



Council Meeting Agenda

Monday, November 18, 2024, 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 21, 2024, and special meetings held October 21 and October 28, 2024) - Councillor S. Stretch

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Members of Council and members of the City’s local boards/committees are required to file a written statement when they have a conflict of interest. If a conflict is declared, please visit www.kitchener.ca/conflict to submit your written form.

4. COMMUNICATIONS REFERRED TO FILE

4.1 Flag Request under Policy MUN-FAC-442

- 4.1.a Albanian Community Association in Waterloo Region - November 28 - 30, 2024
- 4.1.b Asociatiei Romanilor din Triunghiul de Aur (ARTA) The Romanian Association - December 1, 2024

5. PRESENTATIONS

5.1 REEP Green Solutions - Annual Impact Report

- 5.1.a Patrick Gilbride and Rebecca Robinson, REEP Green Solutions

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 18, 2024, in order to participate electronically.

6.1 Dog Designation – Kurzydowski and Kurzydowska, COR-2024-486, listed as item 12.1.b

- 6.1.a Roman Kurzydowski

6.2 Becoming a Bird Friendly City and World Migratory Bird Day, DSD-2024-480, listed as item 12.1.c

- 6.2.a Dr. Jennifer Clary-Lemon

6.3 Zoning By-law Amendment Application ZBA24/019/T/ES, 60 Trussler Road, 1000160668 Ontario Corp., DSD-2024-432, listed as item 8.8.1

- 6.3.a Scott Patterson

6.4 Zoning By-law Amendment Application ZBA24/022/K/ES, 864-876 King Street West, King Pine Kitchener Inc., DSD-2024-467, listed as item 7.3.b

- 6.4.a Stephen Litt

6.5 Heritage Permit Application HPA-2024-V-024, 115 Lancaster Street East and 58-60 Ellen Street East, DSD-2024-445, listed as item 7.1.a

- 6.5.a Mark Benjamins
- 6.5.b Nancy Ashley

7. REPORTS OF COMMITTEES

7.1 HERITAGE KITCHENER - NOVEMBER 5, 2024

- 7.1.a Heritage Permit Application HPA-2024-V-024, 115 Lancaster Street

East and 58-60 Ellen Street East, DSD-2024-445

That pursuant to Section 42 of the Ontario Heritage Act, Heritage Permit Application HPA-2024-V-024 be approved to permit the partial demolition, the construction of a 3-storey addition, and alterations to the existing building at the property municipally addressed as 115 Lancaster Street East/58-60 Ellen Street East in accordance with the supplementary information submitted with this application and subject to the following conditions, as outlined in Development Services Department report, DSD-2024-445:

That the final Heritage Impact Assessment be approved by the Director of Development and Housing Approvals prior to the issuance of this permit;

1. That the final Conservation Plan be approved by the Director of Development and Housing Approvals prior to the issuance of this permit;

2. That the Documentation and Salvage Plan and Cultural Heritage Protection Plan be approved by the City's Heritage Planner;

3. That the building elevations be submitted for review to the satisfaction of the City's Heritage Planner prior to the issuance of the heritage permit; and

4. That the final building be reviewed, and heritage clearance be provided by Heritage Planning Staff prior to the issuance of the building permit

7.1.b Notice of Intention to Designate, 112 Margaret Avenue, DSD-2024-457

That pursuant to Section 29 of the Ontario Heritage Act, the Clerk be directed to publish a Notice of Intention to Designate the property municipally addressed as 112 Margaret Avenue as being of cultural heritage value or interest, as outlined in Development Services Department report, DSD-2024-457.

7.1.c Notice of Intention to Designate, 148 Margaret Avenue, DSD-2024-458

That pursuant to Section 29 of the *Ontario Heritage Act*, the Clerk be directed to publish a Notice of Intention to Designate the property municipally addressed as 148 Margaret Avenue as being of cultural heritage value or interest, as outlined in Development Services Department report, DSD-2024-458

7.1.d Notice of Intention to Designate, 51 Breithaupt Street, DSD-2024-385

That pursuant to Section 29 of the Ontario Heritage Act, the Clerk be directed to publish a Notice of Intention to Designate the property municipally addressed as 51 Breithaupt Street as being of cultural heritage value or interest, as outlined in Development Services Department report, DSD-2024-385

7.1.e Notice of Intention to Designate, 53 Church Street, DSD-2024-466

That pursuant to Section 29 of the Ontario Heritage Act, the Clerk be directed to publish a Notice of Intention to Designate the property municipally addressed as 53 Church Street as being of cultural heritage value or interest, as outlined in Development Services Department report, DSD-2024-466

7.1.f Notice of Intention to Designate, 44-54 Queen Street South, DSD-2024-443

That pursuant to Section 29 of the Ontario Heritage Act, the Clerk be directed to publish a Notice of Intention to Designate the property municipally addressed as 44-54 Queen Street South as being of cultural heritage value or interest, as outlined in Development Services Department report, DSD-2024-443

7.2 FINANCE AND CORPORATE SERVICES COMMITTEE - OCTOBER 28, 2024

7.2.a Advisory Committees 2022-2024 Term Extension, COR-2024-465

That the appointment of members to the City's Advisory Committees and Quasi-Judicial Tribunals for the 2022-2024 term be extended until successors are appointed, as outlined in Corporate Services Department report COR-2024-465.

