

City of Barrie

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

Meeting Agenda City Council

Monday, August 25, 2014 7:00 PM Council Chamber

1. CALLING TO ORDER BY THE CITY CLERK, DAWN A. MCALPINE

PRAYER FOR GUIDANCE BY MAYOR J. LEHMAN

STUDENT MAYOR(S)

CONFIRMATION OF THE MINUTES

14-A-125 ADOPTION OF THE MINUTES OF THE CITY COUNCIL MEETING HELD ON JUNE 25, 2014

The minutes of the City Council meeting held on June 25, 2014 were adopted, as printed and circulated.

Attachments: 140625 - Council Minutes.pdf

AWARDS AND RECOGNITION

Nil.

14-A-126 PRESENTATION BY REPRESENTATIVES OF THE INTERNATIONAL RELATIONS COMMITTEE OF A GIFT FROM ZWEÌBRÜCKEN GERMANY ON THE 100TH ANNIVERSARY OF THE ROSE GARDEN ZWEÌBRÜCKEN

Janice Laking, Jean Maurice Pigeon and Bill Sargeant of the International Relations Committee provided a presentation regarding their visit to Germany on the 100th Anniversary of the Rose Garden Zweibrücken.

Janice Laking presented a book entitled "Our Store" describing 75 years of the history of Canadian Tire and highlighting the contributions of the late Arch Brown. She noted that the book would be a nice addition to the City of Barrie's collection.

Bill Sargeant commented that several members of the International Relations Committee attended the 100th anniversary of the Rose Garden Zweibrücken in Zweibrücken, Germany. Mr. Sargeant provided a presentation with photos from the delegation's visit. He stated that approximately 5 000 varieties of roses are planted in the garden. He commented that the City of Barrie donated 6 rose varieties to the garden in recognition of the 100th anniversary of the Rose Garden Zweibrücken. Mr. Sargeant stated that the rose garden of Zweibrücken, has a floral display dedicated to each of its sister cities. He suggested that the

City could consider a similar display to acknowledge their sister cities. He noted that the delegation spent much of their time touring local industries as well as learning about the culture and history of the local area.

Janice Laking presented Mayor Lehman with mementos from the Zweìbrücken delegation which includes a memento from York Town USA, information material from Zweìbrücken and a book entitled Le Pays Boulonnais. Ms. Laking noted that a horse statue is being shipped to Barrie as a gift from Zweìbrücken.

Mayor Lehman thanked the representatives of the International Relations Committee for presenting the gifts on behalf of Zweibrücken. He commented on the importance of the delegation visits and strengthening Barrie's relationships with its twin/friendship cities. Mayor Lehman thanked the members of the International Relations Committee and Global Ambassadors Program opportunity provided to students to learn more about other countries' culture.

DEPUTATION(S) ON COMMITTEE REPORTS

Nil.

<u>14-A-127</u>

DEPUTATION BY JANE PEPINO, AIRD AND BERLIS ON BEHALF OF HARMONY VILLAGE LAKE SIMCOE INC. REGARDING MOTION 14-G-223 CONCERNING THE CITY-WIDE DEVELOPMENT CHARGES BY-LAW

Ms. Jane Pepino, Aird & Berlis LLP provided a deputation on behalf of Harmony Village Lake Simcoe Inc. concerning the City-wide Development Charges By-law. Ms. Pepino indicated that if the proposed Development Charges By-law is passed "as is", it will be appealed by Harmony Village. She stated that if the proposed Development Charges By-law was enacted, the cost to develop residential units in the City Centre would increase approximately 183% and that development charges for retail and office would be applied for the first time for properties in the City Centre. She alleged that no consultation had taken place with her client during the process to develop the City-wide Development Charges By-law and that she believes Council doesn't have all of the information required.

Ms. Pepino identified four requests:

- 1. That the Development Charge By-law be deferred "to get it right" as she believes there is no evidence for urgency;
- 2. If there is an intent to have the by-law passed to allow for collection of development charges for the annexed lands, then defer the development charges applicable to the former City of Barrie Limits:
- 3. Provide for lands within the City Centre; and
- 4. Consider the development charges applicable to the City Centre lands at the same time as the Staff Report on the potential tools such as tax increment based policies.

