



Council Meeting Agenda

Monday, April 29, 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 April 8, 2024, and special meetings held April 8, 15 and 22, 2024) - Councillor A. Owodunni.

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 St. Joseph's Health Centre Guelph, June 3 - 10, 2024

5. PRESENTATIONS

5.1 Sustainable Waterloo Region (SWR) - Annual Update

5.1.a Tova Davidson, Executive Director, Sustainable Waterloo Region

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 April 29, 2024, in order to participate electronically.

6.1 Official Plan Amendment Application OPA24/002/J/BB, Zoning By-law Amendment Application ZBA24/002/J/BB, 135-161 Jackson Avenue and 135 Brentwood Avenue, Sanjiv Shukla (1000190771 ONTARIO INC.), DSD-2024-061, listed as item 8.8.1

6.1.a Juliane von Westerholt, MHBC Planning

7. REPORTS OF COMMITTEES

7.1 FINANCE AND CORPORATE SERVICES COMMITTEE - APRIL 22, 2024

7.1.a 2024 Natural Gas Supply Rate Change 1 - INS-2024-168

That the supply component of the natural gas rate be decreased to 11.63 cents per cubic meter from 16.70 cents per cubic meter for system gas customers of Kitchener Utilities effective May 1, 2024, as outlined Infrastructure Services Committee report INS-2024-168; and further,

That the supply rate of natural gas be reviewed quarterly against market conditions and necessary changes to be brought forward for Council approval.

7.1.b Charles Street Terminal - Memorandum of Understanding with the Region of Waterloo - DSD-2024-144

That the General Manager of Development Services be authorized to enter into a Memorandum of Understanding with the Region of Waterloo pertaining to the pre-development work on the Charles Street Terminal lands, including any additional approvals/documents required to facilitate the pre-development work, as described in Development Services Department report DSD-2024-144, where said documentation shall be to the satisfaction of the City Solicitor; and,

That said documentation shall outline that the Region of Waterloo shall carry the costs of pre-development works for the Charles Street Terminal Project and the City shall reimburse the Region of Waterloo for its' share of pre-development work costs, as follows:

- Should the City's lands be sold as part of the redevelopment of the Charles Street Terminal lands, the City's share shall be deducted from the value of the land sales; or,
- Should the City's lands not be sold as part of the redevelopment of the Charles Street Terminal lands, the City shall identify an alternate funding source, such as the Economic Development Reserve.

7.1.c Outcomes of Accelerating Commercial Business Approvals Review - DSD-2024-159

That the use of Building Enterprise funds to: (1) pilot a Project Manager for an 18-month staff secondment position and (2) support the implementation of initial improvements for the 'Accelerating Commercial Business Approvals' Strategic Plan project, including supporting a portion of the cost to develop a roadmap/handbook for business owners be endorsed as outlined in Development Services Department report DSD-2024-159; and further,

That the remaining funding in the Development Services Review capital budget be reallocated to support initial improvements for the 'Accelerating Commercial Business Approvals' Strategic Plan project as outlined in Development Services Department report DSD-2024-159.

7.1.d Communitech Partnership - DSD-2024-145

That the Mayor and Clerk be authorized to execute a Partnership Agreement with Communitech as outlined in Development Services Department report DSD-2024-145, subject to review by the City Solicitor; and,

That the partnership include an allocation of office space within Communitech for a City of Kitchener, Economic Development Division Staff, to facilitate the provision of support and resources to Communitech members related to conducting business in Kitchener; and,

That the partnership with Communitech include collaboration with the City of Kitchener's Downtown Development Staff, having an objective

to develop a more vibrant downtown Kitchener by growing the use of business spaces in downtown Kitchener; and,

That \$500,000 from the Economic Development Investment Fund 2.0 be allocated in each of the 2024 and 2025 budget years to Communitech for programming outlined in Development Services Department report DSD-2024-145; and further,

That the General Manager of Development Services be authorized to extend funding to Communitech for each of the 2026 and 2027 budget years, subject to the following:

- i. the availability of funding within the Economic Development Investment Fund 2.0, as outlined in Development Services Department report DSD-2024-145;
- ii. Communitech's adherence to the goals outlined in Development Services Department report DSD-2024-145; and,
- iii. Staff's determination that the needs articulated in Development Services Department report DSD-2024-145 remain relevant.

