

August 14, 2009

Louissette Lanteigne
700 Star Flower Avenue
Waterloo, ON
N2V 2L2

Dear Ms. Lanteigne,

RE: FREEDOM OF INFORMATION REQUEST: 250 WILMOT LINE
FILE NO.: A17-0017-2009

We acknowledge receipt of your request pursuant to the *Municipal Freedom of Information and Protection of Privacy Act* (the Act), on August 5, 2009 for:

"I would like to secure the documents which authorized the removal of wetlands at 250 Wilmot Line aka the Activa-Greyerbiehl or Gies property. Construction began on Aug 4, 2009. Planner Ron Ormson stated this project was approved by City & GRCA staff but stated if I want more information I was to use the Freedom of Information Act. I want to secure a copy of the approvals and a map to show where the land will be augmented."

Attached is an Index of Records responsive to your request, together with copies of documents released in whole or in part as noted in the Index. The reasons for denying access to certain records or portions of records and the relevant sections of the Act are detailed in the Index. Other related documentation including Ontario Municipal Board orders, planning reports, and various technical studies that support subdivision approval can be found on the City's website, www.waterloo.ca.

Your request has also been forwarded to the Grand River Conservation Authority (GRCA) under Section 18 of the Act. For more information, please contact the GRCA at (519) 621-2761.

While no additional fees have been charged for the processing of this request, please be advised that Section 45 the Act allows for the collection of fees to recover costs incurred by the City when processing requests, and that these fees may be applied to future requests.

Pursuant to Section 45 of the Act and *Ontario Regulation 823* (enclosed), the costs of responding to a request for information are recoverable at the rate of \$30.00 per hour for staff time, plus photocopying costs at the rate of \$0.20 per page.

You may request a review of this decision by the Information and Privacy Commissioner, 2 Bloor Street East, Suite 1400, Toronto, Ontario, M4W 1A8. Please note that you must request a review within 30 days of receipt of this response.

If you would like to appeal this decision, please provide the Commissioner's Office with the following:

- 1) the file number listed at the beginning of this letter;
- 2) a copy of this decision letter;
- 3) a copy of the original request for information which you sent to the City of Waterloo.

In addition, you must send an appeal fee to the Commissioner's office. If your request was for your personal information, the appeal fee is \$10.00. The appeal fee for all other requests for information is \$25.00. Please include the fee in your letter of appeal. Appeal fees should be in the form of either a cheque or money order made payable to the Minister of Finance.

Yours truly,



Lindsay Walden B.PAPM, M.IPP
Freedom of Information Coordinator
T 519.747.8704 | F 519.747.8510
lindsay.walden@waterloo.ca

**Municipal Freedom of Information and Protection of Privacy Act
R.S.O. 1990, CHAPTER M.56**

- 45 (1) A head shall require the person who makes a request for access to a record to pay fees in the amounts prescribed by the regulations for,
- (a) the costs of every hour of manual search required to locate a record;
 - (b) the costs of preparing the record for disclosure;
 - (c) computer and other costs incurred in locating, retrieving, processing and copying a record;
 - (d) shipping costs; and
 - (e) any other costs incurred in responding to a request for access to a record.

(2) Repealed: 1996

Estimate of costs

- (3) The head of an institution shall, before giving access to a record, give the person requesting access a reasonable estimate of any amount that will be required to be paid under this Act that is over \$25.

**Municipal Freedom of Information and Protection of Privacy Act
R.R.O. 1990, REGULATION 823**

6. The following are the fees that shall be charged for the purposes of subsection 45 (1) of the Act for access to a record:
- 1. For photocopies and computer printouts, 20 cents per page.
 - 2. For records provided on CD-ROMs, \$10 for each CD-ROM.
 - 3. For manually searching a record, \$7.50 for each 15 minutes spent by any person.
 - 4. For preparing a record for disclosure, including severing a part of the record, \$7.50 for each 15 minutes spent by any person.
 - 5. For developing a computer program or other method of producing a record from machine readable record, \$15 for each 15 minutes spent by any person.
 - 6. The costs, including computer costs, that the institution incurs in locating, retrieving, processing and copying the record if those costs are specified in an invoice that the institution has received.

