

Court File No. CV-25-00000750-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

THE REGIONAL MUNICIPALITY OF WATERLOO

Applicant

and

PERSONS UNKNOWN AND TO BE ASCERTAINED

Respondents

APPLICATION UNDER Rule 14.05 of the *Rules of Civil Procedure*

APPLICANT'S BRIEF OF ANSWERS TO UNDERTAKINGS

(Application Hearing, returnable April 16, 17, and 20, 2026)

March 31, 2026

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TAB 1

Cross Examination of Peter Sweeney – July 11, 2025		
Question	UT/UA	Answer
Q1 How long a person is typically on the list to access supportive housing before they are able to access one of those units?	UT	The Region of Waterloo utilizes a coordinated access to housing system (Prioritized Access to Housing Support or “PATHS”) to help people experiencing homelessness find housing and support services. The PATHS system prioritizes those with the greatest needs and longest history of homelessness. Wait times for housing placements through the PATHS system also depend on an individual’s documents being ready to secure housing, their engagement with services, and their geographic location. As a result, there is not one standard wait time. For all those currently active in the PATHS system, the average wait time is 13.5 months to access supportive housing. However, the wait time is typically far lower for an individual with an acute and immediate need.
Q2 What is the frequency of a unit becoming vacant Erb’s Road Shelter, and what is the length of time it takes to fill that vacancy (in average terms)?	UT	Erb’s Road Shelter works to fill vacancies as quickly as possible for the populations it supports. The monthly occupancy average over the last year was 95%. Vacancies are typically filled within a week, based on individual factors and circumstances such as coordinating offers, intake to shelter and physical unit readiness.
Q3 To make best efforts to identify the wait time for access the four transitional housing sites referenced in Mr. Sweeney’s original affidavit? (Being: University Avenue, Marillac Place, Starling Life Launch, and Porchlight)	UT	Wait times are not collected.
Q4 What was the date by which the Region expected the Project to start as of the date of	UT	At the time of the Persons Unknown hearing, the Region did not yet have a firm date for use of the Property. The

the hearing in the prior Region of Waterloo v Persons Unknown court case?		estimate at the time was that the Project would commence construction in spring 2023.
Q5 Why was Mr. Sweeney unable to share information contained in Exhibit I to the affidavit of Mr. Spooner (i.e., the date that Metrolinx would need the Property) between the date of that letter, being December 18, 2024, and April 16, 2025?	UT	When the Region received notice on December 18, 2024, that Metrolinx would require the Property by March 2026, the Region began working on its plan for managing this transition. In doing so, the Region had to balance the need to provide sufficient notice to those present at the Property and the wider community, with its obligations to make sure that the Region was not making an announcement without proper supports for residents of the Encampment in place. The Region must also follow the procedures and requirements established by the Regional Council, given the need for Council's input and eventual approval of next steps for the Property. All of this needed to happen before an announcement could be made. In developing reports for Council, Mr. Sweeney was bound by a duty of confidentiality, so he was not able to disclose draft versions of the Plan while it was being developed.
Q6 Advise as to whether there are reporting requirements demonstrating that provincial funding given to the Region is conditional on the closing of encampments or the movement of people out of encampments? Reference document: being Peter's letter to the provincial government (transcript does not reflect this as a marked exhibit)	UT	There are no such conditions.

Q7 Provide the methodology on how the Region arrived at its estimate of 40 people on the Property as of April 16, 2025 / determined that the funds allocated would be sufficient.	UA	The Region of Waterloo's Unsheltered Support Worker team regularly attends the encampment at 100 Victoria St. North to provide services to the residents. The number was arrived at based on confidential data collected by Unsheltered Support Workers in the normal course of their work. The Site Support Budget for April-November 2025 is \$814,333. This figure was reached by factoring in remediation costs for December 2025 and assuming that the 40 identified residents would use each of the three housing options – supportive housing units, rent supplements, and motels – equally and by taking the cost of each option across those months and multiplying it by 1/3 of the population of 40. The additional resources identified are therefore based on the cost of remediation and an equal distribution of known costs for supportive housing, motels with supports, and rent supplements for an additional 40 individuals across the Region's housing stability system. To be clear, this budgeting formula does not place a substantive quota such that only one third of individuals can access each of these supports. There are no formal caps on each option.
Q8 Confirm how many USWs were employed by the Region in 2023?	UT	Two Unsheltered Support Workers were employed by the Region of Waterloo in 2023.
Q9 Confirm when the number of USWs employed by the Region expanded beyond 2?	UT	April 2024.
Q10 Check and report on the USW's schedules in general terms – what days and hours of work does the team cover?	UT	The USW team works staggered shifts from 7:30am – 4:30pm, Monday to Friday.

Q11 What is the number of deaths in the emergency shelter system, transitional housing system, and motels funded by the Region in the last calendar year?	UA	In the 2024 (January-December) calendar year, there were 11 reported deaths in the emergency shelter system, transitional housing system and motels program funded by the Region of Waterloo. For reference, the Region's data indicates that there were 2,030 individuals who used these systems and programs from January to December 2024. As the 2024 Point in Time Count indicates, there were 820 individuals accessing emergency shelters, Region-funded motels and transitional housing on one particular night in October 2024.
Q12 Share reports made within the Region's incident management system occurring in the last year documenting violence occurring in the emergency shelter system, transitional housing system, and motels funded by the Region?	UA	The Region's incident management system documents incidents involving Regional staff and therefore only applies to the motels program, as shelters and other transitional housing sites are not operated directly by the Region's staff, even if they are Region-funded. There was one report of violence in the motels program involving regional staff in the last calendar year. Agencies within the Housing Stability System in Waterloo Region use Homeless Individuals and Families Information System (HIFIS) for data collection and case management, including reports of violence. In the last calendar year, there were 81 reported incidents categorized as physical assault in the emergency shelter system, transitional housing system, and motels program. For reference, the Region's data indicates that there were 2,030 individuals who used these systems and programs from January to December 2024. As the 2024 Point in Time Count indicates, there were 820 individuals accessing emergency shelters, Region-funded motels

		and transitional housing on one particular night in October 2024. Due to the continuous presence of onsite staff in the emergency shelter system and transitional housing system, who are under a duty to report violence, there may be differences in the rate at which incidents are reported and the rapidity of responses to them.
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TAB 2

2 nd Cross Examination of Peter Sweeney – December 11 & 12, 2025		
Question	UT/UA	Answer
1. Supply HIFIS November and December numbers of individuals living unsheltered in the Region	UT	November 2025 - 462 December 2025 - 470
2. Provide an updated list of the items in the winter warming packages provided by the Region to individuals in 2025.	UT	The Region does not directly purchase items in the winter warming packages nor does it mandate what service providers must purchase. Items purchased by service providers for winter warming support/supplies include: • Supplies for physical warmth and winter wellbeing (e.g. tents, boots, clothing, hot beverages/soups, hand warmers, electrolytes); • Supplies for winter safety (e.g. fire extinguishers, wound care); • Gift cards to locations open in the evening/weekends to augment overnight warming spaces (e.g. coffee shops, movie theatres etc.); • Gas cards; • Bus tickets and taxi funds to aid folks in accessing warm spaces, emergency shelters (etc.); • Some of the funding may also be used for storage or transportation costs to ensure winter supplies can be safely stored and distributed. • Indigenous medicines, teas, and other spiritually significant items (led by Indigenous rural partners) • Rural Indigenous led winter warming tipi, ceremonial fire or other specific strategy/support

3. Provide the data on the number of turn-aways from the emergency shelter system for April until the end of November 2025	UT	<table><tr><th colspan="5">First Connect Turnaway Data for 2025</th></tr><tr><th>Reasons for turnaways</th><th>Jan - March</th><th>Apr-June</th><th>July-Sept</th><th>Oct-Dec</th></tr><tr><td>Restricted from 1 ES, no other ES available</td><td>11</td><td>16</td><td>32</td><td>77</td></tr><tr><td>Restricted from 2+ ES, no other ES available</td><td></td><td>8</td><td>24</td><td>47</td></tr><tr><td>No pet friendly ES</td><td></td><td>3</td><td>3</td><td>2</td></tr><tr><td>No accessible ES beds</td><td></td><td>9</td><td>0</td><td>0</td></tr><tr><td>No ES beds available in shelter system</td><td>44</td><td>14</td><td>30</td><td>45</td></tr><tr><td>No men's beds available</td><td>31</td><td></td><td>18</td><td>39</td></tr><tr><td>No women's beds available</td><td>35</td><td></td><td>12</td><td>6</td></tr><tr><td>Total</td><td>121</td><td>50</td><td>89</td><td>171</td></tr></table>	First Connect Turnaway Data for 2025					Reasons for turnaways	Jan - March	Apr-June	July-Sept	Oct-Dec	Restricted from 1 ES, no other ES available	11	16	32	77	Restricted from 2+ ES, no other ES available		8	24	47	No pet friendly ES		3	3	2	No accessible ES beds		9	0	0	No ES beds available in shelter system	44	14	30	45	No men's beds available	31		18	39	No women's beds available	35		12	6	Total	121	50	89	171
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Total	121	50	89	171																																																
4. Confirm whether system-wide bans occur (in respect of shelters and motels)	UT	There is no such thing as a system-wide ban. Emergency Shelters, Transitional Housing programs, and motels restrict individuals from their sites in response to safety concerns or individuals not following site specific rules and policies. Individual sites can only issue a restriction for their organization/location.																																																		
5. Provide the number of households on the housing waitlist	UT	As of November 6, 2026: 11,421																																																		
6. Provide the current number of emergency beds at Coalition of Muslim Women facility	UT	The capacity is 28 individuals.																																																		
7. Provide a copy of the direction given to USWs regarding women being placed at motels	UT	A copy of the direction is attached at the following link (please download as this expires April 1, 2026): https://www.imanageshare-ca.com/pd/7rKMWsw1dLf																																																		
8. Identify shelter options available to people with pets (other than Erb's Road)	UT	Erbs Road Shelter, A Better Tent City, and motels (based on the service provider) are locations where pets are permitted																																																		
9. Find out and advise whether family members, substitute decisionmakers, and/or working with the public	UT	Staff working in the housing stability system, including outreach workers, can and do obtain consent from individuals to speak with others (family members, guardians, etc.) about their housing and care plans To do this,																																																		

guardian are on the table when outreach workers are working with individuals with mental health issues where capacity is a concern		staff require explicit consent from a community member, (which might include a power of attorney or substitute decision maker).
10. Confirm that no self-identified women or gender-diverse individuals have been placed at the Weber Inn since September 18, 2025	UT	Confirmed.

