



Council Meeting Agenda

Monday, March 20, 2023, 6:00 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 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 circulated to the Mayor and Councillors (regular meeting held February 27, 2023, and special meetings held February 27 and March 6, 2023) - Councillor Singh

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 Canadian Polish Congress Kitchener District - May 2, 2023 - May 9, 2023

5. PRESENTATIONS

5.1 Local Snapshot about Agriculture within Waterloo Region

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5.1.a Jeff Stager, Waterloo Federation of Agriculture

5.2 Technology Sector Update within Waterloo Region

5.2.a Chris Albinson, Communitech

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 4:00 p.m. on March 20, 2023, in order to participate electronically.

6.1 Dangerous Dog Designation Appeal - Johnson, COR-2023-124, listed as item 12.1.e.

6.1.a Daniel Ferrari

6.2 Official Plan Amendment OPA22/10/C/BB and Zoning By-law Amendment ZBA22/17/C/BB, 45-53 Courtland Avenue East, Cantiro Courtland GP, DSD-2023-065, listed as item 7.2.a.

6.2.a Andrea Sinclair, MHBC Planning

6.3 Official Plan Amendment OP17/003/F/GS, Zoning By-law Amendment ZC17/010/F/GS, 507 Frederick Street, 40, 44, & 48 Becker Street, Henry Walser Funeral Home Ltd., DSD-2022-478 AND Follow-up Reports DSD-2023-062 & DSD-2023-085, listed as item 8.8.1

6.3.a Kristen Barisdale, GSP Group

6.3.b Henry Walser

6.4 Official Plan Amendment OPA21/009/K/AP and Zoning By-law Amendment ZBA21/014/K/AP, 4396 King Street East & 25 Sportsworld Drive, Sportsworld Shopping Centre and Taylorwood Park Homes Inc, DSD-2023-021, listed as item 7.2.b.

6.4.a Kristen Barisdale, GSP Group

6.5 Official Plan Amendment and Zoning By-law Amendment - 146-162 Victoria Street South and 92-110 Park Street

6.5.a Peggy Nickels

6.5.b Sheldon Atos

6.5.c Myron Steinman

6.6 Biehn Drive and Sanitary Trunk Sewer Extension Class Environmental Assessment (EA) - Environmental Study Report, DSD-2022-188, listed as item 8.8.2

6.6.a Douglas Drake

6.6.b Mark Arruda

6.6.c Manny Fernandes

6.6.d Jordan Fernandes

6.6.e Susan Follows

6.6.f Kelli Kuzyk

7. REPORTS OF COMMITTEES

7.1 COMMUNITY AND INFRASTRUCTURE SERVICES COMMITTEE - DATE

7.1.a Uncollectable Miscellaneous Receivable Accounts Write-Off December 2022, FIN-2023-032

That uncollectable Miscellaneous Receivable Accounts amounting to \$8,781 be written off against the Allowance for Doubtful Receivables, as outlined in Financial Services Department report FIN-2023-032.

7.1.b Uncollectable Utility Receivable Account Write-Off December 2022, FIN-2023-033

That uncollectable utility accounts amounting to \$80,371 be written off against the allowance for doubtful utility receivables, as outlined in Financial Services Department report FIN-2023-033.

7.1.c Drinking Water Quality Management Standard (DWQMS) Re-Endorsement of the Operational Plan, INS-2023-012

That the Drinking Water Quality Management Standards (DWQMS) Operational Plan attached to Infrastructure Services Department report INS-2023-012 be re-endorsed in accordance with the Safe Drinking Water Act, 2002 and Regulation 188/07.

7.1.d Drinking Water Quality Management Standard (DWQMS): Management Review Summary for 2022, INS-2023-011

That the City of Kitchener Drinking Water Quality Management Standard (DWQMS): Management Review Summary for 2022 Report be received for information, as outlined in Infrastructure Services Department report INS-2023-011.

7.1.e Summary Water Report - 2022, INS-2023-010

That the 2022 City of Kitchener Summary Drinking Water Report be received for information as required by O.Reg. 170/03 Schedule 22 of the Safe Drinking Water Act; and,

Further that the City of Kitchener provide a copy of the Summary Drinking Water Report to the Township of Woolwich and the City of Waterloo as required by Schedule 22 of O.Reg. 170/03, as outlined in Infrastructure Services Department report INS-2023-010.

