



Council Meeting Agenda

Monday, November 6, 2023, 7:00 p.m.

Council Chambers - Hybrid

City of Kitchener

200 King Street W, Kitchener, ON N2G 4G7

People interested in participating in this meeting can register online using the delegation registration form at www.kitchener.ca/delegation or via email at delegation@kitchener.ca. Please refer to the delegation section on the agenda below for registration in-person and electronic participation deadlines. Written comments received will be circulated prior to the meeting and will form part of the public record.

The meeting live-stream and archived videos are available at www.kitchener.ca/watchnow

Accessible formats and communication supports are available upon request. If you require assistance to take part in a city meeting or event, please call 519-741-2345 or TTY 1-866-969-9994.

Pages

1. COMMENCEMENT

The meeting will begin with a Land Acknowledgement given by the Mayor and the singing of "O Canada."

2. MINUTES FOR APPROVAL

Minutes to be accepted as circulated to the Mayor and Councillors (regular meeting held October 16, 2023, and special meetings held October 16, and October 30, 2023) - Councillor J. Deneault

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

4. COMMUNICATIONS REFERRED TO FILE

4.1 Flag Request Under Policy MUN-FAC-442

4.1.a Albanian Community Association Waterloo Region - November 28, 2023

5. PRESENTATIONS

- 5.1 ACEC Ontario – Grand River Chapter Award of Merit (Diamond) for MTE Consultants and the Old Mill Pumping Station.
- 5.2 2023-2026 Strategic Plan

6. DELEGATIONS

Pursuant to Council's Procedural By-law, delegations are permitted to address the Committee for a maximum of five (5) minutes. All Delegations where possible are encouraged to register prior to the start of the meeting. For Delegates who are attending in-person, registration is permitted up to the start of the meeting. Delegates who are interested in attending virtually must register by 5:00 p.m on November 6, 2023, in order to participate electronically.

- 6.1 **Public Awareness and Education on the Environmental and Health Impacts of Wood Burning**
 - 6.1.a Michelle Jennings
- 6.2 **Official Plan Amendment Application OPA23/014/F/TS, Zoning By-law Amendment Application ZBA23/024/F/TS, 1198 Fischer Hallman Road, Activa Holdings Inc., DSD-2023-429, listed as Item 7.2.h.**
 - 6.2.a Pierre Chauvin, MHBC Planning
- 6.3 **Official Plan Amendment Application OPA23/013/K/JZ, Zoning By-law Amendment Application ZBA23/232/K/JZ, Lower Doon Land Use Study, DSD-2023-434 and Addendum Report DSD-2023-493, listed as Item 7.2.g.**
 - 6.3.a Laura Jamieson
 - 6.3.b David Galbraith, UP Consulting

7. REPORTS OF COMMITTEES

7.1 **FINANCE AND CORPORATE SERVICES COMMITTEE - OCTOBER 30, 2023**

- 7.1.a T22-011 - Rossford Reconstruction Budget and PO Increase, DSD-2023-474

That the budget for the Rossford Crescent Reconstruction be increased by \$400,000, funded by Water Infrastructure Program (WIP), as outlined in Development Services Department report DSD-2023-474; and further,

That the purchase order for AECOM be extended by \$228,500.

- 7.1.b Financial Plan - Kitchener Water Distribution System, INS-2023-013

That the "Financial Plan – Kitchener Water Distribution System" be

approved, as outlined in Infrastructure Services Department report INS-2023-013, as it demonstrates the financial viability of the Kitchener drinking water system in accordance with Ontario Regulation 453/07 (Financial Plans) under Subsection 30 of the Safe Drinking Water Act.

7.1.c Significant Weather Event Declaration via Adoption of Minimum Maintenance Standard (MMS), INS-2023-079

That Council provide delegated authority for a significant weather event declaration and adopt O. Reg. 239/02 as the minimum maintenance standards for highways, bridges, roads, bike lanes, trails and sidewalks set out in the By-law attached to Infrastructure Services Department report INS-2023-079.

7.1.d 2023 Building By-law Update, DSD-2023-476

That Chapter 710 (Building) of the City of Kitchener Municipal Code be repealed and replaced with Appendix A of Development Services Department report DSD-2023-476; and further,

That the Building Enterprise fund a new full time equivalent (FTE) in the Planning Division to support the Zoning compliance as outlined in report DSD-2023-476.

