



Council Meeting Agenda

Monday, September 26, 2022, 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. For in-person delegations, registration can be facilitated up until the start of the meeting. For those who are interested in participating electronically, registration will be required 2 hours prior to the scheduled start of the meeting. The meeting live-stream and archived videos are available at www.kitchener.ca/watchnow.

Please refer to the delegations section on the agenda below for registration deadlines. Written comments will be circulated prior to the meeting and will form part of the public record.

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 electronic 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 mailed to the Mayor and Councillors (regular meeting held August 22, 2022 and special meeting held August 22, 2022) - Councillor J. Gazzola.

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. Association des francophones de Kitchener-Waterloo - September 23, 2022

5. PRESENTATIONS

5.1. Volunteer Long Service Awards

Mayor B. Vrbanovic and Kerrie Zettler, Volunteer Engagement Associate, to present Volunteer Long Service Awards for neighbourhood associations and minor sports.

5.2. Sustainable Waterloo Region

Tova Davidson, Executive Director, Sustainable Waterloo Region, to present annual update and highlight to the 2021 Year-end report.

6. DELEGATIONS

Pursuant to Council's Procedural By-law, delegations are permitted to address the Committee for a maximum of five (5) minutes. Delegates who are attending in-person are permitted to register up to the start of the meeting. Those who are interested in attending virtually must register by 5:00 p.m. on September 26, 2022, in order to participate electronically.

6.1. Homelessness

- 6.1.a. Grant Vickers

6.2. Official Plan Amendment OPA21/008/K/CD - Zoning By-law Amendment ZBA21/013/K/CD - 1668 King Street East - 2806399 Ontario Inc., DSD-2022-405, listed as item 7.2.f.

- 6.2.a. Lori Mark

- 6.2.b. Georgina Georgiou

7. REPORTS OF COMMITTEES

7.1. PLANNING AND STRATEGIC INITIATIVES COMMITTEE - SEPTEMBER 12, 2022

- 7.1.a. Limiting Distance Agreement with the Owner of 17 Benton St. and the Corporation of the City of Kitchener, pursuant to Div. B, 3.2.3.1.(11) of the Ontario Building Code - DSD-2022-406

That the Mayor and Clerk be authorized to execute an agreement with the registered owner(s) of Plan 364 Part Lot 4, Part Lot 5, Plan 394, Part Lot 38, RP58R-2490 Part 1, Known as 17 Benton St., pursuant to Div. B Section 3.2.3.1.(11) of the Ontario Building Code, said

agreement to permit the construction of the new exterior openings with the limiting distance for the exposing building face being measured to a point beyond the property line on the adjacent City open park space, Plan 394, Part Lot 38, known as Oktoberfest Platz, as outlined in Development Services Department DSD-2022-406.

- 7.1.b. Zoning By-law Amendment ZBA22/007/W/ES - 82 Wilson Avenue, 84 Wilson Avenue, and 210 Fourth Street - Regional Municipality of Waterloo, DSD-2022-409

That Zoning By-law Amendment Application ZBA22/007/W/ES requesting to amend Zoning By-law 85-1, for the applicant, the Regional Municipality of Waterloo, be approved in the form shown in the Proposed 'Proposed By-law', and 'Map No. 1', for the property municipally addressed as 82 Wilson Avenue, 84 Wilson Avenue, and 210 Fourth Street, attached to Development Services Department report DSD-2022-409 as Attachment 'A'; and,

That Zoning By-law Amendment Application ZBA22/007/W/ES requesting to amend Zoning By-law 2019-051, for the applicant, the Regional Municipality of Waterloo, be approved in the form shown in the Proposed 'Proposed By-law', and 'Map No. 1' attached to Report DSD-2022-409 as Attachment 'B'; and,

That the Proposed By-law to amend Zoning By-law 2019-051, as amended shall have no force and effect against the subject lands until the date that all appeals relating to By-law 2022-040 (Comprehensive Review of the Zoning By-law (CRoZBy) Stage 2b – Applying New Residential Zones on Properties) in relation to the subject lands have been withdrawn or decided and any applicable appeal periods have expired; and further,

That in accordance with Planning Act Section 45 (1.3 & 1.4), applications for minor variances shall be permitted for lands subject to Zoning By-law Amendment Application ZBA22/007/W/ES.

