



Provincial Offences Act Court Services Preliminary Findings

Region of Waterloo Provincial Offences Court

September 16, 2024



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Provincial Offences Act Court Services

In 2001, the Province of Ontario transferred the responsibility for the administration and prosecution of provincial offences to municipalities.

In administering the Provincial Offences Act (POA), the Provincial Offences Court is responsible for setting trials, prosecuting certain provincial offence matters, recording court proceedings, and receiving fine payments resulting from charges laid by the various police forces and enforcement agencies operating within the municipality. Municipalities also uphold the decisions of the court by pursuing the collection of unpaid POA fines.



I expect to have timely access to justice and that the integrity of the justice system is maintained. I need to be able to pay any POA charge in a timesaving and convenient manner using the channel I want, when I want, with convenient options for challenging the fairness of a charge.

POA Services Mandate

As the population of the Waterloo Region continues to grow, the court will soon outgrow its existing structural space. The current backlog of matters waiting to be set include 1,600 trials and 3,995 early resolution meetings. These factors will continue to have impacts to the people of the Region and the ability to fulfill the POA Mandate, if not addressed.

The Provincial Offences Court provides a critical service to everyday citizens, and furthermore, it generates a revenue to the Region that is worth the re-investment.

Provincial offences are non-criminal offences that include, but are not limited to:

- Speeding, careless driving, or not wearing your seat belt – *Highway Traffic Act*
- Failing to surrender your insurance card or possessing a false or invalid insurance card – *Compulsory Automobile Insurance Act*
- Being intoxicated in a public place or selling alcohol to a minor – *Liquor License Control Act*
- Entering prohibited premises or failing to leave premises after being directed to do so – *Trespass to Property Act*
- Violations of the *Occupational Health and Safety Act* and environmental legislation
- Noise, taxi and animal care by-laws – municipal by-laws

\$8.37M

Total revenue generated in 2023

67,450

Total filed charges in 2023

20

Total staff (FTEs) employed in 2023

The Status Quo | Observed Challenges

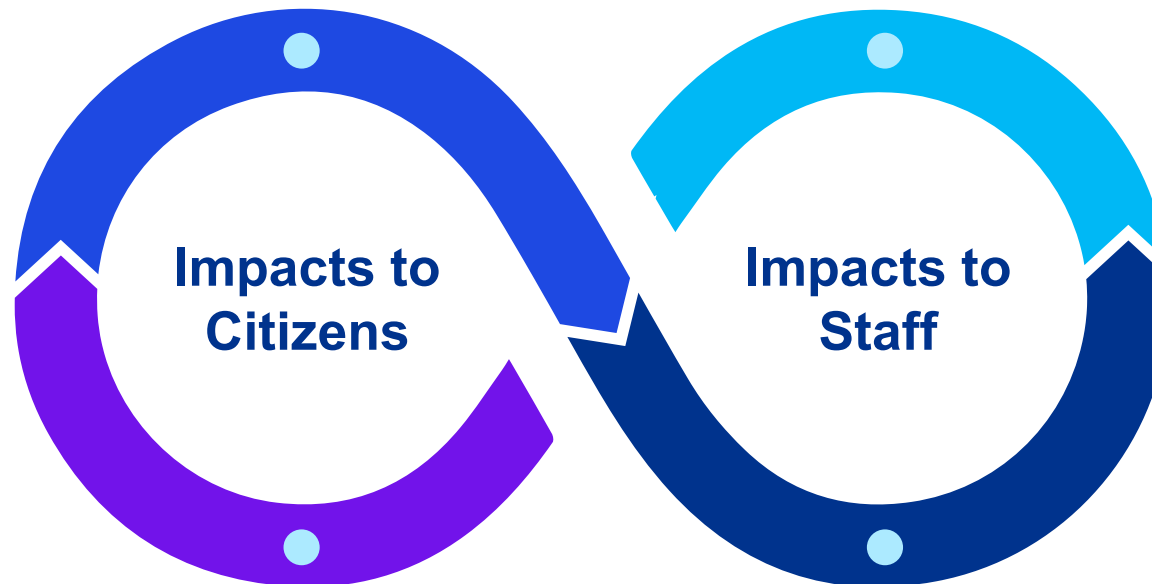
The physical building that the POA Court Services currently operates out of, at 77 Queen St. N. in Kitchener, poses many challenges that cannot be addressed through renovations and upgrades alone. Of the challenges, there are a few critical themes that are impacting the experience of both citizens and employees – and thereby impacting the court's ability to effectively fulfill their mandate. This analysis is based on a walkthrough and observation of the physical space by KPMG, as well as direct engagements with staff and managers that operate out of this space.

Timely & Quality Justice Services

- Prosecutors and staff do not have enough room, posing delays and impacts to the services they offer.
- Physical file storage of critical citizen information is limited and vulnerable to climatic damage in basement.
- Retrieving documentation can often be challenging and slow, and the needs can be time-sensitive.

