



City of Barrie

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

Minutes - Final General Committee

Monday, September 23, 2013

7:00 PM

Council Chamber

GENERAL COMMITTEE REPORT

For consideration by the Council of the City of Barrie on September 30, 2013.

The meeting was called to order by Mayor Lehman at 7:01 p.m. The following were in attendance for the meeting:

- Present:** 10 - 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; and Councillor B. Jackson
- Absent:** 1 - Councillor A. Nuttall

STAFF:

Chief Administrative Officer, C. Ladd
City Clerk/Director of Legislative and Court Services, D. McAlpine
Deputy City Clerk, W. Cooke
Director of Engineering, J. Weston
Director of Environmental Services, J. Thompson
Executive Director of Access Barrie, R. James-Reid
Executive Director of Innovate Barrie, R. Bunn
General Manager of Community and Corporate Services, E. Archer
General Manager of Infrastructure and Growth Management, R. Forward
Manager of Environmental Operations, S. Coulter
Manager of Roads and Parks, C. Morton
Policy Planner, C. Terry.

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

SECTION "A"

13-G-227 SUNNIDALE ROAD - HIGHWAY 400 TRANSMISSION WATERMAIN CROSSING MUNICIPAL CLASS EA, SCHEDULE B (WARDS 2 AND 4)

1. That the Preferred Design Alternative for the Municipal Class Environmental Assessment for Sunnidale Road - Highway 400 Transmission Watermain Class EA be adopted as outlined in Staff Report ENG001-13.
2. That, in accordance with the requirements of the Class EA process, the Engineering Department publishes a Notice of Completion for the Sunnidale Road - Highway 400 Transmission Watermain Environmental Assessment Document.
3. That when the property owners are ready to sell their properties, a staff report back to General Committee for approval to purchase the properties and to obtain the required funding.
4. That staff in the Legal Services Department negotiate the proposed property acquisitions necessary for the Sunnidale Road Transmission Watermain crossing of Highway 400 as identified in Phase 2 of the Municipal Class EA Preferred Design Alternative, and the City Clerk be delegated the authority to execute conditional Agreements of Purchase and Sale, subject to Council approval for the purpose of acquiring the required land.
5. That other capital projects along the Water Distribution Zone 1 and Zone 2 North boundary be considered as part of the development of the 2014 Capital Plan. (ENG023-13) (File: WO3-SUN)

Attachments: [ENG023-130923.pdf](#)

This matter was recommended (Section "A") to City Council for consideration of adoption at its meeting to be held on 9/30/2013

13-G-228 COST SHARING AGREEMENT FOR MAPLEVIEW DRIVE/COUNTY ROAD 27 / ESSA TOWNSHIP ROAD 25 INTERSECTION IMPROVEMENTS (WARD 7)

1. That the Director of Engineering and the Director of Legal Services be authorized to finalize an agreement with the County of Simcoe (Simcoe County) and the Township of Essa (Essa Township) for cost sharing the Mapleview Drive - County Road 27 - Essa Township Road 25 Intersection Improvements, as generally outlined in the Simcoe County draft agreement dated June, 2013.
2. That the City Clerk and Mayor be authorized to enter into the terms of the agreement, in general accordance with the draft agreement dated June, 2013. (ENG024-13) (File: T05-MAP)

Attachments: [ENG024-130923.pdf](#)

This matter was recommended (Section "A") to City Council for consideration of adoption at its meeting to be held on 9/30/2013

13-G-229 CUMMING DRIVE - ADDITIONAL TRAFFIC CALMING MEASURES (WARD 6)

That Staff Report ENG029-13 be received for information in response to a Council request for an investigation. (ENG029-13) (File: T08-TR) (P85-12)

Attachments: [ENG029-130923.pdf](#)

This matter was recommended (Section "A") to City Council for consideration of adoption at its meeting to be held on 9/30/2013

