



## **Council Meeting Minutes**

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

**Council Chambers - Hybrid**

**City of Kitchener**

**200 King Street W, Kitchener, ON N2G 4G7**

**Present:**

- Mayor B. Vrbanovic
- Councillor S. Davey
- Councillor D. Schnider
- Councillor C. Michaud
- Councillor P. Singh
- Councillor B. Ioannidis
- Councillor M. Johnston
- Councillor J. Deneault

**Absent:**

- Councillor A. Owodunni
- Councillor D. Chapman
- Councillor A. Clancy

**Staff:**

- D. Chapman, Chief Administrative Officer
- M. May, General Manager, Community Services and Deputy Chief Administrator
- V. Raab, General Manager, Corporate Services
- J. Readman, General Manager, Development Services
- J. Lautenbach, Chief Financial Officer, Financial Services
- D. McGoldrick, General Manager, Infrastructure Services
- L. MacDonald, City Solicitor
- C. Spere, Director, Engineering
- R. Bustamante, Director, Planning
- G. Stevenson, Manager, Development Review
- A. Fusco, Director Legislated Services / City Clerk
- N. Goss, Manager, Policy & Research
- D. Saunderson, Deputy Clerk

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## **1. COMMENCEMENT**

The meeting began with a Land Acknowledgement given by the Mayor and the singing of “O Canada.”

### **1.1 Moment of Silence - Ongoing Conflicts Worldwide**

Mayor B. Vrbanovic acknowledged the ongoing conflicts worldwide and held a moment of silence to honour all those impacted by the current warfare.

## **2. MINUTES FOR APPROVAL**

On motion by Councillor J. Deneault the minutes of the regular meeting held October 16, 2023, and special meetings held October 16, and October 30, 2023, as mailed to the Mayor and Councillors, were accepted.

## **3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

### **3.1 Councillor P. Singh - Item 5.2. - Environmental Sustainability Initiative (Land Disposition and Confidential information about Competitive positions/contracts/negotiations - Section 239 (2) (c) and (j)), DSD-2023-291**

Councillor. P. Singh declared a conflict on this item. (Councillor Singh declared a pecuniary interest on item 5.2 - Environmental Sustainability Initiative, DSD-2023-291, on the Special Council agenda earlier this date, as his family owns property in the vicinity of a subject property and he did not participate in any voting or discussion related to that matter

### **3.2 Councillor J. Deneault - 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.**

Councillor J. Deneault declared a pecuniary interest with respect to 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 on the agenda this date as a member of his family teaches at Conestoga College, an institution located on land being considered in the Lower Doon Land Use study. Accordingly, Councillor J. Deneault did not participate in any discussion or vote regarding this matter.

## **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.**

Chris Sphere, Director, Engineering, presented the Mayor and members of Council with the Association of Consulting Engineering Services Companies (ACEC) Ontario - Grand River Chapter Award of Merit (Diamond) for MTE Consultants and the Old Mill Pumping Station.

### **5.2 2023-2026 Strategic Plan**

Dan Chapman, Chief Administrative Officer, presented the 2023-2026 Strategic Plan explaining the community engagement activities undertaken, goals and actions in the Plan, highlighting the 20-year community vision, and actions to bring the plan to life in both the near and long-term. Mayor B. Vrbanovic noted the Sustainable Development Goals (SDG) referenced in the Plan.

## **6. DELEGATIONS**

### **6.1 Public Awareness and Education on the Environmental and Health Impacts of Wood Burning**

Michelle Jennings addressed Council related to the health and environmental impacts of residential wood burning. M. Jennings requested Council prioritize the investigation into the health and environmental impacts of residential wood burning and incorporate findings into public health and environmental strategies.

### **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.**

Council considered 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. R. Bustamante, Director, Planning, and G. Stevenson, Manager, Development Planning, were in attendance to respond to questions from Council.

P. Chauvin, MHBC Planning, was in attendance to address the questions that were raised at the Planning and Strategic Initiatives Committee meeting of October 30, 2023 related to the proposed towers and whether the building could be reconfigured to address the transition between the subject property and the adjacent low-rise residential neighbourhood. P. Chauvin requested Council approve the development as outlined in Report DSD-2023-429.

