Region of Waterloo

University Avenue Improvements
Albert Street to Weber Street
City of Waterloo
Public Consultation Centre #1
Information Package

What: The Regional Municipality of Waterloo is undertaking a Schedule "C" Municipal Class Environmental Assessment (Class EA) for improvements to the University Avenue (Regional Road 57) corridor.

Where: University Avenue from Albert Street to Weber Street in the City of Waterloo.

Why: To provide roadway and underground infrastructure, active transportation facilities and traffic operation improvements along the corridor.

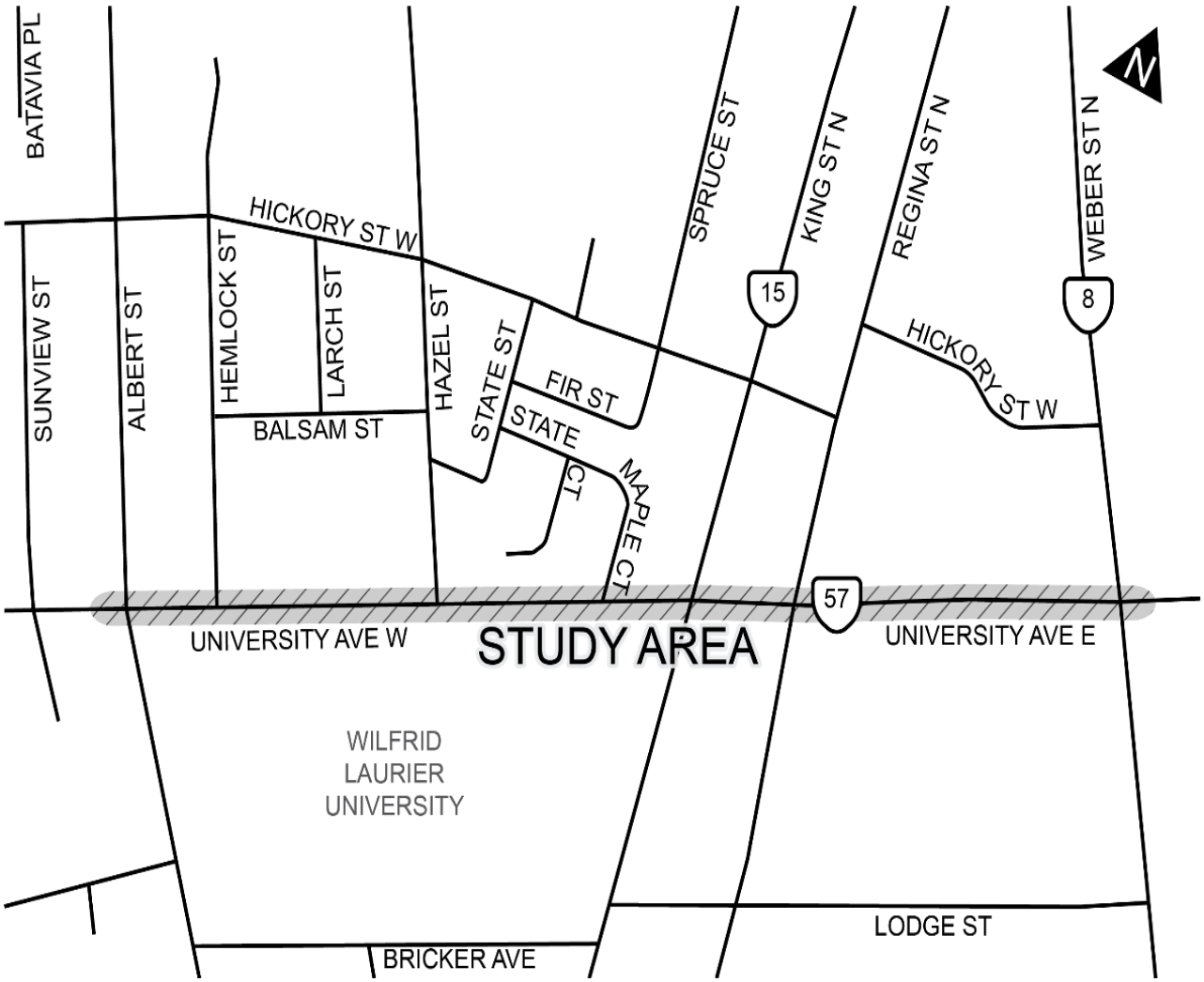
When: 2023 Construction (2020 Region Transportation Capital Program).

