

Minutes - Final

City Council

Monday, March 27, 2017

7:00 PM

Council Chambers

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

The meeting was called to order by the City Clerk at 7:02 p.m. The following were in attendance for the meeting:

PRESENT: Mayor, J. Lehman
Councillor, B. Ainsworth
Councillor, R. Romita
Councillor, D. Shipley
Councillor, B. Ward
Councillor, P. Silveira
Councillor, A. Prince
Councillor, S. Morales
Councillor, M. McCann

ABSENT: Councillor, M. Prowse
Councillor, A. Khan

STUDENT Ewan MacKinnon, Barrie North Collegiate

MAYOR(S): Konrad Weber, Kempenfelt Bay School

STAFF: Chief Administrative Officer, C. Ladd
City Clerk/Director of Legislative and Court Services, D. McAlpine
Deputy City Clerk, W. Cooke
Deputy Treasurer, M. Jermey
Director of Business Development, S. Schlichter
Director of Corporate Facilities, R. Pews
Director of Engineering, R. Sutton
Director of Environmental Services, J. Thompson
Director of Recreation Services, B. Roth
Director of Roads, Parks and Fleet, D. Friary
Director of Transit and Parking Strategy, M. DiGirolamo
Executive Director of Access Barrie, R. James-Reid
Executive Director of Innovate Barrie, R. Bunn
Executive Director of Invest Barrie, Z. Lifshiz
General Manager of Infrastructure and Growth Management, R. Forward
Manager of Enforcement Services, T. Banting
Manager of Growth Planning, S. Forfar
Service Desk Specialist, T. Versteeg
Supervisor of Enforcement Services, J. Forgrave
Theatre Technician, M. McLeod.

STUDENT MAYOR(S)**17-A-029 COMMENTS FROM OUTGOING STUDENT MAYOR(S):**

Ewan MacKinnon of Barrie North Collegiate thanked the Mayor and members of Council for the tremendous opportunity to partake in Student Mayor Program. He also thanked City of Barrie employees for accommodating the students. Ewan invited members of Council to attend the Relay for Life Event on May 26, 2017, that he will be participating in between at 12:00 p.m. to 8:00 p.m. at Barrie North Collegiate. He discussed how the first presentation during his term related to homelessness in the County of Simcoe and he had given thought to how a student in the City of Barrie could help. He highlighted a news article he found online regarding a kindness meter, where citizens can deposit change that will help organizations such as the David Busby Centre. He outlined where this initiative is currently used, where donations are being spent and possible sponsorship opportunities to get the word out about homelessness and what the City can do.

17-A-030 SWEARING IN OF NEW STUDENT MAYOR(S):

Wendy Cooke, Deputy City Clerk called upon Konrad Weber of Kempenfelt Bay School to be sworn into office as Student Mayor.

After being sworn into office, Konrad assumed his seat next to Mayor Lehman. Mayor Lehman introduced the members of City Council to Konrad. He noted that the members of City staff and representatives of the community's media were also in attendance.

CONFIRMATION OF THE MINUTES

17-A-031 The minutes of the City Council meeting held on March 6, 2017 were adopted as printed and circulated.

AWARDS AND RECOGNITION**17-A-032 RECOGNITION OF SHANNON HYNES AS THE WINNER OF THE "I LOVE BARRIE" ESSAY CONTEST.**

Councillor, M. McCann provided details his sponsorship of a competition around Valentine's Day to have Ward 10 students write an essay related to why they love Barrie. He commented that he introduced this initiative to bring the Ward 10 community closer together by having a fun contest. Councillor McCann advised that Shannon Hynes was the winner of the contest and that he taken Shannon and her family out for dinner as one of the prizes for winning the competition. Councillor McCann remarked that after reading the submissions he felt good about the future of Barrie residents.

Shannon read her essay, as follows:

"Why I Love Barrie"

Barrie is such a beautiful city, there aren't enough words in the earth to say how much I love it.

If you aren't already, please sit down and get some food because you might be here for a while.

I love Barrie because I grew up here, my whole life I have lived in Barrie.

Although I travel often I always end up coming home with a smile on my face.

My most precious part of growing up in Barrie is that I can see a lot of the changes that Barrie has, just like the land beside the graveyard on Mapleview Drive. Well that used to be all forests.

I may be young, but I know Barrie has definitely changed in the past few years.

Now before you get bored, I have a couple more things to say.

The actual people that live in Barrie are so nice; have you ever met someone who did something so nice like help drive you somewhere or pay for your order at Tim Hortons or even as little as giving you instructions.

It's the little things that really matter, and I know it happens a lot to me in Barrie.

If I'm just one person, then I know that you have probably asked for directions from someone and they have gladly answered.

I also know I have many more thoughts of why Barrie is so amazing, so let's get to it.

So now let's talk about the activities. Almost every weekend we have a festival. Have you ever been to a festival? If you have, you know how exciting and entertaining it is.

I think only Barrie can have the best and most memorable festivals. I have had great memories of the festivals. When I was really little I went to the cornfield festival and played in the corn maze for a very, very long time.

I actually think that I got lost there.

Personally, I have had a great time at the festivals.

I really hope you enjoyed all the reasons why I love Barrie and I hope you love Barrie as much as I do."

Mayor Lehman congratulated Shannon on her great essay and for attending City Council.

DEPUTATION(S) ON COMMITTEE REPORTS**17-A-033 DEPUTATIONS REGARDING MOTION 17-G-046, ON-STREET PARKING - BIG BAY POINT ROAD.**

Pursuant to Section 4.16 of Procedural By-law 2013-072, City Council considered a request by Mr. Mike Cooke to provide an emergency deputation in opposition to motion 17-G-046, On-Street Parking - Big Bay Point Road. Upon a vote of City Council being taken, Mr. Cooke was permitted to address City Council.

Ms. Barb Tansley provided a deputation in opposition to motion 17-G-046 concerning On-Street Parking on Big Bay Point Road. Ms. Tansley discussed a petition that was filed in February 2016 to keep the on-street parking signed by 30 of the area residents with a list of concerns. She commented regarding the survey statistics provided in the Staff Report and questioned the different results compared to the petition. Ms. Tansley noted that she felt that the Staff Report did not identify all the concerns of the residents related to grade changes and the shrinking of resident's driveways from the road widening. She also expressed concerns regarding where visitors would park, where residents could park their vehicles in the winter, how residents would load trailers for vacation, where maintenance vehicles would park and how residents would safely get in and out of their driveways if traffic was speeding. Ms. Tansley concluded by stating that the residents' concerns and issues had not been addressed.

Mr. Mike Cooke provided a deputation in opposition to motion 17-G-046 concerning On-Street Parking on Big Bay Point Road. Mr. Cooke thanked members of Council for the opportunity to speak. Mr. Cooke advised that he has worked varying shifts during the time he has resided on Big Bay Point Road so he is aware of the traffic conditions on the street. Mr. Cooke noted that he has spoken with his neighbours and that they are not in favour of the proposed parking prohibitions. He requested that consideration be given to prohibiting parking between 7:00 a.m. to 7:00 p.m. between Monday to Friday, except statutory holidays to provide for parking during low traffic hours and allow for parking for visiting family on weekends and holidays. He provided examples of dates when there was not a lot of traffic along Big Bay Point.