Ms. Pepino concluded by requesting that City Council "get it right" rather than passing it quickly.

Members of City Council asked a number of questions and received responses from Ms. Pepino and City staff.

DEPUTATION BY STEVE DEARLOVE AND MARK DUNCAN REGARDING MOTION 14-G-223 CONCERNING THE CITY-WIDE DEVELOPMENT CHARGES BY-LAW

Mr. Steve Dearlove provided a deputation regarding motion 14-G-223 concerning the City-Wide Development Charges By-law. Mr. Dearlove indicated that he and Mark Duncan are landlords of a building located in downtown Barrie. Mr. Dearlove explained that when he purchased the property it was listed as a four unit building. Recently, he had indicated an intent in increasing the units in his building and was informed that 1 of the units was illegal and the development charges would be \$26 000.00 to proceed with the process to legalize the additional unit.

Mr. Dearlove feels that a clear distinction between small landlords and developers needs to be addressed in the by-law for the following reasons:

- 1. A ceiling rate exists for rental units is the most that can be charged by landlords:
- 2. Landlords cannot build Development Charge costs into the sale of their units as they are not selling their properties;
- 3. Development costs which make these projects over construction more costlier;
- 4. Developers have a much more significant financial resources then small landlords; and
- 5. The trend of fewer rental units being built will continue if the proposed Development Charges By-law is passed.

Mr. Dearlove provided an overview of the market value, taxes, costs to construct a unit and the expenses associated with his property based upon the proposed City-wide Development Charges By-law.

In closing Mr. Dearlove asked City Council to consider re-evaluating the proposed City-wide Development Charges By-law for rental units to address the burden to small landlords, reduce the development charges to encourage owners of illegal units to bring them into compliance and waive the development charges for his property.

Members of City Council asked a number of questions and received responses from Mr. Dearlove and City staff.

DEPUTATION BY PATRICK HARRINGTON ON BEHALF OF NORTH AMERICAN DEVELOPMENT GROUP, SMARTCENTRES, OSMINGTON INC.

AND PENADY (BARRIE) LTD. REGARDING MOTION 14-G-223 CONCERNING THE CITY-WIDE DEVELOPMENT CHARGES BY-LAW

Harrington provided a deputation on behalf of North American Development Group, SmartCentres, Osmington Inc. and Penady (Barrie) Ltd. 14-G-223 concerning City-wide regarding motion the Development Charges Mr. Harrington outlined the timeframes involved in the City-wide Development Charges By-law process and stated that he feels his clients were not given the same consideration and public consultation time that was provided to the annexed landowners.

Mr. Harrington summarized the technical issues and errors he alleged were contained within the 2014 Development Charges Background Study. He outlined the economic contribution of retail versus industrial development. Mr. Harrington reviewed the possible future economic impact of raising development charges on provided commercial development and comparisons of the proposed development charges in other municipalities. He commented on the growth should pay for growth policy and noted that the non-residential landowners feel the infrastructure costs are being passed along and existing Barrie will pay for this growth.

In conclusion, Mr. Harrington asked that City Council consider deferring passing of the City-wide Development Charges By-law to January to allow for consultation to bring forward a better by-law to avoid the appeal process.

Members of City Council asked a number of questions and received responses from Mr. Harrington and City staff.

Attachments: OD 140825 - Aird and Berlis.pdf

OD 140825 - S. Dearlove and J.M. Duncan.pdf

OD 140825 - North Amarican Development, SmartCentres, Osmington and Pen

TAX APPLICATIONS

Nil.

14-A-128 APPLICATION FOR CANCELLATION, REDUCTION OR ADDITIONS OF TAXES DATED AUGUST 25, 2014

MOVED BY: Councillor, P. Silveira SECONDED BY: Councillor, B. Ward

That the list of application for cancellation, reduction or addition to taxes dated August 25, 2014 submitted by the Treasurer in the amount of \$22,639.59 be approved.

CARRIED

Attachments: 140825 - Tax Applications.pdf

COMMUNICATION(S)

Nil.