Who: Region of Waterloo Project Manager
Andrew Doman, P. Eng.
Region of Waterloo
Phone: (519) 575-4757 Ext. 3183
Email: ADoman@regionofwaterloo.ca

Public Consultation Centre #1
Tuesday, March 24, 2020 from 5:00 p.m. to 8:00 p.m.
Wilfrid Laurier University
75 University Avenue West
Waterloo, Ontario

There is a comment sheet at the back of this package. Please fill it out and share your comments with us.

KEY PLAN


BATAVIA PL
SUNVIEW ST
ALBERT ST
HEMLOCK ST
LARCH ST
HAZEL ST
HICKORY ST W
BALSAM ST
STATE ST
STATE CT
MAPLE CT
FIR ST
SPRUCE ST
KING ST N
REGINA ST N
WEBER ST N
15
8
57
HICKORY ST W
UNIVERSITY AVE W
STUDY AREA
UNIVERSITY AVE E
WILFRID LAURIER UNIVERSITY
LODGE ST
BRICKER AVE
N

1. Why is the Region considering this project?

The 2018 Regional Transportation Master Plan has identified this section of roadway for major rehabilitation to address deteriorated pavement structure and provide active transportation and intersection improvements. Also, the City of Waterloo's watermain and sanitary sewer systems require replacement.

The Transportation Master Plan has identified the road section on University Avenue from King Street to Weber Street for cycling infrastructure installation to complete cycling network connectivity in this area.

2. Who is directing this project?

The planning and design for this project is being directed by staff from the Region of Waterloo and City of Waterloo, along with City of Waterloo Mayor and Region of Waterloo (Waterloo) Councillor Dave Jaworsky and City of Waterloo (Ward 6) Councillor Jeff Henry. The consulting engineering firm IBI Group has been retained by the Region of Waterloo to provide planning and preliminary design services during the study phase of this project, as well as detailed design, contract administration, and inspection services through the construction phase.

3. How is this project being planned?

This project is being planned in accordance with the requirements of the Municipal Class Environmental Assessment (Class EA) process. The Municipal Class EA process is a planning and decision-making process approved under the Environmental Assessment Act that is used by municipalities to plan public infrastructure projects in order that potential environmental impacts are considered before a project is approved. It requires consultation with the public, involved stakeholders, and agencies in consideration of alternatives and their potential impacts on the project environment.

This project is being planned as a Schedule 'C' Class EA project which applies to larger, more complex projects with the potential for significant environmental impacts (natural, social, cultural and economic) and requires multiple opportunities for public input.

This project is in the early phase of the Class EA process and this initial Public Consultation Centre is being held for members of the public to become aware of the project and to provide input into the project for further development of alternatives and their environmental impacts.

Under a separate study the City of Waterloo is undertaking a Gateway Strategy to define potential ideas to establish University Avenue from Highway 85 to Westmount Road as a gateway corridor with an enhanced public streetscape and place-making.

In addition, the Region of Waterloo has implemented a Separated Bike Lane Pilot Project in the Fall of 2019 to assess the performance, maintenance and user feedback of a variety of separation treatments. This pilot project is expected to be in place until the Fall of 2020.

Both the Gateway Strategy and the Separated Bike Lane Pilot Project will be providing valuable information and feedback into this project.

4. What is the purpose of this Public Consultation Centre?

The purpose of this Public Consultation Centre is to have interested groups and individuals learn about and provide input on:

a) The needs and opportunities for improvements on University Avenue;

b) The project environment (natural, social, cultural/heritage, and economic);

c) The alternative solutions for improvements being considered by the Project Team;

d) How the alternative solutions for improvements will be evaluated and how a preferred alternative will be identified; and

e) Future public input opportunities planned.

Region and project consultant staff are available at this Public Consultation Centre to answer any questions you may have. We request that you fill out the Comment Sheet attached to the back of this Information Package and either put it in the Comment Box at the Public Consultation Centre or send it to the address noted on the Comment Sheet. To complement this Class EA process, the Region of Waterloo's will use it's EngageWR online survey platform in effort to reach out to a large spectrum of the public for input into this project. Your comments will be considered by the Project Team in conjunction with all other relevant information in recommending a preferred alternative for this project.

5. What alternatives are being considered for this project?

The alternative solutions for improvements currently being considered by the Project Team are listed below and are included in Appendix A:

1) **Do Nothing** – this alternative would include reconstructing the road in its current cross-section configurations.

2) **On-road Buffered Bike Lanes** – this alternative maintains on-road bike lanes between Albert Street and King Street and add bike lanes from King Street to Weber Street on both sides of the roadway. These bike lanes would be separated by a painted buffer space.