3 rd Cross Examination of Peter Sweeney – March 6, 2026		
Question	UT/UA	Answer
1. Undertake to advise if any corrections are needed to Mr. Sweeney's examination transcript	UT	Subject to his answers to undertakings provided below, Mr. Sweeney has no corrections to make.
2. Undertake to confirm Oneroof does not operate 24/7	UT	OneROOF supportive housing operates 24/7 OneROOF street outreach staff operate during the day Monday through Friday OneROOF emergency shelter is open overnight 7 days a week OneROOF operates a day-time drop-in program for youth who are accessing the emergency shelter, so that they can access supports during the day while not staying in shelter.
3. Undertake to confirm Safe Haven is only for youth ages 12-17	UT	Confirmed.
4. Undertake to confirm the date ESC Bridge Care Program stopped accepting new clients	UT	The Cambridge Shelter Corporation's Bridgecare program stopped intakes in September of 2025 to facilitate the move out of a site/building that needed to close. New intakes remained closed/stopped until March 2026, to allow for the program to complete hiring its full staffing complement and acquire all program supplies needed to support new intakes.
5. Undertake to confirm ESC Bridge Care Program is still not accepting new clients	UT	As per above, Bridge Care is now receiving referrals and new intakes.
6. Undertake to confirm if and when 84 Frederick transitional housing paused their intake program and if they're waiting for occupancy	UT	The 84 Frederick Transitional Housing program began intakes in January 2026, at a reduced capacity due to necessary repairs to the building being undertaken at that time. This program remains at partial capacity due to an upcoming scheduled elevator repair in April 2026. However, SHIP continues to interview and connect with prospective clients so that once 84

permits to get up to occupancy of 40		Frederick is able to resume intakes and operate at full capacity, this can occur efficiently.																					
7. Undertake to confirm what time Porchlight closes each morning / Undertake to confirm what time Thresholds closes each morning	UT	Porchlight and Thresholds overnight warming centres end their overnight services at 8am.																					
8. Undertake to look at the numbers and answer if The Working Centre has gone over capacity since January 2026	UT	Yes, the Working Centre's overnight warming centre at St John's Kitchen has operated over capacity at times since January 2026.																					
9. Verify the actual number of reported homelessness in the Region as correction undertaking re Council minutes and report back		The correct number is 366. Mr. Sweeney has also asked that this correction be made to the Council minutes.																					
10. Provide number of known encampments across the region on a quarterly basis from Dec. 2024 forward"	UT	The following data reflects encampments on municipal, private, and provincial lands known to Regional staff: <table><tr><th></th><th>Dec. 2024</th><th>Q1 2025</th><th>Q2 2025</th><th>Q3 2025</th><th>Q4 2025</th><th>Jan-Feb 2026</th></tr><tr><td>Approximately how many separate encampment sites exist in your Service Manager area on the reporting date</td><td>22</td><td>25</td><td>25</td><td>26</td><td>26</td><td>23</td></tr><tr><td>Approximately how many people are staying in total in all the encampments</td><td>119</td><td>86</td><td>101</td><td>115</td><td>78</td><td>57</td></tr></table>		Dec. 2024	Q1 2025	Q2 2025	Q3 2025	Q4 2025	Jan-Feb 2026	Approximately how many separate encampment sites exist in your Service Manager area on the reporting date	22	25	25	26	26	23	Approximately how many people are staying in total in all the encampments	119	86	101	115	78	57
	Dec. 2024	Q1 2025	Q2 2025	Q3 2025	Q4 2025	Jan-Feb 2026																	
Approximately how many separate encampment sites exist in your Service Manager area on the reporting date	22	25	25	26	26	23																	
Approximately how many people are staying in total in all the encampments	119	86	101	115	78	57																	
11. Undertaking to confirm what was provided by the	UT	See answer to #2 from Peter Sweeney's answers to undertakings arising from this second cross examination. To Mr. Sweeney's knowledge, there																					

Region's funded partners as part of the winter warming packages in 2025 and 2026 and whether the Region puts constraints on what can be included. If there are constraints, are there any new constraints or has been changed between 2025-2026		has not been a material change in what was provided between 2025 and 2026.
12. Undertake to find out if USWs are trained on unsafe fire behaviours	UT	No such specific official fire safety training has been provided for USWs. However, Kitchener Fire has been a resource for residents of 100 Vic regarding fire safety.
13. Undertake to find out if written fire safety guidelines have been distributed to encampment residents	UT	Written guidelines have not been provided.
14. Undertake to determine if the Region has distributed hot water bottles or safer warming devices to encampment residents	UT	The Region has not distributed water bottles but has distributed hand warmers.
15. Undertake to determine if the Region has distributed fire extinguishers to encampment residents	UT	The Region has not done so.
16. Undertake to determine where there are communal fire extinguishers to encampment residents	UT	Communal extinguishers are not available to encampment residents at 100 Vic.

17. Undertake to find out if a meeting between SDC, FDept, and Regional Council took place on January 31, 2024, did the Region attend, what was the discussion around suggested mitigation efforts and were there minutes, if so, provide a copy	UT	Mr. Sweeney is not aware of this meeting. He has made inquiries of Housing Staff (Ryan Pettipiere), Corporate Security Staff (Chris McEvoy), and Facilities Staff (Aaron Moss), none of whom is aware of this meeting.
18. Undertake to determine how many of the dedicated senior sites are affordable units and provide the average cost of 1 bedroom unit in dedicated 46 seniors sites	UT	All dedicated seniors' units with access through the affordable housing waitlist are considered affordable; 1567 are rent-geared-to-income and 789 are low end of market rent (LEM). In dedicated senior units, 66% of the units are rent geared-to-income (RGI). The remaining 34% are below average market rent, also accessed through the Co-ordinated Access System. The Average rent of the units in senior dedicated sites across these programs is: \$809, with a range of \$492 - \$1319. Because so many of these units are RGI, the average rent will fluctuate based on residents' income.
19. Does a formal fire risk mitigation plan exist for the Encampment and, if so, provide a copy		No such written plan exists.
20. Undertake to determine how long you have to be inactive with a worker before an individual would not be counted in HIFIS	UT	If a HIFIS profile/account is not updated/interacted with within 90 days it goes "inactive". The profile/account remains in HIFIS but will not be counted in reports enumerating experiences of homelessness. An inactivity policy with these stipulations is required by the Provincial government as part of Homelessness Prevention Program funding agreements.
21. Undertake to determine whether HIFIS counts folks in hospital	UT	Individuals experiencing homelessness in hospitals will be counted in HIFIS so long as they have an active HIFIS profile/account.

22.Undertake to determine whether HIFIS counts folks incarcerated	UT	Individuals experiencing homelessness in correctional institutions will be counted in HIFIS so long as they have an active HIFIS profile/account.
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TAB 3

Cross Examination of Dr. Sharon Koivu – December 11, 2025		
Question	UT/UA	Answer
Undertake to have Dr. Koivu say if she agrees or disagrees with the information in the paragraphs at p 2 (factors that drive encampments), from Exhibit 7 to the Cross Examination Document: https://nhchc.org/wp-content/uploads/2022/12/NHCHC-encampment-sweeps-issue-brief-12-22.pdf	UT	Dr. Koivu is not an expert in the factors driving encampments. Dr. Koivu was primarily referencing the following paragraph on p. 1 of the article when she cited it in her affidavit: “Encampments can be unsafe, violent, and unhealthy places, and public health officials are rightly concerned about the impact of these congregate settings on vulnerable people. In fact, public health concerns are often used to justify sweeps, especially due to lack of access to running water and bathrooms.” From her clinical experience, Dr. Koivu confirms that some of what is referenced at the referenced heading of the article may contribute to individuals moving to an encampment. However, Dr. Koivu’s clinical experience suggests that once people go to an encampment, they often find many of the same problems listed as pertaining to shelters such as “threats of violence, theft, increased substance use and sexual harassment” and that the decision to go to an encampment puts them at greater risk of various harms as compared to a shelter.
Undertake to also look at pp 3-6 of Exhibit 7 about encampment sweeps and say whether Dr. Koivu agrees with some or all of the types of harms identified Document: https://nhchc.org/wp-content/uploads/2022/12/NHCHC-encampment-sweeps-issue-brief-12-22.pdf	UT	As Dr. Koivu answered on the record, encampment sweeps (defined by the academic literature on the subject as typically involving a lack of or minimal notice, individuals’ property is destroyed, and there are not alternate arrangements made for encampment residents) can cause harms those living in encampments.

		While it is true that the harms listed at pages 3-6 of the reference document might occur from this sort of encampment sweep, these can be mitigated by providing for alternative arrangements for encampment residents, giving adequate notice, and storing belongings of residents. In any event, some of the harms of encampment sweeps noted here are also present in encampment living. For example, as Dr. Koivu explained on cross examination and in her affidavit, there is widespread drug use in encampments without supervision from medical professionals in case of overdose.
With reference to para 18 of Dr. Koivu's affidavit, which says that "encampments are not a safe alternative to housing or to a shelter...", identify where in the cited article Dr. Koivu is relying on for this proposition (Exhibit 8 – Farha and Schwan: Farha, L., & Schwan, K. (2020). <i>A National Protocol for Homeless Encampments in Canada: A Human Rights Approach</i>. The Shift. https://www.make-the-shift.org/wp-content/uploads/2020/04/A-National-Protocol-for-Homeless-Encampments-in-Canada.pdf)	UT	There are various references within this article to encampments' health and safety challenges upon which Dr. Koivu relies, including the following: "People living in encampments face profound challenges with respect to their health, security, and wellbeing, and encampment conditions typically fall far below international human rights standards" (p. 2) "Encampment conditions typically fall far below international human rights standards on a variety of fronts, often lacking even the most basic services like toilets" (pp. 7-8)
Undertake to also be provided with the other article relied on for statement at para 18 of affidavit (found at footnote 16, "Permanent Supportive Housing for Homeless People")	UT	A copy of this article is attached at the following link: https://www.imanageshare-ca.com/pd/6RdLMbuJMdV (please download as this expires April 1, 2026)

Kertesz SG, Baggett TP, O'Connell JJ, Buck DS, Kushel MB. Permanent Supportive Housing for Homeless People - Reframing the Debate. N Engl J Med. 2016 Dec 1;375(22):2115-2117. doi: 10.1056/NEJMp1608326. PMID: 27959753		
Undertake to see if Dr. Koivu can identify anything in the source relied on at footnote 18 on rodent infections, or if relied on wrong paper Source: Liu CY, Chai SJ, Watt JP. Communicable disease among people experiencing homelessness in California. Epidemiol Infect. 2020 Mar 30;148: e85. doi: 10.1017/S0950268820000722. PMID: 32223777; PMCID: PMC7189346. (communicable diseases, Hepatitis A)	UT	This was an error in the citation number. Instead, the citations should be to Footnotes 55,56,57,59 and 60.
Undertake to see if anything in article cited at footnote 27 on rodent infections, or if relied on wrong paper Source: Roncarati JS, Baggett TP, O'Connell JJ, Hwang SW, Cook EF, Krieger N, Sorensen G. Mortality Among Unsheltered Homeless Adults in Boston, Massachusetts, 2000-2009. JAMA Intern Med. 2018 Sep 1;178(9):1242-1248. doi: 10.1001/jamainternmed.2018.2924. PMID: 30073282; PMCID: PMC6142967	UT	See above.
Undertake to also see if footnotes 56 and 57, two articles neither of which specifically talk about	UT	Dr. Koivu cited these articles to demonstrate that there are public reports of rats/rat infestations in

infections from rodent droppings, are appropriate for the citation https://www.thepeterboroughexaminer.com/news/peterborough-region/peterborough-homeless-encampment-had-been-overrun-by-rats/article_034aa81c-45bb-5c83-b163-3e369271baf9.html https://www.cbc.ca/news/canada/toronto/etobicoke-rat-infestation-1.7241369		encampments in Ontario. Where there are rats, there are rat droppings, creating the possibility of infection. Dr. Koivu was relying on her own medical and clinical expertise for the conclusion that the presence of rodent feces can lead to illness and infection.
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TAB 4

Cross Examination of Aaron Moss – February 13, 2026		
Question	UT/UA	Answer
1. Confirm it was the Region that contacted Sanguen regarding the security threat at the Encampment	UT	An employee of the Region contacted Sanguen in December 2025 to make the organization aware of reports of weapons at the Encampment. The Region took this step to ensure that its partner organization was aware of the potential for increased risk of violence, so that the partner organization could determine what steps to take in response.
2. Ask Ryan Pettipiere/Peter Sweeney to provide any information they have on the whereabouts of the 40 Existing Residents who have left the Encampment and the twenty something individuals the Region has assisted in finding alternate arrangement	UT	• 0 Existing Residents are currently residing on the site • 29 Existing Residents were supported offsite to alternate accommodations. ○ 6 of these individuals have been supported to permanent housing ○ 23 of these individuals have been supported offsite to alternate accommodations (with the majority of these 23 placed in motels) • 11 core individuals have left the site (whereabouts unknown, incarceration) • Between April 2025 and March 2026, 22 non-core individuals have been supported offsite to alternate accommodations ○ 3 of these individuals have been supported into permanent housing <i>Data note: Alternate accommodations include emergency shelter, transitional housing, shelter overflow in motels, supportive housing</i>

TAB 5

Court File No. CV-25-00000750-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

THE REGIONAL MUNICIPALITY OF WATERLOO

Applicant

and

PERSONS UNKNOWN AND TO BE ASCERTAINED

Respondents

**Undertakings, Under Advisements and Refusals
from the Cross- Examination of Doug Spooner on
his Affidavit dated June 6, 2025 held on March 6, 2026**

Undertakings given by Doug Spooner:

No.	Pg No./ Ln No.	Type	Question/Undertaking	Answer
U1	8/4	Undertaking	To advise if there are Minutes from project meetings between the Region and Metrolinx relating to the KCTH since December 1, 2024	Meeting minutes exist for these project meetings.
U2	11/13	Undertaking	To provide the emails identified at Q29 and Q32 with the project sponsor regarding the tender process and possession date of 100 Victoria.	Please see the emails attached to this undertakings chart as Appendix “A” . The redactions made are to remove privileged information.
U3	40/2	Undertaking	To advise whether the grade separation agreement	The Region has signed the agreement, and it has been sent by

No.	Pg No./ Ln No.	Type	Question/Undertaking	Answer
			being referenced in Staff Report EES-FFM-25-02 has been signed or what the status is of the agreement.	the Region to Metrolinx for Metrolinx's signature.