COMMITTEE REPORTS

Early General Committee Report dated August 11, 2014, Sections A, B, C, D and

Attachments: 140811 - Early General Committee Minutes.pdf

14-A-130 General Committee Report dated August 11, 2014, Sections A, B, C, D, E, F, G, H, I, J and K.

Attachments: 14 08 11 - General Committee Minutes.pdf

General Committee

SECTION "A" Receipt of this Section

14-G-192 REPORT OF THE COMMUNITY SERVICES COMMITTEE DATED JUNE 19,

2014

<u>Attachments:</u> 140619 - Community Services Committee Minutes.pdf

14-G-194 REPORT OF THE FINANCE AND CORPORATE SERVICES COMMITTEE

DATED JUNE 25, 2014

<u>Attachments:</u> 140625 - Finance and Corporate Services Committee Minutes.pdf

14-G-193 REPORT OF THE ORDER OF THE SPIRIT CATCHER COMMITTEE DATED

JUNE 23, 2014

Attachments: 140623 - Order of the Spirit Catcher Committee Minutes.pdf

14-G-202	FERAL CATS - FEEDING WILDLIFE BY-LAW PROVISIONS		
	Attachments: BBS002-14.pdf		
<u>14-G-203</u>	TEMPORARY DELEGATION OF AUTHORITY TO CHIEF ADMINISTRATIVE OFFICER		
	Attachments: CLK006-14.pdf		
<u>14-G-204</u>	VOTING DATES AND HOURS - ADVANCE/ALTERNATE VOTING OPPORTUNITIES AND REDUCED HOURS FOR RETIREMENT HOMES ON VOTING DAY - 2014 MUNICIPAL ELECTION		
	Attachments: CLK009-14.pdf		
14-G-205	VOLUNTEER OUTDOOR ICE RINK POLICY		
	Attachments: ENG012-14.pdf		
<u>14-G-208</u>	SURPLUS OF PROPERTY - PORTION OF THE UNOPENED PATTERSON ROAD ALLOWANCE (WARD 6)		
	Attachments: LGL014-14.pdf		
14-G-209	POSTED SPEED LIMIT AMENDMENTS (WARDS 7, 8 and 9)		
	Attachments: RPF009-14.pdf		
<u>14-G-212</u>	CONFIRMATION OF THE COUNTY OF SIMCOE'S APPOINTMENTS TO THE LAKE SIMCOE REGIONAL AIRPORT BOARD OF DIRECTORS		
	Sponsors: Councillor M. Prowse		
	<u>Attachments:</u> Correspondence - The Corporation of the County of Simcoe 140714.pdf		
14-G-206	REPEAL AND REPLACE SITE ALTERATION BY-LAW 2006-101		
	Attachments: ENV005-14.pdf		
<u>14-G-195</u>	REPORT OF THE DEVELOPMENT SERVICES COMMITTEE DATED JULY 29, 2014		
	<u>Attachments:</u> Development Services Committee Report - 140729.pdf		
<u>14-G-201</u>	BUILDING PERMIT APPLICATION REVIEW - 72 - 74 DUNLOP STREET EAST (SANDERS BLOCK) (WARD 2)		
<u>14-G-196</u>	SPECIAL EVENTS POLICY		
<u>14-G-197</u>	NEEDS ASSESSMENT SURVEY ACTION ITEMS		

