



City of Barrie

70 Collier Street (Box 400)
Barrie, ON L4M 4T5

Minutes - Final General Committee

Monday, May 6, 2013

7:00 PM

Council Chamber

GENERAL COMMITTEE REPORT For consideration by the Council of the City of Barrie on May 13, 2013

The meeting was called to order by Mayor Lehman at 7:00 p.m. The following were in attendance for the meeting:

Present: 11 - Mayor J. Lehman; Councillor B. Ainsworth; Councillor L. Strachan; Councillor D. Shipley; Councillor B. Ward; Councillor P. Silveira; Councillor M. Prowse; Councillor J. Brassard; Councillor A. Khan; Councillor B. Jackson; and Councillor A. Nuttall

STUDENT MAYOR(S)

Elizabeth Giffen, Barrie Central Collegiate
Naomi McGuirk, Monsignor Clair Catholic School.

STAFF:

Chief Administrative Officer, C. Ladd
City Clerk/Director of Legislative and Court Services, D. McAlpine
Committee and Print Services Supervisor, L. Pearson
Director of Culture, R.Q. Williams
Director of Engineering, R. Kahle
Director of Finance, D. McKinnon
Director of Information Technology, C. Glase
Director of Legal Services, I. Peters
Director of Planning, S. Naylor
Director of Roads, Parks and Fleet, D. Friary
Manager of Environmental Operations, S. Coulter
Manager of Development Control, R. Windle
Solicitor, R. Carlson.

The General Committee reports that the following matter(s) were dealt with on the consent portion of the agenda:

SECTION "A"

13-G-116 REPORT OF THE COMMUNITY SERVICES COMMITTEE DATED APRIL 17, 2013.

The Community Services Committee Report dated April 17, 2013 was received. (File: C05)

This matter was recommended (Section "A") to City Council for consideration of receipt at its meeting to be held on 5/13/2013.

13-G-117 REPORT OF THE FINANCE AND CORPORATE SERVICES COMMITTEE DATED APRIL 24, 2013.

The Finance and Corporate Services Committee Report dated April 24, 2013 was received. (File: C05)

This matter was recommended (Section "A") to City Council for consideration of receipt at its meeting to be held on 5/13/2013.

The General Committee recommends adoption of the following recommendation(s) which were dealt with on the consent portion of the agenda:

SECTION "B"

13-G-118 2013 DOWNTOWN IMPROVEMENT AREA BOARD LEVY (WARD 2)

1. That the City of Barrie establish a special charge 0.347501.% for 2013 to levy an amount of \$459,566 upon commercial and industrial properties in the Downtown Improvement Area.
2. That the appropriate by-law be prepared authorizing the 2013 special charge rate and levy requirement. (FIN007-13) (File: F00)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 5/13/2013.

13-G-119 2013 TAX RATES

1. That the tax rates for the 2013 taxation year be established as set out in Appendix "A" of FIN008-13.
2. That in accordance with motion 11-G-123 the five year property tax phase-in plan for residential, farm and managed forest properties in the annexed lands described in Bill 196 be revised by adjusting the 2009 base amount to reflect property class changes or "gross or manifest errors" resulting from Assessment Review Board decisions.
3. That the City Clerk be authorized to prepare all necessary by-laws to establish the 2013 taxation rates as described herein. (FIN008-13) (File: F00)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 5/13/2013.

13-G-120 FINANCING LEASE AGREEMENT - COMPUTER EQUIPMENT

That the Director of Information Technology be authorized to execute financing lease agreements with Compu-Solve Technologies Inc. to supply computer equipment as outlined in the terms and conditions set out in Request for Proposal document 2012-124P for a period of 3 years with a 2 year renewal. (IT001-13) (File: A16-lnn)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 5/13/2013.

The General Committee met for the purpose of two public meetings at 7:04 p.m. and reports as follows:

Mayor Lehman advised the public that any concerns or appeals dealing with the applications for Official Plan Amendments, Amendments to the Zoning By-law and Draft Plan of Subdivision should be directed to the City Clerk's Office. Any interested persons wishing further notification of the staff report regarding the application were advised to sign the appropriate notification form required by the City Clerk's Office. Mayor Lehman confirmed with the Supervisor that notification was conducted in accordance with the Planning Act.