Index of Records

Access Request, Municipal Freedom of
 Information and Protection of Privacy Act

250 Wilmot Line, Waterloo






City of Waterloo File No. A17-0017-2009

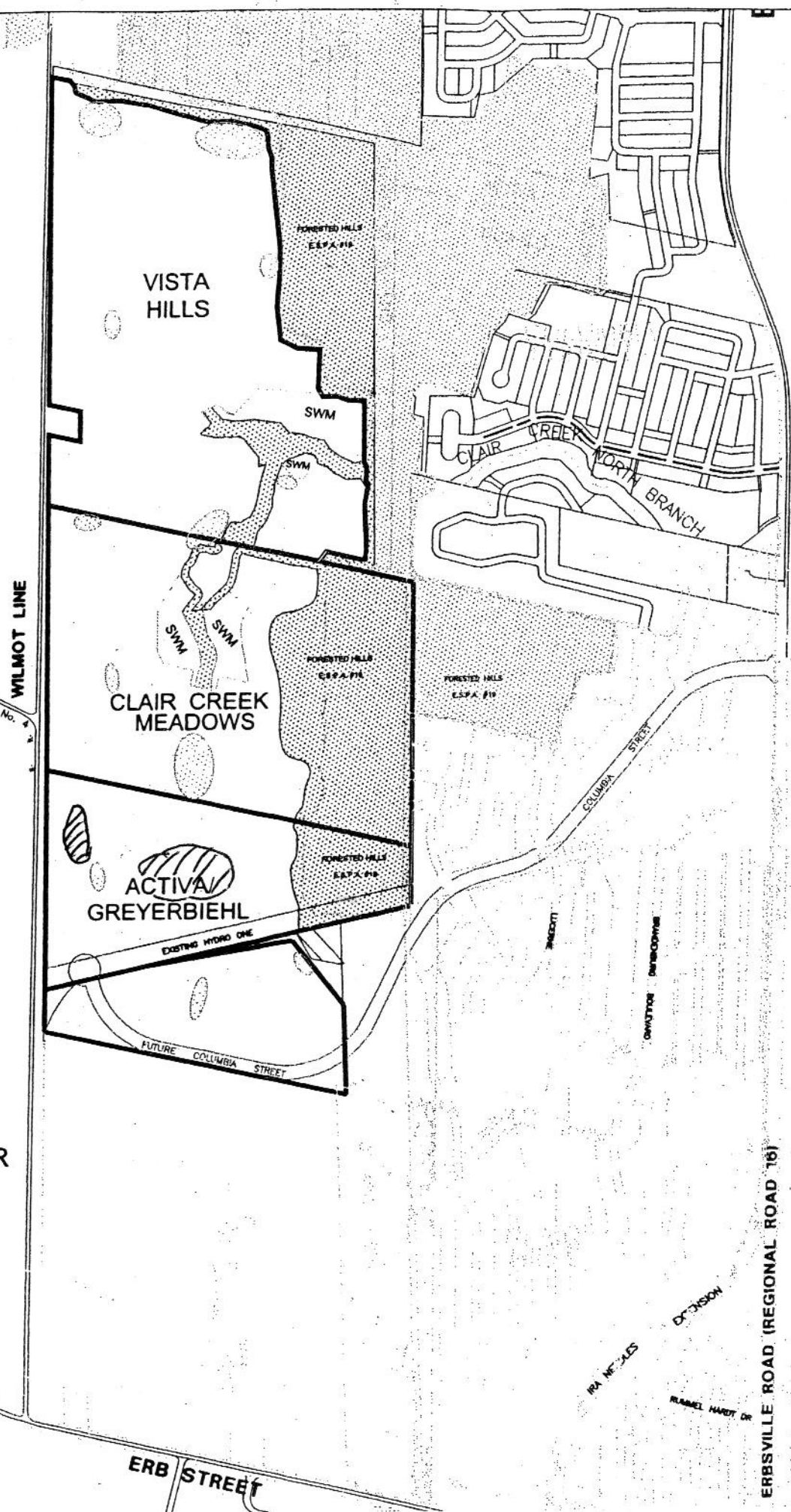
August 13, 2009

"I would like to secure the documents which authorized the removal of wetlands at 250 Wilmot Line, aka the Activa-Greyerbiehl or Gies property. Construction began on Aug 4, 2009. Planner Ron Ormson stated this project was approved by City and GRCA staff but stated if I want more information I was to use the Freedom of Information Act. I want to secure a copy of the approvals and a map to show where the land will be augmented."