Mr. Cooke raised concerns with respect to the door to door survey that was mentioned in the Staff Report, as he felt it wasn't an accurate representation of the number of properties in the neighbourhood and the results were very different in a survey that he had recently conducted with a smaller number of residents. Mr. Cooke commented that he couldn't understand how Council could consider voting on a motion if the data wasn't accurate, as everyone he talked to was not in support of the proposed changes. He indicated that he understood that there are high traffic volume times and reiterated his request for consideration a parking prohibition on Monday to Friday from 7:00 a.m. to 7:00 p.m., with the exception of statutory holidays. Mr Cooke indicated that Council could revisit the full parking prohibition after a period of time.

17-A-034 DEPUTATIONS REGARDING MOTION 17-G-057, REVIEW OF TRANSPORTATION INDUSTRY (TAXI) BY-LAW 2006-265 AND REGULATING RIDE SHARING/DRIVER FOR HIRE OPERATIONS

Ms. Sandra McDiarmid provided a deputation in opposition to motion 17-G-057 concerning the Review of the Transportation Industry (Taxi) By-law 2006-265 and Regulating Ride Sharing/Driver for Hire Operations. Ms. McDiarmid advised that she owns five taxis and she discussed the impact increases in the City licensing fees over the years as well as the difficulties in recovering from the fee increases. Ms. McDiarmid discussed the challenges for someone to become a taxi cab driver since it is a transient job with a fee of approximately \$500, and the length of time that it takes to start driving a cab. She proposed a licence fee of \$160 in total. Ms. McDiarmid discussed the staff comments concerning that the licensing of the taxi drivers would be more work than ride sharing and noted that she felt that if the ride along was removed from the by-law that the work would be the same. She provided details of the industry prior to the moratorium being introduced and her concerns about the lifting of the moratorium as she felt that the market would be saturated resulting in less money for operators to maintain vehicles. Ms. McDiarmid remarked that she felt that the taxis should be regulated to some extent and they are not like other businesses. She commented that taxi owners need to make a living and keep the vehicles safe. Ms. McDiarmid asked Council to reconsider the moratorium allowing taxi cab companies to set their own rates as it would help to level the playing field.

Members of Council asked questions of Ms. McDiarmid and sought clarification from City staff and received responses.

Mr. Michael McNeill provided a deputation in opposition to motion 17-G-057 concerning the Review of the Transportation Industry (Taxi) By-law 2006-265 and Regulating Ride Sharing/Driver for Hire Operations. Mr. McNeill commented that he was speaking to reinstate the need for the existing industry protocol to remain for the safety of the customers as the existing regulations have given confidence to those entering into professional taxi business. He stated that the moratorium didn't exist some may not have considered entering the business. He noted that he felt that the City of Barrie already has enough taxi cabs to serve the community. He discussed the proposal to remove the requirement for taxicab drivers to complete a test of their knowledge of the City and noted while GPS can be used if a unit is installed. Mr. McNeill stated that interaction with the customer is the primary source of determining routes and provides better customer service. He remarked that he felt that the interaction with the Enforcement Officer provided confidence to new drivers as they embarked on the career and provided them with some ethical standards.

Mr. McNeill discussed that both taxi cabs and ride sharing operations are providing rides for money regardless if it is through an App or hailing, and that he felt a level playing field should be promoted. He compared Uber to a bully in trying to achieve their goal through intimidation. He listed the cities that he believed had banned Uber as they refused to meet safety regulations. He further discussed his concerns related to the way Uber operates. Mr. McNeill advised that prior to the debate on this matter, the taxi industry did not have any indication there was discontent with its rates. Mr. McNeill thanked Council for the opportunity to speak and present his opinions as well as those of his colleagues. He suggested that this matter provides opportunities to look at improving the Transit system. In closing, Mr. McNeill noted that the City has regulations in place to ensure customer safety and questioned when their principles had changed and why the standards associated with transportation are being compromised.

A Member of Council asked questions of Mr. McNeill and received responses.

Mr. Gerry van Slighthenhorst provided a deputation in opposition to motion 17-G-057 concerning the Review of the Transportation Industry (Taxi) By-law 2006-265 and Regulating Ride Sharing/Driver for Hire Operations. Mr. van Slighthenhorst noted that there are currently 173 taxis operating in the City of Barrie and it may not be worth driving a taxi cab with a limited market and the influx of Uber drivers. He expressed concerns about the loss of money and jobs for taxi cab drivers due to the number of private cars at Uber's disposal.

Mr. van Slighthenhorst discussed that for a taxi cab driver this is their full time job. He suggested that most Uber drivers have other full time jobs and they are just in the business for the days and events where they can maximize fares, whereas a taxi charges the same price all the time. Mr. van Slighthenhorst indicated that he felt that Uber is taking advantage of customers as they are not knowing what they are paying for at different times and that price "hiking" is absurd. He provided an analogy, of a company increasing the price of milk because they needed to have all cashiers available during busy times.

Mr. van Slighthenhorst also commented on safety concerns related to private vehicles that may be operating on behalf of Uber.

Members of Council asked questions of Mr. van Slighthenhorst and sought clarification from staff and received responses.

Mr. Andrew Bacque of Deluxe Taxi provided a deputation in opposition to motion 17-G-057 concerning the Review of the Transportation Industry (Taxi) By-law 2006-265 and Regulating Ride Sharing/Driver for Hire Operations. Mr. Bacque commented that he felt the proposed changes have been made to address technology and business model changes as a result of companies such as Uber. He stated that he does not dispute the need for change but he felt that the proposed by-law does not provide for one level playing field, but for three levels. He discussed that on July 1, the three company categories will be competing with each other under different rules, which he felt was in contradiction to the purpose of the by-law. He provided examples of the similarities between how Deluxe Taxi operates in relation to Ride Sharing and Driver for Hire Operations and remarked how they all will be subject to different rules. Mr. Bacque stated that the innovations are not new, the companies do not have a presence in the City and make no promise to provide service at any time. Mr. Bacque provided the definition of a taxi cab company as defined in the proposed By-law and noted that Deluxe Taxi operates more like a ride-sharing or a driver for hire, so he felt it is not a Taxi Cab Company under the proposed by-law and was confused regarding how Deluxe Taxi should operate after July 1. He questioned whether or not Deluxe Taxi can accept calls from Uber and vice versa. He remarked that he does not feel that his company will be able to attract new drivers and compete fairly given the different rules he believes to be the same service as of July.

Mr. Bacque remarked that if the intent is to foster innovation and competition within the Transportation Industry, then the by-law must allow it and not muddy the waters but clearly define the basic services for dispatch, vehicle and driver as an initial starting point and if this is done all other considerations such as fees, moratorium, safety and insurance can be applied equally. He stated that Deluxe Taxi is an evolving company and offering a similar App to Uber to keep current and attract new customers. Mr. Bacque noted that the industry should not be defined to what they have done in the past, but by the services they actually provide. He noted that in comparison to Uber they keep all mandated records and play by the rules which provides for a huge competitive disadvantage. In closing, Mr. Bacque questioned a company paying a cut of its sales as a licence to operate and ask Council to reject the by-law and take a pause and try to establish regulations that would be more rational and comprehensive.