SECTION "C"

13-G-121 APPLICATION FOR A PROPOSED OFFICIAL PLAN AMENDMENT, AMENDMENT TO THE ZONING BY-LAW AND DRAFT PLAN OF SUBDIVISION - JONES CONSULTING GROUP LTD. ON BEHALF OF PROJECT BARRIE DEVELOPMENT INC. - 311 AND 343 COUNTY ROAD 27 (WARD 6) (D09-29/D12-403/D14-1549)

Ray Duhamel of The Jones Consulting Group Ltd. explained that the purpose of the public meeting is to review an application for an Official Plan Amendment, Amendment to the Zoning By-law and an application for a Draft Plan of Subdivision submitted by the Jones Consulting Group on behalf of Project Barrie Development Inc. He noted that the lands are generally located on the east side of County Road 27, south of Humber Street and are legally described as Part of Lot 1, Concession 13, formerly in the geographic Township of Innisfil, City of Barrie. He indicated that the land is located within the Ardagh Planning Area and is known municipally as 311 and 343 County Road 27 with a total area of approximately 12.9 hectares (31.9 acres).

Mr. Duhamel commented that the lands are considered to be designated Open Space within the City's Official Plan and are currently zoned Residential Single Detached Dwelling R1 and Open Space OS (SP-118). He explained that the owner has applied to redesignate the subject lands from Open Space to Residential and Environmental Protection Area and to amend the current zoning of the property from Residential Single Detached Dwelling R1 and Open Space OS (SP-118) to Residential Single Detached Dwelling R2, R3 and R4 and to Environmental Protection EP.

Mr. Duhamel indicated that the owner has also applied for approval of a Draft Plan of Subdivision to permit the future development of the property for 119 detached residential units.

Mr. Duhamel indicated that the subject lands are currently being utilized as an 18 hole golf course and he provided images of the golf course. He reviewed the Provincial Policy Statement and Growth Plan and provided his professional planning opinion that the applications were compatible with adjacent land uses. Mr. Duhamel outlined the draft plan of subdivision components

In closing Mr. Duhamel reviewed the Technical Studies required for the proposed development.

PUBLIC COMMENTS:

1. **Jim Lawrence, 351 Townline Road**, commented that his property is directly south of the golf course. He noted that his property is shown as Phase II of the development in a file he recently reviewed in the Planning Department. He noted that he has not been approached regarding the possibility of his property being Phase II to the proposed development.

Mr. Bob Breens read Mr. Lawrence's letter dated April 29, 2013 that outlines Mr. Lawrence's concerns. Mr. Breens noted that Mr. Lawrence is in opposition to the development and the rezoning of Pineview Golf Course. He noted that when Mr. Lawrence purchased his property he was advised that the property was zoned for a golf course and would always be a golf course. Mr. Breens noted that Mr. Lawrence feels that the development would place a strain on the wildlife in the Simcoe County Forest. He commented that Bear Creek is located at the rear of the Golf Course Lands and bubbles out of the ground at that point. He stated that he feels that due to the topography of the land, it would take a large amount of bulldozing to make the property useable. He commented that Mr. Lawrence feels that re-development of the property would require a retaining wall at the northern rear corner of the property and along the frontage as a result of the widening of the highway. Mr. Breens noted that Mr. Lawrence met with a City of Barrie Planning staff member to review the application for the Official Plan Amendment and requested to purchase a copy of the drawing but was not successful in obtaining a copy. He feels that re-development of the golf course would create an eye sore and de-value his property and the value of the homes in the vicinity of the proposed development. Mr. Lawrence's letter submits that the pond on site supports wildlife and he understands it is to be removed.

Mr. Lawrence commented that Townline Road is already busy and he already experiences access problems to the Highway.