13-G-230 ADDITION TO APPROVED STREET NAME LIST - TERRY FOX

That in memory of Terry Fox and in recognition of his Marathon of Hope to raise funds for cancer research and ongoing fundraising in his name, staff in the Planning Services Department add Terry Fox to the approved street name list, subject to obtaining concurrence from the Emergency Service Partners and Council be notified via memorandum once a suitable arterial or major collector road/street within the annexed lands has been identified. (Item for Discussion 8.1, September 23, 2013) (File: T00)

This matter was recommended (Section "A") to City Council for consideration of adoption at its meeting to be held on 9/30/2013

13-G-231**DEVELOPMENT OF TERMS OF REFERENCE - SENIORS ADVISORY COMMITTEE**

1. That, in response to the request from the Canadian Association of Retired Persons (CARP) received by the Mayor's Office, staff in the Legislative and Court Services Department, with input from staff from the 55+ Centres, develop a terms of reference for a Seniors Advisory Committee, together with an estimate of the associated resource requirements and logistics, and report back to General Committee.
2. That the terms of reference provide a focused mandate for the Committee, specifically addressing issues related to:
 - a) Seniors Housing and related planning matters;
 - b) Transportation; and
 - c) Communications and Civic Participation by Seniors.
3. That the proposed composition of the Committee include at least one representative from CARP and from the 55+ Advisory Council. (Item for Discussion 8.2, September 23, 2013) (File: C00)

Attachments: [Itm 8.2 - Senior Advisory Committee.pdf](#)

This matter was recommended (Section "A") to City Council for consideration of adoption at its meeting to be held on 9/30/2013

The Public Meeting portion of the meeting started at 7:04 p.m.

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

SECTION "B"

13-G-232

APPLICATION FOR AN AMENDMENT TO THE ZONING BY-LAW AND A PLAN OF SUBDIVISION - CELESTE PHILLIPS ON BEHALF OF THE OWNER 655423 ONTARIO LTD. - 196 BURTON AVENUE (WARD 8) (September 23, 2013) (File: D12-405/D14-1557)

Ms. Celeste Phillips of Celeste Phillips Planning Inc. provided a presentation on the application for an Amendment to the Zoning By-law and Plan of Subdivision on behalf of 655423 Ontario Ltd.. She noted that the land is located west of Burton Avenue and south of Robinson Street, and is municipally identified as 196 Burton Avenue. She indicated that the property is approximately 4.11 hectares in size, is located in the Allandale Planning Area and is currently developed as the "Burton Avenue Trailer Park".

Ms. Phillips advised that the lands are considered to be designated General Commercial and Residential in the City's Official Plan, and zoned General Commercial (C4) and Residential Multiple Second Density (RM2). The proposed Zoning By-law amendment would increase the area of the parcel that is zoned RM2 to permit the future development of 96 street townhouses and either a Medium Density block or park through a Plan of Subdivision.

Ms. Phillips explained that the current use of the property as a trailer park is considered to legal non-conforming, and that 95% of the property is already zoned for the proposed use detailed in the application. She noted that the proposal provides for the construction of 96 townhouses and in order to locate them away from sloped and treed area located at the southern area of the property, a small commercial portion of the property representing approximately 2000 square metres requires rezoning.

Ms. Phillips reviewed the draft plan of subdivision for the subject lands and the artist's rendering of the proposed built form for the development. She noted that the proposed roadway will be built to City standards and it is proposed that the entrance to the development will be accessed from an extension of Robinson Street. Ms. Phillips advised that the developer plans to preserve the trees in the sloped area located to the south of the property and provide for greater lot depth to prevent the construction of an unsightly retaining wall.

Ms. Phillips outlined the provisions in the City's Official Plan supporting intensification and redevelopment within the Urban Growth Centre. She reviewed the application in the context of Provincial and City planning policies and highlighted the studies that were submitted in support of the application. Ms. Phillips stated that the planning applications submitted meet the land use planning policies and objectives of the Province and the City.