In response to questions from Council, G. Stevenson, Manager, Development Review addressed the ability to require the applicant consider a public opened public space through the site plan process and the multiple accesses of the site, including the left-turning lane on Rockwood Road.

**Moved by Councillor P. Singh**

**Seconded by Councillor D. Schnider**

"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'.

**Carried**

**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.**

Councillor J. Deneault declared a conflict on this item. (Councillor J. Deneault declared a pecuniary interest with respect to 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 on the agenda this date as a member of his family teaches at Conestoga College, an institution located on land being considered in the Lower Doon Land Use study. Accordingly, Councillor J. Deneault did not participate in any discussion or vote regarding this matter.)

Council considered 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 listed as Item 7.2.g. on the agenda this date. It was noted Addendum Report DSD-2023-493 was also included in the agenda, in response to the questions that were raised at the Planning and Strategic Initiatives Committee meeting on October 30, 2023. Council was also in receipt of a written

submission from Laura Jamieson on behalf of 2350-2440 Homer Watson Boulevard, Kitchener and David Galbraith, UP Consulting, on behalf of 270 Doon Valley Drive.

Laura Jamieson, Land Use Planning Consultant on behalf of Southside Construction Management delegated to request that Council consider the mixed use designation of residential and commercial on the vacant lands for the property municipally addressed as 2350-2440 Homer Watson Boulevard. The abilities of the vacant land site were highlighted and inefficient designation of the land as limited residential abilities were noted. In response to questions from Council, the delegate noted that the height is a form of intensity, commercial designation permits 8 storeys whereas the mixed use would allow for up to 12 storeys.

Councillor J. Deneault left the meeting and returned to the meeting at this time.

Councillor P. Singh left the meeting at this time.

Stephen Litt, Vive Developments, delegated in support of the Residential 5 zoning, highlighting the pressures of student housing in the area to support high-density residential zoning and responded to questions from Council.

Councillor P. Singh returned to the meeting at this time.

David Galbraith, UP Consulting, provided a presentation in support to maintaining the Residential 5 zoning for the application, outlining the impact of the proposed amendment to change the RES-5 to RES-4 zoning regulations, arising from the Planning and Strategic Initiatives Committee. D. Galbraith spoke to setbacks, floor space ratio, parking viability and ability to enforce design principles, which can further reviewed and enforced through the site plan control process, which would be required for all RES-5 development applications, noting developments for properties zoned RES-4 were not subject to site plan review. D. Galbraith responded to questions from Council.

Questions were raised related to the proposed amendment to remove the RES-5 zoning be removed from all properties and the appeal rights of those property owners. R. Bustamante, Director, Planning, stated staff would not be able to comment on the matter. J. Readman, General Manager, Development Services, stated any advice related to the dispensing of the matter, and possible Ontario Land Tribunal Appeals should be addressed in Caucus.

#### **6.4 Motion - In-Camera Authorization**

**Moved by Councillor C. Michaud**

**Seconded by Councillor B. Ioannidis**

"That an in-camera meeting of City Council be held immediately to consider a matter subject to solicitor-client privilege involving the disposition of the subject applications in accordance with section 239(2) (f) of the Municipal Act."

**Carried**

## **6.5 Recess and Reconvene**

The Council meeting then recessed at 8:28 p.m. and reconvened at 8:41 p.m., chaired by Mayor B. Vrbanovic, with all members present except Councillors A. Owodunni, A. Clancy and D. Chapman.

## **6.6 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. (Cont'd)**

A motion was brought forward by Councillor P. Singh, seconded by Councillor D. Schnider, to approve the recommendation as outlined in Report DSD-2023-434.

An amendment was then moved by Councillor C. Michaud, seconded by Councillor M. Johnston, to change the proposed zoning for 2350-2440 Homer Watson Boulevard be designated 'Mixed Use'; 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, to include an additional clause to the recommendation, stating "That pursuant to Section 34(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."