14-G-198	WILDLIFE FOULING WATERFRONT PARKS AND BEACHES		
14-G-200	2013 AUDITED CONSOLIDATED FINANCIAL STATEMENTS		
<u>14-G-199</u>	ORDER OF THE SPIRIT CATCHER AWARDS		
14-G-213	APPOINTMENT TO THE BARRIE MUNICIPAL NON-PROFIT HOUSING CORPORATION Sponsors: Councillor P. Silveira		
14-G-214	ESSA ROAD BUS TERMINAL ENTRANCE TRAFFIC (WARD 8)		
14-0-214	Sponsors: Councillor A. Khan		
<u>14-G-215</u>	MARSHALL STREET AND INNISFIL STREET INTERSECTION - ALL-WAY STOP (WARD 8)		
	<u>Sponsors:</u> Councillor A. Khan		
14-G-207	2013 ANNUAL DEVELOPMENT CHARGES REPORT		
	Attachments: FIN010-14.pdf		
14-G-211	RE-APPOINTMENT OF TOWN CRIER		
	<u>Sponsors:</u> Councillor B. Jackson		
	<u>Attachments:</u> 140806 - Proclamation - Town Crier.pdf		
14-G-216	CALL FOR REINTRODUCTION OF BILL 91 - WASTE REDUCTION ACT		
	<u>Sponsors:</u> Councillor L. Strachan		
14-G-217	DOCK ROAD PARK (WARD 10)		
	<u>Sponsors:</u> Councillor A. Nuttall		
SECTION "C" - Adoption of this Section			
<u>14-G-218</u>	PUBLIC ART COMMITTEE RECOMMENDATION ON DONATION OF SEA SERPENT SCULPTURE BY RON BAIRD		
	Attachments: DOC002-14.pdf		
<u>14-G-219</u>	MEMORIAL SQUARE AGREEMENT - SPONSORSHIP NAMING RIGHTS AND THE INCLUSION OF AN OUTDOOR PERFORMANCE STAGE (WARD 2) Attachments: ENG014-14.pdf		
14-G-210	PRESENTATION INVITE - COLOURS OF MUSIC		
	<u>Sponsors:</u> Councillor B. Jackson		

SECTION "E" - Adoption of this Section

14-G-220 SOUTHSHORE COMMUNITY CENTRE FACILITY USE AGREEMENT RENEWAL (WARD 8)

Attachments: REC002-14.pdf

DEFERRED BUSINESS

Nil.

DIRECT MOTIONS

Nil.

14-A-131 PAN AM/PARAPAN AM GAMES RELAY CELEBRATION

Moved by: Councillor D. Shipley Seconded by: Mayor J. Lehman

- 1. That if selected, the City of Barrie support the hosting of a 2015 Pan Am/Parapan Am Games Relay Celebration by contributing a maximum amount of \$10,000 from the Council Priority Account 01-13-1525 and the Director of Culture be authorized to execute any documents that may be requisite.
- 2. That the Director of Culture be authorized to submit applications to the Federal and/or Provincial governments for any funding that could contribute towards the costs associated with hosting a celebration.

PRESENTATIONS

Nil.

ENQUIRIES

Nil.

ANNOUNCEMENTS

Nil.

BY-LAWS

By-law 2014-092

Bill #93

A By-law of The Corporation of the City of Barrie to amend By-law 2009-141, a land use control by-law to regulate the use of land, and the erection, use, bulk, height, location and spacing of buildings and structures in the City of Barrie. (14-G-144) (Application for Saverino Investments Inc. - 556 - 568 Essa Road) (Ward 7) (File: D14-1566)

Attachments: Bill 093.pdf

By-law 2014-105

Bill #94

A By-law of The Corporation of the City of Barrie to acquire Part of Block 129, Plan 51M-672, designated as Part 1, Plan 51R39416, City of Barrie, County of Simcoe from Pratt Hansen Group Inc. and to establish same as part of the municipal highway system. (05-G-338) (39 and 49 Madelaine Drive, 100 Dean Avenue at Yonge Street) (Ward 9) (File: D11-1646)

Attachments: Bill 094.pdf

By-law 2014-106

Bill #95

A By-law of The Corporation of the City of Barrie to exempt the developer under Subsection 9(7) of the Condominium Act, 1998 as it relates to the development of All of Block 128, Plan 51M-672 and Part of Block 129, Plan 51M-672, save and except Part 1 on Plan 51R39416, City of Barrie, County of Simcoe, from those provisions of Sections 51 and 51.1 of the Planning Act that would normally apply to the development and registration of a plan of condominium. (By-law 99-312) (39 and 49 Madelaine Drive and 100 Dean Avenue at Yonge Street) (Ward 9) (File: D11-1646)

Attachments: Bill 095.docx

By-law 2014-107

Bill #96

A By-law of The Corporation of the City of Barrie to establish Block 240 on Plan 51M-618, in the City of Barrie, County of Simcoe as a public highway, and to name the highway Madelaine Drive. (05-G-338) (39 and 49 Madelaine Drive and 100 Dean Avenue) (Ward 9) (File: D11-1646)