PUBLIC COMMENTS

1. **Colin Wilson, 191 Little Avenue**, representing the Allandale Neighbourhood Association indicated he has been working with the residents, Mayor Lehman, Councillor Khan, Councillor Silveira and the developer to look at options and potential solutions to a unique and horrible situation. He noted that the Association is not anti-development, but is looking for respect and protection for the residents of the Burton Avenue Trailer Park.

Mr. Wilson noted that there are currently 2700 residents in Barrie on a waiting list for affordable housing. He explained that the residents of the Trailer Park are not on social assistance and own their dwelling structures but rent the property on which the structure is sited. Mr. Wilson quoted from statements provided by the Ministry of Municipal Affairs and Housing with respect to mechanisms under the provisions of the *Municipal Act* that he believes provide authority to municipalities to enact by-laws to regulate demolition and conversion of rental housing including mobile homes in order to assist municipalities with the provision of affordable housing.

Mr. Wilson indicated that the residents of the Burton Avenue Trailer Park have been approached by developers with options that would avoid putting people on the street. He stated that the best option would be for the residents to be able to remain at their current location. Additional time to explore various options is required and the remaining timeline associated with the eviction notices issued to the residents will make it difficult to complete these investigations. Mr. Wilson requested that City Council to consider using the mechanisms authorized under the *Municipal Act* to provide the necessary time, since this is a humanitarian issue and needs to be managed well.

Mr. Wilson noted that the next Allandale Neighbourhood Association Meeting would be a forum will provide further opportunity to discuss this application and next steps. In closing, Mr. Wilson reiterated the difficulty of this situation and commended the residents on working together to try and find a solution.

2. **Fleur Ottaway, 196 Burton Park, Unit 73**, provided comments,

identified concerns and asked questions on behalf of area residents related to the following aspects concerning the proposed development:

- The number of parking spaces provided per unit for the residential and commercial portions;
- The proposed commercial uses for the subject property;
- The landscaped open space area and setbacks;
- The removal of the retaining wall from the proposed plan and erosion occurring in the area;
- The potential traffic impact on neighbouring streets resulting from the development and concern that the single entrance planned is inadequate;
- The methodology associated with the traffic study as counts were only conducted in the area of the proposed single entrance;
- The impact of the additional residential units and commercial use on traffic;
- The eviction of existing residents for the development of only 10 additional units, which may not be able to be accommodated if changes to the roadway are required;
- The decrease in the rate of growth in Barrie and whether additional density is required;
- The potential to delay the redevelopment proposal to allow the residents to find new trailer parks;
- The concerns of the Kelly Place residents regarding the additional density associated with the 10 units and the apartment building and their preference for a park;
- The length of time associated with selling the units given their location as opposed to the eviction time frame and the impact of an unoccupied parcel on businesses that rely on customers from the immediate neighbourhood;
- The details related to any easements that are required for the proposed development;
- The impact associated with the demotion of the existing structures and construction of a new development on the neighbours and the safety of children in the area during demolition/construction;
- The requirement and timing associated with a Phase I environmental study that would assess the impact of sewage leaks and adjacent uses as well as whether any protected species were located on the site;
- A request from the residents of 196 Burton Avenue to meet with the land owner/developer to discuss options including a delay in the eviction date;
- The status of mobile home parks as a permitted use in the City's zoning by-law;

- A request that the City deny demolition permits, in order to provide tenants additional time to continue to work on alternate housing solutions;
- The validity of the eviction notices if the rezoning application and plan of subdivision are not approved; and
- A request that the City utilize its legislative powers to regulate the demolition and conversion of the mobile home park.

The Mayor and developer's representative provided responses to the questions raised by Ms. Ottaway.

In closing, Ms. Ottaway thanked Members of Council and staff for working with the residents with respect to their concerns.