7.2.b 2024 Artist in Residence Appointment - DSD-2024-376

That Ellie Anglin be appointed as the 2024 City of Kitchener Artist in Residence as recommended by the Public Art Working Group and Arts and Culture Advisory Committee, as outlined in Development Services Department report, DSD-2024-076; and further,

That the Mayor and Clerk be authorized to execute an agreement, satisfactory to the City Solicitor, with Ellie Anglin, outlining the obligations of the Artist in Residence appointment

7.2.c Corporate Policy Update, New, Amended and Repealed Policies, COR-2024-018

That the housekeeping edits to the Master Policy and proposed updated corporate policy template, attached as Appendix 'A' to

Corporate Services Department report COR-2024-018 be approved; and,

That the corporate policies listed in Appendix 'B' of Corporate Services Department report COR-2024-018 be amended or repealed; and,

That the Pregnancy and Parental Leave Policy for Members of Council, attached as Appendix 'C' to Corporate Services Department report COR-2024-018 be approved; and further,

That the Council Staff Relations Policy attached as Appendix 'D' to Corporate Services Department report COR-2024-018 be approved

7.2.d Conrad Centre for the Performing Arts, Operating Model, DSD-2024-281

That the operating model for the Conrad Centre for the Performing Arts be approved, as outlined in Development Services Department report DSD-2024-281, subject to final ratification of the 2025 budget; and,

That the Director of Culture & Entertainment be authorized to enter into an agreement with Green Light Arts, for the delivery of mentorship services to renting organizations until June 30, 2026, to the satisfaction of the City Solicitor; and further,

That approval authority for rental agreements and rental fees for the Conrad Centre for the Performing Arts be delegated to the Director of Culture & Entertainment or designate

7.3 PLANNING AND STRATEGIC INITIATIVES COMMITTEE - OCTOBER 28, 2024

7.3.a Zoning By-law Amendment Application ZBA24/021/V/AP, 169-183 Victoria Street South, 1000002286 Ontario Ltd., Legion Heights Victoria Inc., 2306975 Ontario Inc., DSD-2024-430

That Zoning By-law Amendment Application ZBA24/021/V/AP requesting to amend Zoning By-law 85-1, for 1000002286 Ontario Ltd., Legion Heights Victoria Inc., and 2306975 Ontario Inc., for the properties municipally addressed as 169-183 Victoria Street South, be approved in the form shown in the 'Proposed By-law' and 'Map No. 1' as attached to Development Services Department Report, DSD-2024-430 as Attachment 'A'; and,

That Zoning By-law Amendment Application ZBA24/021/V/AP requesting to amend Zoning By-law 2019-051, for 1000002286

Ontario Ltd., Legion Heights Victoria Inc., and 2306975 Ontario Inc., be approved in the form shown in the 'Proposed By-law' and 'Map No. 1' attached to Report DSD-2024-430 as Attachment 'B'; and,

That the Proposed By-law to amend Zoning By-law 2019-051, as amended by By-law 2024-065, shall have no force and effect until By-law 2024-065 (Growing Together PMTSAs) is in full force and effect; and further,

That the Urban Design Brief prepared by GSP Group Inc., dated October 2024, attached as Attachment 'C' to report DSD-2024-430, be endorsed, and that staff be directed to implement the Urban Design Brief through a future Site Plan Approval process, and at the discretion of the City's Director of Development and Housing Approvals, significant changes to the Urban Design Brief will be to the satisfaction of Council.

7.3.b Zoning By-law Amendment Application ZBA24/022/K/ES, 864-876 King Street West, King Pine Kitchener Inc., DSD-2024-467

That Zoning By-law Amendment Application ZBA24/022/K/ES requesting to amend Zoning By-law 85-1, for King Pine Kitchener Inc., for the properties municipally addressed as 864-876 King Street West, be approved in the form shown in the 'Proposed By-law', and 'Map No. 1', as attached to Development Services Department Report DSD-2024-464 as Attachments 'A1' and 'A2'; and,

That Zoning By-law Amendment Application ZBA24/022/K/ES requesting to amend Zoning By-law 2019-051, for King Pine Kitchener Inc. be approved in the form shown in the 'Proposed By-law', and 'Map No. 1', attached to Report DSD-2024-432 as Attachments 'B1' and 'B2'; and further,

That the Proposed By-law to amend Zoning By-law 2019-051, as amended by By-law 2024-065, shall have no force and effect until By-law 2024-065 (Growing Together PMTSAs) is in full force and effect.