7.2 PLANNING AND STRATEGIC INITIATIVES COMMITTEE - MARCH 6, 2023

7.2.a Official Plan Amendment OPA22/10/C/BB and Zoning By-law Amendment ZBA22/17/C/BB, 45-53 Courtland Avenue East, Cantiro Courtland GP, DSD-2023-065

That Official Plan Amendment Application OPA22/10/C/BB for Cantiro Courtland GP requesting a change to the Land Use Designation on the parcel of land specified and illustrated on Schedule 'A', be adopted, in the form shown in the Official Plan Amendment attached to Development Services Department report DSD-2023-065 as Appendix 'A' and 'A1', as amended, and accordingly forwarded to the Region of Waterloo for approval; and,

That Zoning By-law Amendment Application ZBA22/17/C/BB for Cantiro Courtland GP, for the property municipally addressed as 45-53 Courtland Avenue East, be approved in the form shown in the "Proposed By-law" and "Map No. 1" attached to Report DSD-2023-065 as Appendix 'B' and 'B1' and as amended; and further,

That pursuant to Section 34(17) and of the Planning Act, R.S.O. 1990, c.P.13, as amended, and further notice if not required to be given in respect to Zoning By-law Amendment ZBA22/17/C/BB.

7.2.b Official Plan Amendment OPA21/009/K/AP and Zoning By-law Amendment ZBA21/014/K/AP, 4396 King Street East & 25 Sportsworld Drive, Sportsworld Shopping Centre and Taylorwood Park Homes Inc, DSD-2023-021

That the following resolution **be deferred to the March 20, 2023 Council meeting** to allow an opportunity to further review and provide additional information on the Transportation Impact Study, future Ministry of Transportation (MTO) connections, potential school bus loading zones, additional on-site amenity spaces; and, sustainable development options including geothermal:

"That Official Plan Amendment Application OPA21/009/K/AP for Sportsworld Shopping Centre and Taylorwood Park Homes Inc. requesting a change in land use designation from Commercial Campus to Mixed Use with Specific Policy Area No. 59 to permit a high intensity mixed use development on the lands specified and illustrated on Schedule 'A' and Schedule 'B', be adopted, in the form shown in the Official Plan Amendment attached to Development Services Department report DSD-2023-021 as Attachments 'A1' 'A2' and 'A3', and, accordingly, forwarded to the Regional Municipality of Waterloo for approval; and,

That Zoning By-law Amendment Application ZBA21/014/K/AP for Sportsworld Shopping Centre & Taylorwood Park Homes Inc., for the property municipally addressed as 4396 King Street East & 25 Sportsworld Drive, be approved in the form shown in the Proposed By-law and Map No. 1, attached to report DSD-2023-021 as Attachments 'B1' and 'B2'; and further,

That the Urban Design Brief prepared by GSP Group Inc., dated February 2023, and attached as Attachment 'C' to report DSD-2023-021 be endorsed, and that staff be directed to implement the Urban Design Brief through future Site Plan Approval processes.

8. UNFINISHED BUSINESS

8.1 Official Plan Amendment OP17/003/F/GS, Zoning By-law Amendment ZC17/010/F/GS, 507 Frederick Street, 40, 44, & 48 Becker Street, Henry Walser Funeral Home Ltd., DSD-2022-478 AND Follow-up Reports DSD-2023-062 & DSD-2023-085, DSD-2023-136

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That the following motion be deferred to the March 20, 2023 Council Meeting, as requested by the applicant to allow additional time to review options that were discussed at the Planning and Strategic Initiatives Committee on January 9, 2023, related to on-site minimum parking rates, potential building re-design, removal of Becker Street from the proposed rezoning and to explore options regarding parking on Becker Street and on the land legally described as Plan 42, Pt Lots 27 to 30, RP 58R-15854 Pt 1:

"That Official Plan Amendment Application OP17/003/F/GS for Henry Walser Funeral Home Ltd, Leeann Marie Walser, Henry James Walser and 2544770 Ontario Inc. for the property municipally addressed as 507 Frederick Street, 40, 44, & 48 Becker Street, and a triangular shaped portion of land legally described as Plan 42, Pt Lots 27 to 30, RP 58R-15854 Pt 1., requesting a Commercial land use designation

and Specific Policy Area 58 to permit a crematorium/cremator as an accessory use to a funeral home, on the lands specified and illustrated on Schedule 'A' and on Schedule 'B', be adopted, in the form shown in the Official Plan Amendment attached to Development Services Department report DSD-2022-478 as Appendix 'A', and accordingly forwarded to the Region of Waterloo for approval; and,

That Zoning By-law Amendment Application ZC17/010/F/GS requesting to amend Zoning By-law 85-1, for Henry Walser Funeral Home Ltd, Leeann Marie Walser, Henry James Walser and 2544770 Ontario Inc. be approved in the form shown in the "Proposed By-law", and "Map No. 1", attached to Report DSD-2022-478 as Appendix 'B'; and,

That Zoning By-law Amendment Application ZC17/010/F/GS requesting to amend Zoning By-law 2019-051, for Henry Walser Funeral Home Ltd, Leeann Marie Walser, Henry James Walser and 2544770 Ontario Inc. be approved in the form shown in the "Proposed By-law", and "Map No. 1", attached to Report DSD-2022-478 as Appendix 'C'; and,

That the Proposed By-law to amend Zoning By-law 2019-051, attached to Report DSD-2022-478 as Appendix 'C', 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,

That in accordance with Planning Act Section 45 (1.3 & 1.4) that applications for minor variances shall be permitted for lands subject to Zoning By-law Amendment Application ZC17/010/F/GS; and,

That Council give approval under Section 83(3) of the Funeral, Burial and Cremation Services Act, to establish a Crematorium proposed at 507 Frederick Street; and further,

That under Section 84(4) of the Funeral, Burial and Cremation Services Act, staff be directed to send a copy of the Council decision to the Provincial registrar and the owner, and that staff also be directed to publish notice of the

decision in The Record newspaper.

8.2 Biehn Drive and Sanitary Trunk Sewer Extension Class Environmental Assessment (EA) - Environmental Study Report, DSD-2022-188 AND Follow up Report DSD-2023-096

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That the following motion be deferred to the March 20, 2023 Council Meeting to allow an opportunity to further review the scoring for alternative 4 outlined in the Environmental Assessment; the traffic demand needs for the community; alternative servicing and construction options; additional environmental impacts such as flooding and salt contamination; impacts on future development and housing supply; and, future construction of Robert Ferrie Drive:

"That the Biehn Drive and Trunk Sanitary Sewer Extension Class Environmental Assessment (EA) - Environmental Study Report (ESR), prepared by BT Engineering, dated January 18, 2023, be received; and,

That the Biehn Drive and Trunk Sanitary Sewer Extension Environmental Study Report (ESR), be filed with the Ministry of the Environment Conservation and Parks (MECP) for the mandatory thirty (30) day review period as required by the Environmental Assessment (EA) Act, as outlined in Development Services Department report DSD-2022-188."

9. NEW BUSINESS

9.1 REGIONAL COUNCIL UPDATE – MAYOR B. VRBANOVIC

9.2 Notice of Motion - A. Clancy - e-Scooters/e-Bikes

Councillor A. Clancy has given notice to introduce the following motion for consideration this date:

"WHEREAS the City of Kitchener has committed to reducing carbon emissions by 50% by 2030, and has endorsed the Transform WR document highlighting that 49% of local emissions are from fuel consumption related to transportation;

WHEREAS the federal government has developed the "Pan-Canadian Framework on Clean Growth and Climate Change" which states that The cost of inaction is greater than the cost of action: climate change could cost Canada \$21-\$43 billion per year by 2050 and stating that government will work to "(support) the shift from higher to lower-emitting types of transportation" p .18;