2. **Vincent Shanahan, 301 Townline Road**, noted that his property abuts the subject lands on the northeast corner of the proposed development. He noted that when the golf course was constructed it flooded onto his property. He indicated that he does not have City services and expressed concern that his well will be contaminated by the proposed stormwater basin. Mr. Shanahan commented that that if the proposed development went through the re-sale value for homes in the area would decrease if the development proceeded. He believes that the stormwater management pond is a safety threat to small children in the area.
3. **Bruce Walsh, 25 Humber Street**, expressed his concern regarding the location of the notification signs that were placed on the property. He commented that the stormwater management pond may generate mosquitoes. Mr. Walsh noted that his view would be impacted reducing the value of his house. He expressed concern of the impact the development would have on the wildlife in the area. He asked about the design standard for the stormwater detention pond, the mechanisms that would be in place during construction to protect the Environmentally Protected Lands and whether the Nottawasaga Valley Conservation Authority had been consulted with.
4. **Stuart Glass, 47 Humber Street**, asked for confirmation that a house on Humber Street had been purchased for the purpose of the development. He asked questions regarding the Wastewater Transmission Main and if the current infrastructure would accommodate the new proposed development.

The developer's representative(s) provided responses to the questions.

5. **Jason Black, 48 Humber Street**, expressed his concern regarding pedestrian movement for children from the development getting to school. He stated that he feels there is already a traffic volume issue in this area. Mr. Black inquired regarding the servicing of the property and traffic lights.

The developer's representative(s) provided responses to the questions.

The Committee Members asked several questions regarding the information provided and received responses from representatives of the developer and City staff.

WRITTEN COMMENTS:

1. Correspondence from Bell dated April 2, 2013.

2. Correspondence from the Ministry of Transportation of Ontario dated April 4, 2013.
3. Correspondence from Tanoak Boxers dated April 15, 2013.
4. Correspondence from HydroOne dated April 18, 2013.
5. Correspondence from The Corporation of the Township of Essa dated April 23, 2013.
6. Correspondence from Skelton Brumwell dated April 29, 2013.
7. Correspondence from Vincent G. Shanahan dated April 30, 2013.
8. Correspondence from Jim Lawrence dated April 29, 2013.

This matter was recommended (Section "C") to City Council for consideration of receipt at its meeting to be held on 5/13/2013.

Mayor Lehman left the Council Chamber at 7:57 p.m. and Acting Mayor A. Nuttall assumed the chair.

General Committee recessed at 7:54 p.m. and resumed at 7:56 p.m.

SECTION "D"

13-G-122 APPLICATION FOR A PROPOSED OFFICIAL PLAN AMENDMENT AND AMENDMENT TO THE ZONING BY-LAW - CITY OF BARRIE, 155 DUNLOP STREET EAST, (WARD 2) (FILE: D09-30/D14-1551)

Mr. Windle, Manager of Development Control for the City of Barrie Planning Department explained that the purpose of the public meeting is to review an application for an Official Plan Amendment and an Amendment to the Zoning By-law submitted by the City of Barrie (Planning Services Department), for lands located within the City Centre Planning Area. He noted that the property is known municipally as 155 Dunlop Street East and has a total area of 0.09ha (0.21ac). He explained that the lands are currently designated City Centre within the City's Official Plan and are zoned Central Area Commercial - 1 (CC-1) in accordance with Zoning By-law 2009-141.

Mr. Windle explained that the application for Official Plan Amendment and Amendment to the Zoning By-law propose to re-designate the subject lands from City Centre to Open Space and to amend the current zoning of

the property from Central Area Commercial - 1 (CC-1) to Open Space (OS). He stated that the subject lands are owned by the City of Barrie and forms the western portion of Bayview Park.

Mr. Windle provided background information concerning the history of the application. This application was requested by City Council through Motion 13-G-031, which requests a public meeting be held to consider the proposed re-designation and re-zoning.

Mr. Windle provided his professional planning opinion that the proposed Official Plan designation and zoning are consistent with the balance of Bayview Park and appropriately recognize the current and future use of the subject lands as a park.