Under Advisements given by Doug Spooner:

No.	Pg No./ Ln No.	Type	Question/Undertaking	Answer
UA1	8/15	Under Advisement	If there are Minutes from project meetings between the Region and Metrolinx relating to the KCTH since December 1, 2024, to produce those minutes.	Meeting minutes exist for these project meetings. The Region is waiting for confirmation from Metrolinx as to whether these meeting minutes can be produced.
UA2	9/17	Under Advisement	To provide copies of emails between Doug Spooner and the project sponsor at Metrolinx that discuss timing of the KCTH project from December 1, 2024 to present.	Please see the emails attached to this undertakings chart as Appendix "B" . The redactions made are to remove privileged or commercially sensitive information.
UA3	16/2	Under Advisement	To provide copies of the quarterly status reports that are referenced in the Transfer Payment Agreement (at page 105 of the Spooner Affidavit, in the exhibits) from December 2024 to present.	The Region is waiting for confirmation from the Ministry of Transportation as to whether these quarterly status reports can be produced.
UA4	16/18	Under Advisement	To provide copies of the annual progress report that are referenced at C2-2 in the Transfer Payment Agreement (at page 105 of the Spooner Affidavit, in the exhibits).	The Region is waiting for confirmation from the Ministry of Transportation as to whether these annual progress reports can be produced. The Region notes that this request was not circumscribed by dates. If it receives approval from the MTO to do so, the Region

No.	Pg No./ Ln No.	Type	Question/Undertaking	Answer
				will produce documents that exist from December 2024 to the present.
UA5	24/1	Under Advisement	To provide the percentage of the design that has been provided to the Region by Metrolinx, and confirm what percentage the design is at.	The Region understands that Metrolinx issued their tender on Wednesday, March 25, 2026, and this timing is in compliance with Metrolinx's overall timelines. This represents 100% design (the step is called "Issued for Tender").
UA6	31/12	Under Advisement	To advise whether the approval from the Indigenous consultation has been received for the project.	This question is vague. The Respondents have not specified the level or category of "Indigenous consultation" that they are inquiring about, nor the basis for alleging what "approval" is required. Nevertheless, the Region can advise that the federal requirements of the Investing in Canada Infrastructure Program in this regard have been fully met. The requirements of the provincial Transfer Payment Agreement in this regard are in progress.
UA7	34/1	Under Advisement	To make inquiries about whether Metrolinx requires the City of Kitchener site plan approval and what the status of the approval is.	To the best of the Region's knowledge, this is not required by Metrolinx.
UA8	40/8	Under Advisement	To advise what lease agreements are being contemplated in Staff Report EES-FFM-25-02 and what the status is of those lease agreements are.	Lease agreements for various parcels around the site to enable the Works are in process. The Region does not anticipate any of the lease agreements constituting an impediment to the Project.
UA9	49/21	Under Advisement	To make inquiries at Metrolinx to find out how long they anticipate the tendering process to take for this project.	Metrolinx has advised that the tender will be at market for approximately 8 weeks.
UA10	51/5	Under Advisement	To provide an estimate of when the Ministry of Environment approvals are expected to be in place.	This question is vague. To the best of the Region's knowledge, there is only one permit required, and no timelines have been provided by the Ministry of the Environment. The Region does not anticipate any of the requisite approvals constituting an

No.	Pg No./ Ln No.	Type	Question/Undertaking	Answer
				impediment to the Project.

THE REGIONAL MUNICIPALITY OF WATERLOO
Applicant

-and-

Court File No. CV-25-00000750-0000
PERSONS UNKNOWN AND TO BE ASCERTAINED
Respondents

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT
WATERLOO REGION

**UNDERTAKINGS, UNDER ADVISEMENTS AND
REFUSALS FROM THE CROSS- EXAMINATION OF DOUG
SPOONER ON HIS AFFIDAVIT DATED JUNE 6, 2025
HELD ON MARCH 6, 2026**

Paliare Roland Rosenberg Rothstein LLP
155 Wellington Street West
35th Floor
Toronto ON M5V 3H1
Tel: 416.646.4300

Gordon Capern (LSO # 32169H)
Tel: 416.646.4311
Email: gordon.capern@paliareroland.com

Andrew Lokan (LSO # 31629Q)
Tel: 416.646.4324
Email: andrew.lokan@paliareroland.com

Kartiga Thavaraj (LSO # 75291D)
Tel: 416.646.6317
Email: kartiga.thavaraj@paliareroland.com

Greta Hoaken (LSO # 87903I)
Tel: 416.646.6357
Email: greta.hoaken@paliareroland.com

Lawyers for the Applicant, The Regional Municipality of
Waterloo

TAB 5A

From: Klaus Zeise <Klaus.Zeise@metrolinx.com>
Sent: January 12, 2026 8:49 AM
To: Doug Spooner <DSpooner@regionofwaterloo.ca>; Kanivanan Chinniah <Kanivanan.Chinniah@metrolinx.com>; Nadine Navarro <Nadine.Navarro@metrolinx.com>
Cc: Mathieu Goetzke <MGoetzke@regionofwaterloo.ca>; Christa De Wys <CDeWys@regionofwaterloo.ca>
Subject: RE:

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Good morning Doug,
 Sorry for the slight delay in getting you the requested date and based on our current project schedule Metrolinx would require taking temporary possession of the 100 Victoria St. property on **Monday October 26, 2026**, and would remain on site for approx. 2 years.

Note that this date might be subject to further change in case of any unforeseen issues or challenges with the pending Mx approvals and the tender process.

Please let me know if you require any additional information.

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

Integrated Delivery Division

Metrolinx

97 Front Street W. | Toronto | Ontario | M5J 1E6

From: Doug Spooner <DSpooner@regionofwaterloo.ca>
Sent: Monday, January 5, 2026 10:57 AM
To: Kanivanan Chinniah <Kanivanan.Chinniah@metrolinx.com>; Nadine Navarro <Nadine.Navarro@metrolinx.com>; Klaus Zeise <Klaus.Zeise@metrolinx.com>
Cc: Mathieu Goetzke <MGoetzke@regionofwaterloo.ca>; Christa De Wys <CDeWys@regionofwaterloo.ca>
Subject:

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Hey Team,

Quick one this morning.

You will recall a previous letter (from then CEO PV) that we had arrived at an April 1st, 2026 occupancy date.

I believe we have likely adjusted that date as we have gotten into further design and tendering prep. I'm wondering if Mx could provide an updated date for occupancy? (Again, the Region will assume the site prior, remediate and secure the site).

I've got Mathieu CC'd if you would like to escalate internally, we are ready to provide more info as needed.

Let us know, and thanks as always,

Doug

Doug Spooner

Acting Commissioner, Transportation Services

Transportation Services

Region of Waterloo – Grand River Transit



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From: Doug Spooner
Sent: February 27, 2026 1:45 PM
To: Mathieu Goetzke ; Fiona McCrea ; Connie MacDonald ; Peter Sweeney
Subject: FW: KCTH received Mx Board approval for tender release
Hey Team,
Good news from Mx, tender will go out in the next 2-3 weeks. Board has approved.
Thanks,
Doug

From: Klaus Zeise <Klaus.Zeise@metrolinx.com>
Sent: February 27, 2026 1:34 PM
To: Christa De Wys <CDeWys@regionofwaterloo.ca>; Doug Spooner <DSpooner@regionofwaterloo.ca>
Subject: KCTH received Mx Board approval for tender release

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Hi Christa & Doug,
I just wanted to let you know that the KCTH project received Mx Board approval yesterday to proceed with tender release to market and obtained the requested funding increase needed for the delivery of the Metrolinx scope based on the latest cost estimate. The release of the tender is scheduled for the first week of March but might have to be pushed back by 1 or 2 weeks given some pending revisions to the tender package, partially due to the need to incorporate wording related to the Buy Ontario legislation that was recently passed. We will confirm once the tender is in market.
Thanks, and please let us know if you have any question.
Have a nice weekend,
Klaus

Klaus Zeise

Senior Manager, Station Sponsor
Integrated Delivery Division
Metrolinx

111 Richmond St. W | Toronto | Ontario | M5H 3K6

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TAB 5B

From: [Klaus Zeise](#)
To: [Doug Spooner](#); [Christa De Wys](#);
Subject: Today's CBC Story about KVTH
Sent: 2024-12-03 4:58:59 PM

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Hi Doug and Christa,
I hope you are doing well.

We came across the CBC that was published today regarding the KVTH project and it includes some details such as a construction start in 2025 and that Metrolinx will need access to the property at 100 Victoria St. (even though that is based on a quote from 2023). I don't believe anybody at Metrolinx was aware of this story and I wanted to ask if you or your teams were aware?

<https://www.cbc.ca/amp/1.7398848>

The Cost Sharing MOU that is being drafted includes a Schedule dedicated to Public Communications and envisions this type of info to be shared and / or reviewed by both parties before being released. I realize that the MOU has not been completed or signed yet, but could we start implementing some of these procedures and protocols to ensure future communication of this nature, especially when including construction timelines and other sensitive details, can be shared and reviewed by both parties before being released to the public?

I am more than happy to arrange a call with our Comms and Stakeholder Engagement team to create and implement this common approach.

Thanks, and please let me know if you have any questions.

Klaus Zeise

Senior Manager, Station Sponsor

GO Stations & Network Initiatives

Metrolinx

97 Front Street W. | Toronto | Ontario | M5J 1E6

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From: [Klaus Zeise](#)
To: [Doug Spooner](#); [Christa De Wys](#);
Subject: RE: Today's CBC Story about KVTH
Sent: 2024-12-04 9:17:38 AM

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Good Morning Doug,

Thanks for the insight and how this story originated, and it makes sense that the media would have picked up the story from the Region Council meeting.

I agree that it would be a good idea to re-connect JT and Jonathan (Community Engagement) and Stacey Kenny (Capital Comms) to work on a more coordinated path forward. Let me reach out to them and get their agreement and we can then set up that call.

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

GO Stations & Network Initiatives

Metrolinx

97 Front Street W. | Toronto | Ontario | M5J 1E6

From: Doug Spooner

Sent: Tuesday, December 3, 2024 5:34 PM

To: Klaus Zeise ; Christa De Wys

Subject: RE: Today's CBC Story about KVTH

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Hey Klaus,

We actually provided an update to Regional Council today on the KCTH project – seeking approval of a few elements ([see agenda here](#)).

The 2025 “breaking ground” date is actually our demolition date, so we were pretty purposeful in not speaking to Metrolinx’s project timelines.

Appreciate that we should be a bit more forthcoming, and I’ll take that one on as my role. I think we should look to re-connect TJ (our comms lead) and Jonathan – so that they can keep track of the various public facing activities that will take place.

Let me know what you think,

Doug

From: Klaus Zeise <Klaus.Zeise@metrolinx.com>

Sent: December 3, 2024 4:59 PM

To: Doug Spooner <DSpooner@regionofwaterloo.ca>; Christa De Wys <CDeWys@regionofwaterloo.ca>

Subject: Today's CBC Story about KVTH

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Hi Doug and Christa,

I hope you are doing well.

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I am more than happy to arrange a call with our Comms and Stakeholder Engagement team to create and implement this common approach.

Thanks, and please let me know if you have any questions.

Klaus Zeise

Senior Manager, Station Sponsor

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From: [Klaus Zeise](#)
To: [Doug Spooner](#); [Christa De Wys](#);
Subject: RE: Today's CBC Story about KVTH
Sent: 2024-12-09 4:19:57 PM

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Hi Doug,

I hope you had a good weekend.

Can you please provide the contact info for TJ so we can set up a call / meeting to reconnect and review how we can better align communications moving forward. Besides TJ, are there any other individuals or teams from the Region that we should invite as well?

