

**Region of Waterloo**

**Engineering and Environmental Services**

**Water and Wastewater Services**

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**To:** Planning and Works Committee

**Meeting Date:** May 7, 2024

**Report Title:** Habitat for Humanity (100 St George St, Kitchener) – Infrastructure Relocation Agreement

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**1. Recommendation**

That the Regional Municipality of Waterloo enter into an Agreement with Habitat for Humanity Waterloo Region Inc. (Owner) related to the relocation of critical Regional water infrastructure at 100 St George St, Kitchener as outlined in report EES-WAS-24-006, May 7, 2024, on terms and conditions satisfactory to the Regional Solicitor; and that the Commissioner, Engineering and Environmental Services be authorized to execute the agreement on behalf of the Region.

**2. Purpose / Issue:**

An agreement is required between the Region and the Owner to relocate critical water infrastructure currently located in an easement on the Owners property in order to facilitate an affordable housing project.

**3. Strategic Plan:**

The agreement aligns with the Corporate Strategic Pillar of Homes for All.

**4. Report Highlights:**

- Until 2010, the property at 100 St George St, Kitchener (site) contained the St George Water Tower, part of the Region's Integrated Urban Water System. In 2011 the water tower reached its end of life and was demolished. However, critical monitoring infrastructure required for the operation of the water system remained in service on the site. The Region's critical infrastructure includes a concrete chamber, underground pipes, and an electrical and communications panel with various instrumentation.
- In 2016 the property was sold to Habitat for Humanity, and the Region retained an easement to protect the critical infrastructure.
- Habitat for Humanity has a current development application that would permit the

construction of 4 affordable housing units. Based on the configuration of the proposed site plan, the Region's infrastructure is required to be relocated off-site.

- The agreement provides that the Owner is responsible for relocating the Region infrastructure from the subject property to the adjacent City of Kitchener road allowance, at the Owner's cost, to the Region's satisfaction;
- With the relocation of the Region's infrastructure the easement over the subject lands would not longer be required. The agreement provides for the release and re-conveyance of the easement to the Owner once the infrastructure is relocated and is operating to the satisfaction of the Region, in accordance with the Region's Disposal of Land By-law.

## **5. Background:**

N/A

## **6. Communication and Engagement with Area Municipalities and the Public**

**Area Municipalities:** Consultation is ongoing between the Region Water and Wastewater Services and Kitchener Development Engineering staff regarding the acceptable conditions for the relocation of the Region's infrastructure.

**Public:** The public has been made aware of the proposed development through the City of Kitchener planning approvals process.

## **7. Financial Implications:**

The Owner is solely responsible for the design and construction of the proposed relocation of the Region's infrastructure to the Region's satisfaction. There are no anticipated costs to the Region. The agreement provides for a security deposit to be paid by the Owner to the Region to cover the value of the design and relocation work should the Owner default in his obligations outlined in the agreement.

## **8. Conclusion / Next Steps:**

With the execution of this agreement, the Owner will proceed with the relocation of the Region's critical infrastructure. Upon satisfactory relocation of the works the Region will release the easement on the property, which will enable the Owner to proceed with the development of the affordable housing project.

## **9. Attachments:**

None.

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**Reviewed By:** Mari MacNeil, Director, Water and Wastewater Services

**Approved By:** Jennifer Rose, Commissioner, Water and Wastewater Services