7.1.e Waterloo Region Economic Development Corporation - Partnership Agreement Renewal, DSD-2023-424, DSD-2023-424

That the draft Waterloo Region Economic Development Corporation (WREDC) Memorandum of Understanding (Partnership Agreement) and corresponding funding be approved, as outlined in Development Services Department report DSD-2023-424; and further,

That the Mayor and Clerk be authorized to sign the new Partnership Agreement subject to the satisfaction of the City Solicitor.

7.1.f Municipal Sponsorship Report, DSD-2023-375

That the amended Sponsorship Strategy as outlined in Development Services Department report DSD-2023-375, be approved; and,

That the amended revenue allocation outlined in the attached policy GOV-COR-2000-Municipal Sponsorship be approved; and further,

That the updated Sponsorship Asset Inventory attached to DSD-2023-375 be approved for future sponsorship opportunities under the approval criteria outlined.

7.2 PLANNING AND STRATEGIC INITIATIVES COMMITTEE - OCTOBER 30, 2023

7.2.a Private Street Naming – 1198 Fischer-Hallman Road, 1274 Bleams Road, and 264 Erinbrook Drive, DSD-2023-409

That the City of Kitchener acknowledge that Activa Holdings Inc. intends to name three private streets as “Scherlwood Drive”, “Jonagold Drive” and “Ridgewater Trail”, within a multiple residential development, which will merge three properties on title, located at 1198 Fischer-Hallman Road, 1274 Bleams Road, and 264 Erinbrook Drive, as outlined in Development Services Department report, DSD-2023-409; and further,

That the City’s Legal Services Division be directed to proceed with the required advertising, preparation, and registration of the necessary By-law for the naming of “Scherlwood Drive”, “Jonagold Drive” and “Ridgewater Trail”.

7.2.b Private Street Naming - 30-40 Margaret Avenue, DSD-2023-394

That the City of Kitchener acknowledge that Activa Holdings Inc. intends to name a private street: “Augustine Crescent” within a multiple residential development located at 30-40 Margaret Avenue, as outlined in Development Services Department report, DSD-2023-394; and further,

That the City’s Legal Services Division be directed to proceed with the required advertising, preparation, and registration of the necessary By-law for the naming of “Augustine Crescent”.

7.2.c Private Street Naming - 67-71 Nelson Avenue, DSD-2023-444

That the City of Kitchener acknowledge that 2415274 Ontario Inc. intends to name a private street, “Luna Crescent” within a vacant land condominium located at 67 and 71 Nelson Avenue, as outlined in Development Services Department report, DSD-2023-444; and further,

That the City’s Legal Services Division be directed to proceed with advertising, preparation, and registration of the necessary By-law for the naming of “Luna Crescent”.

7.2.d Environmental Improvement Grant Funding Consolidation, DSD-2023-431

That the Environmental Stewardship Capital Account currently allocated to the Community Environmental Improvement Grant program be reallocated to the Neighbourhood Development Office to be consolidated with the funding offered through the LoveMyHood Matching Grant, as outlined in Development Services Department

report DSD-2023-431; and,

That Council Policy I-590 (Grant Program – Community Environmental Improvement) be repealed; and further,

That Council Policy FIN-GRA-525 (Community Investment) be amended to remove Section 8.1 Community Environmental Improvement Grants (CEIG).

7.2.e 2023 Downtown Vision Decision, DSD-2023-425

That the downtown vision and principles, prepared by the Downtown Community Working Group (DCWG) in direct collaboration with the project consultant, and staff be endorsed, as outlined in Development Services Department report, DSD-2023-425; and,

That staff be directed to use the vision and principles to develop an action plan for Downtown Kitchener, and inform new and ongoing City initiatives that include or are about the downtown.

7.2.f Official Plan Amendment Application OPA21/004/COK/AR, Zoning By-law Amendment Application ZBA21/040/K/NG, City Wide Lodging House Review, DSD-2023-446

That the following motion **be deferred to the November 6, 2023 Council meeting** to allow an opportunity for staff to continue conversations with legal and provide additional information surrounding regional garbage collection:

That Official Plan Amendment OPA21/004/COK/AR proposing amendments to Kitchener’s 1994 and 2014 Official Plan to permit lodging houses city-wide everywhere residential uses are permitted be adopted, in the form shown in the Official Plan Amendments attached to Report DSD-2023-446 as Attachment ‘A’ and Attachment ‘B’, and accordingly forwarded to the Region of Waterloo for approval; and,

That Zoning By-law Amendment ZBA21/040/K/NG be approved in the form shown in the ‘Proposed By-law to Zoning By-law 85-1’ and ‘Proposed By-law to Zoning By-law 2019-051’ attached to Report DSD-2023-446 as Attachment ‘C’ and Attachment ‘D’ respectively.