8. UNFINISHED BUSINESS

8.1 Zoning By-law Amendment Application ZBA24/019/T/ES, 60 Trussler Road, 1000160668 Ontario Corp., DSD-2024-432

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That the following recommendation **be referred to the November 18, 2024, Council Meeting** to allow the applicant and staff the opportunity to engage in further discussion regarding the potential for a reduction in the number and size of the proposed development's units, and to review potential options for a visual barrier for the subject property:

That Zoning By-law Amendment Application ZBA24/019/T/ES

requesting to amend Zoning By-law 2019-051, for the property municipally addressed as 60 Trussler Road, for 1000160668 Ontario Corp. be approved in the form shown in the 'Proposed By-law', and 'Map No. 1', attached to Development Services Department report, DSD-2024-432, as it appears in Attachment 'A1' and 'A2'.

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 Being a by-law to amend Chapter 110 of The City of Kitchener Municipal Code regarding By-law Enforcement.
- 11.1.b 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.c 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.d To further amend By-law No. 2010-190, being a by-law to prohibit unauthorized parking of motor vehicles on private property.
- 11.1.e To confirm all actions and proceedings of the Council for November 18, 2024.

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 amend By-law 2019-051, as amended, known as the Zoning By-law for the City of Kitchener – 1000160668 Ontario Corp. – 60 Trussler Road.
- 11.2.b Being a by-law to amend By-law 85-1, as amended, known as the Zoning By-law for the City of Kitchener – 1000002286 Ontario Ltd., Legion Heights Victoria Inc., 2306975 Ontario Inc. – 169-183 Victoria Street South.
- 11.2.c Being a by-law to amend By-law 2019-051, as amended, known as the Zoning By-law for the City of Kitchener – 1000002286 Ontario Ltd., Legion Heights Victoria Inc., 2306975 Ontario Inc. – 169-183 Victoria Street South.
- 11.2.d Being a by-law to amend By-law 85-1, as amended, known as the Zoning By-law for the City of Kitchener – King Pine Kitchener Inc. – 864-876 King Street West.
- 11.2.e Being a by-law to amend By-law 2019-051, as amended, known as

12. COMMITTEE OF THE WHOLE

12.1 ADMINISTRATIVE REPORTS

- 12.1.a Waterloo Region Nordic Ski Club 2024 Licence Agreement Extension, CSD-2024-505 13
- 12.1.b Dog Designation – Kurzydowski and Kurzydowska, COR-2024-486, COR-2024-486 15
- 12.1.c Becoming a Bird Friendly City and World Migratory Bird Day, DSD-2024-480 18

13. REPORT OF THE COMMITTEE OF THE WHOLE

14. BY-LAWS

14.1 3RD READING

- 14.1.a Being a by-law to amend Chapter 110 of The City of Kitchener Municipal Code regarding By-law Enforcement.
(By-law 2024-187)
- 14.1.b 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 2024-188)
- 14.1.c 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 2024-189)
- 14.1.d To further amend By-law No. 2010-190, being a by-law to prohibit unauthorized parking of motor vehicles on private property.
(By-law 2024-190)
- 14.1.e To confirm all actions and proceedings of the Council for November 18, 2024.
(By-law 2024-196)

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 amend By-law 2019-051, as amended, known as the Zoning By-law for the City of Kitchener – 1000160668 Ontario Corp. – 60 Trussler Road.
(By-law 2024-191)

14.2.b Being a by-law to amend By-law 85-1, as amended, known as the Zoning By-law for the City of Kitchener – 1000002286 Ontario Ltd., Legion Heights Victoria Inc., 2306975 Ontario Inc. – 169-183 Victoria Street South.

(By-law 2024-192)

14.2.c Being a by-law to amend By-law 2019-051, as amended, known as the Zoning By-law for the City of Kitchener – 1000002286 Ontario Ltd., Legion Heights Victoria Inc., 2306975 Ontario Inc. –169-183 Victoria Street South.

(By-law 2024-193)

14.2.d Being a by-law to amend By-law 85-1, as amended, known as the Zoning By-law for the City of Kitchener – King Pine Kitchener Inc. – 864-876 King Street West.

(By-law 2024-194)

14.2.e Being a by-law to amend By-law 2019-051, as amended, known as the Zoning By-law for the City of Kitchener – King Pine Kitchener Inc. – 864-876 King Street West.

(By-law 2024-195)

15. ADJOURNMENT