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

GO Stations & Network Initiatives

Metrolinx

97 Front Street W. | Toronto | Ontario | M5J 1E6

From: Doug Spooner

Sent: Tuesday, December 3, 2024 5:34 PM

To: Klaus Zeise ; Christa De Wys

Subject: RE: Today's CBC Story about KVTH

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Hey Klaus,

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Appreciate that we should be a bit more forthcoming, and I’ll take that one on as my role. I think we should look to re-connect TJ (our comms lead) and Jonathan – so that they can keep track of the various public facing activities that will take place.

Let me know what you think,

Doug

From: Klaus Zeise <Klaus.Zeise@metrolinx.com>

Sent: December 3, 2024 4:59 PM

To: Doug Spooner <DSpooner@regionofwaterloo.ca>; Christa De Wys <CDeWys@regionofwaterloo.ca>

Subject: Today's CBC Story about KVTH

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I don’t believe anybody at Metrolinx was aware of this story and I wanted to ask if you or your teams were aware?

<https://www.cbc.ca/amp/1.7398848>

The Cost Sharing MOU that is being drafted includes a Schedule dedicated to Public Communications and envisions this type of info to be shared and / or reviewed by both parties before being released. I realize that the MOU has not been completed or signed yet, but could we start implementing some of these procedures and protocols to ensure future communication of this nature, especially when including construction timelines and other sensitive details, can be shared and reviewed by both parties before being released to the public?

I am more than happy to arrange a call with our Comms and Stakeholder Engagement team to create and implement this common approach.

Thanks, and please let me know if you have any questions.

Klaus Zeise

Senior Manager, Station Sponsor

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From: [Klaus Zeise](#)
To: [Doug Spooner](#)
Subject: Touching base on 2 items
Sent: 2024-12-18 9:59:05 AM

Follow Up Flag: Follow up
Flag Status: Flagged

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Good Morning Doug,

I hope you are Doug well and you are getting ready for the Christmas Holidays and are able to take some time off!

I just wanted to briefly touch base with you regarding the 100 Vic property and I am sure you are aware of the conversations happening at the top and that Mx. will most likely take possession after all.

The other item I wanted to follow up on is the operation of the secure bike room at the new station. I know we had a conversation about this back in October or November and I believe you were going to get back to us if the Region would end up operating it or not. From our end, there is now a shift to hold-off on adding secured bike rooms to the stations due to cost pressures and some operating challenges.

Just as an FYI, I am in the office until Friday and then I will be away for two weeks.

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

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Metrolinx

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From: [Klaus Zeise](#)
To: [Christa De Wys](#); [Doug Spooner](#);
Subject: MOU status
Sent: 2025-04-15 12:54:51 PM

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Hi Christa and Doug,

I understand that the Mx – Region MOU document came up in yesterday's conversation between our CEO and Mathieu, and a desire by the Region to have the MOU completed
We had set mid-June as our internal target date to have the document completed and executed

Even if not all the pending items are fully resolved by that date, we can always amend the document at a later stage.

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

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From: [Klaus Zeise](#)
To: [Doug Spooner](#); [Soule, Jillian \(MTO\)](#);
Subject: RE: UPDATE - KCTH @ City of Kitchener Heritage Committee
Sent: 2025-05-05 4:53:18 PM

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Thanks Doug.

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

GO Stations & Network Initiatives

Metrolinx

97 Front Street W. | Toronto | Ontario | M5J 1E6

From: Doug Spooner

Sent: May 5, 2025 1:04 PM

To: Soule, Jillian (MTO) ; Klaus Zeise

Subject: UPDATE - KCTH @ City of Kitchener Heritage Committee

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--

Jillian & Klaus,

As discussed, I will now provide you each with updates as we proceed with the KCTH project, for anything "public facing".

Our usual channels will still happen (Project, Comms, Stakeholder, etc.).

Tomorrow, May 6, the team will be at the City of Kitchener Heritage Committee. We need to get a heritage permit to be able to get a permit to demolish the additions since the original 1913 Rumpel Felt building is heritage designated.

Materials attached.

Happy for any questions, and thanks as always,

Doug

Doug Spooner

Acting Commissioner, Transportation Services

Transportation Services

Region of Waterloo – Grand River Transit



Region of Waterloo



GRAND RIVER TRANSIT

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From: [Klaus Zeise](#)
To: [Doug Spooner](#)
Cc: [Soule, Jillian \(MTO\)](#)
Subject: RE: UPDATE - KCTH @ City of Kitchener Heritage Committee
Sent: 2025-05-08 5:01:25 PM

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Thanks Doug and no questions from our end either.

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

GO Stations & Network Initiatives

Metrolinx

97 Front Street W. | Toronto | Ontario | M5J 1E6

From: Soule, Jillian (MTO)

Sent: May 8, 2025 4:17 PM

To: Doug Spooner ; Klaus Zeise

Cc: Keenan.MacDonald ; Collins, Jason (MTO)

Subject: RE: UPDATE - KCTH @ City of Kitchener Heritage Committee

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Thanks for sharing Doug, no questions from MTO.

From: Doug Spooner <DSpooner@regionofwaterloo.ca>

Sent: Monday, May 5, 2025 1:04 PM

To: Soule, Jillian (MTO) <Jillian.Soule@ontario.ca>; Klaus Zeise <Klaus.Zeise@metrolinx.com>

Subject: UPDATE - KCTH @ City of Kitchener Heritage Committee

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Jillian & Klaus,

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Materials attached.

Happy for any questions, and thanks as always,

Doug

Doug Spooner

Acting Commissioner, Transportation Services

Transportation Services

Region of Waterloo – Grand River Transit



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From: [Klaus Zeise](#)
To: [Doug Spooner](#); [Christa De Wys](#);
Cc: [John Im](#); [Nadine Navarro](#);
Subject: KCTH - Regions' request to transfer scope to Metrolinx design / tender
Sent: 2025-05-09 2:34:23 PM

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Hi Doug and Christa,

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Deadlines & Agreements

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Please let me know if you have any questions.

Thanks,

Klaus Zeise

Senior Manager, Station Sponsor

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From: [Klaus Zeise](#)
To: [Doug Spooner](#); [Christa De Wys](#);
Cc: [John Im](#); [Nadine Navarro](#);
Subject: RE: KCTH - Regions' request to transfer scope to Metrolinx design / tender
Sent: 2025-05-14 5:25:44 PM

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Klaus

Klaus Zeise

Senior Manager, Station Sponsor

GO Stations & Network Initiatives

Metrolinx

97 Front Street W. | Toronto | Ontario | M5J 1E6

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Sent: May 9, 2025 2:34 PM

To: Doug Spooner ; Christa De Wys

Cc: John Im ; Nadine Navarro

Subject: KCTH - Regions' request to transfer scope to Metrolinx design / tender

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From: [Klaus Zeise](#)
To: [Christa De Wys](#); [Doug Spooner](#);
Cc: [John Im](#); [Nadine Navarro](#); [Shen-Hao Chang](#);
Subject: RE: KCTH - Regions' request to transfer scope to Metrolinx design / tender
Sent: 2025-05-20 9:38:02 AM

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Good Morning Christa,

Thank you for the feedback and please go ahead and send some dates to continue this discussion. Note that I will be away on vacation starting the afternoon of Thursday May 29th and returning to the office on Friday June 13th.

Regarding the secured bike room, thanks for confirming and we will keep it as part of the current design as is.

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

GO Stations & Network Initiatives

Metrolinx

97 Front Street W. | Toronto | Ontario | M5J 1E6

From: Christa De Wys

Sent: May 16, 2025 8:51 PM

To: Klaus Zeise ; Doug Spooner

Cc: John Im ; Nadine Navarro ; Shen-Hao Chang

Subject: RE: KCTH - Regions' request to transfer scope to Metrolinx design / tender

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Hello Klaus,

See below a summary of responses on the items noted below. As a follow-up, we'd like to arrange another meeting to review comments. I'll send you some availability that hopefully works for you.

1. 3rd Tunnel: From the drawings already provided it is apparent that much of the design work has already been completed. To gauge what future investment would look like, I think the recommended approach to include this as a provisional item in the tender for the 3rd Tunnel to obtain pricing so we may make the decision on the construction at a later date with full pricing details is a good approach.
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3. Secure Bike Room: The Region is still requiring the secure bike room. This is going to be the preferred location for bike storage for the site. Please continue to incorporate this in your design.

Additional Item to Discuss:

The location of the PPUDO, accessible parking and service vehicle parking is proving to be a challenge to locate near the hub, we'd like to discuss opportunities on the north side of the corridor.

Thank you and have a wonderful weekend!

Christa

Christa De Wys, P.Eng., M.Eng.

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Ph: 226-752-9282

Email: CDeWys@regionofwaterloo.ca Website: <http://www.regionofwaterloo.ca>



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Sent: May 15, 2025 9:10 AM

To: 'Klaus Zeise' <Klaus.Zeise@metrolinx.com>; Doug Spooner <DSpooner@regionofwaterloo.ca>

Cc: John Im <John.Im@metrolinx.com>; Nadine Navarro <Nadine.Navarro@metrolinx.com>

Subject: RE: KCTH - Regions' request to transfer scope to Metrolinx design / tender

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Sent: May 14, 2025 5:26 PM

To: Doug Spooner <DSpooner@regionofwaterloo.ca>; Christa De Wys <CDeWys@regionofwaterloo.ca>

Cc: John Im <John.Im@metrolinx.com>; Nadine Navarro <Nadine.Navarro@metrolinx.com>

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To: [Christa De Wys](#); [Doug Spooner](#);
Cc: [John Im](#); [Nadine Navarro](#); [Shen-Hao Chang](#);
Subject: RE: KCTH - Regions' request to transfer scope to Metrolinx design / tender
Sent: 2025-05-22 11:53:13 AM

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Hi Christa,

Wednesday May 28th at 3:30 would work best. On Friday I am already booked and I will be away on June 2.

Thanks,
Klaus

From: Christa De Wys

Sent: May 22, 2025 11:10 AM

To: Klaus Zeise ; Doug Spooner

Cc: John Im ; Nadine Navarro ; Shen-Hao Chang

Subject: RE: KCTH - Regions' request to transfer scope to Metrolinx design / tender

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Hello Klaus,

Below are a few timeslots that work for us. Please let us know what works for you so we can further this conversation.

Friday May 23 2-2:30 pm

Wednesday, May 28th - 3:30 to 4:30 pm

Monday, June 2 – 2:30 to 3 pm

Thank you,

Christa

Christa De Wys, P.Eng., M.Eng.

Senior Project Manager | Region of Waterloo

Ph: 226-752-9282

Email: CDeWys@regionofwaterloo.ca Website: <http://www.regionofwaterloo.ca>



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From: Klaus Zeise <Klaus.Zeise@metrolinx.com>

Sent: May 20, 2025 9:38 AM

To: Christa De Wys <CDeWys@regionofwaterloo.ca>; Doug Spooner <DSpooner@regionofwaterloo.ca>

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A key challenge of this exercise is that Metrolinx's design is at 100% and any changes at this stage can have a direct impact on the project's critical path and impact upcoming milestones. An additional challenge is that construction costs are difficult to calculate prior to design, limiting our ability to provide exact details and amounts.

Design Costs & Timelines:

To include the 3rd Tunnel Features and the Hydro Burying into Metrolinx's design and tender, the following costs would apply:

- Including the 3rd Tunnel Features: approx.
- Including the Enova Conduit within the corridor: approx.
- Duration of completing design changes: approx. 12 – 14 weeks (based on 1 review cycle)

- Since Mx needs to incorporate the revised Stormwater layout to its design and which is expected to take between 10 – 14 weeks, the above items could be incorporated simultaneously to minimize any additional project schedule impact and costs
- The 3rd Tunnel Features might require more than 1 review cycle and could therefore exceed the indicated 12 – 14-week timeframe to reach 100%, resulting in additional costs that would need to be recovered from the Region
- Note that the above costs and timelines are estimates only and final price / duration will be determined once the design work has been completed and that will be the cost that Metrolinx needs to recover from the Region

Construction Costs

At this point we are unable to provide any specific construction costs for the required features, since they need to be incorporated into the overall design to generate a realistic cost estimate.