Accessibility

- Large steps to enter the courthouse and height of front desks for citizen interactions are inaccessible.
- Unclear court signage creates confusion for those entering and seeking information.



Health & Safety

- Prosecutors' rooms are tight and not fitted with the necessary safety precautions.
- The courthouse is not fitted with security measures such as metal detectors, or private rooms for disruptive clients.
- Accessing basement for files on an almost daily basis poses safety issues for staff.

Physical Restrictions

- The physical building cannot be addressed through renovations and upgrades alone – due to space limitations and the restrictions placed by the Heritage Committee.
- Size and space cannot meet existing and growing volume – no space to wait, sit, or place tools or signage.

The Art of the Possible | Walk-through of other POA Courts



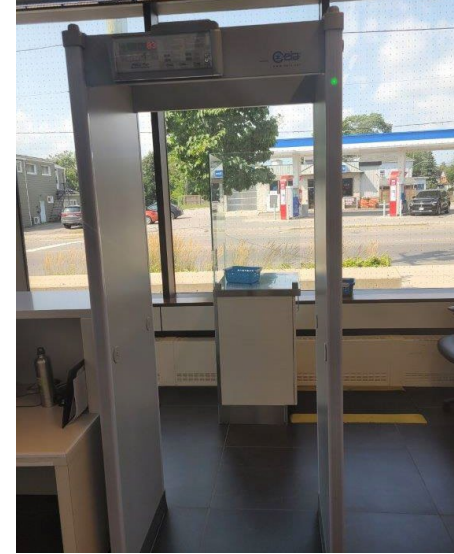
Accessibility

Niagara Court House: The court is fitted with accessibility supports such as adjustable witness stands and courtroom elevators.



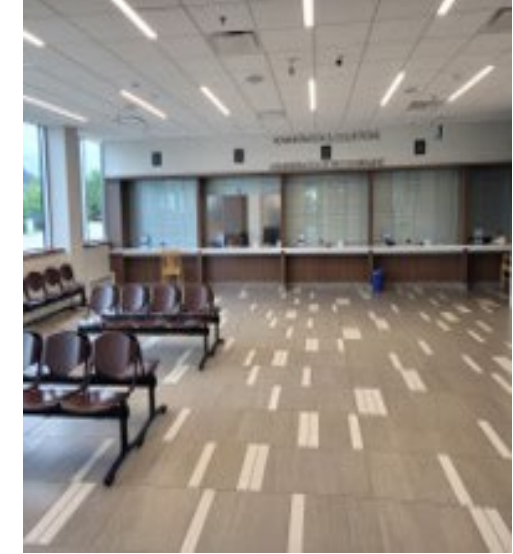
Physical Space

Durham Court House: There is ample space to accommodate clear signage, TV screens or customer queuing, and line-ups to meet with the front desk staff.



Safety

Niagara Court House: The front entrance of the court is fitted with metal detectors and security measures that all citizens must go through.



Space

Halton Court Services: A spacious lobby and front counter area to accommodate volume, and allow for confidential discussions and comfortable waiting areas.

All images provided to KPMG by the client.

Pressure Points | Increase in Filed Charges & Revenue

01

Filed Charges Increase

Charges Escalation Trend

There was a general increase in the number of charges filed across different categories (total charges, WRPS, OPP, amongst others) from 2019 to 2024, with the exception the unforeseen circumstances of the COVID-19 pandemic, significantly decreasing the number of citizens out on a day-to-day basis. In 2019, the total charges filed were 47,152 and increased to 67,450 in 2023¹.

02

Exceeding the Average

The number of charges filed in the later years (2022-2024) were also generally higher than the 5-year average across different categories, alluding to the linear correlation between increasing population and increasing number of filed charges. See to the right for chart¹.

POA Total Charges Filed (2019-2023)

Year	Filed Charges	5-year Average
2019	47,152	47,152
2020	~45,000	~46,000
2021	~46,000	~46,000
2022	~48,000	~47,000
2023	67,450	~47,000

01

Consistent Revenue Growth

Revenue Through Fines

When offences are committed, fines are often levied, contributing to the region's revenue, which helps fund various other public services and projects within the region. Increased revenue generation can hence improve the quality of life for all residents.