Attachments: Bill 096.docx

By-law 2014-093

Bill #97

A By-law of The Corporation of the City of Barrie to amend By-law 2009-141, a land use control by-law to regulate the use of land, and the erection, use, bulk, height, location and spacing of buildings and structures in the City of Barrie. (99-312) (North American/Park Place - 370 Bayview Drive - Removal of Hold Provision) (File: D14-1576)

Attachments: Bill 097.pdf

By-law 2014-094

Bill #98

A By-law of The Corporation of the City of Barrie to amend By-law 2009-141, a land use control by-law to regulate the use of land, and the erection, use, bulk, height, location and spacing of buildings and structures in the City of Barrie. (Hedbern/Ferndale Meadows Subdivision - 180 - 182, 186, 190 - 196 Ardagh Road - Removal of Hold Provision) (Ward 6) (File: D12-412)

Attachments: Bill 098.pdf

By-law 2014-095

Bill #99

A By-law of The Corporation of the City of Barrie to acquire Part of Lot 5, Concession 12, formerly Township of Innisfil, now City of Barrie, County of Simcoe designated as Part 1 on Plan 51R-34106 from Allandale Veterinary Services Ltd. and to establish same as part of the municipal highway system. (13-G-019) (Allandale Veterinary Services Ltd. - 490 Essa Road) (Ward 7) (EMT001-13) (File: L07-720)

Attachments: Bill 099.pdf

By-law 2014-096

Bill #100

A By-law of The Corporation of the City of Barrie to acquire Part of Lot 5, Concession 12, formerly Township of Innisfil, now City of Barrie, County of Simcoe designated as Part 1 on Plan 51R-36397 from Allandale Veterinary Centre Limited and to establish same as part of the municipal highway system. (13-G-019) (Allandale Veterinary Services Ltd. - 484 Essa Road) (Ward 7) (EMT001-13) (File: L07-1023)

Attachments: Bill 100.pdf

By-law 2014-097

Bill #102

A By-law of The Corporation of the City of Barrie to appoint Municipal Law Enforcement Officers as authorized under the provision of the Police Services Act. (05-G-475) (Michael Wesley Maltby, Lindsey Ann Elizabeth Hayter, Kirsty Kathy Robitaille, Ashley Dawn Vautour) (File: C06)

Attachments: Bill 102.pdf

By-law 2014-108

Bill #103

A By-law of The Corporation of the City of Barrie to establish municipal-wide development charges for the City of Barrie and to repeal By-law 2013-032 and all amendments thereto. (14-G-223) (City Wide Development Charge By-law) (FIN011-14) (File: F21)

AMENDMENT #1

Moved by: Councillor, M. Prowse Seconded by: Councillor, D. Shipley

That Bill No. 103 be amended by deleting 9 (c) (iii) and replacing it with the following:

"9 (c) (iii) Notwithstanding the development charges set out in Schedules "B-1" to "B-5", the first 1.2 million sq ft of non-residential, non-retail

space for which building permits are issued shall be subject to the rates set out below, such rates to be subject to the annual

indexing set out in section 7:

Type of space	Rate
Non-residential, non-retail, industrial	\$11.11 per square foot of gross floor area
Non-residential, non-retail, office	\$13.65 per square foot of gross floor area
Non-residential, non-retail, non-industrial and non-office	\$13.65 per square foot of gross floor area"

And that no further Public Meetings be required pursuant to Section 12 of the *Development Charges Act, 1997*.

CARRIED

AMENDMENT #2

Moved by: Councillor, M. Prowse Seconded by: Councillor, D. Shipley

That Bill No. 103 be amended in paragraph 9 (d) (iii) as follows:

- a) By deleting the words "50% discount" and replacing them with the words "25% discount"; and
- b) By adding the words "for lands for which a building permit is issued on or before January 1, 2017.

And that no further Public Meetings be required pursuant to Section 12 of the *Development Charges Act, 1997*.