3. **Lorne Miner, 196 Burton Avenue** discussed the role of Council related to the application and stated that it can assist the residents by not approving the proposed plan. Mr. Miner also noted his concerns regarding the impact of the development on the Burton Avenue Trailer Park residents.

Mayor Lehman explained Council's role with respect to the Planning Act application.

4. **Keith McCullough, 196 Burton Avenue, Unit 23**, stated that he was opposing the plan to demolish the mobile homes and discussed the hardship for residents of the Trailer Park. He commented that some of the residents are seniors in poor health who will find it difficult to find new homes, due to financial and personal constraints such as pets. Mr. McCullough outlined the history associated with his relocation to the Burton Avenue Trailer Park. He commented on the displacement of the residents who have nowhere to go and the need for affordable housing. Mr. McCullough asked Council members to vote against the application. He requested that City Council not be swayed in their decision on the proposed application because of potential appeals to the Ontario Municipal Board. Mr. McCullough quoted the City's motto of "The people are the City" and asked that Council remember the people impacted when it makes decisions related to the proposed application. He asked the developer/developer's representative who would be paying for the demolition of the property. Mr. McCullough inquired on behalf of another resident regarding the City's position with respect to mobile home parks and stated that he does not believe that mobile home parks have any more issues than any other area.

The developer's representative provided a response to the question with respect to demolition of the structures.

Mayor Lehman responded to the question with respect to the City's position related to mobile home parks.

5. **Ann Lusk 196 Burton Avenue, Unit 76A**, stated that the only

investment the residents have at 196 Burton Avenue is the trailers they own and she is concerned that once the residents are evicted they will be left with nothing. She asked if the developer could have obtained estimates for the value of their trailers to provide fair compensation for the owners. Ms. Lusk requested that the developer provide the residents with additional time to relocate due to the lack of affordable housing or places to relocate their mobile homes. She also inquired whether it would be possible for Melchoir Management to provide rental apartments for the residents from their inventory. Ms. Lusk asked if the City by-laws and/or policies prohibit mobile homes/mobile home parks.

Mayor Lehman provided a response regarding the by-laws and policies related to mobile homes and mobile home parks.

6. **Jack Harkness 101 Holgate Street**, discussed the content of his correspondence dated September 16, 2013, highlighting his concerns related to the proposed development and potential traffic congestion at Holgate and Robinson Street intersection, indicating that these roadways meet at an un-signalized intersection. He advised of the vehicular and pedestrian traffic sources in the area and recommended more than one entrance/exit for the development. Mr. Harkness also detailed concerns related to a potential stop sign to be installed at Holgate Street and Robinson Street. He expressed concern that the potential increase in vehicles from the proposed development had not been addressed in the traffic study. Mr. Harkness stated that a single entrance for the development would restrict access for emergency services as well as garbage collection, visitors, etc.

7. **Mandy Hillyard 113 Cook Street**, advised that this situation has sparked an interest of the media due to its complexity. She discussed the content of her correspondence dated September 11, 2013, requesting that careful consideration be given to this situation and encouraged Council to investigate all potential options for the residents of 196 Burton Drive and the developers. Ms. Hillyard suggested that City staff need to inform Council of the options given the complexity of the circumstances. She noted that the County of Simcoe has a 10-year plan to deal with affordable housing, but that the provisions contained in this plan will not address this situation given the timing constraints. She recommended that the property owner extend the eviction date to allow for solutions to be developed. In closing, Ms. Hillyard reiterated the need for the City, developer and residents to come together to find a solution related to assisting the residents of 196 Burton Avenue. She commented on her belief that politicians from all levels of government should recognize the need for affordable housing and place a priority on affordable housing.

