3, which the owner is seeking permission to lease to a boutique style fitness business. The owner is further requesting permission for a Retail Store in Area 3, to permit a cannabis retail operation.

The site specific zoning applied to the property was established prior to the adoption of the 2012 Official Plan, which designates the lands "Mixed-Use Neighbourhood Commercial" on Schedule 'A1'. The implementing Mixed-Use Neighbourhood Commercial (C2) zone permits food stores, restaurants, financial services, commercial wellness, and retail stores – the uses identified above and requested by the current owner. Prior to the adoption of the Official Plan, through an Ontario Municipal Board settlement in 2009 that was premised on a specific development proposal, By-law 2009-007 was passed to create the restrictive zoning framework currently applied to the property. By-law 2009-007 was carried forward through the comprehensive Zoning By-law Review as Exception C86.

With the exception of permitting a Retail Store in Area 3, planning staff have no objection to the proposed zoning amendments, for reasons including:

- the parent zoning applied to the lands (C2-40) would permit the uses
- the amendments are minor in nature
- the uses are appropriate for a planned neighbourhood commercial centre
- the Pita Pit (take-out restaurant) is permitted in Area 3 per Minor Variance A-66/11
- the amendments will assist in retaining / attracting tenant within the commercial centre

In staff's opinion, permitting a Retail Store in Area 3 is not minor given the broad nature of the use, and is beyond the scope of these general amendments.

Amendment

Legend: underline = addition / modification to regulation
~~strikethrough~~ = deletion to regulation

Add uses to Exception C86

PROPOSED

Exception	Address	Zoning	File Reference
C86	651 -663 Erb Street West South-west corner of Erb & Ira Needles	C2-40	By-law 2009-007 SPA 8

Location: 651 Erb Street West - south-west corner of Erb & Ira Needles, Part Lot 41, GCT, Parts 9 to 14 & 16, 58R-14437 as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

Area 1

- a) Notwithstanding anything to the contrary, only the following USES shall be permitted within "Area 1" as identified in Image 1 hereto:
- Apparel and Accessories
 - Book Store
 - DOMESTIC APPLIANCE STORE
 - Drapery, Blinds and Home Décor
 - FOOD STORE
 - Office Supplies and Equipment
 - Party Supply Store
 - Pet Store and Supplies
 - Sporting Goods
 - Toy/Hobby Store
- b) Notwithstanding anything to the contrary, the following regulations shall apply to "Area 1" as identified in Image 1 hereto:
- i. Cumulative total BUILDING FLOOR AREA shall be limited to 4,598.6 square metres
 - ii. Minimum of 3 BUILDINGS and or units shall be provided
 - iii. Minimum BUILDING FLOOR AREA of any one BUILDING or unit shall be 185.5 square metres
 - iv. Maximum BUILDING FLOOR AREA of any one BUILDING or unit shall be 2,832.5 square metres

Area 2

- c) Notwithstanding anything to the contrary, the following regulations shall apply to a RESTAURANT (including a TAKE-OUT RESTAURANT) within "Area 2" as identified in Image 1 hereto:
- i. BUILDING FLOOR AREA (maximum): 929 square metres

- ii. DRIVE-THROUGHS are prohibited

Area 3

- d) Notwithstanding anything to the contrary, only the following uses shall be permitted within "Area 3" as identified in Image 1 hereto:
- BAKE SHOP
 - Beer, Liquor and Wine Store
 - Blu-ray/DVD/CD/Music sales or rental
 - CAFÉ
 - COMMERCIAL WELLNESS
 - Computer, Video Game and Software Store
 - Copy Centre
 - Craft Store
 - DRUG STORE
 - DRY CLEANING
 - FINANCIAL SERVICE
 - Florist
 - FOOD STORE, SPECIALTY
 - Household Furnishing Store, including furniture, china and glassware, floor coverings, antiques, vacuums
 - Luggage and Leather Good
 - MEDICAL CLINIC
 - Optical Goods Store
 - Paint and Wallpaper Store
 - PERSONAL BREWING ESTABLISHMENT
 - PERSONAL SERVICE SHOP
 - Photography Studio with or without Film Processing
 - RESTAURANT
 - RESTAURANT (TAKE-OUT)
 - Stationery Store
 - Telephone/Wireless Store
 - Toy/Hobby Store
 - Travel Agency
- e) Notwithstanding anything to the contrary, the following regulations shall apply to "Area 3" as identified in Image 1 hereto:
- i. Each USE shall be restricted to a maximum BUILDING FLOOR AREA of 465 square metres with exception of a Beer, Liquor and Wine Store which shall be permitted to exceed 465 square metres. Cumulative total BUILDING FLOOR AREA shall be limited to 4,598.6 square metres
 - ii. Minimum of 5 BUILDING and or units shall be provided