3) **Separated Bike Lanes with Enhanced Sidewalk** – this alternative would provide an enhanced 2.1m wide sidewalk where possible and separated bike lane facilities on both sides of the roadway.

    - Option 3 includes flexible bollards; and
    - Option 3a includes setting the bike lane off the roadway platform.

6. Do the improvements include active transportation facilities?

Yes, various options for active transportation improvements are being considered as described in section 5.

The Transportation Master Plan has identified the road section on University Avenue from King Street to Weber Street for cycling infrastructure installation to complete cycling network connectivity in this area.

The Context Sensitive Regional Transportation Corridor Design Guidelines (CDG) is a planning policy document that guides the design of Regional roads. The CDG identifies design parameters for necessary features within the road allowance such as vehicle lanes, cycling facilities, sidewalks, and boulevards. In accordance with the CDG, University Avenue is identified as a “Neighbourhood Connector – Avenue”. Designing University Avenue to facilitate the movement of a large volume of people and goods with vehicular and active transportation modes is a fundamental character of this road classification.

Transit (GRT & Metrolinx) bus routes improvements are planned for the future and will also be considered in this study.

The Regional Transportation Master Plan and Corridor Design Guidelines all support complete and continuous pedestrian facilities on this section of University Avenue for the full length of this project. Completion of cycling infrastructure and connectivity, along with pedestrian facility enhancements would satisfy that requirement.

Existing and planned active transportation facilities in the surrounding area are shown in Appendix C.

7. Who will be responsible for the winter maintenance of the new multi-use trails, sidewalks, and/or separated bike lanes?

Maintenance of active transportation facilities along Regional roads is the responsibility of the City of Waterloo. Responsibility for winter maintenance of sidewalks is the responsibility of the adjacent property owner under City of Waterloo bylaw.

8. Will the posted speed be changed?

The existing posted speed limit is 50km/hr along University Avenue between Albert Street and Weber Street. No change to the posted speed is being considered at this time in order to maintain a uniform and consistent posted speed along the entire corridor.

9. Are noise attenuation measures being considered for this project?

There is no widening for additional vehicle through travel lanes planned for this project and most properties are front-lotted. As such, there is no recommendation to consider additional physical noise attenuation along University Avenue from Albert Street to Weber Street at this time.

10. Is any private property required for this project?

One of the goals of the planning and design process for this project is to minimize the impact on adjacent properties and the need to acquire private property. An initial review of the existing road allowance indicates that along the road corridor the width between King Street and Regina Street of the road right-of-way may not be sufficient for all options being considered.

The Region may also need to obtain temporary access at some locations along the right-of-way limit for construction grading activities. Identification of property needs will be completed during the evaluation of alternatives as the study proceeds and will be confirmed during detailed design, following completion of the study.

In areas where property acquisition or temporary access is required, the property owner will be contacted directly by the Region of Waterloo. Compensation for land acquisitions would be provided at fair market rates based on recent similar area sales. Please refer to Appendix B for further information on the property acquisition process.

11. How is the natural environment being considered?

As part of the environmental inventory for the project, a Natural Environment Impact Study (EIS) has been initiated with completion of a Background Review Summary documenting the natural features and wildlife within the study area. Included within the EIS are: amphibian and reptile road mortality surveys, turtle surveys, amphibian call surveys, vegetation community surveys and boundary delineation, and bat habitat assessment. The review determined that there are no Core Environmental Features, Areas of Natural and Scientific Interest (ANSI), wildlife movement corridors, or provincially designated areas within the study area. Based on available background information candidate “suitable habitat” for one significant species was identified at the project outset within the study area. None of these species were detected during field work. Field studies also focused on identifying existing wildlife movement across the road to determine the need for road mortality mitigation. The need for such mitigation was not identified. Given the urbanized nature of the corridor and because the proposed undertaking is likely to be confined to the disturbed University Avenue right-of-way, it is not anticipated that wildlife or their habitats will be impacted by the proposed undertaking.

A tree assessment was completed in the Summer of 2019 to inventory the various trees within the Study Area. The trees will be assessed for overall health and significance in order to develop mitigation and protection plans for any trees to be retained. Where trees may be impacted or removed, a compensation strategy will be developed as part of the tree management and landscaping design.

12. How is the cultural/heritage/archaeological environment being considered?

A Cultural Heritage Resource Assessment was completed in July 2019. A review of available cultural heritage resource inventories revealed that there are three (3) designated cultural

heritage resources within the study area, including two properties listed on the unofficial municipal inventory. No additional resources were identified through field review. Impacts and mitigation measures for cultural heritage resources will be assessed as part of the evaluation of alternatives.