A Member of Council asked questions of Mr. Bacque and received responses.

Mr. James Hunt of Deluxe Taxi provided a deputation in opposition to motion 17-G-057 concerning the Review of the Transportation Industry (Taxi) By-law 2006-265 and Regulating Ride Sharing/Driver for Hire Operations. Mr. Hunt commented that it appears that Council had made up its mind with respect to allowing ride-sharing and driver for hire companies in Barrie. He discussed that he feels that it is fair to expect that when companies such as these are placed under the same umbrella as the taxi industry it is done in a way that protects customers and drivers. He advised that he is opposed to the removal of the taxi moratorium and deregulating the fare structure, noting that he doesn't feel that these changes are in the best interest of the public and consumers.

Mr. Hunt spoke to the provisions in the Municipal Act that regulate licensing within a municipality and that many of the regulations associated with the Taxi Industry have evolved over the years to ensure safety and protection of passengers and that these provisions still need to exist. Mr. Hunt provided background information related to the current moratorium on the number of taxi cabs, the cost of operating and maintaining the vehicles. He noted that he felt that the combination of the removal of the moratorium and the proposed deregulation of the fare structure would cause companies to undercut each other with insufficient revenue earned to maintain safe vehicles. He discussed the regulation of fees and provided detailed costs associated with operating a taxi cab, as he reiterated his concerns about the impacts about deregulating the fares. He noted that he understood that the deregulation of fees was proposed to allow taxi cab companies to compete with the ride sharing and ride for hire operations.

Mr. Hunt further touched upon his concerns related to the deregulation to the fare structure and how the price surging used by ride sharing and driver for hire operations wasn't a feasible model for the taxi industry as all shifts are on a busy night. He discussed his belief that it would be adverse to public safety, consumer protection and creating a more level playing field for the three different types of transportation operations. Mr. Hunt noted that fee disputes are quite common and what the taxi cab drivers do when the disputes occur. He provided an example related to consumer protection associated with the price structure and how a fee charged to a customer to get to the grocery store could fluctuate depending on when the customer required the ride. Mr. Hunt questioned how the deregulation of the fare structure would allow taxis to remain competitive with the ride sharing and driver for hire operations. He discussed other municipalities that allow ride sharing companies to operate and still regulate fare structure. Mr. Hunt advised that Ottawa and Toronto consulted with independent advisors to review the impacts on the taxi industry by allowing ride-sharing programs to operate in these cities.

In closing, Mr. Hunt provided an analogy associated with artist renderings as an interpretation of what the end result will be and if the proposed changes are different than other municipalities, how does it know what the end result will be for the industry. Mr. Hunt further reiterated his concerns associated with the lifting the moratorium and deregulating the fare structure not being in the best interest of public safety and consumer protection or a way to level the playing field.

Members of Council asked questions of Mr. Hunt and sought clarification from City staff and received responses.

Mr. Melvin Woods of Deluxe Taxi provided a deputation in opposition to motion 17-G-057 concerning the Review of the Transportation Industry (Taxi) By-law 2006-265 and Regulating Ride Sharing/Driver for Hire Operations. Mr. Woods discussed his concerns associated with removing some of the safety provisions and tariff provisions that are currently in the by-law and questioned who would regulate pricing as he felt some businesses would over charge customers. He noted that a company should have something in written form that they cannot refuse an individual, that the requirement to operate 24/7 days a week should not be removed from the by-law as it would be disastrous to the industry. Mr. Woods noted that he felt that there will be chaos for the transportation industry. He requested a level playing field for the taxi drivers and urged Council to continue to regulate the industry.

Mr. Zack Abbas provided a deputation in opposition to motion 17-G-057 concerning the Review of the Transportation Industry (Taxi) By-law 2006-265 and Regulating Ride Sharing/Driver for Hire Operations. Mr. Abbas advised that he is the Chair of the Taxi Working Group and commented that the proposed licensing fees be balanced between the ride sharing and the taxi industry to provide a level playing field. He indicated that the City's licensing fees are higher than other municipalities. Mr. Abbas provided examples of estimated fees that would be payable by the Taxi Industry and Uber, and noted that he felt the Taxi Industry is bringing in more revenue to the City. He requested that the taxi driver category be removed to provide for a level playing field between the taxi industry and Uber. Mr. Abbas commented that he felt that it was easy for Uber to do price surging as all transactions are done online and with a credit card meanwhile taxi drivers will have to post rates in their vehicles and explain them if necessary. Mr. Abbas referenced the regulations in Sault Ste. Marie where the City allows the cab companies to establish their own drop rate but the per/kilometre rate is set by the City. He requested that the Pilot Project be put on hold in order to the Taxi Working Group to meet to provide input and give their solutions.

Mr. Abbas also requested that the requirement for a vehicle safety inspection be removed, as the non-safety and cosmetic ones are being removed under the proposed by-law and suggested that that only a safety standard certificate be required.

Mr. Abbas also discussed his concerns related to the lifting of the moratorium, as he felt the industry could grow rapidly with impacts on parking in the downtown, especially when attending businesses to pick up clients when the patios are out.

Members of Council asked questions of Mr. Abbas and received responses.

Mr. Matt Stolvold of Driverseat provided a deputation in opposition to motion 17-G-057 concerning the Review of the Transportation Industry (Taxi) By-law 2006-265 and Regulating Ride Sharing/Driver for Hire Operations. Mr. Stolvold identified the one main concern he had with the recommendation related to the requirement for a driver for hire company to provide the make, licence plate and VIN number of the company vehicle. He requested that the provision be removed, as he felt that it did not add any value or merit.

Members of Council asked questions of Mr. Stolvold and sought clarification from City staff and received responses.

Ms. Philomena Comerford of Baird MacGregor Insurance Brokers LP/Hargraft Scholfield LP provided a deputation with respect to motion 17-G-057 concerning the Review of the Transportation Industry (Taxi) By-law 2006-265 and Regulating Ride Sharing/Driver for Hire Operations. Ms. Comerford discussed insurance issues related to ride sharing operations. She provided background information associated with safety related discussions held in other municipalities and by the insurance industry in this regard. She commented that the competition and deregulation were great but expressed concern that safety seemed to be lost in the discussions. Ms. Comerford stated that Uber was telling everyone that it had insurance until it was held to 43 statements. She discussed her concerns related to the number of vehicles “dumped” into the market, the loss of revenues and the local companies and price surging impacts on vulnerable individuals.

Ms. Comerford discussed the way that the insurance provided to Uber drivers works and the limits on the amount of insurance compared to the taxi industry. She noted that many drivers do not tell their insurance companies that they are driving for Uber and many insurers will void a driver policy or not pay claims as a result. Ms. Comerford discussed the importance of getting an insurance certificate from a driver’s personal auto insurance company as well as Uber. She noted the turnover in Uber drivers and the challenges in larger cities trying to regulate the company. Ms. Comerford suggested that a copy of the insurance certificate from the driver’s automobile personal insurer be requested in addition to Uber’s insurer, as well as any cancellation of insurance be a requirement. She also suggested requiring a certificate of Cyber Privacy Insurance from transportation network companies measure of the personal information they gather.