WHEREAS the City of Kitchener has developed a "Cycling and Trails Master Plan" which focuses on "investing in trails and bike

lanes to reduce automobile dependence and greenhouse gas emissions, provide more recreation and leisure options, increase social connections and physical activity, improve public health outcomes, and reduce infrastructure demands”;

WHEREAS Transform WR states that we will work towards a future where “everyone has the opportunity to access and make sustainable choices”. Current federal policies and subsidies are disproportionately benefitting higher income people (car and home owners), and the effects of climate change disproportionately harm low income people;

WHEREAS ebikes have been shown to be the most effective way to get people out of their cars and into healthier, more sustainable and affordable modes of transportation according to electrek.co;

THEREFORE BE IT RESOLVED that Kitchener City Council requests that the federal government promote equity in its climate policies by subsidizing ebikes and escooters, especially for those living on low incomes;

THEREFORE BE IT FURTHER RESOLVED THAT a copy of this resolution be sent to MP Mike Morrice, MP Valerie Bradford, MP Tim Louis, MP Brian May, the Minister of Environment and Climate Change Steven Guilbeault, all Waterloo Region Municipalities, the Association of Municipalities of Ontario and the Federation of Canadian Municipalities."

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. 2010-190, being a by-law to prohibit unauthorized parking of motor vehicles on private property.
- 11.1.d 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.e Being a by-law to further amend By-law 2019-113, to regulate traffic and parking on highways under the jurisdiction of the City of Kitchener

- 11.1.f To confirm all actions and proceedings of the Council for March 20, 2023.

12. COMMITTEE OF THE WHOLE

12.1 ADMINISTRATIVE REPORTS

- 12.1.a Request for Additional Funding – Q23-004 Conway Drive and Wayne Drive RR, FIN-2023-131 78
- That \$754,000 be transferred from the Water Infrastructure Program (WIP) Road Reconstruction General Account to the Conway Drive and Wayne Drive Road Reconstruction account to allow the project to proceed.
- 12.1.b NSP23-063 Microsoft Enterprise Agreement, FIN-2023-130 80
- That the City leverage the Province of Ontario’s, Master Business Service Agreement U8364444 - Microsoft Enterprise Agreement, with Microsoft Canada, Toronto, Ontario, for a three (3) year period, with no options for renewal, provided a satisfactory contract is executed.
- 12.1.c Applications for Cancellation, Refund, Reduction of Taxes, FIN-2023-101 84
- That the applications to City Council for write-off, cancellation, reduction, or refund of taxes totalling \$295,065.32 as attached to Financial Services Department report FIN-2023-101, be approved, pursuant to Sections 354 and 357 of the Municipal Act, S.O. 2001, c. 25 (“the Act”).
- 12.1.d Neighbourhood Association Affiliation 2023, CSD-2023-082 86
- That the list of proposed Neighbourhood Associations, as attached to the Community Services Department report CSD-2023-082, be approved for affiliation for the year 2023 and added to the City’s third-party liability insurance program.
- 12.1.e Dangerous Dog Designation Appeal - Johnson, COR-2023-124 89
- That the decision of the Dog Designation Appeal Committee regarding an appeal filed by D. Johnson, wherein the Committee affirms the Dangerous Dog Designation applied to the dog ‘Misty’ by the Humane Society of Kitchener-Waterloo and Stratford Perth, be ratified and confirmed with modified conditions.
- 12.1.f City of Kitchener Municipal Housing Pledge, DSD-2023-063 93
- (Staff will provide a 5 minute presentation on this matter)*

That the Municipal Housing Pledge attached as Attachment “B” to report DSD-2023-063 titled “City of Kitchener Municipal Housing Pledge” be submitted to the Province as the City of Kitchener’s Municipal Housing Pledge.

12.2 FOR INFORMATION

- 12.2.a 2022 Year End Variance, FIN-2023-127 109
- 12.2.b Council Remuneration 2022, FIN-2023-129 128

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.
- 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.
- 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.
- 14.1.d 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.
- 14.1.e Being a by-law to further amend By-law 2019-113, to regulate traffic and parking on highways under the jurisdiction of the City of Kitchener
- 14.1.f To confirm all actions and proceedings of the Council for March 20, 2023.

15. ADJOURNMENT