8. **Scott Smith, 196 Burton Drive, Unit 35** advised that he only

purchased his home in May, with no indication from the owner that he would be evicted a few months later. He noted that there has been some discussion to relocate some of the mobile homes to other areas, but indicated that the age and condition of some of the homes may not permit them to be moved as well as some of the residents may not be in the position to move by the eviction deadline. Mr. Smith stated that he was advised that it would be several years before the land would be developed. He expressed concerns that a number of the residents would be left homeless as a result of the development proposal and will be losing their homes as they are unable to be moved. Mr. Smith noted that a number of trailer parks are closing down. He explained that some developers had offered to help but further discussions are necessary and the timeframe associated with the eviction notices is negatively impacting the investigate solutions. Mr. Smith reiterated previous requests for the developer to consider the people impacted and to meet with the Burton Avenue residents in an attempt to find a solution to this situation. He requested that Council consider the impact of a decision on the application on the tenants in the trailer park and vote against the proposal.

9. **Frank Fanuzzi, 196 Burton Park, Unit 225** stated that if Simcoe County is in an affordable housing crisis, the answer on how to proceed with the development should be an easy one. He discussed the opportunity to designate a community improvement plan area to address the crisis in affordable housing and questioned if Burton Avenue could be designated as community improvement plan area for the sake of the people who live in the Trailer Park. Mr. Fanuzzi described a situation in the Region of Peel where the Region's social housing services committed to purchasing land that was intended to be redeveloped to allow the residents to continue to live in their homes. He suggested that members of City Council and the developer let the residents move into their homes, if the development was approved. Mr. Fanuzzi asked when the residents would receive the \$3,000 for the removal of their trailer homes.
10. **Myrna Clark, 277 Cox Mill Road**, requested that the 7-10 year waiting list for affordable housing not be expanded by a decision to approve the planning application. She noted that there should be no hurry to develop the site as the humanitarian aspect of this application needs to be considered first. Ms. Clark advised that the County of Simcoe is holding an open house Affordable Housing Strategy.

Mayor Lehman provided details of the timing and location of the open house.

Ms. Clark commented that it would be more pertinent for a new plan to be put in place instead of demolishing homes.

11. **James Mallyon, 196 Burton Drive**, noted that when he applied to live

at 196 Burton Park, the owner advised that development of the lands would not happen for decades. He explained that he had invested approximately \$70,000 to set up his home. Mr. Mallyon asked how long the owners of 196 Burton Avenue been preparing the planning application.

12. **Sabrina Messenger, 21 Firman Drive**, raised concerns regarding the lack of information and notice provided by the owner of 196 Burton Avenue regarding the sale and proposed development of this property. She indicated that her family has inherited a trailer due to the death of her grandmother and now has the added burden and cost of removing it. She requested that members of Council vote against the development.
13. **Don MacNeil 70 Highcroft Road**, requested clarification on whether or not the status of the current use is legal non-conforming.

Ms. Phillips explained that the use of the property is deemed to be legal non-conforming.

Mr. MacNeil commented on the lack of affordable housing and that an affordable housing project for Barrie has been recommended by the County of Simcoe. He discussed his belief that the Burton Avenue Trailer Park is superior to the funding programs developed by various levels of government for affordable housing as it does not require taxpayer dollars and residents own their structures and have a sense of community resulting from the less transitory nature of their investment. Mr. MacNeil noted that the rezoning is a municipal issue and methods to protect homeowners from the situation that is occurring at this property are needed. In closing, Mr. MacNeil reiterated the City of Barrie motto and requested that Council consider the motto when dealing with the application.

14. **Phil Ripley, 196 Burton Avenue, Unit 221**, spoke in favour of mobile home parks as a housing option and the pride of ownership and community living in a mobile home park instills.
15. **Jane Dewar, 11 Varden Crescent**, requested that City Council represent the needs of the residents instead of the developer with respect to the application.
16. **David Boyd, 1 Kelly Place**, agreed with comments provided by Mr. Harkness related to the potential traffic impacts related to the proposed development and the single entrance. He asked why the developer was replacing the mobile home park with a proposal that barely increases the number of residents, when intensification was cited the rationale. Mr. Boyd noted that he moved into the area recently and the Burton Avenue Trailer Park residents are good neighbours.
17. **Laurie O'Toole, 200 Edgehill Drive** indicated she has known a

number of the residents from 196 Burton Avenue for a long time and that these residents take pride in the ownership of their homes. She raised concerns with the pending eviction of the residents and requested that the City provide assistance in this regard.