PUBLIC COMMENTS:

1. **Magnus Clarke, RAMP Design Inc. representing Mr. Trecapelli, the adjacent landowner to the subject property,** indicated that his client is in opposition to the applications. He stated that after a presentation to the community of his client's development proposal last fall, his client took into consideration the feedback received at the meeting in opposition to the sale of the park. He noted that his client would like to maintain the current zoning designation. Mr. Clarke provided several images of an urban park design commenting that it would be a compromise for those in opposition to the re-zoning. Mr. Clarke highlighted the features of his client's proposed park design which would allow for Open Space on the top of the structure with underground parking beneath. He described what an urban park is and provided images of the High Line Park in New York City as an example. He feels that the adjusted proposal would use space efficiently, fill the objectives of the current Official Plan, take into consideration the concerns of the residents and help achieve intensification targets for the downtown.
2. **Diane Lockhart, 182 Golden Meadow Road,** inquired about the traffic flow if Mr. Trecapelli's proposed development were implemented. She stated that she is in opposition to the development proposal and supports the application to return the open space designation and zoning for the parkland.
3. **Ian Rowe, 140 Dunlop Street East,** stated that he supports the Official Plan Amendment and the Amendment to the Zoning By-law proposed by the City of Barrie. He indicated that was supportive of the error in the zoning being corrected. He feels that the land should have always been zoned Open Space. Mr. Rowe commented that if the property adjacent to Bayview Park was to be considered for future high density development and the park is utilized for an amphitheatre, a noise study should be completed to determine if any mitigation measures would be required. He feels that the zoning of this portion of land should take into consideration

the balance of the park.

4. **Jean Hedditch, 150 Dunlop Street East**, stated that she is in support of returning the zoning back to a park use. She is not in support of condominiums at the waterfront.
5. **Catherine Stewart, 100 Gowan Avenue**, noted that the property should return to the Open Space designation. She stated that she feels that the Toronto waterfront contains many development mistakes.
6. **Gord Campbell, Bayfield Street**, indicated that he is in support of Mr. Trecapelli's development proposal. He feels that a lot of money and effort was expended on the plan for development. He believes that the Urban Park contributes to the quality for the potential building occupants of the development proposal and their views should be considered and not views of the people who bought the condominiums who might have their view obstructed. He feels that the subject property has potential to be developed. He commented that he believes that the vote should be for all of the people and not the minority.
7. **Diane Bade, Barrie landowner**, commented that she supports maintaining the park and feels that the zoning should return to the original designation of Open Space.
8. **Ken Trew, 140 Dunlop Street East**, stated that his interest has nothing to do with the view from his home. He commented that the original zoning for the subject property was as parkland and the zoning error should be corrected. He stated that he does not see any reason for anybody else but the City to own the land. He believes that there is a possibility of Mr. Trecapelli's proposed development or the next stage could go even higher blocking the views for some. He commented that he does not see any reason to accept Mr. Trecapelli's proposal and that the mistake in zoning should be corrected.
9. **Tony Warren, 29 Poyntz Street**, noted that the land was mistakenly zoned and the zoning should return to Open Space. He stated that he feels the urban park design is only concrete and is not a park and would not allow for a nice area for the children to play. He commented that the urban park design would be more suited for downtown Toronto. He explained that he believes a park should contain grass to sit on and not concrete. He encouraged City Council to rectify the mistake.
10. **Laurie Galeazza, 140 Dunlop Street East**, stated that she uses the park all of the time and takes her dogs there to play. She noted that many families use the park as a pathway to the splashpad to avoid the main part of Lakeshore. She commented that she hopes

that the park stays a park and the zoning is changed back as a park.