A Stage 1 Archaeological Assessment (Background Research and Property Inspection) was completed in July 2019. The Stage 1 Background Research indicated that two (2) previously registered sites are within the Study Area, but do not retain archaeological potential. The remainder of the Study Area does not retain archaeological potential due to prior deep and extensive land disturbance.

13. What is the estimated cost of this project?

The cost of this project will depend on the approved improvement alternative, as well as necessary infrastructure relocations and property acquisitions. Funding of $3.27 million for improvements on University Avenue is included in the Region's 2020 10-Year Transportation Capital Program. This includes an allocation of $485,000 for active transportation facilities. The cost of various alternatives will be considered during their evaluation.

14. What is the project schedule and what are the next steps for improvements on University Avenue?

The Project Team will review the public comments received from this Public Consultation Centre and use them as input for assessment of the potential impacts of each alternative on the project environment. The Project Team will evaluate the alternatives for presentation of a Preferred Alternative for improvements at a second Public Consultation Centre to be held later in 2020 for further public review and input. After consideration of the technical information completed and all public input received, the Project Team will present a recommendation to Regional Council in 2021 for approval of an improvement alternative that best meets the needs of the public while minimizing the impact on the project environment.

Pending project approval by Regional Council, detailed design and property acquisition (if required) is funded in the 2020 Region Transportation Capital Program to be completed throughout 2021, with utility relocations in 2022, and construction commencing in 2023.

15. How will I receive further notification regarding this project?

Property owners and tenants abutting the project site and members of the public registering at this Public Consultation Centre will receive all forthcoming public correspondence, and will be notified of all future meetings.

16. How can I provide my comments?

The Region of Waterloo encourages members of the public, stakeholder groups, and agencies to actively participate in this study by attending public consultation opportunities and/or contacting staff directly with comments or questions. If you wish to be added to the project

mailing list, or would like further information on the project and any future project meetings, please visit our website at www.regionofwaterloo.ca or contact:

Andrew Doman, P.Eng.
Senior Engineer
Region of Waterloo
150 Frederick Street
Kitchener, ON N2G 4J3
Phone: 519-575-4400 x3183
Email: ADoman@regionofwaterloo.ca

Kelly Cobbe, P.Eng.
Consultant Project Manager
IBI Group
410 Albert Street, Suite 101
Waterloo ON N2L 3V3
Phone: 519-585-2255
Email: kcobbe@IBIGroup.com

17. How can I view project information following the PCC?

All of the PCC display materials and other relevant project information, notifications of upcoming meetings and contact information are available for viewing at the Region of Waterloo municipal office as identified above. Alternatively, you may visit the Region's website at www.regionofwaterloo.ca.

Comment Sheet
Regional Municipality of Waterloo
University Avenue Improvements
Public Consultation Centre #1 – Tuesday, March 24, 2020

Please complete and hand in this sheet so that your comments can be considered for this project. If you cannot complete your comments today, please take this home and mail, fax, or email your comments by Tuesday, April 14, 2020 to:

Andrew Doman, P. Eng.
Senior Engineer
Region of Waterloo
150 Frederick Street, 6th Floor
Kitchener, ON N2G 4J3
Telephone: 519-575-4757 Ext. 3183
Fax: 519-575-4430
Email: ADoman@regionofwaterloo.ca

Kelly Cobbe, P. Eng.
Consultant Project Manager
IBI Group
410 Albert Street, Suite 101
Waterloo, ON, N2L 3V3
Telephone: 519-585-2255
Email: kcobbe@ibigroup.com

Comments regarding this project:

Name:

Address:

Postal Code:

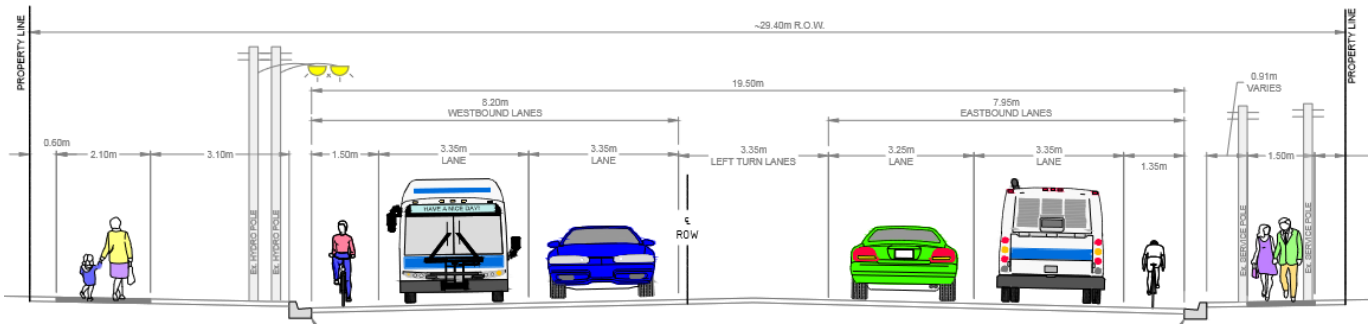
Phone: **Email:**

Collection Notice:

All comments and information received from individuals, stakeholder groups, and agencies regarding these projects and meetings are being collected to assist the Region of Waterloo in making a decision. Under the “Municipal Act”, personal information (such as name, address, telephone number, and property location) which may be included in a submission becomes part of the public record. Questions regarding the collection should be forwarded to the staff member noted above.

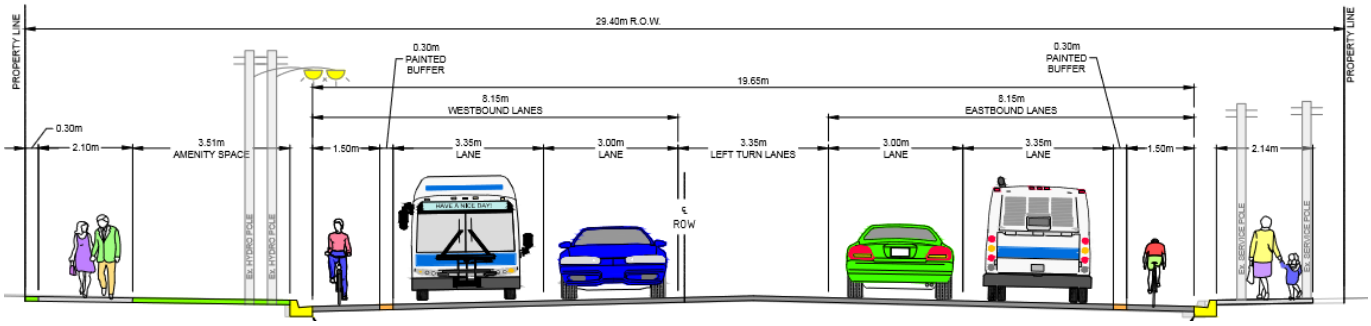
Appendix A – Design Alternative #1

Do Nothing (Maintain Existing Conditions)