Members of Council asked questions of Ms. Comerford and sought clarification from City staff and received responses.

Mr. Tom Watson-Giles of Barrie Taxi Ltd. provided a deputation in opposition to motion 17-G-057 concerning the Review of the Transportation Industry (Taxi) By-law 2006-265 and Regulating Ride Sharing/Driver for Hire Operations. Mr. Watson-Giles advised that he is the Operations Manager of Barrie Taxi and discussed the need for a level playing field.

Mr. Watson-Giles discussed slides concerning the following topics:

- The requirement for the proposed licensing fees and structure to be applied to each participant in the transportation industry in the same manner;
- Amendments to the proposed by-law to eliminate the three different licensing categories, for taxis, taxi company charge the same licence fees as the other operations and do not charge the taxi companies the per trip/fee levy;
- The elimination of the driver and vehicle licensing categories as Barrie Taxi has been keeping the required documents under the proposed by-law for 27 years;
- The risk associated with a taxi cab company not being prepared to properly manage their drivers and vehicles, is same with Uber and the driver for hire companies and waiting until the end of the review period to reexamine this could impact industry;
- The taxi industry would be paying higher licensing fees compared to other companies;
- The proposed reduction in fees would be adequate enough to level the playing field;
- The amount of resources that would be required if the company was to provide driver and vehicle documents would be the same as the other operations and the licensing fee should be the same; and

- A request that since Barrie Taxi vehicles are clearly marked and has an office in Barrie, it should not be subject to a per trip fee or any other company that meeting the requirements should not be subject to the per trip fee.

In closing, Mr. Watson-Giles provided a milk analogy related to requirements for a three different stores to buy and sell milk.

Members of Council asked questions of Mr. Watson-Giles and sought clarification from City staff and received responses.

Mr. Erwin Giles of Barrie Taxi Ltd. provided a deputation in opposition to motion 17-G-057 concerning the Review of the Transportation Industry (Taxi) By-law 2006-265 and Regulating Ride Sharing/Driver for Hire Operations. Mr. Giles advised that he was making the deputation on behalf of Barrie Taxi Ltd. noting that he felt that his company has been a significant economic engine in the community. He provided background information about the company. He indicated that City staff have done a great job presenting a comprehensive staff report but he felt that the proposed pilot project should be equal for all parties involved, as all three industries share one common function of moving passengers from point A to point B for money, and as such the licensing of all three areas should be fair and equitable. He provided comparisons of the proposed licensing fees for the taxi industry and a private transportation company and noted his concern that the private transportation companies have been operating in Barrie without a licence for a significant amount of time. Mr. Giles applied the taxi cab driver fees to estimated number of private transportation company drivers that are currently paying fees and noted that he felt that if everybody pays it could result in a significant reduction in licensing fees.

Mr. Giles also discussed his concerns related to insurance requirements for the taxi industry and his view that private transportation companies should be required by their insurer to carry the same insurance on each of their vehicles. He commented concerning the liability and risk factors associated with private transportation companies. In closing, Mr. Giles commented that there should be a buffer in place so that Council would be able to address and make adjustments to the By-law without waiting for two years.

City Council recessed from 9:50 p.m. to 10:07 p.m.

COMMITTEE REPORTS

17-A-035 General Committee Report dated March 20, 2017, Sections A, B, C, D and E (APPENDIX "A").

SECTION "A" - Receipt of this Section

Moved by: Councillor, S. Morales
Seconded by: Councillor, A. Prince

That Section "A" of the General Committee Report dated March 20, 2017, now circulated, be received.

17-G-045 REPORT OF THE COUNCIL COMPENSATION REVIEW COMMITTEE DATED MARCH 13, 2017.

CARRIED

SECTION "B" - Adoption of this Section

Moved by: Councillor, S. Morales
Seconded by: Councillor, A. Prince

That Section "B" of the General Committee Report dated March 20, 2017, now circulated, be adopted.

- 17-G-046 ON-STREET PARKING - BIG BAY POINT ROAD (WARD 8, 9 AND 10)
- 17-G-047 LETTER OF AGREEMENT: CITY OF BARRIE AND PROVINCE RE: STARTER COMPANY PLUS PROGRAM
- 17-G-048 PUBLIC ART INSTALLATIONS AND PAGEANTRY PROGRAM
- 17-G-049 NEW WATERFRONT BASKETBALL COURT AND ARTIFICIAL ICE RINK (WARD 2)
- 17-G-050 RESULTS OF PUBLIC CONSULTATION - NAMING OF ARBORETUM IN SUNNIDALE PARK IN RECOGNITION OF WYMAN JACQUES (WARD 4)
- 17-G-051 APPLICATION FOR DEED REGISTRATION PART OF BLOCK A, PLAN 1350, BARRIE (WARD 4)
- 17-G-052 APPLICATION FOR ZONING BY-LAW AMENDMENT - SAVERINO INVESTMENTS INC. - 570, 574 AND 576 ESSA ROAD (WARD 7)
- 17-G-053 INVESTIGATION OF A PROPOSAL TO UPGRADE THE SKATEBOARD PARK (WARD 2)
- 17-G-054 DYNAMIC REPORTING OPTIONS - CURRENT INFRASTRUCTURE FUNDING GAP

CARRIED

SECTION "C" - Receipt of this Section

Moved by: Councillor, S. Morales
Seconded by: Councillor, A. Prince

That Section "C" of the General Committee Report dated March 20, 2017, now circulated, be received.

- 17-G-055 APPLICATION OF AN AMENDMENT TO THE ZONING BY-LAW AND A DRAFT PLAN OF SUBDIVISION - SUBMITTED BY KLM PLANNING PARTNERS INC. ON BEHALF OF WATERSAND CONSTRUCTION LTD. - SOUTH WEST CORNER OF MCKAY ROAD WEST AND VETERAN'S DRIVE (WARD 7) (FILE: D12-423/D14-1616) (17-G-055)
- 17-G-056 APPLICATION FOR AN AMENDMENT TO THE ZONING BY-LAW AND A DRAFT PLAN OF SUBDIVISION - SUBMITTED BY KLM PLANNING PARTNERS INC. ON BEHALF OF WATERSAND CONSTRUCTION LTD. - SOUTH EAST CORNER OF VETERAN'S DRIVE AND MCKAY ROAD WEST (WARD 7) (FILE: D12-425 / D14-1620)

CARRIED

SECTION "D" - Adoption of this Section

Moved by: Councillor, S. Morales
Seconded by: Councillor, A. Prince

That Section "D" of the General Committee Report dated March 20, 2017 now circulated, be adopted.