Areas 1, 2 and 3

- f) Notwithstanding anything to the contrary, the following additional USES shall be permitted within "Area 1", "Area 2", and "Area 3" as identified in Image 1 hereto, with no BUILDING FLOOR AREA restriction:

- Art Gallery
- Art Studio
- AUDITORIUM
- OFFICE
- PRIVATE CLUB

Areas 1, 2, 3, & 4

- g) Notwithstanding anything to the contrary, the following regulations shall apply to "Area 1", "Area 2", "Area 3", and "Area 4" as identified in Image 1 hereto:
- STREET LINE build-out (minimum):
 - A minimum of 40% of the BUILDING FAÇADE LENGTH adjacent to Erb Street West shall be setback between 4 and 6 metres of the Erb Street West STREET LINE.
 - A minimum of 25% of the BUILDING FAÇADE LENGTH adjacent to Ira Needles Boulevard shall be setback between 4 and 6 metres of the Ira Needles Boulevard STREET LINE.
 - LANDSCAPE BUFFER (minimum): 4 metre wide abutting the Erb Street West and Ira Needles Boulevard STREET LINES.

Image 1: 651 -663 Erb Street West



Description

Amend Exception C79 to permit a new mid-rise apartment building with tailored zoning (605 & 609 Davenport Road)

Amendment

No. 16

Comments

Prior to the enactment of Zoning By-law 2018-050, the City of Waterloo received a site plan application for a new apartment building on a portion of 605 & 609 Davenport Road. The new apartment building will front both Northfield Drive and Kraus Drive. The site plan application is a legacy application, and is before the Local Planning Appeal Tribunal for approval. In mid-2020, a revised development concept was presented to the City of Waterloo for a 9 storey apartment building. In order to enable the development of the proposed 9 storey apartment building and secure site plan approval from the Tribunal, amendments to Zoning By-law 2018-050 are proposed.

Amendment

Legend: underline = addition / modification to regulation
~~strikethrough~~ = deletion to regulation

Amend Exception C79 to permit a new mid-rise apartment building with tailored zoning

PROPOSED

Exception	Address	Zoning	File Reference
C79	605 & 609 Davenport Road	RMU-81	By-law 2006-085 SPA 39

Location: 605 & 609 Davenport
as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

Blocks 1, 2, 3 and 4

- a) Notwithstanding anything to the contrary, the minimum residential parking rate shall be:
 - i.) 0.60 spaces per DWELLING UNIT for residential uses; and
 - ii.) 0.10 spaces per DWELLING UNIT for visitors.
- b) Notwithstanding anything to the contrary, the minimum non-residential parking rate shall be 1.50 spaces per 100 square metres of BUILDING FLOOR AREA.
- c) Notwithstanding anything to the contrary, setbacks shall only apply to the boundary of the lands comprising Blocks 1 to 4 as shown on Image 1 hereto.
- d) Notwithstanding anything to the contrary, Blocks 1 to 4 as shown on Image 1 hereto shall be deemed to be one (1) LOT for the purposes of determining compliance with the minimum LANDSCAPED OPEN SPACE requirement in Table 7O, Section 7.10.2.
- e) Notwithstanding anything to the contrary, Section 6.8.1 (Driveway Location) shall not apply to Blocks 1 to 4 as shown on Image 1 hereto.
- f) Notwithstanding anything to the contrary, Section 6.3.1 (Electric Vehicle Parking) shall not apply to Blocks 1 to 4 as shown on Image 1 hereto.

Block 1

- g) Notwithstanding anything to the contrary, the maximum width of a DRIVEWAY to Block 1 as shown on Image 1 hereto shall be 9.5 metres.