18. **Marion Reeve, 196 Burton Avenue**, expressed concern that the residents would be charged for any structures or materials remaining on site requiring demolition. She noted that removal of their homes and related structures may far exceed the \$3,000 provided by the developer.
19. **Fern Main, 90 Holgate Street** spoke on behalf of a resident of Burton Park explaining the sadness and stress of the situation on the resident and her family. She noted that the cost to removal the resident's trailer was estimated to be far greater than the \$3,000 being offered by the developer.

Members of General Committee asked a number of questions with respect to the application and received responses from the developer's representative.

WRITTEN CORRESPONDENCE:

1. Correspondence from HydroOne dated September 6, 2013.
2. Correspondence from Simcoe County Alliance to End Homelessness (SCATEH) dated September 4, 2013.
3. Correspondence from David and Christine Boyd dated September 18, 2013.
4. Correspondence from Jack and Brenda Harkness dated September 16, 2013.
5. Correspondence from Karen Flynn dated September 13, 2013.
6. Correspondence from Mandy Hillyard dated September 11, 2013.
7. Correspondence from Keith McCulloch, received September 20, 2013
8. Correspondence from South View Auto Centre Limited, dated September 22, 2013.
9. Correspondence from Fleur Ottaway, received September 23, 2013.

Attachments: [130923 - Public Notice - 196 Burton Avenue.pdf](#)
[130923 - Presentation - 196 Burton Avenue.pdf](#)
[130923 - Correspondence - 196 Burton Avenue.pdf](#)

This matter was recommended (Section "B") to City Council for consideration of receipt at its meeting to be held on 9/30/2013

General Committee recessed at 9:11 p.m. and resumed at 9:32 p.m.

SECTION "C"

13-G-233

AWARD OF FIN 2013-055P COLLECTION OF GARBAGE, RECYCLABLE MATERIAL, SOURCE SEPARATED ORGANICS AND YARD WASTE AND PROCESSING OF SOURCE SEPARATE ORGANICS AND PROCESSING AND MARKETING OF RECYCLABLE MATERIAL

1. That Contract FIN 2013-055P, collection of garbage, recyclable material, source separated organics and yard waste and processing of source separated organics and processing and marketing of recyclable material including City Facilities front-end service be awarded to BFI Canada Inc. to provide every other week garbage collection, every week collection of recyclables and source separated organics and related processing and seasonal yard waste collection on a five (5) day collection cycle in accordance with the BFI Canada Inc. submission dated Thursday, June 13th, 2013.
2. That the Mayor and the City Clerk be authorized to execute an eight (8) year agreement reflecting Contract FIN 2013-055P commencing on April 7, 2014 with an option to extend the terms of the agreement for two (2) additional one (1) year terms with BFI Canada Inc. subject to the satisfaction of the Director of Legal Services and subject to the successful negotiation of a revision in the implementation date for every other week single family residential garbage collection in accordance with paragraph 4.
3. That the Industrial, Commercial, and Institutional sector bag/container limits be amended by reducing the garbage bags/containers limit for the Industrial, Commercial, and Institutional sector from 10 bags/containers per week to 6 bags/containers per week, to commence on April 7, 2014 concurrent with the start of Contract FIN 2013-055P.
4. That every other week single family residential garbage collection be implemented effective January 1, 2015. (ENV003-13) (File: E00)

Attachments: [ENV003-130923.pdf](#)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 9/30/2013

ENQUIRIES

Members of City Council addressed enquiries to City staff and received responses.

ANNOUNCEMENTS

Members of City Council provided announcements concerning a number of matters.

The meeting adjourned at 10:42 p.m.

CHAIRMAN