Councillor Michaud's amendment was then voted on and was **Carried on a recorded vote**, with Mayor B. Vrbanovic and Councillors D. Schnider, C. Michaud, P. Singh, B. Ioannidis, M. Johnston voting in favour; and, Councillor S. Davey voting in opposition. Due to the previously declared conflict Councillor J. Deneault did not vote.

The following motion as amended was then voted on.

**Moved by Councillor P. Singh**  
**Seconded by Councillor D. Schnider**

"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', with the following amendments to be considered by the Region of Waterloo through their approval;

That the vacant portion of 2350-2440 Homer Watson Boulevard be designated 'Mixed Use'; and,

That OPA23/013/K/JZ be 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 the vacant portion of 2350-2440 Homer Watson Boulevard be zoned MIX-3; and further,

That pursuant to Section 34(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."

**Carried, as amended, under Delegations**

**6.7 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**

Council considered 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, listed as item 7.2.k on the agenda this date.

It was noted a further deferral of this matter to December 11, 2023 Council meeting was being requested to allow further opportunity to engage with NAV Canada to determine best measures to mitigate any potential impacts to the runway approach for Waterloo Region International Airport.

**Moved by Councillor P. Singh**

**Seconded by Councillor D. Schnider**

"That the following motion be deferred to the **December 11, 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'."

**Carried, as amended**

**6.8 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**

Council considered 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, listed as item 7.f.f on the agenda this date. R. Bustamante, Director, Planning and N. Goss, Manager, Policy and Research, were in attendance to respond to questions from Council.



Phil Marfisi and Lynn Intini addressed Council in support of the staff recommendation to permit lodging houses city-wide everywhere residential uses are permitted, provided an overview of their lived experiences.

Mayor B. Vrbanovic left the meeting and vacated the Chair at this time. Councillor S. Davey assumed the role of the Chair at this time.

Mayor B. Vrbanovic returned to the meeting at this time and assumed the Chair.

Councillor S. Davey brought forward a motion, which was seconded by Councillor C. Michaud, to referred consideration of the recommendation outlined in Report DSD-2023-446 to a Standing Committee of Council, to allow consideration of the Official Plan and Zoning amendments to be considered concurrently with a new Lodging House Licensing By-law, anticipated to be brought forward in Q1 of 2024.

**Moved by Councillor P. Singh**

**Seconded by Councillor S. Davey**

"That the following motion be **referred to a Standing Committee of Council**, to allow consideration of the Official Plan and Zoning amendments to be considered concurrently with a new Lodging House Licensing By-law, anticipated to be brought forward in Q1 of 2024:

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 further,

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."

**Carried, as amended**

## **7. REPORTS OF COMMITTEES**

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

A motion was brought forward by Councillor S. Davey, which was seconded by Councillor B. Ioannidis, to approve the Finance and Corporate Services

Committee report from October 30, 2023, including an amendment to item 7.1.f Municipal Sponsorship Report, DSD-2023-375, to include additional direction staff to report back by the end of 2024 with an update on this work and consideration of the following: exploring any potential overlap with other sponsorship and development work (e.g., grant application processes) currently underway within the City of Kitchener, and if applicable, methods to restructure for greater effectiveness and/or efficiency; and, exploring formal and/or informal ways to engage members of Council and/or the public with expertise and/or interest related to the execution of the City's sponsorship and development strategies.

**Moved by Councillor S. Davey**

**Seconded by Councillor B. Ioannidis**

"That the report of the Finance and Corporate Services Committee, dated October 30, 2023, listed as items 7.1.a to 7.1.f on the agenda this date, be adopted, including the proposed amendment to the recommendation to Municipal Sponsorship, outlined in DSD-2023-375, as proposed this date."

**Carried, as amended**

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."

**Carried**

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."

**Carried**

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."

**Carried**

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."

**Carried**

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."

**Carried**

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,

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

That staff be directed to report back by the end of 2024 with an update on this work and consideration of the following:

1. Explore any potential overlap with other sponsorship and development work (e.g., grant application processes) currently underway within the City of Kitchener, and if applicable, methods to restructure for greater effectiveness and/or efficiency; and,
2. Explore formal and/or informal ways to engage members of Council and/or the public with expertise and/or interest related to the execution of the City's sponsorship and development strategies.