17-G-057 REVIEW OF TRANSPORTATION INDUSTRY (TAXI) BY-LAW 2006-265 AND REGULATING RIDE SHARING/DRIVER FOR HIRE OPERATIONS

AMENDMENT #1

Moved by: Councillor, B. Ward
Seconded by: Councillor, A. Prince

That motion 17-G-057 of Section "D" of the General Committee Report dated March 20, 2017 concerning Review of Transportation Industry (Taxi) By-law 2006-265 and Regulating Ride Sharing/Driver for Hire Operations be amended by adding the following words to paragraph 1:

"and amendments to

- c) make the necessary changes to reflect an additional licensing category, operating criteria and fees associated with Taxi Cab Companies providing all required inspection and approval documentation related to Taxi Cab Drivers and Taxi Cabs operating under the Company;
- d) to delete the separate Taxi Cab Driver and Taxi Cab licensing categories

with a memo to be provided outlining the changes when the by-law is presented for Council's consideration"

CARRIED

AMENDMENT #2

Moved by: Councillor, S. Morales
Seconded by: Councillor, R. Romita

That 16.3.14.00 be added as follows:

That at least one driver for hire driver operated in association with the company dispatched to a call be able to drive standard transmission.

LOST

AMENDMENT #3

Moved by: Councillor, B. Ward
Seconded by: Councillor, A. Prince

That motion 17-G-057 of Section "D" of the General Committee Report dated March 20, 2017 concerning Review of Transportation Industry (Taxi) By-law 2006-265 and Regulating Ride Sharing/Driver for Hire Operations be amended in paragraph 2 by deleting the words "two years" and replacing them with the words "one year"

CARRIED**AMENDMENT #4**

Moved by: Councillor, B. Ward
Seconded by: Councillor, A. Prince

That motion 17-G-057 of Section "D" of the General Committee Report dated March 20, 2017 concerning Review of Transportation Industry (Taxi) By-law 2006-265 and Regulating Ride Sharing/Driver for Hire Operations be amended by adding a paragraph 5 as follows:

5. That staff provide memos every three months concerning the pilot program.

CARRIED**AMENDMENT #5**

Moved by: Councillor, B. Ward
Seconded by: Councillor, A. Prince

That motion 17-G-057 of Section "D" of the General Committee Report dated March 20, 2017 concerning Review of Transportation Industry (Taxi) By-law 2006-265 and Regulating Ride Sharing/Driver for Hire Operations be amended by adding the following words to paragraph 1:

"with the following amendment:

- a) To delete from Table 1 and the operating criteria contained in the draft by-law related to the Driver for Hire category, the requirement to provide the make, model, licence plate and VIN number associated with each company vehicle."

CARRIED

Upon the question of the original motion moved by Councillor, S. Morales and seconded by Councillor, A. Prince the motion was CARRIED AS AMENDED BY AMENDMENTS #1, #3, #4 AND #5.

SECTION "E" - Adoption of this Section

Moved by: Councillor, S. Morales

Seconded by: Councillor, A. Prince

That Section "E" of the General Committee Report dated March 20, 2017, now circulated, be adopted.

17-G-058 SALE OF SURPLUSSED DOWNTOWN PARKING LOT 55 – 57 MCDONALD STREET/61 - 67 OWEN STREET (WARD 2)

Moved by: Councillor, R. Romita

Seconded by: Councillor, B. Ainsworth

That motion 17-G-058 of Section "E" of the General Committee Report dated March 20, 2017 concerning the Sale of Surplused Downtown Parking Lot 55-57 McDonald Street/61-67 Owen Street (Ward 2) be referred back to staff to allow for further discussion with the proposed Purchaser regarding the development time lines related to the Record of Site Condition, the continued operation of the parking lot and the overall development proposal, and a report back to General Committee. (BDD003-17) (File: L00)

Upon the question of the original motion moved by Councillor, S. Morales and seconded by Councillor, A. Prince the motion was CARRIED AS AMENDED BY AMENDMENT #1

17-G-059 2017 BUSINESS PLAN - OPERATING AND CAPITAL REDUCTIONS

CARRIED

17-A-036 General Committee Report dated March 21, 2017, Sections A and B (APPENDIX "B").

Pursuant to Section 2.18 of Procedural By-law 2013-072, the City Council adopted a procedural motion in order to extend the meeting past 11:00 p.m. to 12:00 midnight.

SECTION "A" - Receipt of this Section

Moved by: Councillor, S. Morales

Seconded by: Councillor, A. Prince

That Section "A" of the General Committee Report dated March 21, 2017, now circulated, be received.

17-G-060 DEVELOPMENT CHARGES COMPLAINT HEARING - KIM AND CONAL DERDALL (WARD 8)

CARRIED**SECTION "B" - Adoption of this Section**

Moved by: Councillor, S. Morales

Seconded by: Councillor, A. Prince

That Section "B" of the General Committee Report dated March 21, 2017, now circulated, be adopted.

17-G-061 SECTION 20 COMPLAINT (DCA, 1997) - 10 CENTRE STREET (WARD 8)

CARRIED

DIRECT MOTIONS**17-A-037 MOTION WITHOUT NOTICE - COMMITTEE APPOINTMENTS**

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

That pursuant to Section 7.1 of the Procedural By-law 2013-072 as amended, permission be granted to introduce a motion without notice concerning the Committee appointments.

CARRIED BY A TWO-THIRDS VOTE

17-A-038 COMMITTEE APPOINTMENTS

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

1. That Councillor, B. Ward be appointed to the Finance and Corporate Services Committee and serve as Chairman of the Committee during Councillor, M. Prowse's leave of absence.
2. That in response to his request and in addition to the Reference Committee Chairs, Councillor, M. McCann be appointed to the Chief Administrative/City Manager Recruitment Committee.

CARRIED

17-A-039 MOTION WITHOUT NOTICE - BARRIE BOAT SHOW BY PRIDE MARINE GROUP AND THE BIA

Moved by: Councillor, D. Shipley
Seconded by: Councillor, B. Ward

That pursuant to Section 7.1 of the Procedural By-law 2013-072 as amended, permission be granted to introduce a motion without notice concerning a Barrie Boat Show to be presented by Pride Marine Group and the Downtown Barrie BIA.

CARRIED BY A TWO-THIRDS VOTE

17-A-040 BARRIE BOAT SHOW PRESENTED BY PRIDE MARINE GROUP AND THE BIA

Moved by: Councillor, D. Shipley
Seconded by: Councillor, B. Ward

That Pride Marine Group and the Downtown Barrie BIA be permitted to utilize the 20 transient slips and the west portion of Heritage Park for the proposed Barrie Boat Show to be held from June 16th to June 18th, 2017, at no cost, subject to the event being free for the public to attend and any other event requirements as determined by the Barrie Event Action Team being fulfilled by the event organizers.

CARRIED

ENQUIRIES

Members of City Council did not address any enquires to City staff.

ANNOUNCEMENTS

Mayor Lehman provided announcements concerning a number of matters.