Doc. No.	General Description	Date	Release (yes/no)	Section Applied	Comments	No. of Pages
1	Map / Activa-Greyerbiehl lands indicating 2009 Initial Site Works	Not dated	Yes			1
2	Correspondence / Joe Grubb, Ron Ormson - re. 2009 Initial Site Works	Jul 3, 2009	Partial	10	Financial information deleted	2
3	Correspondence / Ron Ormson, Joe Grubb - re. 2009 Initial Site Works	May 20, 2009	Yes			2
4	Correspondence / Joe Grubb, Ron Ormson - re. 2009 Initial Site Works	Mar 31, 2009	Yes			1
5	Topsoil Removal / Application and Permit	Mar 2, 2009	Yes			1

LEGEND

-  PARKS
-  BUFFER LINE
-  ESPA, BUFFER & CREEKS
-  PROPERTY BOUNDARY
-  - INITIAL SITE WORKS (2009)





Stantec Consulting Ltd.
49 Frederick Street
Kitchener ON N2H 6M7
Tel: (519) 579-4410

Stantec

July 3, 2009
File: 1603-10809/29

City of Waterloo
Engineering Division
City Hall, 2nd Floor
100 Regina Street South
Waterloo ON N2J 2Z5

Attention: **Mr. Ron Ormson**

Dear Mr. Ormson:

Reference: **Greyerbiehl Subdivision – City of Waterloo – Plan 30T-05402
2009 Initial Site Works**

RECEIVED
JUL 03 2009
DEVELOPMENT SERVICES

Acet
#094 Permit

Further to our initial submission and your letter of May 20, 2009 enclosed is the following:

- Three copies of Drawing C-600 illustrating Initial Site Works proposed for 2009
- One copy of an email from Deb McKean confirming the amount for the Topsoil Removal Permit
- A cheque in the amount of \$1,033.00 for the Topsoil Removal Permit

Site works are planned to commence on July 16, 2009 and in this regard, please note the following:

- Stantec will coordinate the site works and LVM Naylor will confirm required organic removals and compaction of replacement materials.
- We have submitted a permit to the GRCA and they advised verbally that it has been reviewed and is approved by staff, although formal approval is not expected until July 21, 2009. Until written receipt of approval, site works will be limited to installation of erosion and sediment control and other site works outside of the regulatory areas.
- Activa's contractor and ourselves have reviewed the alternative construction access/haul route of Columbia Street and advise it is problematic as follows:
 - There are local depressions in the existing right-of-way including a temporary sediment basin
 - There is a 400mm diameter high pressure gasmain crossing the right-of-way
 - There is a trail used by residence in the vicinity of Columbia Street extending up to a hydro tower that may pose a safety concern
 - We expect the use of Columbia Street haul routes with hundreds of truck loads would cause concern to residences resulting in numerous complaints to the City

In this regard the project team has further investigated the used of the Wilmot Line and believe we have legal rights to use the existing access as shown on drawing C-600. We also contacted the Township and subsequent to discussions with them (on maintenance issues), have their consent to use the Wilmot Line from the existing farm access, south to Erb Street.

Activa's contractors name is H. Kerr Construction Limited and their project manager is Mr. Randy Morrow:

- Office Number: 1-519-357-2884
- Cell Number : 519-291-7134
- Email: rmorrow@bellnet.ca

Stantec

July 3, 2009
Mr. Ron Ormson
Page 2 of 2

**Reference: Greyerbiehl Subdivision – City of Waterloo – Plan 30T-05402
2009 Initial Site Works**

At this time we asked that the City issue the Topsoil Removal Permit. A Letter of Credit in the amount of \$156,300.00 will follow under separate cover from Activa Holdings Inc.

We look forward to your early response. In the interim, should you have any questions or comments, please call me.