11. **Al McNair, 33 St. Vincent Street**, indicated that he was representing himself and the Brereton Field Naturalists Club. He noted that the Brereton Field Naturalists Club had sent correspondence when the unsolicited development proposal was considered. He feels that the mapping error should be corrected to be Open Space as it was intended to be. He feels that the City did not spend a lot of time or money on making the error. He thanked City Council for bringing forward correction of the error and recognizing the value of Bayview Park in its entirety. He encouraged City Council to consider a policy to clearly prohibit the sale of all parkland regardless of the zoning.
12. **Karin Foster**, stated that she opposes the sale of any parkland to make a profit for a private individual. She commented that the parkland designation was changed in error and should go back to an Open Space designation.
13. **Sam Cancilla, 27 Shoreview Drive**, noted that he has lived in Barrie for 78 years. He feels that over the years the City has scraped and saved to acquire the precious park system enjoyed today. He feels that parkland is precious and City of Barrie residents are proud of it and do not want it sold off. He believes that the message has been received to not sell off or rezone parkland. He noted that his view has not been blocked and he does not have a vested interest but he feels that the property should be rezoned back to Open Space and that it should remain parkland.

Members of General Committee provided a number of questions related to the presentation and received responses from the presenter.

WRITTEN CORRESPONDENCE:

1. Correspondence from Katherine E. Suggitt dated May 1, 2013.

Mayor J. Lehman declared a potential pecuniary interest in the previous matter of the Application for a Proposed Official Plan Amendment and Amendment to the Zoning By-law as his family owns property overlooking the subject site. He did not participate in the discussion and left the Council Chamber at 7:57 p.m.

This matter was recommended (Section "D") to City Council for consideration of receipt at its meeting to be held on 5/13/2013.

The Committee recessed at 8:28 p.m. and resumed at 8:39 p.m.

Mayor Lehman returned to the Council Chamber and assumed the chair at 8:39 p.m.

The General Committee met and recommends adoption of the following recommendation(s):

SECTION "E"

13-G-123 CULTURAL GRANTS PROGRAM

That the 2014 Business Plan be prepared such that the funding associated with the Cultural Grants Program be allocated in its entirety (\$325,000) to the Operating Grant Account (01-36-3251-0000-3800) utilized for grants to organizations and that no funds be allocated to the Special Grants Account (01-36-3251-0000-3803) utilized for grants to individual artists. (Item for Discussion 6.4, Apr. 8, 2013) (File: F11) (13-G-095)

This matter was recommended (Section "E") to City Council for consideration of adoption at its meeting to be held on 5/13/2013.

SECTION "F"

13-G-124 ADDITION TO 2013 CAPITAL PLAN - CONSTRUCTION OF A BULK WATER FILL STATION TO ADDRESS SAFETY CONCERNS

That in response to a safety concern, the procurement and installation of a Bulk Water Fill Station for the Operations Centre, be added to the 2013 Business Plan and funded in an amount not to exceed \$100,000 from the Water Reserve Fund (12-05-0580). (ENG018-13) (File: W03-BUL)

This matter was recommended (Section "F") to City Council for consideration of adoption at its meeting to be held on 5/13/2013.

13-G-125 TEMPORARY CLOSURE OF FRED GRANT STREET (WARD 2)

That Fred Grant Street be temporarily closed to vehicular access from June 1, 2013 until September 2, 2013. (ENG020-13) (File: T02-PA)

This matter was recommended (Section "F") to City Council for consideration of adoption at its meeting to be held on 5/13/2013.

13-G-126 REZONING FROM RESIDENTIAL DETACHED FIRST DENSITY (R1) TO RESIDENTIAL DETACHED FOURTH DENSITY (R4) AND MULTIPLE FAMILY RESIDENTIAL SECOND DENSITY (RM2-TH) - 480, 490 AND 500 MAPLEVIEW DRIVE EAST (WARD 9)

That the application submitted by Jones Consulting Group Ltd. on behalf of 3251586 Canada Inc. to amend the Zoning By-law from Residential Single Detached First Density (R1) to Residential Single Detached Fourth Density Holding Provision R4(H) and Multiple-Family Dwelling Second Density Holding Provision RM2-T (H) on the property legally described as Part of Lot 12 and Part of Lot 13, Concession 12, known municipally as 480, 490 and 500 Mapleview Drive East be approved. (PLN012-13) (File: D14-1544/D12402)

This matter was recommended (Section "F") to City Council for consideration of adoption at its meeting to be held on 5/13/2013.