**Carried, as amended**

## **7.2 PLANNING AND STRATEGIC INITIATIVES COMMITTEE - OCTOBER 30, 2023**

**Moved by Councillor P. Singh**

**Seconded by Councillor D. Schnider**

"That the report of the Planning and Strategic Initiatives Committee, dated October 30, 2023, listed as items 7.2.a to 7.2.e and items 7.2.i and 7.2.j on the agenda this date, be adopted."

**Carried**

### **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"."

**Carried**

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"."

**Carried**

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"."

**Carried**

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)."

**Carried**

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."

**Carried**

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

**Carried, as amended, under Delegations**

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

**Carried, as amended, under Delegations**

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

**Carried, under Delegations**

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'."

**Carried**

- 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'."

**Carried**

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

**Carried, as amended, under Delegations**

**8. UNFINISHED BUSINESS - NIL**

**9. NEW BUSINESS**

**9.1 MAYORAL BUSINESS AND UPDATES - MAYOR B. VRBANOVIC**

None.

**10. QUESTIONS AND ANSWERS**

- Councillor S. Davey raised questions related to the Region of Waterloo school zone speed limit review and received a response from J. Readman, noting staff anticipate reporting back to Council in December 2023 following the Regions consideration.

Councillor P. Singh left the meeting and returned to the meeting at this time.

- Councillor M. Johnston requested the Mayor raise the matter with Regional Staff, intersection for Glasgow St and Westmount Road and the scope of the project.

**11. BY-LAWS**

At the request of A. Fusco, City Clerk, now that the Reports of the Committees have been formally approved, it was agreed to formally add the By-laws listed on the agenda under the heading of Late Starters to the agenda for Council's consideration, including the By-laws related to the Planning Applications for Lower Down, which were amended this date. It was further noted that the By-laws related to the Planning Applications for City Wide Lodging House and 417 King Street, were not brought forward for consideration as those matters were deferred to future meetings of Council.

**11.1 1ST AND 2ND READING**

**Moved by Councillor C. Michaud**

**Seconded by Councillor S. Davey**

"That leave be given the Mover and Seconder to introduce the following by-laws, namely:



- 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 Being a By-law to adopt Minimum Maintenance Standards and Delegated Authority to declare a Significant Weather Event.
- 11.1.f Being a by-law to repeal and replace Chapter 710 of the City of Kitchener Municipal Code, with respect to Building Permits and Fees.
- 11.1.g Being a by-law to adopt Amendment No. 35 to the Official Plan - Lower Doon Land Use Study Implementation.
- 11.1.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.
- 11.1.i Being a by-law to adopt Amendment No. 38 to the Official Plan – 1198 Fischer Hallman Road.
- 11.1.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.
- 11.1.k Being a by-law to adopt Amendment No. 36 to the Official Plan - 2934 King Street East.
- 11.1.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.
- 11.1.m To confirm all actions and proceedings of the Council for November 6, 2023.

## **12. COMMITTEE OF THE WHOLE**

On motion, Council resolved itself into the Committee of the Whole to consider its agenda and was Chaired by Councillor J. Deneault.

## **12.1 ADMINISTRATIVE REPORTS**

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

Council considered Financial Services Department report FIN-2023-270, dated October 6, 2023, entitled Council's Home Office, Technology, Conference and Community Engagement Budget Options.

Councillor S. Davey brought forward a motion to approve the following recommendation:

That Council approve the amended Council spending funding envelopes as follows:

1. Home Office & Technology with a term limit budget of \$16,000;
2. Conferences, Training & Learning with a term limit budget of \$15,000 per Councillor and \$17,000 for the Mayor;
3. Community Engagement & Meetings with a term limit budget of \$5,000;

With a maximum term limit budget of \$30,000 per Councillor and \$32,000 for the Mayor for all three funding envelopes combined; and,

That the policy 'GOV-COU-025 Council Expense Reimbursement and Reporting' be amended as attached in Appendix B to staff report FIN-2023-270 subject to the dollar value limits referenced above; and further,

That the policy 'GOV-COU-047 Technology & Home Office Expenses – Mayor & Council' be repealed.