7.2 COMMUNITY AND INFRASTRUCTURE SERVICES COMMITTEE - APRIL 22, 2024

7.2.a Dumfries Avenue Formal Traffic Calming Review, DSD-2024-122

That staff be directed to implement the proposed traffic calming plan as outlined in Attachment 'A' (Dumfries Avenue – Proposed Traffic Calming Plan) of Development Services Department report DSD-2024-122.

7.2.b Noise Exemption - Greek Food Festival - 527 Bridgeport Road, CSD-2024-136

That an exemption to Chapter 450 (Noise) of the City of Kitchener Municipal Code be granted to the Greek Orthodox Community of Saints Peter and Paul Kitchener-Waterloo & District for their Annual Greek Food Festival at 527 Bridgeport Road, to be held on June 8, 2023, from 12 p.m. – 11 p.m. and June 9, 2024, from 12 p.m. – 10 p.m., as outlined in Community Services Department report CSD-2024-136.

7.2.c Not For Profit Affordable Rental and Co-op Housing Incentive (Pilot), DSD-2024-143

That a new Council Policy regarding Not-For-Profit Affordable Rental

& Co-operative Housing Incentives (Pilot), attached to Development Services Department report DSD-2024-143 as Appendix 'A', be approved; and,

That the reallocation of Affordable Housing Reserve funds, to be used towards the Not-For-Profit Affordable Rental & Co-operative Housing Incentives (Pilot), be approved; as outlined in the Development Services Department report DSD-2024-143; and,

That financial review and analysis be incorporated into the funding eligibility criteria in efforts to confirm the viability of organizations' proposed affordable housing projects and their ability to obtain a building permit; and further,

That staff be directed to consider the creation of a mentorship program for not-for-profit organizations, to shadow the development process of the selected organizations participating in the Not-For-Profit Affordable Rental & Co-operative Housing Incentives (Pilot).

7.2.d Rockway Centre Redevelopment Update, CSD-2024-191

That staff proceed with the three phased Rockway Centre Redevelopment Strategy as outlined in Community Services Department report CSD-2024-191.

7.2.e Rosenberg Area Community Centre - Construction Update, CSD-2024-156

That the total budget for the City's new Community Centre in the Rosenberg area, which will be built jointly with the Waterloo Region Catholic District School Board, be approved at \$8,125,000 and be funded fully through development charge revenue; and further,

That the new Community Centre be named The Williamsburg Community Centre as outlined in the Community Services Department report CSD-2024-156.

7.3 PLANNING AND STRATEGIC INITIATIVES COMMITTEE - APRIL 22, 2024

7.3.a Private Street Naming – 130 Otterbein Road, DSD-2024-180

That the City of Kitchener acknowledge MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) intends to name a private street: "Otterbein Crescent" within a multiple residential development located at 130 Otterbein Road, as outlined in Development Services Department report DSD-2024-180; 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 “Otterbein Crescent”, as outlined in Development Services Department report DSD-2024-180.

7.3.b Corporate Climate Action Plan (CorCAP) 2.0 Pivot: Net-Zero, DSD-2024-074

That the 2023 City of Kitchener Corporate greenhouse gas (GHG) emissions inventory update be received for information; and,

That the City of Kitchener Council endorse a corporate 2050 net-zero target; and,

That the second-generation Corporate Climate Action Plan (CorCAP) 2.0 Pivot: Net-Zero, attached to Development Services Department report DSD-2024-074 as Attachment 'A' be endorsed; and further,

That the Corporate Climate Action Plan (CorCAP) 2.0 Pivot: Net-Zero, attached to Development Services Department report DSD-2024-074 as Attachment 'A', be submitted to the Federation of Canadian Municipalities, Partners for Climate Protection Program in support of renewed Milestones 1 - 3.

7.3.c Official Plan Amendment Application OPA24/003/L/AP, Zoning By-law Amendment Application ZBA24/003/L/AP, 15 Laurentian Drive, Kitchener Waterloo Christian School Society, DSD-2024-092

That Official Plan Amendment Application OPA24/003/L/AP for Kitchener Waterloo Christian School Society, for the property municipally addressed as 15 Laurentian Drive be adopted, in the form shown in the Official Plan Amendment attached to Development Services Department report DSD-2024-092 as Attachment 'A' and, accordingly, forwarded to the Regional Municipality of Waterloo for approval; and further,

That Zoning By-law Amendment Application ZBA24/003/L/AP for Kitchener Waterloo Christian School Society for the property municipally addressed as 15 Laurentian Drive, be approved in the form shown in the Proposed By-law and Map No. 1, attached to Development Services Department report DSD-2024-092 as Attachment 'B'.

