

Region of Waterloo
Planning, Development, and Legislative Services
Council and Administrative Services

To: Administration and Finance Committee
Meeting Date: June 10, 2025
Report Title: Provincial Offences Court Needs Assessment

1. Recommendation:

For Information.

2. Purpose / Issue:

This report outlines the operational pressures and facility constraints facing the Region's Provincial Offences Court and Municipal Prosecutions program, currently operating out of three separate locations in downtown Kitchener. In response to increasing caseloads, hybrid court demands, and potential program transfers from the Province, staff have completed a business case exploring the consolidation of court services into a modern, centralized facility. In the interim, staff are also working on short-term measures to address immediate space and staffing challenges while longer-term solutions are evaluated.

3. Strategic Plan:

Resilient and Future Ready Organization to position the Provincial Offences Court to be able to serve the citizens of Waterloo Region in an efficient manner and provide all citizens access to justice.

4. Report Highlights:

- The Region's Provincial Offences Court and Municipal Prosecutions programs are currently housed in three separate, aging facilities in downtown Kitchener, creating inefficiencies, accessibility challenges, and limitations to service quality.
- Court operations have expanded significantly in recent years with increasing caseloads and the return to 100% courtroom utilization after a four-year judicial shortage.
- The requirement by the Province to offer in-person and zoom court proceedings results in the need for additional staff to support this mandated hybrid model
- Potential transfer of prosecution of Part 3 matters from the Province to Municipal Prosecutions resulting in growth within Prosecutions.

- Current facilities cannot support continued growth which is expected as the Region moves towards “1 Million Ready”
- POA operations generated \$9.1 million in 2024, up from \$6.1 million in 2020, representing a 49% increase over five years.
- Heritage restrictions prevent expansion at the main courthouse site, and existing space constraints limit public service capacity, staff operations, and safety measures.
- A 2024 Needs Assessment concluded that approximately 29,000 square feet will be required to consolidate court services into a single modern facility.
- Consolidation would improve operational efficiency, public access, and long-term sustainability, while enabling the Region to meet its obligations under the Provincial Offences Act and accommodate future demands.

5. Background:

On February 14, 2000, the Ministry of the Attorney General downloaded the responsibility for the administration and prosecution of the Provincial Offences Act (POA) to the Region of Waterloo. The Provincial Offences Court administers charges, schedules, records and manages court proceedings, prosecutes provincial offence matters, and processes fine payments and enforcement activity resulting from charges laid by enforcement and regulatory agencies operating within the municipality. In addition to these responsibilities, municipalities are required to uphold court decisions including preparation of bench warrants, warrants of committal and actively pursuing the collection of unpaid POA fines

The main administrative building and courthouse is located at 77 Queen Street North in Kitchener, housed within the historic former Waterloo County Gaol, a structure built in 1852. This courthouse includes a small front counter with two service wickets for public interactions, a compact lobby with limited space for individuals awaiting meetings with a prosecutor or their trial, two courtrooms, and administrative offices. A third courtroom is located at 20 Weber Street, while the municipal prosecutions team operates separately at 73 Queen Street.

2024 Key Statistics:

- 76,460 charges filed in 2024 and 67,450 charges filed in 2023.
- 9,835 early resolution meetings and 9,501 trials were scheduled and held at the POA Court.
- 58,412 court appearances and 902 hours of judicial proceedings.
- Average of 380 people attending at the court in person on a weekly basis for court appearances or front counter service.

Critical space limitations at current location:

- Heritage restrictions prevent structural expansion or major renovations.
- Small lobby that doesn't accommodate the public attending in person.
- Aging and deteriorating building with ongoing infrastructure issues.
- Limited number of interview rooms for private conversations between defendants, prosecutors, and agents.
- Limited storage for critical records, with files stored in the basement, posing safety and accessibility concerns.
- Inadequate accessibility including high steps within the courtroom.
- Insufficient and limited front counter space impeding the ability to provide exceptional customer service.
- Absence of security measures such as metal detectors.
- Lack of designated private spaces for managing disruptive individuals, particularly those dealing with mental health challenges.
- Staff compliment has increased from 14 staff in 2000 to 33 in 2024

Significant changes resulting in increased pressure

- Mandated protocol to offer both in-person and hybrid court appearances which increases staffing resources for both Administration and Prosecutions.
- Return to 100% court master plan which is running two courtrooms five days per week.
- Attempt to reduce backlog by increasing court dockets and starting court at 9:00 a.m. and running until 4:00 p.m. on most days.

6. Communication and Engagement with Area Municipalities and the Public:

To date, all work and discussions have been conducted internally. However, engagement and collaboration with the Ministry of the Attorney General and area municipalities will be initiated as plans progress.

7. Financial Implications:

	Current Year	Future Year(s)
Budget Impact?	No impact	TBD
Capital Plan Impact?	N/A	TBD

Revenue

POA operations generated \$9.1 million in revenue in 2024, an increase from \$6.1 million in 2020 — a 49% growth over five years. Revenue is derived from fine payments, red light camera enforcement, and other provincial offence penalties. ASE payments transitioned to the Administrative Penalties Program in February of 2025 and will have an impact on future POA revenue.

Operating Costs

In 2024, total operating expenses for POA Court Services were approximately \$6.3 million. Major cost drivers include staffing, judicial support services, prosecutions, IT infrastructure, and facility overhead.

Once the detailed business case for court service consolidation is completed, a full financial review, including capital and operational cost estimates, funding strategies, and potential revenue impacts, will be brought forward for Council's consideration.

8. Conclusion / Next Steps:

The next steps would be for Facilities Planning to identify the potential land and/or building assets to be used for consolidated court services and determine which court services programs could be accommodated at the proposed location based on the findings of the 2024 Consolidated Court Services Needs Assessment report. A consultant would then be retained to generate a conceptual design and Class D cost estimate based on the building program developed by MSS.

A detailed business case report will be brought back to Council at a later date.

9. Attachments:

Appendix A: Region of Waterloo Provincial Offences Act Court Services – KPMG September 2024

Appendix B: POA Administration and Prosecutions Presentation

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