Based on conversations with the Mx Project Delivery Team, there are indications that the Hydro burying work might be completed at a lower cost than what the Region indicated it would cost them (approx. , but there is no guarantee that will be the case. The actual cost will only be known once the design has been completed and that amount is what MX will need to recover from the Region.

Pricing the 3rd Tunnel Features is more complex and Mx is unable to provide an estimate at this point. Given this uncertainty, there is an option for Metrolinx to add a provisional item in the tender for the 3rd Tunnel work to obtain pricing at a later stage and when all the details are available, thereby eliminating any impact on the current project schedule. This would be similar to a Change Order or Design Change and all associated costs incurred by Metrolinx would need to be recovered from the Region, but it allows the Region additional time before deciding if Mx should proceed with this work. This is the preferred approach by Metrolinx if the Region decides to proceed with this scope transfer.

Deadlines & Agreements

Metrolinx expects to initiate the Stormwater changes to the drawings on Friday May 16th and therefore Metrolinx would need the Region's response asap if any of the above features and scope are to be included in the Mx re-design so the work can take place concurrently.

If the Region wishes to proceed with any of these design changes, Metrolinx and the Region would have to enter into an initial high level Design Agreement that defines the scope and price estimate of the design work that Metrolinx would undertake on behalf of the Region, as well as a commitment by the Region to cover all future associated construction costs and other related expenses that Mx. might incur on behalf of the Region. This agreement would have to be fully executed by May 16th (based on feedback from our Third Party & Agreements team this is tight but doable from our end). A more comprehensive Construction Agreement would follow once all the costs and details are known to complement the initial Design Agreement.

As with any construction project, there might be unknown and / or unexpected costs and risks related to the design and construction of the Region's scope that is being transferred to Metrolinx for delivery, and Metrolinx would need to recover all these costs from the Region.

If the Region wishes to proceed with any of the above items please let Metrolinx know as soon as possible to allow enough time to draft and execute the Design Agreement. If this agreement can not be executed prior by May 16th, Metrolinx reserves the right not to proceed with any of the Region's requests.

Secured Bike Room

We would appreciate if the Region can confirm by Wednesday May 14th if the secured bike room that is currently part of the Metrolinx Works and constructed for to the Region is still required. In case it can be removed from the scope / design, Metrolinx would do so as part of the re-design exercise that is scheduled to begin May 16th.

We understand that there are numerous conditions, risks and cost uncertainties associated with this proposal. Given the stage the project is in (100% design) and the schedule and cost pressures the project is facing, this is the best that Metrolinx can offer at this point.

Please let me know if you have any questions.

Thanks,

Klaus Zeise

Senior Manager, Station Sponsor

GO Stations & Network Initiatives

Metrolinx

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From: [Klaus Zeise](#)
To: [Doug Spooner](#); [Christa De Wys](#);
Cc: [John Im](#)
Subject: Delay in Mx execution of MOU
Sent: 2025-06-26 2:34:08 PM

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Hi Doug and Christa,

I hope you are doing well.

I wanted to let you know that the execution of the MOU from the Metrolinx side will take longer than anticipated given some of the unresolved budget pressures the project is facing. I believe Metrolinx had committed to have the document signed by the end of June, but this will have to be pushed back by approx. 4 weeks and is now targeted for the end of July. Please let us know

If you wish to discuss this in more detail please let me know and I can be available for a more detailed conversation.

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

GO Stations & Network Initiatives

Metrolinx

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From: [Klaus Zeise](#)
To: [Doug Spooner](#); [Christa De Wys](#);
Subject: Encampment
Sent: 2025-08-11 10:44:50 AM

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Hi Doug and Christa,

I hope you had a good weekend.

We came across the following story about the encampment; I am sure you are fully aware of this, and I just wanted to ask if this might impact any of the proposed the timelines and / or the Region's strategy.

[Legal group seeks court injunction over plan to clear encampment](#)

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

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From: [Klaus Zeise](#)
To: [Doug Spooner](#); [Christa De Wys](#);
Subject: RE: Encampment
Sent: 2025-08-11 11:15:10 AM

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Thanks Doug.

From: Doug Spooner
Sent: August 11, 2025 11:06 AM
To: Klaus Zeise ; Christa De Wys
Subject: Re: Encampment

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--

Hey Klaus,

As of right now no.

This is part of the plan to have the site cleared by Dec 1st for our use, and then April 1st for Mx use.

I'll update if anything changes, but still on track at this point.

Doug

From: Klaus Zeise <Klaus.Zeise@metrolinx.com>
Sent: Monday, August 11, 2025 10:44:50 AM
To: Doug Spooner <DSpooner@regionofwaterloo.ca>; Christa De Wys <CDeWys@regionofwaterloo.ca>
Subject: Encampment

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Hi Doug and Christa,

I hope you had a good weekend.

We came across the following story about the encampment; I am sure you are fully aware of this, and I just wanted to ask if this might impact any of the proposed the timelines and / or the Region's strategy.

[Legal group seeks court injunction over plan to clear encampment](#)

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor
GO Stations & Network Initiatives
Metrolinx

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From: [Klaus Zeise](#)
To: [Doug Spooner](#)
Cc: [Christa De Wys](#); [Nadine Navarro](#); [John Im](#);
Subject: Metrolinx signing of KCTH MOU
Sent: 2025-08-14 9:00:49 AM

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Good Morning Doug,

Further to our conversation yesterday afternoon, we have encountered a delay with the signing of the MOU for the KCTH project. Given that Metrolinx has a new CEO who is not very familiar with the KCTH project and the 100 Vic property history, we have been asked to set up a briefing with him prior to the submission of the Approval Memo which is required to approve the execution of the document. We are expecting this briefing to be set up in the next few weeks, but it means we will miss the targeted August 19th approval date.

I will confirm as soon as the briefing has taken place and the new target approval / execution date of the MOU.

Please let me know if you have any questions.

Thanks,

Klaus Zeise

Senior Manager, Station Sponsor

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From: [Klaus Zeise](#)
To: [Doug Spooner](#); [Nadine Navarro](#);
Cc: [Mathieu Goetzke](#)
Subject: RE: KCTH MOU
Sent: 2025-08-20 9:17:13 AM

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Hi Doug,
Thanks for letting us know.
Nadine's briefing with our CEO is scheduled for tomorrow Thursday and Christa had also mentioned in the Design Coordination meeting on Tuesday that and Nadine is aware.
I will let Nadine provide any further details or comments but having this MOU executed is planned to be part of tomorrow's briefing.
Thanks,
Klaus

From: Doug Spooner
Sent: August 20, 2025 9:09 AM
To: Nadine Navarro ; Klaus Zeise
Cc: Mathieu Goetzke
Subject: KCTH MOU

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--

Hey Team,
Hope all is well.

Can the region help with

briefings?

I'm out of the office today, but back tomorrow if you have time for a quick call.
Thanks!
Doug

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From: [Klaus Zeise](#)
To: [Doug Spooner](#); [Mathieu Goetzke](#);
Cc: [Nadine Navarro](#)
Subject: RE: KCTH MOU
Sent: 2025-08-21 5:09:45 PM

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Hi Doug and Mathieu,

Just a brief update on Nadine's behalf.

The briefing with our CEO went well and was productive, and Michael requested a few more details about the project and 100 Vic property that we are in the process of providing. No showstoppers were identified, and we are confirming with the CEO's Office the timing when we can expect to have the Approval Memo signed by him (this document has been drafted). Once that Memo has been signed by Michael the MOU will be ready for Mx signature.

We will keep you in the know once we have a confirmed timeline.

Please let me know if you have any questions.

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

GO Stations & Network Initiatives

Metrolinx

97 Front Street W. | Toronto | Ontario | M5J 1E6

From: Nadine Navarro

Sent: August 20, 2025 12:24 PM

To: Klaus Zeise ; Doug Spooner

Cc: Mathieu Goetzke

Subject: RE: KCTH MOU

Hi all – hope everyone is doing well.

I'll provide an update following tomorrow's meeting with the CEO. Thanks,

Nadine

From: Klaus Zeise <Klaus.Zeise@metrolinx.com>

Sent: Wednesday, August 20, 2025 9:17 AM

To: Doug Spooner <DSpooner@regionofwaterloo.ca>; Nadine Navarro <Nadine.Navarro@metrolinx.com>

Cc: Mathieu Goetzke <MGoetzke@regionofwaterloo.ca>

Subject: RE: KCTH MOU

Hi Doug,

Thanks for letting us know.

Nadine's briefing with our CEO is scheduled for tomorrow Thursday and Christa had also mentioned in the Design

Coordination meeting on Tuesday

and Nadine is aware.

I will let Nadine provide any further details or comments but

having this MOU executed is planned

to be part of tomorrow's briefing.

Thanks,

Klaus

From: Doug Spooner <DSpooner@regionofwaterloo.ca>

Sent: August 20, 2025 9:09 AM

To: Nadine Navarro <Nadine.Navarro@metrolinx.com>; Klaus Zeise <Klaus.Zeise@metrolinx.com>

Cc: Mathieu Goetzke <MGoetzke@regionofwaterloo.ca>

Subject: KCTH MOU

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Hey Team,

Hope all is well.

Can the region help with

briefings?

I'm out of the office today, but back tomorrow if you have time for a quick call.

Thanks!

Doug

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From: [Klaus Zeise](#)
To: [Doug Spooner](#)
Cc: [Christa De Wys](#)
Subject: encampment ruling
Sent: 2025-08-22 9:02:26 AM

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Good Morning Doug,

I saw the CBC news story this morning about the encampment decision / ruling. How does this Impact the Region's plans and timelines or was this expected?

As per yesterday's updated we are continuing to work to get the MOU signed

I have time today (or next week) if you wish to have a quick chat.

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

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From: [Klaus Zeise](#)
To: [Doug Spooner](#)
Cc: [Christa De Wys](#)
Subject: RE: encampment ruling
Sent: 2025-08-25 1:35:13 PM

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Hi Doug,
 Thanks for the feedback.
 I have some time Thursday morning and afternoon so let me know what time works for you.
 Thx.
 Klaus

From: Doug Spooner
Sent: August 25, 2025 9:09 AM
To: Klaus Zeise
Cc: Christa De Wys
Subject: RE: encampment ruling

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Hey Klaus,

The decision yesterday (note, the following is my read, not from our legal team) impacts the encampment from now up until the next court case (November). This was about the "interim bylaw", and not the full one.
 Has not changed our schedule, as we still have the November date we are pressing for.
 Happy to chat later this week once I get a bit more info, maybe Thursday?
 Thanks,
 Doug

From: Klaus Zeise <Klaus.Zeise@metrolinx.com>
Sent: August 22, 2025 9:02 AM
To: Doug Spooner <DSpooner@regionofwaterloo.ca>
Cc: Christa De Wys <CDeWys@regionofwaterloo.ca>
Subject: encampment ruling

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Good Morning Doug,
 I saw the CBC news story this morning about the encampment decision / ruling. How does this Impact the Region's plans and timelines or was this expected?
 As per yesterday's updated we are continuing to work to get the MOU signed
 I have time today (or next week) if you wish to have a quick chat.

Thanks,
 Klaus

Klaus Zeise

Senior Manager, Station Sponsor
 GO Stations & Network Initiatives
 Metrolinx

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From: [Klaus Zeise](#)
To: [Doug Spooner](#)
Subject: FW: KCTH MOU-Fully Executed 2025-09-17
Attachments: [KCTH MOU FINAL \(Fully Executed by Waterloo and Metrolinx 091725\).pdf](#)
Sent: 2025-10-01 11:50:09 AM

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Hi Doug,
I hope you are doing well.
I trust that Christa forwarded the executed document to you, but here it is (again) for your records. Sorry for not forwarding it sooner but I was away for 10 days and today is my first day back in the office.

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

Customer & Transit Operations

Metrolinx

97 Front Street W. | Toronto | Ontario | M5J 1E6

From: Maja Zugic

Sent: Friday, September 19, 2025 1:41 PM

To: Christa De Wys

Cc: Jacob Mitchell ; Patrick Petzall ; Klaus Zeise ; Mike Commerford ; Ilir Angjeli ; Andy Gazzola ; Lidia Tudor ; Luciana Mihalciuc ; Richard Brookes ; Joel Dempster ; Nadine Navarro

Subject: KCTH MOU-Fully Executed 2025-09-17

Importance: High

Hi Christa,

Happy to share the news that the KCTH MOU has been fully executed (attached). Kindly confirm receipt of this email.