BY-LAWS

Moved by: Councillor, S. Morales

Seconded by: Councillor, A. Prince

That leave be granted to introduce the following Bills and these Bills be read a first, second and third time this day and finally passed:

**BY-LAW
2017-017****Bill #018**

A By-law of the Corporation of the City of Barrie to provide for general notice provisions as required under the *Municipal Act, 2001* and to repeal By-law 2003-116 (17-G-032) (Public Notice By-law) (LCS004-17) (File: C01)

**BY-LAW
2017-018****Bill #019**

A By-law of The Corporation of the City of Barrie to adopt an amendment to the Official Plan (O.P.A. 60). (17-G-039) (Applications for Official Plan Amendment and Zoning By-law Amendment - North Side of Concert Way, West of Bayview Drive) (Ward 8) (PLN004-17) (File: D09-OPA60 and D14-1611)

**BY-LAW
2017-019****Bill #020**

A By-law of The Corporation of the City of Barrie to amend site specific By-law 2010-130 as amended by By-law 2013-023, 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. (17-G-039) (Applications for Official Plan Amendment and Zoning By-law Amendment - North Side of Concert Way, West of Bayview Drive) (Ward 8) (PLN004-17) (File: D09-OPA60 and D14-1611)

**BY-LAW
2017-020****Bill #021**

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. (17-G-052) (Application for Zoning By-law Amendment – Saverino Investments Inc. - 570, 574 and 576 Essa Road) (Ward 7) (PLN001-17) (File: D14-1609)

CARRIED UNANIMOUSLY

CONFIRMATION BY-LAW

Moved by: Councillor, S. Morales
Seconded by: Councillor, A. Prince

That leave be granted to introduce the following Bill and this Bill be read a first, second and third time this day and finally passed:

BY-LAW **Bill #022**
2017-021

A By-law of The Corporation of the City of Barrie to confirm the proceedings of Council at its meeting held on the 27th day of March, 2017.

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by: Councillor, M. McCann
Seconded by: Councillor, S. Morales

That the meeting be adjourned at 11:10 p.m.

CARRIED

Mayor

City Clerk

BY-LAW **AS PER ONTARIO MUNICIPAL BOARD DECISION DATED FEBRUARY 3, 2017**
2017-022 **PL150857**

Bill #010

A By-law of The Corporation of the City of Barrie to amend 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. **(15-G-189) (Tri-Star Management Group - 681-685 Yonge Street) (PLN026-15) (Ward 9) (File: D09-OPA050 and D14-1579)**

APPENDIX “A”

**General Committee Report dated
March 20, 2017**

**Minutes - Final
General Committee**

Monday, March 20, 2017

7:00 PM

Council Chamber

GENERAL COMMITTEE REPORT

For consideration by Barrie City Council on March 27, 2017.

The meeting was called to order by Mayor Lehman at 7:02 p.m. The following were in attendance for the meeting:

- Present:** 10 - Mayor, J. Lehman; Councillor, B. Ainsworth; Councillor, R. Romita; Councillor, D. Shipley; Councillor, B. Ward; Councillor, P. Silveira; Councillor, A. Prince; Councillor, A. Khan; Councillor, S. Morales; and Councillor, M. McCann
- Absent:** 1 - Councillor, M. Prowse

STUDENT MAYOR:

Ewan MacKinnon, Barrie North Collegiate

STAFF:

Business Development Officer, P. Dyck
City Clerk/Director of Legislative and Court Services, D. McAlpine
Deputy City Clerk, W. Cooke
Director of Business Development, S. Schlichter
Director of Corporate Facilities, R. Pews
Director of Engineering, R. Sutton
Director of Environmental Services, J. Thompson
Director of Finance/Treasurer, C. Millar
Director of Internal Audit, S. MacGregor
Director of Recreation Services, B. Roth
Director of Roads, Parks and Fleet, D. Friary
Director of Transit and Parking Strategy, M. DiGirolamo
Executive Director of Access Barrie, R. James-Reid
General Manager of Infrastructure and Growth Management, R. Forward
Legal Counsel, P. Krysiak
Manager of Enforcement Services, T. Banting
Manager of Culture, O. Groves
Manager of Growth Planning, S. Forfar
Planner, B. Chabot

Service Desk Specialist, T. Versteeg
Theatre Technician, B. Elliott.

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

SECTION "A"

**17-G-045 REPORT OF THE COUNCIL COMPENSATION REVIEW COMMITTEE
DATED MARCH 13, 2017.**

The report of the Council Compensation Review Committee dated March 13, 2017, was received.

This matter was recommended (Section "A") to City Council for consideration of receipt at its meeting to be held on 3/27/2017.

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

SECTION "B"

17-G-046 ON-STREET PARKING - BIG BAY POINT ROAD (WARD 8, 9 AND 10)

That Traffic By-law 80-138, Schedule "A", "No Parking Anytime" be amended by adding the following:

| | |
|------------------------------------|--|
| <u>"Big Bay Point Road"</u> | From Huronia Road to a point 140 metres east there of |
| <u>"Big Bay Point Road"</u> | From Loon Avenue to a point 155 metres east of The Queensway |

(RPF001-17) (File: T02-PA)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/27/2017.

17-G-047**LETTER OF AGREEMENT: CITY OF BARRIE AND PROVINCE RE: STARTER COMPANY PLUS PROGRAM**

1. That the Corporation of the City of Barrie enter into a Transfer Payment Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Economic Development and Growth (MEDG) for the provision of grant funds to deliver the Starter Company Plus Program through the Small Business Centre of Barrie, Simcoe County and Orillia (Small Business Centre) for the period ending March 31st, 2019.
2. That the City Clerk be authorized to execute all documents necessary to give effect to such agreement.
3. That should the Starter Company Program be extended under the same general conditions or a similar program be established with the same general intent, the City Clerk be authorized to execute extensions to such an agreement or a new agreement, in order to facilitate the transfer of grant funds. (BDD004-17) (File: D00)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/27/2017.

17-G-048**PUBLIC ART INSTALLATIONS AND PAGEANTRY PROGRAM**

1. That the following additional temporary public art installations be approved in principle as part of the "Illuminate Barrie" Canada's 150th celebrations subject to funding approvals where applicable:
 - a) Quadriga, by Max Streicher - for installation at the Mady Centre; and
 - b) Rabbit, by Ryan Park - installation location to be determined.
2. That the Manager of Culture be delegated the authority to approve any additional temporary public art displays and any locations of such displays associated with "Illuminate Barrie".
3. That a pageantry program comprised of up to 150 flags and banners provided by The Look Company and branded in the theme of Canada's 150th celebration with logos of sponsoring businesses, be approved for temporary installations along the waterfront and in the downtown core as part of Barrie's celebration of Canada's 150th anniversary.
4. That the Manager of Culture be delegated the authority to review and approve the locations of temporary banners and temporary installations of flagpoles provided by The Look Company for the pageantry program as well as any sponsors included on flags and banners. (CE004-17) (File: A09-PUB)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/27/2017.

17-G-049 NEW WATERFRONT BASKETBALL COURT AND ARTIFICIAL ICE RINK (WARD 2)

1. That a non-standard procurement for the installation of a new waterfront basketball court facility and artificial ice rink in Centennial Park be endorsed.
2. That the funding plan for a new waterfront basketball court and artificial ice rink be amended by reducing funding from the Tax Capital Reserve by \$80,000 (to \$142,580) and increasing funding from donations by \$80,000.
3. That the funding plan for a new waterfront basketball court and artificial ice rink be amended by reducing funding from the Tax Capital Reserve by \$142,580 and changed to Cash-In-Lieu funding. (ENG001-17) (File: D00)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/27/2017.