02

Growth Trend

Revenue data from 2019 to 2024 shows a consistent upward trend, indicating a growing number of charges and increased revenue generation. This is a clear reflection of the expanding population and corresponding increase in legal cases. The chart to the right reflects total revenue increase from 2020 (\$6,114,800) to 2023 (\$8,369,276)¹. From 2020 to 2023, the revenue growth rate is approximately 10.2%, surpassing a rough inflation rate of 8%.²

POA Court Services Revenue

Year	Internal Collection	Collection Agency	Red Light Camera	Total
2019	~2,500,000	~1,500,000	~1,000,000	~5,000,000
2020	~1,500,000	~1,000,000	~1,000,000	~3,500,000
2021	~2,500,000	~1,500,000	~1,000,000	~5,000,000
2022	~2,500,000	~1,500,000	~1,000,000	~5,000,000
2023	~2,500,000	~1,500,000	~1,000,000	~5,000,000

¹ Source: Information provided from Provincial Offences Court Administration.
² Source: [Region of Waterloo Report \(escribemeetings.com\)](#)

Pressure Points | Program Expansions & Population Growth

Upcoming Program Expansions

01

Judicial Capacity Strain

Incoming increase in Justices of Peace (JPs) and the shift of the in-person/hybrid courts from 3 days a week to 5 (at 100%) in both courtrooms by January 2025, the current facility will face additional challenges operating in the existing space, while also accommodating virtual courts that may need to occur simultaneously, as there is no available space to add new courtrooms.

02

School Zone Enforcement

The new Municipal Speed Camera Program Expansion will involve implementing enforcement at 25-30 new school zones per year starting in 2024 with a completion of all 175 school zones by the end of 2028. While the region is currently processing approximately 70,000 ASE tickets per year, this number is predicted to hit 875,000 by 2029 as a result of the increase of cameras³.

Rapid Population Growth

01

Fastest Growing Rate

Region of Waterloo has one of, if not, the fastest growing population in Canada. According to Statistics Canada, the national average population growth is 3.2%, which the region has exceeded and is projected to continue to exceed⁴.

02

Projected Numbers

The population of the region might surpass 700,000 next year if it continues at a rate of 3.7% or greater. If it keeps up 5.5% growth, the region may hit 1 million people by 2032, which would be 19 years sooner than expected. This will certainly present challenges in keeping up with the number of citizens being charged and, in turn, the influx into court facilities⁵.

Region of Waterloo Population (2019-2024)

Year	Population
2019	620,000
2020	625,000
2021	590,000
2022	650,000
2023	675,000
2024	700,000

Note: COVID-19 pandemic in 2020

Quick Stats (77 Queen St. N)

76+ Citizens Daily

In a given week, the court has an average of 76 citizens visit daily. Some days experience 100+ citizens whereas other days can experience around 50.

3 Minutes at the Counter

An average of 3 minutes is spent per citizen at the front counter (FC). With only 2 FC staff, over 3 hours a day is spent on checking citizens in.

³ Source: Information collected during working sessions with Provincial Offences Court Administration.
⁴ Source: [The Daily — Canada's population estimates: Strong population growth in 2023 \(statcan.gc.ca\)](#)
⁵ Source: [Region of Waterloo sees 5.5% population growth, Kitchener breaks 300,000 mark | CTV News](#)

The Options Available | Investing in the Now and the Future

		Description of Option	Benefits to Region	Key Considerations	Financial Impacts
1	Stay at current location (77 Queen St N.) and undergo upgrades with additional funding	Remain at current location and undergo physical renovations and tools/ technology upgrades that can meet immediate needs of staff and citizens.	<ul style="list-style-type: none"> • Little to no disruption of service during upgrades process • Minimal cost impacts 	<ul style="list-style-type: none"> • Will continue to face service challenges • Heritage Committee restrictions on possible renovations • Not future-proof for growth/ expansion trends 	<ul style="list-style-type: none"> • While physical renovations and technological upgrades are feasible, no costs or specific details have been determined as of yet.
2	Renovate 134 Frederick St. to accommodate programming expansion needs	Re-locate to former WRPS building, with some renovations to the 5th courtroom on 3rd floor to accommodate the Administrative Penalties Program	<ul style="list-style-type: none"> • Immediate space advantages with less costs associated • Shorter transition to new space • Easy to locate building • Accessible 	<ul style="list-style-type: none"> • Current space is inefficient, does not accommodate new Processing Centre • Structural modifications required, including an internal demolition 	<ul style="list-style-type: none"> • \$66,500,000 (\$49,500,000 Construction total + \$17,000,000 Consulting and Other Fees)⁶
3	Partially demolish 134 Frederick St. and build an addition to the rear of the building	Re-locate to former WRPS building, retaining the front half of the building and demolishing/re-building rear half to resolve elevation, accessibility, and efficiency.	<ul style="list-style-type: none"> • Accessible and efficient space, better allocation by department. • Better delineation for users to navigate upon entry 	<ul style="list-style-type: none"> • Significant structural modifications required • Loss of parking • Time and resource considerations 	<ul style="list-style-type: none"> • \$80,500,000 (\$60,500,000 Construction total + \$20,000,000 Consulting and Other Fees)⁶

*All construction totals include a 40% contingency for construction and to incorporate net-zero/sustainability initiative. Consulting & Other Fees include costs for consultants (preliminary work, design, and contract administration), internal administrative and Project Management Fees, FFE (Fixtures, Furniture & Equipment), permits, and overall project contingencies.