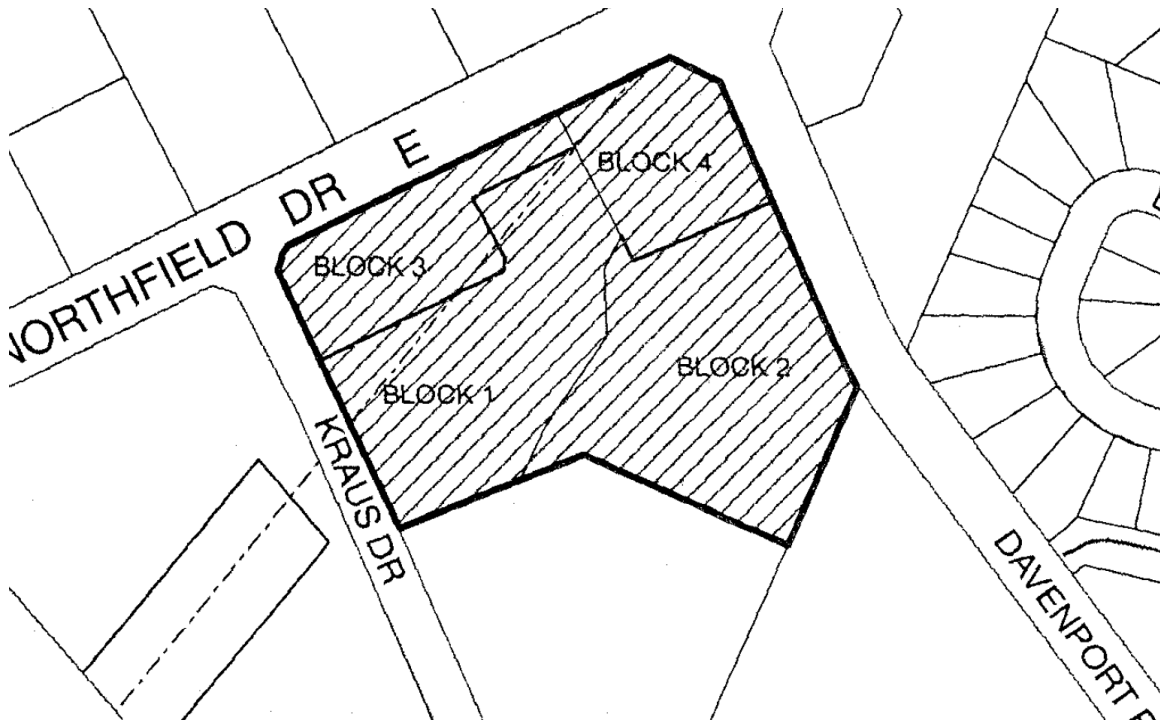
Blocks 1 and 2

- h) Notwithstanding anything to the contrary, a minimum 5.0 metre setback shall be provided from the southerly lot line extending from Kraus Drive to Davenport Road.
- i) Notwithstanding anything to the contrary, the maximum STREET LINE setback in Table 7O, Section 7.10.2 shall not apply to the EXISTING BUILDINGS or any additions thereto on Blocks 1 and 2 as shown on Image 1 hereto.

Blocks 3 and 4

- j) Notwithstanding anything to the contrary, the following regulations shall not apply to a BUILDING with a height of 9 STOREYS or less on Blocks 3 and 4 as shown on Image 1 hereto:
- A. the TOWER Separation regulations in Table 7P, Section 7.10.3
 - B. the horizontal TOWER dimension regulations in Table 7P, Section 7.10.3
 - C. the TOWER footprint regulations in Table 7P, Section 7.10.3
 - D. the AMENITY AREA regulations in Table 7P, Section 7.10.3
- k) Notwithstanding anything to the contrary, balconies shall be permitted within the 'TOWER STEPBACK above the PODIUM' in Table 7P, Section 7.10.3 on Blocks 3 and 4 as shown on Image 1 hereto.
- l) Notwithstanding anything to the contrary, the following Ancillary Uses shall be added to section 7.10.1.5 for the lands illustrated as Block 3 and Block 4 as shown on Image 1 hereto:
- ARTIST STUDIO (CLASS A)
 - COMMERCIAL SCHOOL
 - FINANCIAL SERVICES
 - INSTITUTION
 - PRINTING ESTABLISHMENT
 - RETAIL STORE

Image 1: 605 & 609 Davenport Road



APPENDIX 'A'

Informal Public Meeting Minutes

Council Meeting

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October 28, 2019

Moved by Councillor Henry, seconded by Councillor Bodaly:

1. That Council approve report COM2019-031.
2. That Council approve the release of capital funding for the necessary HVAC improvements at Parkview Crematorium; non-routine project #180006 (Ref #267) in the amount of \$103,000 funded from the Cemetery Reserve Fund, as approved in the 2019 Capital Budget.
3. That Council approve Option 2 and direct staff to initiate the necessary approvals process for the replacement of the crematorium retorts and minor facility upgrades.

Carried Unanimously

11. FORMAL/INFORMAL PUBLIC MEETINGS

Informal Public Meetings

- a) **Title:** **Zoning By-law Amendment Z-19-06 – General Amendments to Zoning By-law No. 2018-050, Part 2 (City-wide)**

Prepared By: Dominik Simpson

The Chair advised that the Informal Public Meeting was the first opportunity to inform Council and the public of the amendments and emphasized that Council would make no decision at this meeting.

Dominik Simpson, Planner, advised Council that The City of Waterloo's Planning Division is initiating the second phase of general amendments to the City's Zoning By-law 2018-050. The first phase of general amendments (Part 1) was approved by City Council on June 24, 2019.

The objective of this next phase of general amendments (Part 2) is to further correct, update, and/or add provisions that were not reflected in Part 1 or Zoning By-law 2018-050, approved by Council on September 10, 2018. Some of the items being considered include decks, servicing, legislative updates, and other minor amendments.

Councillor Bodaly left the meeting:

(Time: 7:27 p.m.)

Councillor Bodaly returned the meeting:

(Time: 7:29 p.m.)

As no one else was present to speak to the application, the Chair concluded the Informal Public Meeting and indicated that staff will review the issues and report back to Council at a later date.