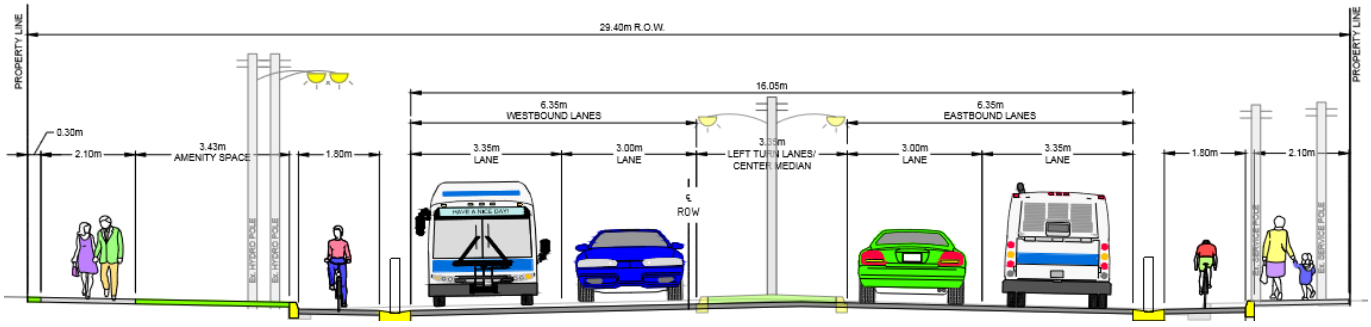
Appendix A – Design Alternative #2

Separated Bike Lane with Painted Buffer



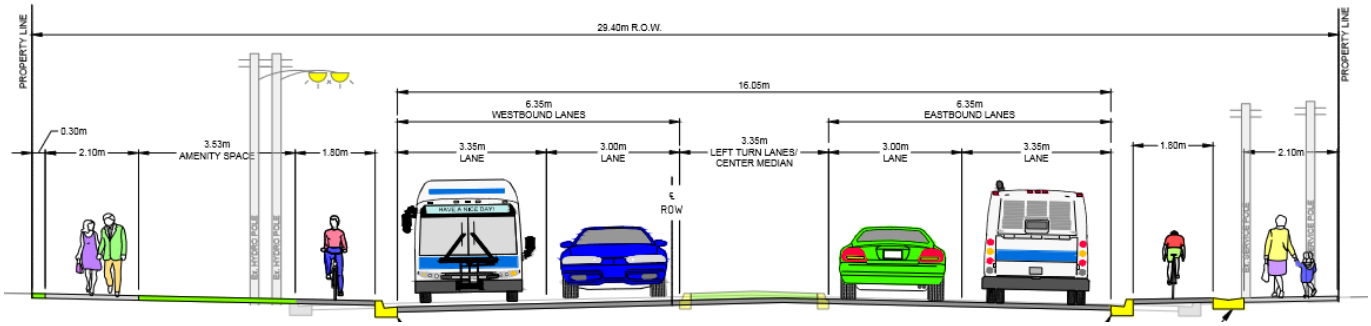
Appendix A – Design Alternative #3

Separated Bike Lane with Flexible Bollards



Appendix A – Design Alternative #3a

Separated Bike Lane with Physical Barrier



Appendix B

Property Acquisition Process Information Sheet

The following information is provided as a general overview of the property acquisition process and is not legal advice. Further, the steps, timing, and processes can vary depending on the individual circumstances of each case.

Once the Class Environmental Assessment is complete and the Environmental Study Report outlining the Recommended Design Concept has been approved, the property acquisition process and the efforts of Regional Real Estate staff will focus on preparation for acquiring the required lands to implement the approved design. Regional staff cannot make fundamental amendments or changes to the approved design concept.

Property Impact Plans

After the project has been approved and as it approaches final design, the project planners will generate drawings and sketches indicating what lands and interests need to be acquired from each affected property to undertake the project. These drawing are referred to as Property Impact Plans (PIP).

Initial Owner Contact by Regional Real Estate Staff

Once the PIPs are finalized and available, Regional Real Estate staff will retain an independent appraiser to provide preliminary valuations of the land requirements and their effect on the value of the property. As this process nears completion Real Estate staff will contact the affected property owner/s by telephone and mail to introduce themselves and set-up initial meetings to discuss the project, appraisals, and proposed acquisitions.

Initial Meetings

The initial meeting is attended by the project engineer and the assigned real estate staff person to brief the owner on the project, what part of their lands are to be acquired or will be affected, what work will be undertaken, when, with what equipment, etc. and to answer any questions. The primary purpose of the meeting is to listen to the owner and identify issues, concerns, effects of the proposed acquisition on remaining lands and businesses that can be feasibly mitigated and/or compensated, and how the remaining property may be restored. These discussions may require additional meetings. The goal of staff is to work with the owner to reach mutually agreeable solutions.

Goal – Fair and Equitable Settlement for All Parties

The goal is always to reach a fair and equitable agreement for both the property owner and the Region. Such an agreement will provide compensation for the fair market value of the lands and address the project impacts (such as repairing or replacing landscaping, fencing, paving, etc.) such that the property owner will receive the value of the lands acquired and the restoration of their remaining property to the condition it was prior to the Project.

The initial meetings will form the basis of an initial offer of settlement or agreement of purchase and sale for the required lands or interests.

Steps Toward Offer of Settlement or Agreement of Purchase and Sale

The general steps toward such an offer are as follows;

1) the Region will obtain an independent appraisal of the fair market value of the lands and interests to be acquired, and an appraisal of any effect on the value of the rest of the property resulting from the acquisition of the required lands and interests;
2) compensation will be estimated and/or works to minimize other effects will be defined and agreed to by the property owner and the Region;
3) reasonable costs of the owner will be included in any compensation settlement;
4) an offer with a purchase price and any other compensation or works in lieu of compensation will be submitted to the property owner for consideration; and
5) an Agreement will be finalized with any additional discussion, valuations, etc. as may be required.

Depending on the amount of compensation, agreements may require the approval of Council. The approval is undertaken in Closed Session which is not open to the public to ensure a level of confidentiality.

Expropriation

Due to the time constraints of these projects, it is the practice of the Region to commence the expropriation process in parallel with the negotiation process to ensure that lands and interests are acquired in time for commencement of the Project. Typically, over 90% of all required lands and interests are acquired through the negotiation process. Even after lands and interests have been acquired through expropriation an agreement on compensation can be reached through negotiation, this is usually referred to as a ‘settlement agreement’.

Put simply, an expropriation is the transfer of lands or an easement to a governmental authority for reasonable compensation, including payment of fair market value for the transferred lands, without the consent of the property owner being required. In the case of expropriations by municipalities such as the Region of Waterloo, the process set out in the Ontario *Expropriations Act* must be followed to ensure that the rights of the property owners provided under that *Act* are protected.