Thank you and everyone on this team who helped us get to here along the way.

Have a great weekend!

Best Regards,

Maja Zugic

C: 416 271 3731

From: Christa De Wys <CDeWys@regionofwaterloo.ca>

Sent: May 12, 2025 2:17 PM

To: Maja Zugic <Maja.Zugic@metrolinx.com>

Cc: Jacob Mitchell <Jacob.Mitchell@metrolinx.com>; Patrick Petzall <Patrick.Petzall@metrolinx.com>; Jerry Biersteker <JBiersteker@regionofwaterloo.ca>; Klaus Zeise <Klaus.Zeise@metrolinx.com>; Mike Commerford

<Mike.Commerford@metrolinx.com>; Ilir Angjeli <Ilir.Angjeli@metrolinx.com>; Andy Gazzola

<AGazzola@regionofwaterloo.ca>; Lidia Tudor <Lidia.Tudor@metrolinx.com>; Luciana Mihalciuc

<Luciana.Mihalciuc@metrolinx.com>; Richard Brookes <RBrookes@regionofwaterloo.ca>; Joel Dempster

<Joel.Dempster@metrolinx.com>

Subject: RE: KCTH MOU FINAL- to Region for Execution 2025-05-06

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Hello Maja,

Please see attached signed MOU by Region representative. We will await for the final executed document on your end.

Thank you,

Christa

Christa De Wys, P.Eng., M.Eng.

Senior Project Manager | Region of Waterloo

Ph: [226-752-9282](tel:226-752-9282)

Email: CDeWys@regionofwaterloo.ca Website: <http://www.regionofwaterloo.ca>



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From: Maja Zugic <Maja.Zugic@metrolinx.com>

Sent: May 6, 2025 4:54 PM

To: Christa De Wys <CDeWys@regionofwaterloo.ca>

Cc: Jacob Mitchell <Jacob.Mitchell@metrolinx.com>; Patrick Petzall <Patrick.Petzall@metrolinx.com>; Jerry Biersteker <JBiersteker@regionofwaterloo.ca>; Klaus Zeise <Klaus.Zeise@metrolinx.com>; Mike Commerford

<Mike.Commerford@metrolinx.com>; Ilir Angjeli <Ilir.Angjeli@metrolinx.com>; Andy Gazzola

<AGazzola@regionofwaterloo.ca>; Lidia Tudor <Lidia.Tudor@metrolinx.com>; Luciana Mihalciuc

<Luciana.Mihalciuc@metrolinx.com>; Richard Brookes <RBrookes@regionofwaterloo.ca>; Joel Dempster

<Joel.Dempster@metrolinx.com>

Subject: KCTH MOU FINAL- to Region for Execution 2025-05-06

Importance: High

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Hi Christa,

As mentioned below, sharing with you the FINAL clean version of the MOU in .pdf form for execution by the Region. MS Word file attached as well.

Please advise at your earliest if you have any questions on the attached, otherwise we look forward to receive the version signed by the Region. In the meantime, will continue working in parallel on Mx side of the sign-off process and required internal approvals.

Thanks,

Maja Zugic

Senior Advisor, Third Party & Agreements

Metrolinx, 10 Bay Street, 15th FL, Toronto, ON, M5J 2S3

C: 416 271 3731

From: Maja Zugic

Sent: May 6, 2025 4:00 PM

To: 'Christa De Wys' <CDeWys@regionofwaterloo.ca>; Mike Commerford <Mike.Commerford@metrolinx.com>; Patrick Petzall <Patrick.Petzall@metrolinx.com>; Klaus Zeise <Klaus.Zeise@metrolinx.com>; Ilir Angjeli <Ilir.Angjeli@metrolinx.com>

Cc: Jacob Mitchell <Jacob.Mitchell@metrolinx.com>; 'Jerry Biersteker' <JBiersteker@regionofwaterloo.ca>; 'Andy Gazzola' <AGazzola@regionofwaterloo.ca>; Lidia Tudor <Lidia.Tudor@metrolinx.com>; Luciana Mihalciuc <Luciana.Mihalciuc@metrolinx.com>; 'Richard Brookes' <RBrookes@regionofwaterloo.ca>; Joel Dempster <Joel.Dempster@metrolinx.com>

Subject: RE: KCTH MOU Draft (V10) (to Region)

Hi Christa, All,

Will be sending a clean .doc and pdf copies by eod today for Region's execution.

Thanks,

Maja Zugic

C: 416 271 3731

From: Maja Zugic

Sent: May 6, 2025 12:01 PM

To: Christa De Wys <CDeWys@regionofwaterloo.ca>; Patrick Petzall <Patrick.Petzall@metrolinx.com>

Cc: Jacob Mitchell <Jacob.Mitchell@metrolinx.com>; Jerry Biersteker <JBiersteker@regionofwaterloo.ca>; Andy Gazzola <AGazzola@regionofwaterloo.ca>; Lidia Tudor <Lidia.Tudor@metrolinx.com>; Luciana Mihalciuc <Luciana.Mihalciuc@metrolinx.com>; Richard Brookes <RBrookes@regionofwaterloo.ca>; Mike Commerford <Mike.Commerford@metrolinx.com>; Klaus Zeise <Klaus.Zeise@metrolinx.com>; Ilir Angjeli <Ilir.Angjeli@metrolinx.com>; Joel Dempster <Joel.Dempster@metrolinx.com>

Subject: RE: KCTH MOU Draft (V10) (to Region)

Hi Christa,

Thanks,

Maja Zugic

C: 416 271 3731

From: Christa De Wys <CDeWys@regionofwaterloo.ca>

Sent: May 6, 2025 11:34 AM

To: Maja Zugic <Maja.Zugic@metrolinx.com>

Cc: Jacob Mitchell <Jacob.Mitchell@metrolinx.com>; Jerry Biersteker <JBiersteker@regionofwaterloo.ca>; Lidia Tudor <Lidia.Tudor@metrolinx.com>; Luciana Mihalciuc <Luciana.Mihalciuc@metrolinx.com>; Richard Brookes <RBrookes@regionofwaterloo.ca>; Patrick Petzall <Patrick.Petzall@metrolinx.com>; Andy Gazzola <AGazzola@regionofwaterloo.ca>; Mike Commerford <Mike.Commerford@metrolinx.com>; Klaus Zeise <Klaus.Zeise@metrolinx.com>; Ilir Angjeli <Ilir.Angjeli@metrolinx.com>; Joel Dempster <Joel.Dempster@metrolinx.com>

Subject: RE: KCTH MOU Draft (V10) (to Region)

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Hello Maja,

Please see attached version with notes addressed. Below is the last remaining item for your acceptance.

If you could send me back an executable version today that would be great!

Thank you,

Christa

Christa De Wys, P.Eng., M.Eng.

Senior Project Manager | Region of Waterloo

Ph: 226-752-9282

Email: CDeWys@regionofwaterloo.ca Website: <http://www.regionofwaterloo.ca>



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From: Maja Zugic <Maja.Zugic@metrolinx.com>

Sent: May 5, 2025 7:08 PM

To: Christa De Wys <CDeWys@regionofwaterloo.ca>

Cc: Jacob Mitchell <Jacob.Mitchell@metrolinx.com>; Jerry Biersteker <JBiersteker@regionofwaterloo.ca>; Lidia Tudor <Lidia.Tudor@metrolinx.com>; Luciana Mihalciuc <Luciana.Mihalciuc@metrolinx.com>; Richard Brookes <RBrookes@regionofwaterloo.ca>; Patrick Petzall <Patrick.Petzall@metrolinx.com>; Andy Gazzola <AGazzola@regionofwaterloo.ca>; Mike Commerford <Mike.Commerford@metrolinx.com>; Klaus Zeise <Klaus.Zeise@metrolinx.com>; Ilir Angjeli <Ilir.Angjeli@metrolinx.com>; Joel Dempster <Joel.Dempster@metrolinx.com>

Subject: KCTH MOU Draft (V10) (to Region)

Importance: High

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Hi Christa,

Please see attached **MOU draft, version V10** for your review. It's been cleaned up of previously resolved comments. Most of the remaining few new comments and tracked changes are minor, as you'll agree when you see them.

I would only highlight two items for extra attention:

looking forward to your timely response. I am available tomorrow anytime

(except 1-2pm), so please schedule a call if you'd like us to cover any questions you may have.

Best Regards,

Maja Zugic

C: 416 271 3731

From: Christa De Wys <CDeWys@regionofwaterloo.ca>

Sent: March 10, 2025 3:18 PM

To: Maja Zugic <Maja.Zugic@metrolinx.com>; Jacob Mitchell <Jacob.Mitchell@metrolinx.com>; Jerry Biersteker <JBiersteker@regionofwaterloo.ca>; Lidia Tudor <Lidia.Tudor@metrolinx.com>; Luciana Mihalciuc <Luciana.Mihalciuc@metrolinx.com>; Richard Brookes <RBrookes@regionofwaterloo.ca>; Patrick Petzall <Patrick.Petzall@metrolinx.com>; Andy Gazzola <AGazzola@regionofwaterloo.ca>; Mike Commerford <Mike.Commerford@metrolinx.com>; Klaus Zeise <Klaus.Zeise@metrolinx.com>; Ilir Angjeli <Ilir.Angjeli@metrolinx.com>

Subject: RE: KCTH: Region-Mx Agreements Bi-weekly (March 5)

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Hello Maja,

Please see attached updated draft of MOU.

Thank you,

Christa

Christa De Wys, P.Eng., M.Eng.

Senior Project Manager | Region of Waterloo

Ph: 226-752-9282

Email: CDeWys@regionofwaterloo.ca Website: <http://www.regionofwaterloo.ca>



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From: Maja Zugic <Maja.Zugic@metrolinx.com>

Sent: March 4, 2025 5:21 PM

To: Jacob Mitchell <Jacob.Mitchell@metrolinx.com>; Jerry Biersteker <JBiersteker@regionofwaterloo.ca>; Lidia Tudor <Lidia.Tudor@metrolinx.com>; Luciana Mihalciuc <Luciana.Mihalciuc@metrolinx.com>; Christa De Wys <CDeWys@regionofwaterloo.ca>; Richard Brookes <RBrookes@regionofwaterloo.ca>; Patrick Petzall <Patrick.Petzall@metrolinx.com>; Andy Gazzola <AGazzola@regionofwaterloo.ca>; Mike Commerford <Mike.Commerford@metrolinx.com>; Klaus Zeise <Klaus.Zeise@metrolinx.com>; Ilir Angjeli <Ilir.Angjeli@metrolinx.com>

Subject: KCTH: Region-Mx Agreements Bi-weekly (March 5)

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Hi All,

Please see below items for our call tomorrow and let me know if you'd like to add anything else to the agenda.

Agreements Status:**1. Duke St GSA –****2. MOU-****3. Project Schedule:****Discussion topics:****1. Project updates**

- a. Storm water discussion update (i.e. the storm water element move from where it is now (west from Duke St) to be at the Duke St underpass):
 - Update on the review with Aecom of SW alternatives. Two options considered. The change might impact GSA as a line item, and also MOU. Aecom feasibility study due by end of Feb to present options.
- b.

2. Drawings

100% dwgs new ETA is Matr 14, 2025. Other new milestones will be updated shortly.

Thanks,

Maja Zugic

C: 416 271 3731

-----Original Appointment-----

From: Maja Zugic

Sent: December 19, 2024 10:39 AM

To: Maja Zugic; Jacob Mitchell; Jerry Biersteker; Christa De Wys; Richard Brookes; Patrick Petzall;

AGazzola@regionofwaterloo.ca; Mike Commerford; Klaus Zeise; Ilir Angjeli

Cc: Lidia Tudor; Luciana Mihalciuc

Subject: KCTH: Region-Mx Agreements Bi-weekly

When: March 5, 2025 2:05 PM-2:30 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Microsoft Teams Meeting

Hi All,

Continuing with our bi-weekly Region/Mx MOU and GSA touch-base calls in 2025.

Best Regards,

Maja Zugic

C: 416 271 3731

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This e-mail is intended only for the person or entity to which it is addressed. If you received this in error, please contact the sender and delete all copies of the e-mail together with any attachments.