Sincerely,

STANTEC CONSULTING LTD.



Joe Grubb, CET
Project Manager/Senior Associate
Tel: (519) 585-7279
Fax: (519) 579-8664
joe.grubb@stantec.com

Attachment

- c. Ms. Deb McKean, City of Waterloo (ltr. only)
- Mr. Thomas Daniel, City of Waterloo (ltr. only)
- Mr. Peter Armbruster, Activa Holdings Inc. (ltr. only)
- Mr. Douglas Stewart, IBI Group (ltr. only)

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20 May 2009

Stantec Consulting Limited
49 Fredrick Street
Kitchener, ON
N2H 6M7

Attention: Mr. Joe Grubb, CET – Project Manager/Senior Associate

Subject: Greyerbiehl Subdivision Plan 30T-05402 – Waterloo Westside Lands – 2009 Initial Site Works

Further to Stantec's correspondence of 31 March 2009 and our subsequent discussions about the above-referenced subject, City staff understand that:

1. On behalf of Activa, Stantec will coordinate and supervise the excavation of two local topographic depressions and structurally backfill those depressions with borrow material from the site (i.e. the "initial works").
2. The purpose of the initial works is to establish geotechnically suitable conditions at the depressed areas in advance of future area grading. Stantec anticipates that an area grading plan will be submitted to the City in 2010 following the completion of subdivision engineering design.
3. The initial works are to be limited to those locations depicted on Stantec Drawing C-600 (dated 31 March 09).

Site Management Requirements

4. No initial works will be commenced until a topsoil permit has been issued by the City's Engineering & Construction Division and all applicable fees, securities and requirements in support of that permit have been provided to our satisfaction. We can confirm that Stantec's application for same is currently being reviewed by City staff.
5. Prior to the commencement of the initial works, Stantec will provide the City with a final clearance letter from the Grand River Conservation Authority (GRCA) for the works and/or a copy of a GRCA permit for the works pursuant to O.Reg. 150/06.
6. Sediment and erosion control fencing will be installed prior to any onsite work. The proposed temporary sediment basin 'A' (depicted on Stantec Drawing C-600) will be constructed to prevent the offsite discharge of sediment laden water. Routine site inspections will be carried out by Stantec following rainfall events and at any other time deemed necessary by City staff.

to verify that all erosion control measures are performing effectively. Written records of those inspections shall be provided to the City within 24 hours of a rainfall event.

7. Prior to the commencement of the initial works Stantec will verify the haul route(s) and construction access point to the Greyerbiehl site. This is to be depicted on Drawing C-600. As Stantec is aware, the City does not support the use of the construction access point currently depicted on Drawing C-600 and suggests that the necessary arrangements be made to use Columbia Street.
8. The name and contact information of the contractor(s) performing the initial works is to be provided to the City's Engineering Project Manager at least five (5) working days in advance of the commencement of work.
9. All excavated organic materials are to be managed offsite in accordance with applicable standards and regulations.
10. All fill material shall be free of deleterious matter and shall be compacted to a minimum 100% standard proctor density. The suitability of all fill materials, moisture contents, lift thicknesses, and compaction methods, are to be verified by a geotechnical engineer prior to backfill and compaction work. A copy of that engineer's verification, along with compaction testing records collected during the initial works are to be provided to the City's Engineering Project Manager.
11. Any applicable provisions of the City of Waterloo Development Manual (2003), Region of Waterloo and Area Municipalities Design Guidelines and Supplemental Specifications for Municipal Services (2008); OPSD requirements; the Greater Golden Horseshoe Area Conservation Authorities Erosion & Sediment Control Guidelines for Urban Construction (2006) shall be addressed.

As Stantec is aware, subdivision engineering approvals have not been granted for the West Side Lands. No area grading or servicing is permitted at this time.

Thank you for careful consideration of this matter. Please contact me at 519-747-8708 should you have any questions, or the Engineering Project Manager, Mr. Thomas Daniel 519-747-8744, who will be the primary contact for this file.