⁶ Source: Information extracted from a needs assessment provided by Provincial Offences Court Services.

The Options Available | Investing in the Now and the Future

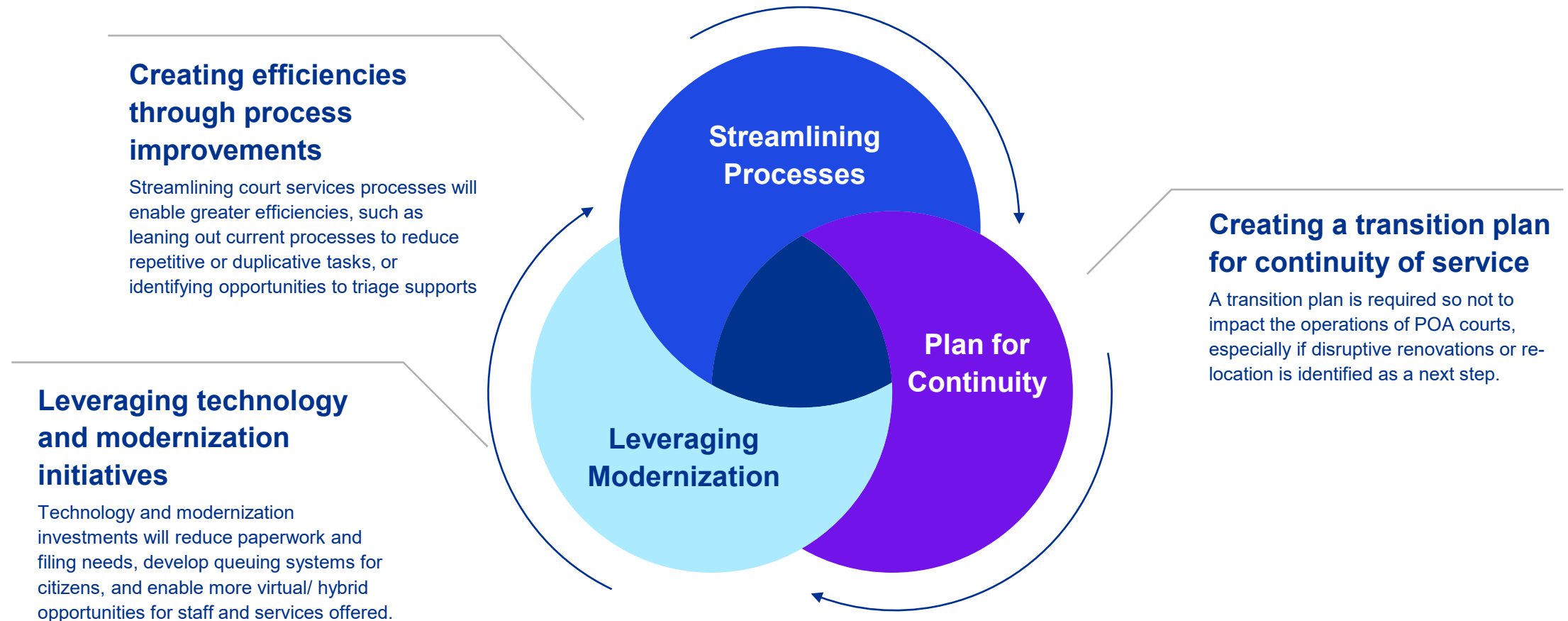
		Description of Option	Benefits to Region	Key Considerations	Financial Impacts
4	Demolish 134 Frederick St. and build on the current site	Total demolition of former WRSP building and construction of new, standalone building.	<ul style="list-style-type: none">Built for accessibility, efficiency of spaceGenerous spacing and parking to accommodate increasing volume of citizens accessing services	<ul style="list-style-type: none">Complete structural re-building required; timing and resourcesExcavation for underground parking required for judiciary and court staffIncreased site area	<ul style="list-style-type: none">\$101,500,000 (\$77,500,000 Construction total + \$24,000,000 Consulting and Other Fees)⁶
5	Identify a completely new location to lease, with existing space	Re-locating to a new location and existing building within the Region, outside the downtown core.	<ul style="list-style-type: none">Able to find a space that meets needs and expectations of public and staffA range of options for costing can be expected	<ul style="list-style-type: none">Availability of supplyTiming considerations, based on supply and any renovation needsOutside of potential transit accessibility	<ul style="list-style-type: none">Approximately \$1.5M per year, plus upfront capital costs.

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⁶ Source: Information extracted from a needs assessment provided by Provincial Offences Court Administration.



Looking Ahead | Physical Space Alone Will Not Solve All Challenges





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