

The Regional Municipality of Waterloo

Planning and Works Committee

Summary of Recommendations to Council

The Planning and Works Committee recommends as follows:

1. That the Regional Municipality of Waterloo approve the expropriation of lands for the purpose of completing the remaining Farmers Market Trail works (Northfield Drive West from the railway corridor to the Northfield Drive / Parkside Drive intersection), in the City of Waterloo, as detailed in Report PDL-LEG-23-026 dated June 6, 2023, described as follows:

Fee Simple Partial Taking:

- i. Part of Lot 10, German Company Tract, being Parts 1, 2, 4 and 5 on 58R-21590, (Part of PIN 22281-0356 (LT)), City of Waterloo, Regional Municipality of Waterloo (580 Weber Street North, Waterloo).

Temporary Easement – Grading:

The right and easement, being a temporary easement in gross, for the free and unobstructed, right, interest and easement terminating on the 31st day of December, 2024, for itself, its successors and assigns, and anyone authorized by it, on, over, under and through the following property for the purposes of excavation, construction, installation, replacement, alteration, grading, and landscaping as required in connection with the construction and access of the multi-use trail along Northfield Drive West from the railway corridor to the Northfield Drive / Parkside Drive intersection, and all related improvements, and works ancillary thereto and for such purposes, the free, unimpeded and unobstructed access to the lands at all times by employees, agents, contractors, workers and anyone authorized by it, and vehicles, supplies and equipment at all times and for all purposes and things necessary for or incidental to the exercise and enjoyment of the right and easement:

- ii. Part of Lot 10, German Company Tract, being Part 3 on 58R-21590, (Part of PIN 22281-0356 (LT)), City of Waterloo, Regional Municipality of Waterloo (580 Weber Street North, Waterloo).

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

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

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

And that all above-referenced fee simple partial takings situated adjacent to an existing Regional public highway be acquired for road widening purposes and therefore be deemed to form part of the adjacent public highway in accordance with subsection 31(6) of the *Municipal Act, 2001*;

And that if no agreement as to compensation is made with an owner, the statutory Offer of Compensation and payment be served upon the registered owners of the property in the amount of the market value of the interests in the land as estimated by the Region's appraiser in accordance with the *Expropriations Act*;

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

And further that the Regional Solicitor be authorized to discontinue expropriation proceedings or any part thereof, in respect of the above described lands, or any part thereof, upon the registration on title of the required documentation to complete the transaction or if determined by the Commissioner, Transportation Services, that such lands, or any part or interest thereof, are not required for the subject Project

2. That the Regional Municipality of Waterloo approve the expropriation of lands for improvements at the intersection of Cedar Creek Road (Regional Road No. 97) and Trussler Road (Regional Road No. 70), in the Township of North Dumfries, in the Regional Municipality of Waterloo, and County Road No. 8, in the County of Oxford as detailed in Report PDL-LEG-23-027, dated June 6, 2023, described as follows:

Fee Simple Partial Taking:

- I. Part of Lot 1, Concession 13, being Parts 2 and 4 on 41R-10418, (Part of PIN 00297-0021 (LT)), Township of Blandford-Blenheim, County of Oxford (3541 Trussler Road, Blandford-Blenheim);
- II. Part of Lot 1, Concession 12, being Part 5 on 41R-10418, (Part of PIN 00296-0025 (LT)), Township of Blandford-Blenheim, County of Oxford (927762 Oxford Road 8, Blandford-Blenheim);

- III. Part of Lot 38, Concession 11, being Parts 1 and 2 on 58R-21584, (Part of PIN 03847-0461 (LT)), Township of North Dumfries, Regional Municipality of Waterloo (3434 Trussler Road, North Dumfries);
- IV. Part of Lot 38, Concession 10, being Part 3 on 58R-21584, (Part of PIN 03850-0282 (LT)), Township of North Dumfries, Regional Municipality of Waterloo (3704 Trussler Road, North Dumfries);

Temporary Easement – Grading:

The right and easement, being a temporary easement in gross, for the free and unobstructed, right, interest and easement terminating, for the subject property set out below, on the 31st day of December, 2024, for itself, its successors and assigns, and anyone authorized by it, on, over, under and through the following property for the purposes of excavation, construction, installation, replacement, alteration, grading, and landscaping as required in connection with the improvements at the intersection of Cedar Creek Road, Trussler Road and County Road No. 8, and all related improvements, and works ancillary thereto and for such purposes, the free, unimpeded and unobstructed access to the lands at all times by employees, agents, contractors, workers and anyone authorized by it, and vehicles, supplies and equipment at all times and for all purposes and things necessary for or incidental to the exercise and enjoyment of the right and easement:

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

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

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

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

And that all above-referenced fee simple partial takings situated adjacent to an existing Regional public highway be acquired for road widening purposes and therefore be

deemed to form part of the adjacent public highway in accordance with subsection 31(6) of the *Municipal Act, 2001*;

And that if no agreement as to compensation is made with an owner, the statutory Offer of Compensation and payment be served upon the registered owners of the properties in the amount of the market value of the interests in the land as estimated by the Region's appraiser in accordance with the *Expropriations Act*;

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

And further that the Regional Solicitor be authorized to discontinue expropriation proceedings or any part thereof, in respect of the above described lands, or any part thereof, upon the registration on title of the required documentation to complete the transaction or if determined by the Commissioner, Engineering & Environmental Services, that such lands, or any part or interest thereof, are not required for the subject Project.

3. That the Regional Municipality of Waterloo approve the removal of the existing Level 1 Pedestrian Crossover at the Arthur Street and Mill Street intersection and replace it with an Intersection Pedestrian Signal, in the Township of Woolwich, by amending the Region's Traffic and Parking By-law 16-023, as amended, to:

- Remove from Schedule 9, Level 1 Pedestrian Crossover on Arthur Street (Regional Road 21) at Mill Street;

And that, the Regional Municipality of Waterloo, as a By-law "housekeeping" measure, approve the removal of the following non-existent Level 1 Pedestrian Crossovers from Schedule 9 of the Region's Traffic and Parking By-law 16-023, as amended:

- Remove from Schedule 9, Level 1 Pedestrian Crossover on Arthur Street (Regional Road 21) at Park Avenue; and
- Remove from Schedule 9, Level 1 Pedestrian Crossover on Courtland Avenue (Regional Road 53) at Kent Avenue;

As outlined in Report TSD-TRP-23-008, dated June 6, 2023.

4. That the Regional Municipality of Waterloo take the following action with respect to Report PDL-CPL-23-015, dated June 6, 2023:

1. Approve funding allocations totalling \$103,795 from the Community Environmental Fund to support 20 stewardship and sustainability projects as described in this report;
 2. Increase the allocation for GRCA's Dog Strangling Vine Response to \$8,800; and,
 3. Fund the increase in total allocations of \$3,795 from the operating budget.
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5. That the Regional Municipality of Waterloo extend the Funding Agreement with the *rare* Charitable Research Reserve for an additional five-year period requiring a contribution of \$50,000 annually over the next five years (2023 – 2027) as outlined in PDL-CPL-23-014 dated June 6, 2023.
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6. That the Regional Municipality of Waterloo take the following actions as part of the Charles Street Terminal Visioning process:
 1. Direct staff to proceed with a municipally led Risk Assessment ("RA") and Record of Site Condition ("RSC") process to address identified soil and groundwater contamination on the property in advance of a future Request for Proposal on the lands for redevelopment, as outlined in report PDL-ECD-23-010, dated June 6, 2023.
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7. That the Regional Municipality of Waterloo approve the following in order to expand the Automated Speed Enforcement Program to all School Zones within the Region, subject to 2024 budget approval and as outlined in report TSD-TRP-23-009, dated June 6, 2023:
 - a. Implement Automated Speed Enforcement at 25 to 30 new School Zones per year starting in 2024 with completion of all 175 schools by the end of 2028;
 - b. Direct staff to prepare and submit staffing and budget requirements as part of the 2024 Plan and Budget and as needed in subsequent budget years; and
 - c. Direct staff to develop criteria for identifying and prioritizing Community Safety Zones for the purpose of implementing Automated Speed Enforcement near certain schools and at other critical locations around the Region.

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8. That the Regional Municipality of Waterloo implement a Route 34 extension effective September 5, 2023 with an estimated 2023 net cost of \$98,000 to be funded from the Tax Stabilization Reserve and an estimated net cost of \$294,000 to be included in the preliminary 2024 budget as set out in report TSD-TRS-23-006 dated June 6, 2023 and to implement additional iXpress stops (both directions) at Highland/Walkway to Burnaby.

9. That the Regional Municipality of Waterloo receive the 2023 Water and Wastewater Monitoring Report summarized in Report EES-WAS-23-006, dated June 6, 2023 as the account of water supply and wastewater treatment capacity as of December 31, 2022.

June 6, 2023

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