7.2.g Official Plan Amendment Application OPA23/013/K/JZ, Zoning By-law Amendment Application ZBA23/232/K/JZ, Lower Doon Land Use Study, DSD-2023-434 and Addendum Report DSD-2023-493, DSD-2023-493

13

That City Initiated Official Plan Amendment OPA23/013/K/JZ, for the purpose of implementing recommendations contained within the Lower Doon Land Use Study, including amendments to land uses, Specific Policy Areas, and Cultural Heritage Resources mapping and text amendments, be adopted, in the form shown in the Official Plan Amendment attached to Development Services Department report DSD-2023-434 as Attachment 'A', and accordingly forwarded to the Region of Waterloo for approval; and,

That City Initiated Zoning By-law Amendment Application ZBA23/023/K/JZ to amend Zoning By-law 2019-051, be approved in the form shown in the "Proposed By-law" attached to Development Services Department report DSD-2023-434 as Attachment 'B' with the following amendments:

That the proposed RES-5 zoning be removed from all properties except those currently zoned R-6 in Zoning By-law 85-1, with or without any site-specific provisions, and be replaced with RES-4 with any necessary site-specific provisions; and,

That 400 Doon Valley Drive be zoned RES-5 as proposed rather than R-3; and further,

That pursuant to Section 35(17) of the Planning Act, R.S.O., c P.13, as amended further notice is not required to be given in respect to Zoning By-law Amendment ZBA23/023/K/JZ.

Note: An addendum report, Development Services Department report DSD-2023-493, has been included on the agenda this date, related to this matter.

- 7.2.h Official Plan Amendment Application OPA23/014/F/TS, Zoning By-law Amendment Application ZBA23/024/F/TS, 1198 Fischer Hallman Road, Activa Holdings Inc., DSD-2023-429

That the following motion **be deferred to the November 6, 2023 Council meeting** to allow an opportunity for staff to consult with the applicant regarding alternative building height configurations of the proposed development:

That Official Plan Amendment Application OPA23/014/F/TS for Activa Holdings Inc., for the property municipally addressed as 1198 Fischer Hallman Road, requesting the addition of Special Policy Area 6 for the lands specified and illustrated as the "Area or Amendment" on Schedule 'A', be adopted, in the form shown in the Official Plan Amendment attached to Development Services Department report DSD-2023-429 as Appendix 'A', and

accordingly forwarded to the Region of Waterloo for approval; and further,

That Zoning By-law Amendment Application ZBA23/024/F/TS for Activa Holdings Inc. be approved in the form shown in the 'Proposed By-law', and 'Map No. 1' and 'Map No. 2' attached to Development Services Department report DSD-2023-429 as Appendix 'B'.

- 7.2.i Official Plan Amendment Application OPA23/011/W/TS, Zoning By-law Amendment Application ZBA23/018/W/TS, 20 Woolner Trail, Waterloo Catholic District School Board, DSD-2023-430

That the following motion **be deferred to the December 11, 2023 Council meeting, or sooner,** to allow an opportunity for Staff to engage with the Region of Waterloo to determine a timeline for discussions regarding pedestrian safety and traffic calming measures on Fairway Road North:

That Official Plan Amendment Application OPA23/011/W/TS for the Waterloo Catholic District School Board, for the property municipally addressed as 20 Woolner Trail, requesting the addition of Specific Policy Area No. 67 for the lands specified and illustrated as the "Area of Amendment" on Schedules 'A' and 'B', be adopted, in the form shown in the Official Plan Amendment attached to Development Services Department report DSD-2023-430 as Appendix 'A', and accordingly forwarded to the Region of Waterloo for approval; and further,

That Zoning By-law Amendment Application ZBA23/018/W/TS for the Waterloo Catholic District School Board be approved in the form shown in the 'Proposed By-law', and 'Map No. 1', attached to Development Services Department report DSD-2023-430 as Appendix 'B'.