**Moved by Councillor S. Davey**

**it was resolved:**

"That Council approve the amended Council spending funding envelopes as follows:

1. Home Office & Technology with a term limit budget of \$16,000;
2. Conferences, Training & Learning with a term limit budget of \$15,000 per Councillor and \$17,000 for the Mayor;
3. Community Engagement & Meetings with a term limit budget of \$5,000;

With a maximum term limit budget of \$30,000 per Councillor and \$32,000 for the Mayor for all three funding envelopes combined; and,

That the policy 'GOV-COU-025 Council Expense Reimbursement and Reporting' be amended as attached in Appendix B to staff report FIN-2023-270 subject to the dollar value limits referenced above; and further,

That the policy 'GOV-COU-047 Technology & Home Office Expenses – Mayor & Council' be repealed."

**Carried, as amended**

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

**Moved by Mayor B. Vrbanovic**

**it was resolved:**

"That the decision of the Dog Designation Appeal Committee regarding an appeal filed by O. Corbett, wherein the Committee affirms the Dangerous Dog Designation applied to the dog 'Poppy' by the Humane Society of Kitchener-Waterloo and Stratford Perth, be ratified and confirmed with modified conditions."

**Carried**

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

**Moved by Mayor B. Vrbanovic**

**it was resolved:**

"That the 2024 Council and Committee Calendar, as attached as Appendix 'A' to Corporate Services Department report COR-2023-273, be approved; and,

That the Mayor in consultation with the Chief Administrative Officer and the Clerk will be delegated the authority to schedule additional Planning and Strategic Initiatives Committee (PSIC) meetings on Council meeting dates, where required, necessary to address legislated Planning Act timelines arising from Bill 109; and further,

That Council be permitted by resolution to reschedule meetings identified on the 2024 calendar where necessary."

**Carried**

## **12.2 MATTERS ARISING FROM CAUCUS**

12.2.a Item 5.2. - Environmental Sustainability Initiative (Land Disposition and Confidential information about Competitive positions/contracts/negotiations - Section 239 (2) (c) and (j)), DSD-2023-291

Councillor P. Singh declared a conflict on this item. (Councillor. P. Singh declared a conflict on this item. (Councillor Singh declared a pecuniary interest on item 5.2 - Environmental Sustainability Initiative, DSD-2023-291, on the Special Council agenda earlier this date, as his family owns property in the vicinity of a subject property and he did not participate in any voting or discussion related to that matter)

Council considered a resolution arising from Item 5.2 Environmental Sustainability Initiative, DSD-2023-291, on the Special Council agenda earlier this date. Due to the previously declared pecuniary interest, Councillor P. Singh did not participate in any voting or discussion on this matter.

**Moved by Councillor S. Davey**

**it was resolved:**

“That the General Manager of Development Services and/or Infrastructure Services be authorized to execute the necessary grant applications, procurement, and funding agreements pertaining to the Environmental Sustainability Initiative in accordance with direction given in camera on October 30, 2023, and said documentation to be to the satisfaction of the City Solicitor.”

**Carried**

## **13. REPORT OF THE COMMITTEE OF THE WHOLE**

On motion, Council rose from the Committee of the Whole.

**Moved by**

**Seconded by Councillor P. Singh**

“That the proceedings and the recorded pecuniary interests and conflicts taken in the meeting of the Committee of the Whole held this date, as attached hereto and forming part of these minutes are hereby adopted and confirmed.”

**Carried**

**14. BY-LAWS**

**14.1 3RD READING**

**Moved by Councillor S. Davey**

**Seconded by Councillor M. Johnston**

"That the by-laws be given third reading, namely:

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 Being a By-law to adopt Minimum Maintenance Standards and Delegated Authority to declare a Significant Weather Event.

(By-law 2023-149)

14.1.f 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)

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

(By-law 2023-155)

14.1.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)

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

(By-law 2023-157)

14.1.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)

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

(By-law 2023-159)

14.1.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)

14.1.m To confirm all actions and proceedings of the Council for November 6, 2023.

(By-law 2023-163)

**Carried**

## **15. ADJOURNMENT**

On motion, the meeting adjourned at 9:20 p.m.

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Mayor

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Clerk