- 7.1.c. 2022 Artist in Residence Appointment - DSD-2022-299

That Bangishimo Johnston be appointed as the 2022 City of Kitchener Artist in Residence as recommended by Public Art Working Group and Arts and Culture Advisory Committee: and further,

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

- 7.1.d. Official Plan Amendment OPA22/006/R/TS - Zoning By-law
Amendment ZBA22/010/R/TS - 27 Roy Street - RFB Developments,
DSD-2022-407

That Official Plan Amendment Application OPA22/006/R/TS for RFB Developments requesting the addition of Special Policy Area 11 for the lands specified and illustrated as the “Area of Amendment”, municipally addressed as 27 Roy Street, on Schedule “A”, be adopted in the form shown in the Official Plan Amendment attached to Report DSD-2022-407 as Attachment “A”, and accordingly forwarded to the Region of Waterloo for approval; and further,

That Zoning By-law Amendment Application ZBA22/010/R/TS for RFB Developments, requesting a change from Residential Five Zone (R-5) with Special Use Provision 164U to Residential Five Zone (R-5) with Special Use Provision 164U and Special Regulation Provision 781R, be approved in the “Proposed By-law” dated September 12, 2022, including an amendment to permit a fourth dwelling unit, for the lands illustrated on “Map No. 1” attached to Report DSD-2022-407 as Attachment “B”.

- 7.1.e. Official Plan Amendment OPA22/005/O/CD - Zoning By-law
Amendment ZBA22/008/O/CD - 368, 372, 374 and 382 Ottawa St.
South 99, 103, 107, 111 and 115 Pattandon Avenue - St. Mary Coptic
Orthodox Church, DSD-2022-401

That the following motion be referred to the September 19, 2022 Council Meeting to allow for an opportunity for further opportunities related to affordable housing; and, concerns related to traffic safety at surrounding intersections:

That Official Plan Amendment Application OPA/22/005/O/CD for The St. Mary Coptic Orthodox Church, Kitchener, Ontario; Coptic Orthodox Patriarchate Saint Maurice Coptic requesting a change in land use designation from ‘Low Rise Residential’ to ‘Medium Rise Residential’ with Site Specific Policy Area No. 54 to permit a multiple residential dwelling development on the lands specified and illustrated on Schedule ‘A’, be adopted, in the form shown in the Official Plan Amendment attached to Report DSD-2022-401 as Appendix ‘A’, and accordingly forwarded to the Region of Waterloo for approval; and,

That Zoning By-law Amendment Application ZBA22/008/O/CD for The St. Mary Coptic Orthodox Church, Kitchener, Ontario; Coptic Orthodox Patriarchate Saint Maurice Coptic be approved in the form shown in the ‘Proposed By-law’, and ‘Map No. 1’,

attached to Report DSD-2022-401 as Appendix 'A'; and further,

That in accordance with Planning Act Section 45 (1.3 & 1.4), applications for minor variances shall be permitted for lands subject to Zoning By-law Amendment Application ZBA22/008/O/CD.

- 7.1.f. Official Plan Amendment OPA21/008/K/CD - Zoning By-law Amendment ZBA21/013/K/CD - 1668 King Street East - 2806399 Ontario Inc., DSD-2022-405

That the following motion be referred to the September 19, 2022, Council Meeting to allow the opportunity to further discuss additional opportunities for affordable housing options, potential site alterations to better address pedestrian access, building heights; and, a dog waste disposal system in the proposed building:

That Official Plan Amendment Application OPA/21/008/O/CD for 2806399 Ontario Inc. requesting a land use designation change from "Mixed Use Corridor with Special Policy Area 1" to "Mixed Use Corridor with Specific Policy Area 7" to permit a mixed use development on the lands specified and illustrated on Schedule 'A', on the property municipally addressed as 1668 King Street East, be adopted, in the form shown in the Official Plan Amendment attached to Report DSD-2022-405 as Appendix 'A', and accordingly forwarded to the Region of Waterloo for approval; and,

That Zoning By-law Amendment Application ZBA21/013/K/CD for 2806399 Ontario Inc. be approved in the form shown in the 'Proposed By-law', and 'Map No. 1', attached to Report DSD-2022-405 as Appendix 'A'; and further,

That in accordance with Planning Act Section 45 (1.3 & 1.4), applications for minor variances shall be permitted for lands subject to Zoning By-law Amendment Application ZBA21/013/K/CD.