8. UNFINISHED BUSINESS

8.1 Official Plan Amendment Application OPA24/002/J/BB, Zoning By-law Amendment Application ZBA24/002/J/BB, 135-161 Jackson Avenue and 135 Brentwood Avenue, Sanjiv Shukla (1000190771 ONTARIO INC.), DSD-2024-061

That the following recommendation outlined in Development Services Department report, DSD-2024-061 be **referred to the April 29, 2024 Council meeting** to allow the applicant additional time to consider feedback provided by the Committee related to the proposed building heights and setbacks, emergency vehicle and waste management vehicle access, the location of fire hydrants, a potential reduction in the proposed number of units, information regarding the number of tenants that will be displaced to facilitate the proposed development, relocation assistance for existing tenants, rental replacement provisions, and potential parkland dedication:

"That Official Plan Amendment Application OPA24/002/J/BB for 1000190771 ONTARIO INC. for the properties municipally addressed as 135-161 Jackson Avenue and 135 Brentwood Avenue be adopted, in the form shown in the Official Plan Amendment attached to Development Services Department Report DSD-2024-061 as Attachment 'A', and accordingly forwarded to the Region of Waterloo for approval; and,

That Zoning By-law Amendment Application ZBA24/002/J/BB requesting to amend Zoning By-law 2019-051, for 1000190771 ONTARIO INC. for the properties municipally addressed as 135-161 Jackson Avenue and 135 Brentwood Avenue **be approved** in the form shown in the Proposed 'Proposed By-law', and 'Map No. 1' attached to Development Services Department Report DSD-2024-061 as Attachment 'B'; and further;

That the Urban Design Brief, prepared by MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC), attached to Development Services Department report DSD-2024-061 as Attachment 'C', be adopted, and that staff be directed to apply the Urban Design Brief through the Site Plan Approval process."

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. 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.b To further amend By-law No. 88-169, being a by-law to regulate, supervise and govern the parking of vehicles on municipal off-street

parking facilities (Schedule B).

- 11.1.c To further amend By-law No. 88-169, being a by-law to regulate, supervise and govern the parking of vehicles on municipal off-street parking facilities (Schedule C).
- 11.1.d Being a by-law to set and levy the rates of taxation for City purposes for the year 2024 and to provide for the payment of taxes after interim taxes.
- 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. 88-171, being a by-law to designate private roadways as fire routes and to prohibit parking thereon.
- 11.1.g To further amend By-law No. 2010-190, being a by-law to prohibit unauthorized parking of motor vehicles on private property.
- 11.1.h Being a by-law to amend Chapter 599 of the City of Kitchener Municipal Code with respect to Licensing and Regulation of Businesses.
- 11.1.i To confirm all actions and proceedings of the Council for April 29, 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 adopt Amendment No. 54 to the Official Plan - 15 Laurentian Drive.
- 11.2.b Being a by-law to amend By-law 2019-051, as amended, known as the Zoning By-law for the City of Kitchener - Kitchener Waterloo Christian School Society – 15 Laurentian Drive.
- 11.2.c Being a by-law to adopt Amendment No. 53 to the Official Plan - 135, 139, 147, 153 and 161 Jackson Avenue and 136 Brentwood Avenue.
- 11.2.d Being a by-law to amend By-law No. 2019-051, as amended, known as the Zoning By-law for the City of Kitchener – 135, 139, 147, 153 and 161 Jackson Avenue, and 136 Brentwood Avenue.
- 11.2.e Being a by-law to delegate authority to adjust property taxes pursuant to Sections 354, 357, 358, 359 of the Municipal Act to Staff.
- 11.2.f Being a by-law to exempt certain lots from Part Lot Control – Part Lots 16 or 15 and Part Lots 17 and 18, South Side of King Street, Registered Plan 364 and Part Lot 19, South Side of King Street, Registered Plan 365 – 387 and 397 King Street East.