- 7.2.j Official Plan Amendment Application OPA23/005/K/ES, Zoning By-law Amendment Application ZBA23/009/K/ES, 2934 King Street East, 2748244 Ontario Inc., DSD-2023-428

That Official Plan Amendment Application OPA/23/005/K/ES for 2748244 Ontario Inc., for the property municipally addressed as 2934 King Street East, requesting to add Specific Policy Area 68 to Map 5 – Specific Policy Areas of the Official Plan and to add Policy 15.D.12.68 to facilitate a mixed use development having 77 residential units and 1217 square metres of commercial space with a Floor Space Ratio (FSR) of 2.6, be adopted, in the form shown in the Official Plan Amendment attached to Development Services Department report

DSD-2022-428 as Attachment 'A', and accordingly forwarded to the Regional Municipality of Waterloo for approval; and further,

That Zoning By-law Amendment Application ZBA23/009/K/ES for 2748244 Ontario Inc. be approved in the form shown in the 'Proposed By-law', and 'Map No. 1', attached to Development Services Department report DSD-2023-428 as Attachment 'B'.

- 7.2.k Official Plan Amendment Application OPA23/007/K/CD, Zoning By-law Amendment Application ZBA23/011/K/CD, 417 King Street West, Vanmar Developments 417 King GP Corp, DSD-2023-299

That the following motion **be deferred to the November 6, 2023 Council meeting** to allow an opportunity for staff to engage with NAV Canada to determine best measures to mitigate any potential impacts to the runway approach for Waterloo Region International Airport:

That Official Plan Amendment Application OPA/23/007/K/CD for Vanmar Developments 417 King GP Corp, for the property municipally addressed as 417 King Street West, requesting a land use designation change from 'Innovation District' to 'Innovation District with Specific Policy Area No. 8' to permit a 55-storey mixed use development on the lands specified and illustrated on Schedule 'A', be adopted, in the form shown in the Official Plan Amendment attached to Development Services Department report DSD-2023-299 as Appendix 'A', and accordingly forwarded to the Region of Waterloo for approval; and further,

That Zoning By-law Amendment Application ZBA23/011/K/CD for Vanmar Developments 417 King GP Corp be approved in the form shown in the 'Proposed By-law', and 'Map No. 1', attached to Development Services Department report DSD-2023-299 as Appendix 'B'.

8. UNFINISHED BUSINESS

9. NEW BUSINESS

9.1 MAYORAL BUSINESS AND UPDATES - MAYOR B. VRBANOVIC

10. QUESTIONS AND ANSWERS

11. BY-LAWS

11.1 1ST AND 2ND READING

- 11.1.a To further amend By-law No. 88-171, being a by-law to designate private roadways as fire routes and to prohibit parking thereon.

- 11.1.b To further amend By-law No. 2008-117, being a by-law to authorize certain on-street and off-street parking of vehicles for use by persons with a disability, and the issuing of permits in respect thereof.
- 11.1.c To further amend By-law No. 2010-190, being a by-law to prohibit unauthorized parking of motor vehicles on private property.
- 11.1.d Being a by-law to amend Chapter 110 of The City of Kitchener Municipal Code regarding By-law Enforcement.
- 11.1.e To confirm all actions and proceedings of the Council for November 6, 2023.

**11.2 LATE STARTER BY-LAWS TO BE ADDED TO THE AGENDA,
PENDING APPROVAL OF THE REPORTS OF THE COMMITTEES**

- 11.2.a Being a By-law to adopt Minimum Maintenance Standards and Delegated Authority to declare a Significant Weather Event.
- 11.2.b Being a by-law to repeal and replace Chapter 710 of the City of Kitchener Municipal Code, with respect to Building Permits and Fees.
- 11.2.c Being a by-law to Adopt Amendment No. 34 to the 2014 Official Plan – City-Wide Lodging House Review.
- 11.2.d Being a by-law to Adopt Amendment No. 132 to the 1994 Official Plan – City-Wide Lodging House Review.
- 11.2.e Being a by-law to amend By-law 85-1, as amended, known as the Zoning By-law for the City of Kitchener – City-Wide Lodging House Review.
- 11.2.f Being a by-law to amend By-law 2019-051, as amended, know as the Zoning By-law for the City of Kitchener – City-Wide Lodging House Review.
- 11.2.g Being a by-law to adopt Amendment No. 35 to the Official Plan - Lower Doon Land Use Study Implementation.
- 11.2.h Being a by-law to amend By-law 2019-051, as amended, known as the Zoning By-law for the City of Kitchener - Lower Doon Land Use Study Implementation.
- 11.2.i Being a by-law to adopt Amendment No. 38 to the Official Plan – 1198 Fischer Hallman Road.
- 11.2.j Being a by-law to amend By-law 85-1, as amended, known as the Zoning By-law for the City of Kitchener - 2821889 Ontario Inc. (Activa Holdings Inc.) – 1198 Fischer Hallman Road.
- 11.2.k Being a by-law to adopt Amendment No. 36 to the Official Plan - 2934 King Street East.
- 11.2.l Being a by-law to amend By-law 2019-051, as amended, known as the Zoning By-law for the City of Kitchener – 2748244 Ontario Inc. –

2934 King Street East.

11.2.m Being a by-law to adopt Amendment No. 37 to the Official Plan – 417 King Street West.