From: [Klaus Zeise](#)
To: [Doug Spooner](#)
Subject: RE: UPDATE - KCTH/100 Vic Progress
Sent: 2025-10-23 3:24:56 PM

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Thanks Doug.
I hope you are doing well.
Klaus

From: Doug Spooner
Sent: Thursday, October 23, 2025 10:15 AM
To: Nadine Navarro ; Kanivanan Chinniah ; Klaus Zeise
Cc: Mathieu Goetzke
Subject: UPDATE - KCTH/100 Vic Progress

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Hey Mx Team,

Thanks as always,
Doug

Doug Spooner
Acting Commissioner, Transportation Services
Transportation Services
Region of Waterloo – Grand River Transit



News release

Superior Court Hearing adjourned to February 2026 to pursue mediation

The hearing of the Region's application on the Site-Specific By-law for 100 Victoria Street North, originally scheduled for November 19 to 21, 2025, has been adjourned to February 2026. During this adjournment, the parties have agreed to engage in mediation regarding the Region's Site-Specific By-law.

Mediation will allow for engagement, clarification, and we hope expedited resolution of issues. The mediation process is not expected to delay the Kitchener Central Transit Hub project.

The Region's goal is to support people currently living at the 100 Victoria site to find alternate housing options. Over the last several months, Region staff have visited the site daily to work closely with residents on their Individual Housing Plans (IHPs). As of October 17, 2025, four of the original residents continue to reside at the site, as well as an additional 32 new residents.

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From: [Klaus Zeise](#)
To: [Christa De Wys](#)
Cc: [Doug Spooner](#); [George Marijan](#); [Christine MacNeil](#); [Ilir Angjeli](#);
Subject: Revision to Metrolinx's proposed process to include Region's 3rd tunnel scope in tender and contract.
Sent: 2025-12-10 11:27:03 AM

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Hi Christa,

Further to our brief conversation yesterday, please find below the adjustments to the process we had suggested in the RFI how Metrolinx can include the Region's 3rd Tunnel scope into our tender and construction contract. We will be unable to complete the detailed design of that Region's scope and have it ready by the planned tender release date, and instead Mx will include it as a provisional item in the tender with a conceptual design that provides a high-level idea of the scope so an initial price can be included in the vendor proposals. Once Mx has that price it will be shared with the Region, and if the Region wishes Mx to proceed, we will instruct our consultant to complete the detailed design of that scope to generate a more accurate price. This final price will then be shared with the Region and if directed to proceed, Metrolinx will build these items.

The Region has the option to instruct Mx not to proceed with this work once the initial proponent's price is known and when the final price is known and opt to deliver these components themselves. Metrolinx would need to recover the detailed design costs from the Region if this work was performed by us.

Note that Metrolinx will require a Cost Recovery Agreement or similar document with the Region prior to doing the detailed design and / or construction work, if Metrolinx is to perform that work. We expect the contract award to take place in early July 2026 allowing us 6 months to finalize the wording of this agreement / document and then plug in the final numbers once they are known so it can be executed without delaying the contract award. Please let me know if this process works for you and we will be updating the RFI reply accordingly to reflect these changes.

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

Customer & Transit Operations

Metrolinx

97 Front Street W. | Toronto | Ontario | M5J 1E6

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From: [Klaus Zeise](#)
To: [Christa De Wys](#)
Cc: [Doug Spooner](#); [George Marijan](#); [Christine MacNeil](#); [Ilir Angjeli](#);
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Sent: 2025-12-10 11:27:03 AM

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Note that Metrolinx will require a Cost Recovery Agreement or similar document with the Region prior to doing the detailed design and / or construction work, if Metrolinx is to perform that work. We expect the contract award to take place in early July 2026 allowing us 6 months to finalize the wording of this agreement / document and then plug in the final numbers once they are known so it can be executed without delaying the contract award. Please let me know if this process works for you and we will be updating the RFI reply accordingly to reflect these changes.

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

Customer & Transit Operations

Metrolinx

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From: [Klaus Zeise](#)
To: [Doug Spooner](#)
Subject: RE: CONFIDENTIAL - Kitchener Central Transit Hub - 100 Victoria Update
Sent: 2025-12-18 5:17:31 PM

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Thanks Doug for sharing.
I hope you are doing well and can take some time off for the holidays.
Klaus

From: Doug Spooner
Sent: Thursday, December 18, 2025 4:11 PM
To: Nadine Navarro ; Klaus Zeise ; Kanivanan Chinniah
Cc: Christa De Wys ; TJ Flynn
Subject: CONFIDENTIAL - Kitchener Central Transit Hub - 100 Victoria Update

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Afternoon Mx Partners,

The public meeting will be held on Wednesday, January 7, 2026, at 6 p.m. in the Council Chamber at 150 Frederick Street, Kitchener and electronically. A report and the proposed By-law amendments will be provided as part of the public meeting agenda package on December 31, 2025. Regional Council will then consider the proposed amendments at a special meeting of Council on Friday January 9, 2026 at 9 a.m.

A news release will be issued this afternoon with information about the public meeting.

If you have any questions, please let me know. We will continue to provide update through our regular project meetings, just a heads up as this one is public.

Thanks as always,

Doug

Doug Spooner
Acting Commissioner, Transportation Services
Transportation Services
Region of Waterloo – Grand River Transit



Region of Waterloo



GRAND RIVER TRANSIT

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From: [Klaus Zeise](#)
To: [Doug Spooner](#); [Kanivanan Chinniah](#); [Nadine Navarro](#);
Cc: [Mathieu Goetzke](#); [Christa De Wys](#);
Subject: RE:
Sent: 2026-01-05 11:18:53 AM

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Good morning Doug,

There have indeed been some KCTH project schedule adjustments on our end related to final design and budget approval requirements that impact our tender release and construction start, and I have asked the PDT to provide the most updated schedule so we can determine the date when Mx will need to take possession of the 100 Vic property for construction staging / laydown. I expect to receive this information shortly and I will share it with you and your team as soon as available.

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

Customer & Transit Operations

Metrolinx

97 Front Street W. | Toronto | Ontario | M5J 1E6

From: Doug Spooner

Sent: Monday, January 5, 2026 10:57 AM

To: Kanivanan Chinniah ; Nadine Navarro ; Klaus Zeise

Cc: Mathieu Goetzke ; Christa De Wys

Subject:

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Hey Team,

Quick one this morning.

As you know, related to the 100 Vic site (which we need for layby to build our the KCTH project – off-corridor works to start).

You will recall a previous letter (from then CEO PV) that we had arrived at an April 1st, 2026 occupancy date.

I believe we have likely adjusted that date as we have gotten into further design and tendering prep. I'm wondering if Mx could provide an updated date for occupancy? (Again, the Region will assume the site prior, remediate and secure the site).

I've got Mathieu CC'd if you would like to escalate internally, we are ready to provide more info as needed.

Let us know, and thanks as always,

Doug

Doug Spooner

Acting Commissioner, Transportation Services

Transportation Services

Region of Waterloo – Grand River Transit



Region of Waterloo



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From: [Klaus Zeise](#)
To: [Doug Spooner](#)
Subject: Encampment by-law
Sent: 2026-01-09 1:37:43 PM

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Hi Doug,

I saw in the news that the by-law passed, and the Safe Tent bylaw was defeated. I believe we are one step closer (?).

I will get back to you with confirmed date before EOD by when Mx would need that property.

Thx

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

Integrated Delivery Division

Metrolinx

97 Front Street W. | Toronto | Ontario | M5J 1E6

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From: [Klaus Zeise](#)
To: [Doug Spooner](#); [Kanivanan Chinniah](#); [Nadine Navarro](#);
Cc: [Mathieu Goetzke](#); [Christa De Wys](#);
Subject: RE:
Sent: 2026-01-12 8:49:26 AM

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Good morning Doug,

Sorry for the slight delay in getting you the requested date and based on our current project schedule Metrolinx would require taking temporary possession of the 100 Victoria St. property on **Monday October 26, 2026**, and would remain on site for approx. 2 years.

Note that this date might be subject to further change in case of any unforeseen issues or challenges with the pending Mx approvals and the tender process.

Please let me know if you require any additional information.

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

Integrated Delivery Division

Metrolinx

97 Front Street W. | Toronto | Ontario | M5J 1E6

From: Doug Spooner

Sent: Monday, January 5, 2026 10:57 AM

To: Kanivanan Chinniah ; Nadine Navarro ; Klaus Zeise

Cc: Mathieu Goetzke ; Christa De Wys

Subject:

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related to the 100 Vic site (which we need for layby to build our the

KCTH project – off-corridor works to start).

You will recall a previous letter (from then CEO PV) that we had arrived at an April 1st, 2026 occupancy date.

I believe we have likely adjusted that

date as we have gotten into further design and tendering prep. I'm wondering if Mx could provide an updated date for occupancy? (Again, the Region will assume the site prior, remediate and secure the site).

I've got Mathieu CC'd if you would like to escalate internally, we are ready to provide more info as needed.

Let us know, and thanks as always,

Doug

Doug Spooner

Acting Commissioner, Transportation Services

Transportation Services

Region of Waterloo – Grand River Transit



Region of Waterloo



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From: [Klaus Zeise](#)
To: [Christa De Wys](#); [Doug Spooner](#);
Subject: KCTH received Mx Board approval for tender release
Sent: 2026-02-27 1:33:47 PM

Follow Up Flag: Follow up
Flag Status: Flagged

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Hi Christa & Doug,

I just wanted to let you know that the KCTH project received Mx Board approval yesterday to proceed with tender release to market and obtained the requested funding increase needed for the delivery of the Metrolinx scope based on the latest cost estimate. The release of the tender is scheduled for the first week of March but might have to be pushed back by 1 or 2 weeks given some pending revisions to the tender package, partially due to the need to incorporate wording related to the Buy Ontario legislation that was recently passed.

We will confirm once the tender is in market.

Thanks, and please let us know if you have any question.

Have a nice weekend,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

Integrated Delivery Division

Metrolinx

111 Richmond St. W | Toronto | Ontario | M5H 3K6

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From: [Klaus Zeise](#)
To: [Christa De Wys](#); [Doug Spooner](#);
Cc: [John Im](#); [Christine MacNeil](#); [Ilijir Angjeli](#); [Jason Tran](#);
Subject: Finalizing wording of Licence Agreement for 100 Vic &
Sent: 2026-03-10 1:11:35 PM

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Hi Christa and Doug,

It seems there is still some disagreement between the Region and Metrolinx regarding the final wording for the 100 Vic License Agreement and the specific terms and conditions for that property.

Let me know your thoughts and how to best address this, and we would be ready to participate in another call with all the stakeholders to solve this issue.

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

Integrated Delivery Division

Metrolinx

111 Richmond St. W | Toronto | Ontario | M5H 3K6

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From: [Doug Spooner](#)
To: ['Klaus Zeise'; Christa De Wys;](#)
Subject: RE: KCTH received Mx Board approval for tender release
Sent: 2026-02-27 1:44:09 PM

Nice work Klaus! Congrats to you and the team.
Doug

From: Klaus Zeise
Sent: February 27, 2026 1:34 PM
To: Christa De Wys ; Doug Spooner
Subject: KCTH received Mx Board approval for tender release

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Klaus

Klaus Zeise

Senior Manager, Station Sponsor

Integrated Delivery Division

Metrolinx

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From: [Doug Spooner](#)
To: ['Klaus Zeise'](#)
Subject: RE: Encampment by-law
Sent: 2026-01-09 1:39:30 PM

Just sent it over, hopefully a helpful step today!
Doug

From: Klaus Zeise
Sent: January 9, 2026 1:38 PM
To: Doug Spooner
Subject: Encampment by-law

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Hi Doug,

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I will get back to you with confirmed date before EOD by when Mx would need that property.