CARRIED

AMENDMENT #3

Moved by: Councillor J. Brassard Seconded by: Councillor, A. Khan

That Bill No. 103 be amended by deleting paragraph 10 Interim Policy and replacing it with the following:

"10. Notwithstanding the development charges set out in Schedules "B-1" to "B-5", where a complete application for full Site Plan approval or a complete application for Draft Plan of Subdivision approval has been received and accepted by the City on or before August 1, 2014 and the

resulting building permit(s) has(have) been issued either:

- i) on or before December 1, 2014 (or such later date as the Chief Administrative Officer and the Chief Building Official acting jointly and reasonably determine is required to properly process the building permit application where the building permit issuance is delayed by a required governmental approval); OR
- ii) on or before June 1, 2015 for projects for which the building permit requires servicing as a precondition.

the development charges set out in Schedule "F" to this by-law shall be applicable

and that no further Public Meetings be required pursuant to Section 12 of the Development Charges Act, 1997

CARRIED

Attachments: Bill 103.pdf

By-law 2014-098

Bill # 104

A By-law of The Corporation of the City of Barrie to amend By-law 2010-035, as amended being a by-law to regulate and govern animals including exotic animals within the City. (14-G-202) (Feral Cats - Feeding Wildlife By-law Provisions) (BBS002-14) (File: P14)

Attachments: Bill 104.pdf

By-law 2014-099

Bill #105

A By-law of The Corporation of the City of Barrie to provide for advance voting and to provide for reduced hours of voting in institutions and retirement homes on Voting Day in the 2014 Municipal Election. (14-G-204) (2014 Municipal Election Voting Dates and Hours) (CLK009-14) (File: C07)

Attachments: Bill 105.pdf

By-law 2014-100

Bill #106

A By-law to prohibit and regulate the placing or dumping of fill, the removal of topsoil, and the alteration of the grade of land in the City of Barrie and to repeal By-law 2006-101. (14-G-206) (Repeal and Replace Site Alteration By-law 2006-101) (ENV005-14) (File: E00)

Attachments: Bill 106.pdf

By-law 2014-101

Bill #107

A By-law of The Corporation of the City of Barrie to amend By-law 2014-021 as amended with respect to the establishment and requirement of the payment of fees for information, services, activities and use of City property. (14-G-206) (Site Alteration Fees) (ENV005-14) (File: F00)

Attachments: Bill 107.pdf

By-law 2014-102

Bill #108

A By-law of The Corporation of the City of Barrie to further amend By-law 2002-191 as amended, being a by-law to prescribe and authorize rates of speed within the City of Barrie. (14-G-209) (Posted Speed Limit Amendments - Lockhart Road, Salem Road and Veterans Drive) (Wards 7, 8 and 9) (File: T00)

Attachments: Bill 108.pdf

By-law 2014-103

Bill #109

A By-law of The Corporation of The City of Barrie to expropriate the lands described as Part of Lots 14, 15 & 16, South Side of Dunlop Street, lying in front of Registered Plan 2, City of Barrie, being PIN 58795-0224 (LT) further described as Part 2 on Reference Plan 51R-13927. (14-G-154) (Expropriation of Lakeshore Mews) (Ward 2) (LGL010-14) (File: L07-946)

Attachments: Bill 109.pdf

By-law 2014-104

Bill #111

A By-law of The Corporation of the City of Barrie to authorize an extension agreement with a land owner extending the period of time in which the cancellation price for a tax arrears certificate is to be paid. (13-G-266) (Tax Arrears Agreement - Springdale Drive) (Ward 3) (FIN015-13) (File: F22)

Attachments: Bill 111.pdf

By-law 2014-109

Bill #112

A By-law of The Corporation of the City of Barrie to confirm the proceedings of Council at its meeting held on the 25th day of August, 2014.

Attachments: Bill 112 Confirmation By-law.pdf

ADJOURNMENT

HEARING DEVICES AND AMERICAN SIGN LANGUAGE (ASL) INTERPRETERS

Assistive listening devices for use in the Council Chamber are available upon request from the staff in the City Clerk's Office.

American Sign Language (ASL) Interpreters are also available upon request. Please contact the City Clerk's Office staff at 705-739-4204 or cityclerks@barrie.ca regarding a request for an ASL Interpreter as soon as possible, to ensure availability.