17-G-050 RESULTS OF PUBLIC CONSULTATION - NAMING OF ARBORETUM IN SUNNIDALE PARK IN RECOGNITION OF WYMAN JACQUES (WARD 4)

1. That the Arboretum in Sunnidale Park be named in recognition of Wyman Jacques' community contributions.
2. That the contributions of the Barrie Horticultural Society (now known as the Barrie Garden Club) be formally acknowledged as part of the interpretative signage at the Arboretum.
3. That any costs associated with acknowledging Wyman Jacques and the Barrie Horticultural Society/Barrie Garden Club contributions be funded from the Strategic Priorities Reserve. (LCS007-17) (File: R02)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/27/2017.

17-G-051 APPLICATION FOR DEED REGISTRATION PART OF BLOCK A, PLAN 1350, BARRIE (WARD 4)

That staff be directed to implement the steps outlined in Appendix "A" to Confidential Staff Report LGL002-17 and should the application be resolved, the Mayor and City Clerk be authorized to execute any documents that may be requisite. (LGL002-17) (File: L02-A106)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/27/2017.

17-G-052 APPLICATION FOR ZONING BY-LAW AMENDMENT - SAVERINO INVESTMENTS INC. - 570, 574 AND 576 ESSA ROAD (WARD 7)

1. That the Zoning By-law Amendment application submitted by the Goodreid Planning Group, on behalf of Saverino Investments Inc., to rezone the lands known municipally as 570, 574 and 576 Essa Road (Ward 7) from 'Single Detached Residential Dwelling First Density' (R1) and 'General Commercial - Special Provision No. 50' (C4)(SP-50) to Residential Apartment Dwelling Second Density-1 Special RA2 -1(SP) be approved.
2. That the following Special Provisions (SP) be referenced in the implementing Zoning By-law for the subject lands:
 - a) Permit a minimum density of 53 units per hectare;
 - b) Permit a maximum density of 84 units per hectare;
 - c) Permit a maximum building height of 6-storeys (22 metres), whereas 30 metres would be permitted;
 - d) Permit a minimum rear yard building setback of 48 metres, whereas 7 metres would be permitted; and
 - e) Permit a maximum lot coverage of 46% for all surface parking areas, whereas 35% would be permitted.
3. That pursuant to Section 34(17) of the Planning Act, no further public notification is required prior to the passing of this by-law.
4. That the written and oral submissions received relating to this application, have been, on balance, taken into consideration as part of the deliberations and final decision related to the approval of the application, including the following matters raised in those submissions and identified within Staff Report PLN001-17: adverse effect on property values and quality of life of abutting residents; decreased privacy due to the proposed height and surface parking area; increased noise from construction and additional residents; shadowing impacts; incompatibility with the surrounding neighbourhood; and increased traffic along Essa Road and Mapleton Avenue. (PLN001-17) (File: D14-1609)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/27/2017.

17-G-053 INVESTIGATION OF A PROPOSAL TO UPGRADE THE SKATEBOARD PARK (WARD 2)

That staff in the Engineering Department (Parks Planning) investigate the proposal outlined by Downtown business owners/operators and parents of local skateboarders to upgrade the skateboard park and report back to General Committee regarding the proposal including potential partnerships, fundraising opportunities, financial implications, and timing. (Item for Discussion 8.1, March 20, 2017) (File: R00)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/27/2017.

17-G-054 DYNAMIC REPORTING OPTIONS - CURRENT INFRASTRUCTURE FUNDING GAP

That staff in the Finance, Engineering (Corporate Asset Management) and Information Technology Departments report to the Finance and Corporate Services Committee by September 2017 regarding options to provide dynamic reporting of the City's current infrastructure funding gap to Council including any process changes and cost implications to providing that data in a more real time format. (Item for Discussion 8.2, March 20, 2017) (File: F00)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/27/2017.

The General Committee met for the purpose of a Public Meeting at 7:06 p.m.

Mayor Lehman advised the public that any concerns or appeals dealing with the applications that were the subject of the Public Meetings should be directed to the Legislative and Court Services Department. Any interested persons wishing further notification of the Staff Reports regarding the applications were advised to sign the appropriate notification forms required by the Legislative and Court Services Department. Mayor Lehman confirmed with the Planner that notification was conducted in accordance with the Planning Act.

SECTION "C"**17-G-055**

APPLICATION OF AN AMENDMENT TO THE ZONING BY-LAW AND A DRAFT PLAN OF SUBDIVISION - SUBMITTED BY KLM PLANNING PARTNERS INC. ON BEHALF OF WATERSAND CONSTRUCTION LTD. - SOUTH WEST CORNER OF MCKAY ROAD WEST AND VETERAN'S DRIVE (WARD 7) (FILE: D12-423/D14-1616) (17-G-055)

Mr. Keith MacKinnon of KLM Planning Partners Inc. on behalf of Watersand Construction Limited advised that the purpose of the Public Meeting was to review applications for an amendment to the Zoning By-law and a Draft Plan of Subdivision for the south west corner of McKay Road West and Veteran's Drive. Mr. MacKinnon noted that this was the first public meeting concerning applications for the Annexed Lands.

Mr. MacKinnon provided a presentation and discussed slides concerning the following topics:

- The applications and the studies submitted in support of the proposed development;
- An aerial image of the subject lands and surrounding properties;
- The Salem Secondary Land Use Plan, Development Phases and Master Plan;
- The proposed Draft Plan of Subdivision;
- The proposed zoning schedule;
- The proposed Sidewalk and Pedestrian Circulation Plan; and
- Artist renderings of the proposed single detached homes, townhouses and affordable townhouses.

Ms. Bailey Chabot, Planner provided details related to the history of the application as well as the primary planning and land use considerations associated with the application. She noted that a Neighbourhood Meeting was not held due to the isolation of the site being and the applicant owning the majority of the surrounding lands.

VERBAL COMMENTS

1. **Mr. Brian Wight, 188 Salem Road** discussed his concerns and asked questions regarding the size of the development, the timing of the installation of servicing along Salem Road and whether there would be sufficient water and sewer capacity available.

Ms. Chabot provided responses to the questions raised.

2. **Mr. Mario Titus, 2 Toronto Street** asked whether the housing units would be market price or affordable housing.

Mr. MacKinnon responded to the questions raised.

3. **Mr. Casey Van Kessel, 6781 Tenth Line, Thornton** discussed his concerns related to the timing of the installation of watermains and sewers along Salem Road. He commented that he was under the impression that the sewers and watermain works were not slated to be constructed for at least five years. Mr. Van Kessel noted that he felt it was unfair that to the existing Salem Road property owners that this project was proceeding earlier. He remarked that he believed that the installation of servicing and development were to happen concurrently with the Salem Road widening. He requested that staff from the Engineering Department, Council and the Mayor look into this situation. He also questioned why Salem Road would be widened and then dug up at a later time for the installation of water and sewer mains.