12. COMMITTEE OF THE WHOLE

12.1 ADMINISTRATIVE REPORTS

12.1.a	Applications for Cancellation, Refund, Reduction of Taxes - FIN-2024-161	12
12.1.b	Delegated Authority for Property Tax Adjustments, FIN-2024-190	14
12.1.c	Downtown Kitchener BIA and Belmont BIA 2024 Budgets Referenced in the 2024 Tax Rate By-law, FIN-2024-196	20
12.1.d	Part Lot Control Exemption – PLC24/001/K/TS, 387 & 397 King Street East, 2296093 Ontario Inc., DSD-2024-209	27

13. MATTERS ARISING FROM IN-CAMERA MEETING - APRIL 8, 2024

13.1 Affordable Housing Opportunity (Land Disposition - Section 239 (2) (c))

“That the CAO be authorized to execute such documentation necessary to affect the severance of a portion City-owned lands located at 1035 Ottawa Street North, and to declare such severed lands as surplus to the City’s needs; and,

"That the CAO be authorized to approve the disposition of such severed lands in the form of a donation to Habitat for Humanity Waterloo Region Inc., including executing any documentation, satisfactory to the City Solicitor, required to facilitate such transfer, including without limitation, agreements or other documentation required to secure affordable housing units as discussed in the April 8, 2024 in camera meeting of Council, to retain a right of first refusal and/or option to repurchase such severed lands (or any portion thereof, including, without limitation, future condominium units), and to transfer any easement interests in land required; and further,

That the Mayor and Clerk be authorized to execute the necessary documentation to affect any such approved transactions, said documentation to be to the satisfaction of the City Solicitor."

14. REPORT OF THE COMMITTEE OF THE WHOLE

15. BY-LAWS

15.1 3RD READING

- 15.1.a 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.

(By-law 2024-088)

- 15.1.b To further amend By-law No. 88-169, being a by-law to regulate, supervise and govern the parking of vehicles on municipal off-street parking facilities (Schedule B).
(By-law 2024-089)
- 15.1.c To further amend By-law No. 88-169, being a by-law to regulate, supervise and govern the parking of vehicles on municipal off-street parking facilities (Schedule C).
(By-law 2024-090)
- 15.1.d Being a by-law to set and levy the rates of taxation for City purposes for the year 2024 and to provide for the payment of taxes after interim taxes.
(By-law 2024-091)
- 15.1.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.
(By-law 2024-092)
- 15.1.f 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 2024-093)
- 15.1.g To further amend By-law No. 2010-190, being a by-law to prohibit unauthorized parking of motor vehicles on private property.
(By-law 2024-094)
- 15.1.h Being a by-law to amend Chapter 599 of the City of Kitchener Municipal Code with respect to Licensing and Regulation of Businesses.
(By-law 2024-095)
- 15.1.i To confirm all actions and proceedings of the Council for April 29, 2024.
(By-law 2024-102)
- 15.2 LATE STARTER BY-LAWS TO BE ADDED TO THE AGENDA,
PENDING APPROVAL OF THE REPORTS OF THE COMMITTEES**
- 15.2.a Being a by-law to adopt Amendment No. 54 to the Official Plan - 15 Laurentian Drive.
(By-law 2024-096)

- 15.2.b Being a by-law to amend By-law 2019-051, as amended, known as the Zoning By-law for the City of Kitchener - Kitchener Waterloo Christian School Society – 15 Laurentian Drive.
(By-law 2024-097)
- 15.2.c Being a by-law to adopt Amendment No. 53 to the Official Plan - 135, 139, 147, 153 and 161 Jackson Avenue and 136 Brentwood Avenue.
(By-law 2024-098)
- 15.2.d Being a by-law to amend By-law No. 2019-051, as amended, known as the Zoning By-law for the City of Kitchener – 135, 139, 147, 153 and 161 Jackson Avenue, and 136 Brentwood Avenue.
(By-law 2024-099)
- 15.2.e Being a by-law to delegate authority to adjust property taxes pursuant to Sections 354, 357, 358, 359 of the Municipal Act to Staff.
(By-law 2024-100)
- 15.2.f Being a by-law to exempt certain lots from Part Lot Control – Part Lots 16 or 15 and Part Lots 17 and 18, South Side of King Street, Registered Plan 364 and Part Lot 19, South Side of King Street, Registered Plan 365 – 387 and 397 King Street East.
(By-law 2024-101)

16. ADJOURNMENT