13-G-127 RAISING AWARENESS OF HUMAN TRAFFICKING

That Barrie Police Service Board be requested to investigate potential initiatives that could be undertaken by the City of Barrie to raise awareness of human trafficking and its impact and report back via memorandum. (Item for Discussion 8.1, May 6, 2013) (File: P15)

This matter was recommended (Section "F") to City Council for consideration of adoption at its meeting to be held on 5/13/2013.

13-G-128 PRESENTATION INVITATION - CHRONIC CEREBROSPINAL VENOUS INSUFFICIENCY (CCSVI) FOUNDATION OF CANADA

That representatives of the Chronic Cerebrospinal Venous Insufficiency (CCSVI) Foundation of Canada be invited to provide a presentation to Community Services Committee concerning CCSVI surgeries and the foundation. (Item for Discussion 8.2, May 6, 2013) (File: S00)

This matter was recommended (Section "F") to City Council for consideration of adoption at its meeting to be held on 5/13/2013.

SECTION "G"**13-G-129 INVESTIGATION - PUBLIC TREE BY-LAW**

That staff in the Engineering and Roads, Parks and Fleet Departments investigate the feasibility of deleting the current definition of a public tree in By-law 2009-098 and replacing it with the following:

"any tree having any of its main stem situated on a public park, highway or any lands owned by the City of Barrie is a public tree"

and report back to General Committee on the financial and resource implications. (Item for Discussion 8.3, May 6, 2013) (File: T11)

This matter was recommended (Section "G") to City Council for consideration of adoption at its meeting to be held on 5/13/2013.

A member of General Committee addressed several enquiries to City staff and received responses.

Members of General Committee provided announcements concerning a number of matters.

The General Committee reports that upon the adoption of the required procedural motion it met in-camera in the Sir Robert Barrie Room at 10:25 p.m. to receive a confidential memorandum and discuss a confidential litigation update and advice subject to solicitor client privilege matter concerning City of Barrie ats Baywood Homes – 700 and 725 Mapleview Drive East. All members of General Committee, the City Clerk, Director of Legal Services, Director of Planning Services, Director of Roads, Parks and Fleet, Manager of Development Control and Solicitor were in attendance for the portion of the meeting closed to the public. Members of the press and public were not present for this portion of the meeting.

The General Committee met and reports as follows:

SECTION "H"

13-G-130 CONFIDENTIAL LITIGATION UPDATE AND ADVICE SUBJECT TO SOLICITOR - CLIENT PRIVILEGE MATTER - CITY OF BARRIE ATS BAYWOOD HOMES - 700 AND 725 MAPLEVIEW DRIVE EAST (WARD 10)

That motion 13-G-130 contained within the confidential notes to the General Committee Report dated May 6, 2013 concerning the discussion of a confidential litigation update and advice subject to Solicitor-Client privilege matter - City of Barrie ats Baywood Homes - 700 and 725 Mapleview Drive East, be received. (File: L00)

This matter was recommended (Section "H") to City Council for consideration of receipt at its meeting to be held on 5/13/2013.

The General Committee reports upon adoption of a procedural motion, it met in public at 10:45 p.m.

The General Committee met and recommends adoption of the following recommendation(s):

SECTION "I"

- 13-G-131 CITY OF BARRIE ATS BAYWOOD HOMES - 700 AND 725 MAPLEVIEW DRIVE EAST (WARD 10)**
1. That staff in the Legal Services Department be directed to advise counsel for Baywood Homes that the confidential terms of settlement reviewed during the confidential update dated May 6, 2013, would be accepted.

 2. That staff be directed to make the terms of settlement public, as soon as possible. (13-G-017) (PLN004-13) (D09-OPA002, D14-1491, D12-393)

This matter was recommended (Section "I") to City Council for consideration of adoption at its meeting to be held on 5/13/2013.

The meeting adjourned at 10:47 p.m.

CHAIRMAN