For information on the expropriation process, please refer to ‘Expropriation Information Sheet’.

The following information is provided as a general overview of the expropriation process and is not legal advice. For complete information, reference should be made to the Ontario Expropriations Act as well as the more detailed information in the Notices provided under that Act.

Expropriation Information Sheet

What is Expropriation?

Governmental authorities such as municipalities, school boards, and the provincial and federal governments undertake many projects which require them to obtain land from private property owners. In the case of the Regional Municipality of Waterloo, projects such as the construction or improvement of Regional Roads sometimes require the purchase of land from private property owners. In many cases, the Region of Waterloo only needs a small portion of the private property owner's lands or an easement for related purposes such as utilities, although in certain instances, entire properties are required.

Usually the governmental authority is able to buy the land required for a project through a negotiated process with the affected property owners. Sometimes, however, the expropriation process must be used in order to ensure that the land is obtained within a specific timeline. Put simply, an expropriation is the transfer of lands or an easement to a governmental authority for reasonable compensation, including payment of fair market value for the transferred lands, without the consent of the property owner being required. In the case of expropriations by municipalities such as the Region of Waterloo, the process set out in the Ontario **Expropriations Act** must be followed to ensure that the rights of the property owners provided under that *Act* are protected.

Important Note: The Region of Waterloo tries in all instances to obtain lands needed for its projects through a negotiated agreement on mutually acceptable terms. Sometimes, the Region of Waterloo will start the expropriation process while negotiations are underway. This dual approach is necessary to ensure that the Region of Waterloo will have possession of all of the lands needed to start a construction project on schedule. However, it is important to note that Regional staff continues to make every effort to reach a negotiated purchase of the required lands on mutually agreeable terms while the expropriation process is ongoing. If agreement is reached, expropriation proceedings can be discontinued and the land transferred to the Region of Waterloo in exchange for payment of the agreed-upon compensation.

What is the process of the Region of Waterloo under the Expropriations Act?

- Regional Council considers a request to begin an application under the **Expropriations Act** to obtain land and/or an easement for a specific Regional project. No decision is made at this meeting to expropriate the land. This step is simply direction for the Region of Waterloo to provide a "Notice of Application for Approval to Expropriate" to affected property owners that the process has started to seek approval to expropriate the land.

- As stated in the Notice, affected property owners have 30 days to request a Hearing to consider whether the requested expropriation is "fair, sound and reasonably necessary in the achievement of the objectives" of the Region of Waterloo. This Hearing is conducted by a provincially-appointed Inquiry Officer. Prior to the Hearing, the Region of Waterloo must serve the property owner with a Notice setting out its reasons or grounds for the proposed expropriation. **Compensation for lands is not determined at this Hearing.** The Inquiry Officer can order the Region of Waterloo to pay the property owner up to $200.00 as compensation for the property owner's costs in participating in this Hearing, regardless of the outcome of the Hearing.

- If a Hearing is held, a written report is provided by the Inquiry Officer to the property owner and the Region of Waterloo. Council must consider the Report within 90 days of receiving it. The Report is not binding on Council and Council may or may not accept the findings of the Report. After consideration of the Report, Council may or may not approve the expropriation of the land or grant approval with modifications. A property owner may wish to make written and/or verbal submissions to Council at the time that it is considering the Report.

- If no Hearing is requested by the property owner, then Council may approve the expropriation of the land after expiry of a 30 day period following service of the Notice of Application for Approval to Expropriate.