Ron G. Ormson, P. Geo.
Director, Engineering & Construction

cc. J. Cotter
T. Daniel
R. Lusk
D. McKean



Stantec Consulting Ltd.
49 Frederick Street
Kitchener ON N2H 6M7
Tel: (519) 579-4410

Stantec

March 31, 2009
File: 1603-10809/29

City of Waterloo
Engineering Division
City Hall, 2nd Floor
100 Regina Street South
Waterloo ON N2J 2Z5

Attention: Mr. Ron Ormson

Dear Mr. Ormson:

Reference: Greyerbiehl Subdivision – City of Waterloo – Plan 30T-05402
2009 Initial Site Works

RECEIVED
APR 01 2009
DEVELOPMENT SERVICES

On behalf of Activa Holdings Inc., enclosed is the following:

- Three copies of Drawing C-600 illustrating Initial Site Works proposed for 2009
- Two copies of the temporary sediment basin volume calculation sheets
- One copy of the Topsoil Removal Permit and associated site management control estimate

The works proposed in this submission are limited to excavation (to competent subgrade) of two local site depressions on the north side of the Hydro One Easement and structurally filling these depressions using onsite borrow material. The works are proposed to commence on July 16, 2009 immediately after the window relating to the Migration Bird Convention Act of which the draft plan conditions currently limit site works between May 1 and July 15, 2009. An area grading submission for the subdivision is expected to occur in 2010, once final design works have been completed.

We understand that for the limited site works proposed, only approval of the Topsoil Removal Permit is required. A copy of the submission has been forwarded to the GRCA for information purposes.

Should you have any questions please call me at this office.

Sincerely,

STANTEC CONSULTING LTD.

Joe Grubb, CET
Project Manager/Senior Associate
Tel: (519) 585-7279
Fax: (519) 579-8664
joe.grubb@stantec.com

Attachment

- c. Mr. Peter Armbruster, Activa Holdings Inc. (enclosure)
Mr. Douglas Stewart, IBI Group (ltr. only)
Ms. Lisa-Beth Bulford, GRCA (enclosure)

TOPSOIL REMOVAL PERMIT APPLICATION CITY OF WATERLOO

March 2, 2009
1603-10809-101/29

Location		Street Name & No.		Lot No./Plan No.		Total Site Area (ha)		Total Area to be Graded (ha)		Total Area to remain Inactive (ha)		Estimated Cost of Work (\$)	
Greyerbiehl Subdivision - City of Waterloo				05402 30T-07401		17.5		15.3		2.2		\$156,300.00 \$142,800.00	
Applicant Name		Street Name & No.		Postal Code		Contact Name Re: Application				Bus: (519) 585-7279 Fax: (519) 579-8664 Mob:			
Mr. Joe Grubb - Stantec Consulting Ltd.		49 Frederick Street				Mr. Joe Grubb							
City/Town		Province		Ontario									
Emergency Repair Contact person		Street Name & No.		Postal Code		Contact Name Re: Application				Bus: (519) 585-7311 Fax: (519) 579-8664 Mob: (519) 897-1924			
Mr. Vaughan Milligan - Stantec													
Contractor Name		Street Name & No.		Postal Code		Contact Name Re: Application				Bus: (519) 351-2884 Fax: (519) Mob: (519) 291-7134			
To be Determined H. Kerr Construction Ltd.		TBD				Cell							
City/Town		Province											
Owner Name		Street Name & No.		Postal Code		Company Officer, Name & Title				Bus: (519) 886-9400 Fax: (519) 886-8955 Mob:		Signature of Owner or Authorized Representative:	
Activa Holdings Inc.		735 Bridge Street West				Mr. Peter Armbruster							
City/Town		Province		Ontario									
Type of Work to be Completed		Application Date		Proposed Start Date		Proposed Completion Date							
Fill in site depressions		2009/03/31		2009/07/15		2009/12/15							
Office Administration		Letter of Credit Value (\$)		Receipt No.		Registered Plan No.		Subdivision File No.		Permit No.			
		\$156,300.00		6200584				05402		094			
Start Date		Completion Date		Date Permitted									
This Application has been Submitted with Plans													
Prepared By		Stantec		Approved By City Engineer		J. Morgan							
Date		April 1, 2009		Date		July 20, 2009							