Thx

Klaus

Klaus Zeise

Senior Manager, Station Sponsor

Integrated Delivery Division

Metrolinx

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From: [Doug Spooner](#)
To: ['Klaus Zeise'](#); [Kanivanan Chinniah](#); [Nadine Navarro](#);
Cc: [Mathieu Goetzke](#); [Christa De Wys](#);
Subject: RE:
Sent: 2026-01-12 8:55:57 AM

Thanks Klaus,
 Appreciate the update. Excited to continue working together on the hub!
 Doug

From: Klaus Zeise
Sent: January 12, 2026 8:49 AM
To: Doug Spooner ; Kanivanan Chinniah ; Nadine Navarro
Cc: Mathieu Goetzke ; Christa De Wys
Subject: RE:

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 Note that this date might be subject to further change in case of any unforeseen issues or challenges with the pending Mx approvals and the tender process.
 Please let me know if you require any additional information.

Thanks,
 Klaus

Klaus Zeise

Senior Manager, Station Sponsor
 Integrated Delivery Division
 Metrolinx
 97 Front Street W. | Toronto | Ontario | M5J 1E6

From: Doug Spooner <DSpooner@regionofwaterloo.ca>
Sent: Monday, January 5, 2026 10:57 AM
To: Kanivanan Chinniah <Kanivanan.Chinniah@metrolinx.com>; Nadine Navarro <Nadine.Navarro@metrolinx.com>; Klaus Zeise <Klaus.Zeise@metrolinx.com>
Cc: Mathieu Goetzke <MGoetzke@regionofwaterloo.ca>; Christa De Wys <CDeWys@regionofwaterloo.ca>
Subject:

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Hey Team,
 Quick one this morning.

As you know, related to the 100 Vic site (which we need for layby to build our the KCTH project – off-corridor works to start).

You will recall a previous letter (from then CEO PV) that we had arrived at an April 1st, 2026 occupancy date
 I believe we have likely adjusted that date as we have gotten into further design and tendering prep. I'm wondering if Mx could provide an updated date for occupancy? (Again, the Region will assume the site prior, remediate and secure the site).
 I've got Mathieu CC'd if you would like to escalate internally, we are ready to provide more info as needed.

Let us know, and thanks as always,
 Doug

Doug Spooner
 Acting Commissioner, Transportation Services
 Transportation Services
 Region of Waterloo – Grand River Transit



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From: [Doug Spooner](#)
To: ['Klaus Zeise'; 'Kanivanan Chinniah'; 'Nadine Navarro';](#)
Cc: [Pat Morabito; Mathieu Goetzke;](#)
Subject: UPDATE - KCTH/100 Vic By-Law
Sent: 2026-01-09 1:39:08 PM

Hey Team,
 Quick update on the progress on 100 Vic below. We've update the bylaw, and continue to pursue the site for project use.
 Thanks!
 Doug

Region approves amendments to Code of Use By-law for 100 Victoria Street

January 9, 2026

This morning at a Special Council meeting, Region of Waterloo Council approved amendments to the [Code of Use By-law for 100 Victoria Street North in Kitchener](#).

The revised by-law:

- defers the possession date to April 1, 2026, to recognize the added time needed to resolve the proceedings before the Superior Court of Justice;
- removes the offence provision for the By-law recognizing that it is the Region's objective to obtain vacant possession and not to penalize the marginalised persons on the property; and
- codifies a transition process to provide greater assurance that the Region will work to provide alternative accommodation.

Preparations continue for the court dates in February 2026, which were adjourned from November to facilitate mediation. The Region's property at 100 Victoria Street North is required to advance the Kitchener Central Transit Hub (KCTH), which has been in the planning stages since 2013. The transit hub will redefine how people connect with, commute to, and experience Waterloo Region.

The Region's goal remains to support people currently living at the 100 Victoria site to find alternate housing options. Region staff and partners continue to support individuals at the 100 Victoria Street site. This includes working with them on their Individual Housing Plans, connecting them to services and coordinating the cleaning and maintenance of the site.

As of January 8, 2026, one of the original individuals (individuals who were residing at the site as of April 16, 2025) continues to reside at the site, and 25 have been supported by the Region to alternative accommodations.

Doug Spooner

Acting Commissioner, Transportation Services
 Transportation Services
 Region of Waterloo – Grand River Transit



From: [Doug Spooner](#)
To: ['Klaus Zeise'; Mathieu Goetzke](#);
Cc: [Nadine Navarro; Christa De Wys](#);
Subject: RE: KCTH MOU
Sent: 2025-09-09 3:37:03 PM

Great update Klaus – appreciate you, and your teams, commitment to keeping us moving and well informed.
Doug

From: Klaus Zeise
Sent: September 9, 2025 2:08 PM
To: Mathieu Goetzke ; Doug Spooner
Cc: Nadine Navarro ; Christa De Wys
Subject: RE: KCTH MOU

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Hi Mathieu & Doug,

Just a brief update and confirming that we received our CEO's approval this morning to proceed with the execution of the MOU for the KCTH project and the document is now with our Legal team for final Mx signature. As soon as we have the fully executed agreement we will forward it to you.

Thanks, and please let me know if you have any questions.

Klaus

Klaus Zeise

Senior Manager, Station Sponsor
GO Stations & Network Initiatives
Metrolinx
97 Front Street W. | Toronto | Ontario | M5J 1E6

From: Mathieu Goetzke <MGoetzke@regionofwaterloo.ca>
Sent: August 29, 2025 9:19 AM
To: Nadine Navarro <Nadine.Navarro@metrolinx.com>; Klaus Zeise <Klaus.Zeise@metrolinx.com>
Cc: Doug Spooner <DSpooner@regionofwaterloo.ca>
Subject: RE: KCTH MOU

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Thanks a lot Nadine,
If we get it in the next two weeks

Mathieu

From: Nadine Navarro <Nadine.Navarro@metrolinx.com>
Sent: August 29, 2025 8:29 AM
To: Mathieu Goetzke <MGoetzke@regionofwaterloo.ca>; Klaus Zeise <Klaus.Zeise@metrolinx.com>
Cc: Doug Spooner <DSpooner@regionofwaterloo.ca>
Subject: RE: KCTH MOU

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Hi Mathieu/ Doug – we have now answered all the CEO's questions and are ready to sign the MOU; we're working with his office on execution – certainly within the next two weeks, aiming for next week. We will update you with definitive timing or ideally the signed MOU.

Thanks,
Nadine

From: Mathieu Goetzke <MGoetzke@regionofwaterloo.ca>
Sent: Thursday, August 28, 2025 4:25 PM
To: Klaus Zeise <Klaus.Zeise@metrolinx.com>; Nadine Navarro <Nadine.Navarro@metrolinx.com>
Cc: Doug Spooner <DSpooner@regionofwaterloo.ca>
Subject: Re: KCTH MOU

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Hello Klaus and Nadine

Any news since last week on the timeline of the signature of the MoU?

Thanks,
Mathieu

From: Klaus Zeise <Klaus.Zeise@metrolinx.com>
Sent: Thursday, August 21, 2025 5:09 PM
To: Doug Spooner <DSpooner@regionofwaterloo.ca>; Mathieu Goetzke <MGoetzke@regionofwaterloo.ca>
Cc: Nadine Navarro <Nadine.Navarro@metrolinx.com>
Subject: RE: KCTH MOU

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Hi Doug and Mathieu,
 Just a brief update on Nadine's behalf.
 The briefing with our CEO went well and was productive, and Michael requested a few more details about the project and 100 Vic property that we are in the process of providing. No showstoppers were identified, and we are confirming with the CEO's Office the timing when we can expect to have the Approval Memo signed by him (this document has been drafted). Once that Memo has been signed by Michael the MOU will be ready for Mx signature.
 We will keep you in the know once we have a confirmed timeline.
 Please let me know if you have any questions.

Thanks,

Klaus

Klaus Zeise

Senior Manager, Station Sponsor
 GO Stations & Network Initiatives
 Metrolinx
 97 Front Street W. | Toronto | Ontario | M5J 1E6

From: Nadine Navarro <Nadine.Navarro@metrolinx.com>
Sent: August 20, 2025 12:24 PM
To: Klaus Zeise <Klaus.Zeise@metrolinx.com>; Doug Spooner <DSpooner@regionofwaterloo.ca>
Cc: Mathieu Goetzke <MGoetzke@regionofwaterloo.ca>
Subject: RE: KCTH MOU

Hi all – hope everyone is doing well.

I'll provide an update following tomorrow's meeting with the CEO. Thanks,
 Nadine

From: Klaus Zeise <Klaus.Zeise@metrolinx.com>
Sent: Wednesday, August 20, 2025 9:17 AM
To: Doug Spooner <DSpooner@regionofwaterloo.ca>; Nadine Navarro <Nadine.Navarro@metrolinx.com>
Cc: Mathieu Goetzke <MGoetzke@regionofwaterloo.ca>
Subject: RE: KCTH MOU

Hi Doug,

Thanks for letting us know.

Nadine's briefing with our CEO is scheduled for tomorrow Thursday and Christa had also mentioned in the Design Coordination meeting on Tuesday that and Nadine is aware.

I will let Nadine provide any further details or comments to be part of tomorrow's briefing.

having this MOU executed is planned

Thanks,

Klaus

From: Doug Spooner <DSpooner@regionofwaterloo.ca>
Sent: August 20, 2025 9:09 AM
To: Nadine Navarro <Nadine.Navarro@metrolinx.com>; Klaus Zeise <Klaus.Zeise@metrolinx.com>
Cc: Mathieu Goetzke <MGoetzke@regionofwaterloo.ca>
Subject: KCTH MOU

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Hey Team,

Hope all is well.

briefings?

Can the region help with

I'm out of the office today, but back tomorrow if you have time for a quick call.

Thanks!

Doug

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From: [Doug Spooner](#)
To: ['Klaus Zeise'](#)
Subject: RE: Quick One - KCTH MOU Signing?
Sent: 2025-08-06 11:17:54 AM

No questions, thanks as always

From: Klaus Zeise
Sent: July 31, 2025 4:52 PM
To: Doug Spooner
Subject: RE: Quick One - KCTH MOU Signing?

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Hi Doug,

I had updated Christa a couple of weeks ago and we are targeting the CEO signing session on August 19th to have him approve the agreement and then have it executed. Unfortunately, this has taken longer than anticipated due to the budget pressure this project is facing on our end, and it needed an additional Senior Exec endorsement before we were able to proceed, and which took several weeks to prepare and obtain. That endorsement is now in place and the CEO Memo is with our CCO's office for final revise and submission.

I will emphasize with all stakeholders and reviewers the urgency in getting this done asap.

I hope this helps and please let me know if you have any further questions.

Thx.

Klaus

From: Doug Spooner <DSpooner@regionofwaterloo.ca>
Sent: July 31, 2025 4:46 PM
To: Klaus Zeise <Klaus.Zeise@metrolinx.com>
Subject: Quick One - KCTH MOU Signing?

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Klaus,

Any timeline on the signing?

Let me know!

Doug

PS. Great to run into you last week, time for a check in?

Doug Spooner
 Acting Commissioner, Transportation Services
 Transportation Services
 Region of Waterloo – Grand River Transit



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From: [Doug Spooner](#)
To: ['Klaus Zeise'](#)
Subject: Quick One - KCTH MOU Signing?
Sent: 2025-07-31 4:45:39 PM

Klaus,
Any timeline on the signing?

Let me know!

Doug

PS. Great to run into you last week, time for a check in?

Doug Spooner

Acting Commissioner, Transportation Services
Transportation Services
Region of Waterloo – Grand River Transit



From: [Doug Spooner](#)
To: [Klaus Zeise](#)
Cc: [Christa De Wys](#); [Tanya Murray](#);
Subject: Meet Soon?
Sent: 2025-03-07 4:53:47 PM

Hey Klaus,
Hope all is well.
Christa and I were chatting this week and figured we are probably ready for a check-in.
A few items to cover off;

- The Bridge
- Bike Parking and Operations
- PPUDO Location
- Accessible Parking Location
- Overall Scope Discussion (high level)

I'm off next week, but if you're open to it we could get it set up for the weeks following (Tanya – CC'd – can support).
Let us know, and thanks!

Doug

Doug Spooner
Acting Commissioner, Transportation Services
Transportation Services
Region of Waterloo – Grand River Transit



THE REGIONAL MUNICIPALITY OF WATERLOO
Applicant

-and-

Court File No. CV-25-00000750-0000
PERSONS UNKNOWN AND TO BE ASCERTAINED
Respondents

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**APPLICANT'S BRIEF OF ANSWERS TO
UNDERTAKINGS**

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The Regional Municipality of Waterloo