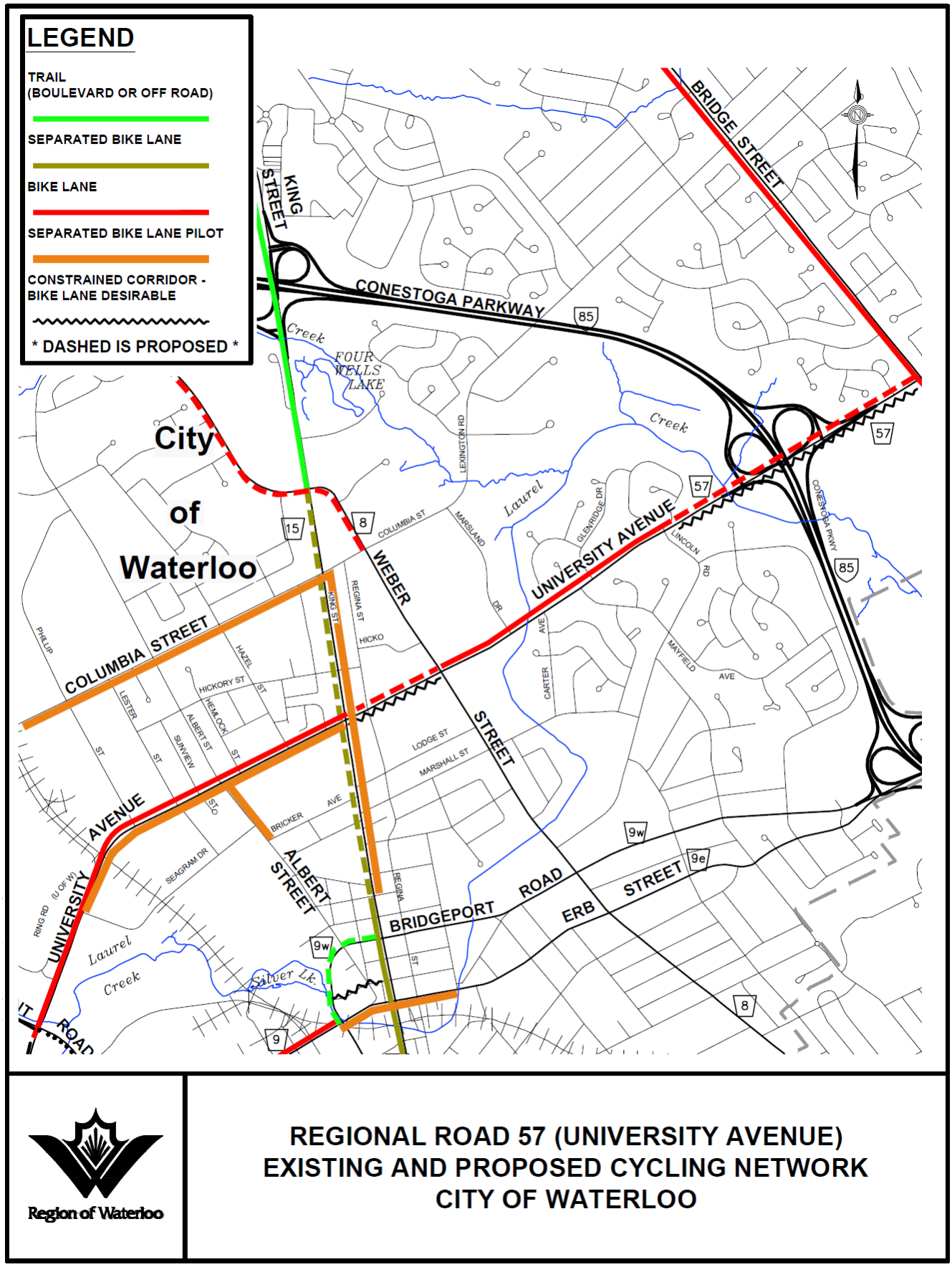
- If Council approves the expropriation then, within 3 months of this approval, the Region of Waterloo must register a Plan at the Land Registry Office that describes the expropriated lands. The registration of this Plan automatically transfers title of the lands to the Region of Waterloo, instead of by a Deed signed by the property owner.

- Within 30 days of registration of the Plan, the Region of Waterloo must serve a Notice of Expropriation on the affected property owner advising of the expropriation. Within 30 days of this Notice, the property owner may serve the Region of Waterloo with a Notice of Election selecting the valuation date under the *Expropriations Act* for calculation of the compensation.

- In order to obtain possession of the expropriated lands, the Region of Waterloo must also serve a Notice of Possession setting out the date that possession of the land is required by the Region of Waterloo. This date has to be 3 months or more from the date that this Notice of Possession is served on the affected property owner.

- Within 3 months of registration of the Plan, the Region of Waterloo must provide the affected property owner with payment for the full amount of the appraised fair market value of the expropriated land or easement and a copy of the appraisal report on which the value is based. If the property owner disagrees with this amount, and/or claims other compensation and/or costs under the *Expropriations Act*, the compensation and/or costs matter may be referred to a provincially-appointed Board of Negotiation in an effort to reach a mediated settlement and/or an appeal may be made to the Ontario Municipal Board (OMB) for a decision. In any event, the Region of Waterloo continues in its efforts to reach a negotiated settlement with the affected property owner prior to the OMB making a decision.

Appendix C – City of Waterloo – Existing and Proposed Cycling Network



Region of Waterloo

REGIONAL ROAD 57 (UNIVERSITY AVENUE)
EXISTING AND PROPOSED CYCLING NETWORK
CITY OF WATERLOO