11.2.n Being a by-law to amend By-law 85-1, as amended known as the Zoning By-law for the City of Kitchener – Vanmar Developments 417 King GP Corp. – 417 King Street West.

12. COMMITTEE OF THE WHOLE

12.1 ADMINISTRATIVE REPORTS

12.1.a Council's Home Office, Technology, Conference and Community Engagement Budget Options, FIN-2023-270 21

12.1.b Dangerous Dog Designation Appeal - Corbett, COR-2023-483 34

12.1.c 2024 Council and Committee Schedule, COR-2023-273 38

13. REPORT OF THE COMMITTEE OF THE WHOLE

14. BY-LAWS

14.1 3RD READING

14.1.a To further amend By-law No. 88-171, being a by-law to designate private roadways as fire routes and to prohibit parking thereon.
(By-law 2023-145)

14.1.b To further amend By-law No. 2008-117, being a by-law to authorize certain on-street and off-street parking of vehicles for use by persons with a disability, and the issuing of permits in respect thereof.
(By-law 2023-146)

14.1.c To further amend By-law No. 2010-190, being a by-law to prohibit unauthorized parking of motor vehicles on private property.
(By-law 2023-147)

14.1.d Being a by-law to amend Chapter 110 of The City of Kitchener Municipal Code regarding By-law Enforcement.
(By-law 2023-148)

14.1.e To confirm all actions and proceedings of the Council for November 6, 2023.
(By-law 2023-163)

14.2 LATE STARTER BY-LAWS TO BE ADDED TO THE AGENDA, PENDING APPROVAL OF THE REPORTS OF THE COMMITTEES

14.2.a Being a By-law to adopt Minimum Maintenance Standards and

Delegated Authority to declare a Significant Weather Event.

(By-law 2023-149)

14.2.b Being a by-law to repeal and replace Chapter 710 of the City of Kitchener Municipal Code, with respect to Building Permits and Fees.

(By-law 2023-150)

14.2.c Being a by-law to Adopt Amendment No. 34 to the 2014 Official Plan – City-Wide Lodging House Review.

(By-law 2023-151)

14.2.d Being a by-law to Adopt Amendment No. 132 to the 1994 Official Plan – City-Wide Lodging House Review.

(By-law 2023-152)

14.2.e Being a by-law to amend By-law 85-1, as amended, known as the Zoning By-law for the City of Kitchener – City-Wide Lodging House Review.

(By-law 2023-153)

14.2.f Being a by-law to amend By-law 2019-051, as amended, know as the Zoning By-law for the City of Kitchener – City-Wide Lodging House Review.

(By-law 2023-154)

14.2.g Being a by-law to adopt Amendment No. 35 to the Official Plan - Lower Doon Land Use Study Implementation.

(By-law 2023-155)

14.2.h Being a by-law to amend By-law 2019-051, as amended, known as the Zoning By-law for the City of Kitchener - Lower Doon Land Use Study Implementation.

(By-law 2023-156)

14.2.i Being a by-law to adopt Amendment No. 38 to the Official Plan – 1198 Fischer Hallman Road.

(By-law 2023-157)

14.2.j Being a by-law to amend By-law 85-1, as amended, known as the Zoning By-law for the City of Kitchener - 2821889 Ontario Inc. (Activa Holdings Inc.) – 1198 Fischer Hallman Road.

(By-law 2023-158)

14.2.k Being a by-law to adopt Amendment No. 36 to the Official Plan - 2934 King Street East.

(By-law 2023-159)

- 14.2.l Being a by-law to amend By-law 2019-051, as amended, known as the Zoning By-law for the City of Kitchener – 2748244 Ontario Inc. – 2934 King Street East.

(By-law 2023-160)

- 14.2.m Being a by-law to adopt Amendment No. 37 to the Official Plan – 417 King Street West.

(By-law 2023-161)

- 14.2.n Being a by-law to amend By-law 85-1, as amended known as the Zoning By-law for the City of Kitchener – Vanmar Developments 417 King GP Corp. – 417 King Street West.

(By-law 2023-162)

15. ADJOURNMENT