8. UNFINISHED BUSINESS

9. NEW BUSINESS

9.1. REGIONAL COUNCIL UPDATE – MAYOR B. VRBANOVIC

9.2. Notice of Motion - C. Michaud - Region of Waterloo, GRT Garbage Receptacles

Councillor C. Michaud has given notice to introduce the following motion for consideration this date:

"WHEREAS The Region of Waterloo proudly partners with local municipalities, Adopt-A-Road program, the Ministry of Transportation of Ontario (MTO), and others to promote waste reduction and litter prevention across the region, through the cure for litter program;

WHEREAS the Region of Waterloo is the service provider for Grand River Transit as well as the service provider for waste management;

WHEREAS the Region of Waterloo has expressed their commitment to curing litter, but during the 2022 budget process approved the removal of 240 garbage receptacles from the Grand River Transit (GRT) stops to achieve an in-year cost savings of \$60,000 and an annual cost saving of \$180,000. for 2023 and beyond;

WHEREAS the Region of Waterloo's decision to remove the garbage receptacles at GRT stops does provide financial cost savings, the financial savings are arguably not off-setting the adverse impacts on the environment and do not support the Region's commitment to curing litter;

WHEREAS the volume of pedestrian activity at and around Grand River Transit stops, would warrant waste receptacles to help manage litter within our Cities; and,

WHEREAS the average distance someone will carry garbage before littering is 12 paces and GRT Stops are high pedestrian traffic locations;

THEREFORE BE IT RESOLVED that the City of Kitchener request the Region of Waterloo to reinstall and manage garbage receptacles at the GRT Stop locations to promote litter prevention, environmental leadership and respond to the needs of our community;

THEREFORE IT FINALLY BE RESOLVED that this resolution be shared with all other municipalities with the Region of Waterloo."

10. QUESTIONS AND ANSWERS

11. BY-LAWS

11.1. 1ST AND 2ND READING

- 11.1.a. Being a by-law to name private roads as Urbane Boulevard, Avid Drive, Ardor Avenue, Serene Way, Reverie Way, Musing Street, Moxie Lane and Mettle Way, in the City of Kitchener.

- 11.1.b. To further amend By-law No. 2019-113, being a by-law to regulate traffic and parking on highways under the jurisdiction of the Corporation of the City of Kitchener.
- 11.1.c. Being a by-law to amend Chapter 110 of The City of Kitchener Municipal Code regarding By-law Enforcement.
- 11.1.d. 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.e. 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.f. To further amend By-law No. 2010-190, being a by-law to prohibit unauthorized parking of motor vehicles on private property.
- 11.1.g. Being a By-law regarding the Procurement of Goods and Services.
- 11.1.h. To confirm all actions and proceedings of the Council for September 26, 2022.

12. COMMITTEE OF THE WHOLE - NIL

13. BY-LAWS

13.1. 3RD READING

- 13.1.a. Being a by-law to name private roads as Urbane Boulevard, Avid Drive, Ardor Avenue, Serene Way, Reverie Way, Musing Street, Moxie Lane and Mettle Way, in the City of Kitchener.
- 13.1.b. To further amend By-law No. 2019-113, being a by-law to regulate traffic and parking on highways under the jurisdiction of the Corporation of the City of Kitchener.
- 13.1.c. Being a by-law to amend Chapter 110 of The City of Kitchener Municipal Code regarding By-law Enforcement.
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- 13.1.g. Being a By-law regarding the Procurement of Goods and Services.
- 13.1.h. To confirm all actions and proceedings of the Council for September 26, 2022.

14. ADJOURNMENT