4. **Mr. Brian Wight, 188 Salem Road** discussed his concerns related to the phasing of the applications and his perception that there were roadblocks in the process.

City staff responded to the questions raised.

Members of General Committee asked a numbers of questions of the applicant's representative and City staff and received responses.

WRITTEN CORRESPONDENCE

Written correspondence was not received concerning this application.

This matter was recommended (Section "C") to City Council for consideration of receipt at its meeting to be held on 3/27/2017.

17-G-056

APPLICATION FOR AN AMENDMENT TO THE ZONING BY-LAW AND A DRAFT PLAN OF SUBDIVISION - SUBMITTED BY KLM PLANNING PARTNERS INC. ON BEHALF OF WATERSAND CONSTRUCTION LTD. - SOUTH EAST CORNER OF VETERAN'S DRIVE AND MCKAY ROAD WEST (WARD 7) (FILE: D12-425 / D14-1620)

Mr. Keith MacKinnon of KLM Planning Partners Inc. on behalf of Watersand Construction Ltd. advised that the purpose of the Public Meeting was to review applications for an amendment to the Zoning By-law and Draft Plan of Subdivision for lands at the south east corner of Veteran's Drive and McKay Road West. He noted that the property was located to the east of the application that was subject of the first Public Meeting on March 20, 2017.

Mr. MacKinnon provided a presentation and discussed slides concerning the following topics:

- The applications and studies submitted in support of the proposed development;
- An aerial image of the subject lands and surrounding properties;
- The Salem Secondary Land Use Plan, development phases, and Master Plan
- The proposed Draft Plan of Subdivision; and
- The proposed zoning schedule noting that site specific provisions are being requested.

Ms. Bailey Chabot, Planner advised that these applications were recently received by staff and was brought forward to a Public Meeting, as the proposed employment lands coincide with the proposed residential development in the area. She commented that Staff has not yet had the opportunity to completely review the application and are in discussions with Mr. MacKinnon and his clients concerning the application. Ms. Chabot noted that a Neighbourhood Meeting was not held due isolation of the site and the applicant owning the majority of the surrounding lands..

VERBAL COMMENTS

1. **Mr. Gerry Alary 24 Warner Road** discussed his concerns related to the current amount of traffic on Veteran's Drive as well as his concerns associated with the potential traffic and noise increase once new development occurs. He commented regarding the impacts of the potential increase in traffic in the area of Veteran's Drive, McKay Road and Innisfil Beach Road as development occurs as well as the proximity of industrial lands to residential lands in this area. Mr. Alary advised that there is currently a significant amount of noise generated by the Highway 400 and he questioned if noise mitigation was considered as part of the development process. Mr. Alary further noted his concerns associated with the compatibility of proposed proximity of the entrances into the industrial lands and the area residential lands. He questioned if there was archeological work being completed in the area of Highway 400 and McKay Road as well the roadworks being proposed for the area.

City staff responded to questions raised by Mr. Alary.

Mr. Alary questioned whether a noise assessment was completed as part of the application process.

Ms. Chabot responded to the question raised by Mr. Alary.

2. **Ms. Shannon MacIntyre, Squarefoot, 19 Poyntz Street** asked about the number of industrial acres and the average size of the industrial blocks and the proposed density in the area of the proposed development..

Mr. McKinnon responded to the questions raised by Ms. MacIntyre.

Members of General Committee asked a number of questions of the applicant's representative and City staff and received responses.

WRITTEN CORRESPONDENCE

Written correspondence was not received concerning this application.

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 3/27/2017.

Pursuant to Procedural By-law 2013-072, Section 4, Subsection 10, the Committee the order of business was altered such that the Review of the Transportation Industry (Taxi) By-law 2006-265 and Regulating Ride Sharing/Driver for hire Operations (LCS006-17) was considered prior to the Sale of Surplused Downtown Parking Lot 55-57 McDonald Street/61-67 Owen Street (BDD003-17).

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

SECTION "D"

17-G-057 REVIEW OF TRANSPORTATION INDUSTRY (TAXI) BY-LAW 2006-265 AND REGULATING RIDE SHARING/DRIVER FOR HIRE OPERATIONS

1. That By-law 2006-265 regarding the licensing and regulation of Transportation type business operations within the City of Barrie be amended effective July 1, 2017, to allow for a pilot to be undertaken that would reflect the changes as set out generally in the form of the draft by-law attached as Appendix "A" to Staff Report LCS006-17; with amendments to add the words "if applicable" to any references to requirements related to proof of HST registration.
2. That a review of the pilot be undertaken beginning no later than two years after the passage of any amendments to By-law 2006-265.
3. That the Fees By-law be amended to reflect the proposed licensing fees as set out in Appendix "B" to Staff Report LCS006-17.

4. That staff make application to the Ministry of the Attorney General for set fines ranging from \$100.00 to \$1,000.00 based on the nature of the offense. (LCS006-17) (File: P18)

This matter was recommended (Section "D") to City Council for consideration of adoption at its meeting to be held on 3/27/2017.

SECTION "E"

17-G-058

SALE OF SURPLUSSED DOWNTOWN PARKING LOT 55 - 57 MCDONALD STREET/61 - 67 OWEN STREET (WARD 2)

1. That the City Clerk be authorized to execute the Agreement of Purchase and Sale between the City and Forrest Group Acquisitions Ltd. (the Purchaser) for the 0.52 acre parcel of City-owned land described as PIN'S 588170026, 588170027, 588170174, 588170024, 588170025, City of Barrie, County of Simcoe, (the Property) on the south-east corner of McDonald Street and Owen Street, also known municipally as 55-57 McDonald Street and 61-67 Owen Street, for the purchase price of \$1,000,000, subject to the following general terms and conditions:
 - a) The Purchaser acknowledges that acceptance of this offer, including all amendments, is conditional upon the approval of the Council of The Corporation of the City of Barrie;
 - b) The Purchaser agrees that it is purchasing the property in its present condition "as is" and further acknowledges and agrees that it will conduct such tests as it deems necessary to determine to its satisfaction that the Lands are suitable for the Purchaser's intended use;
 - c) The Purchaser acknowledges that any municipal approvals, including re-zoning of the City lands, will be done in accordance with the City's standard process and procedures, and where relevant, at the Purchasers own risk;
 - d) The Purchaser agrees within four hundred and eighty (480) days following the approval by Council of the Agreement of Purchase and Sale to:
 - i) Obtain all municipal and other governmental approvals necessary in connection with the Purchaser's intended development of the Property; and
 - ii) Execute a Development Agreement, including without limitation a Site Plan Agreement for development of the Property;

- e) The Purchaser agrees that unless it gives notice in writing delivered to the Seller within the four hundred and eighty (480) days that the condition has been fulfilled or an extension to the condition has been granted, this Agreement shall become null and void and the deposit shall be returned to the Purchaser without deduction;
 - f) The Purchaser covenants and agrees to start construction of Purchaser's Use within twelve (12) months following the date of registration of the transfer of the Property from Seller to Purchaser and complete construction of Purchaser's Use within thirty (30) months of the start of construction provided that appropriate allowances shall be made for delays caused by strikes, acts of God and other events beyond the control of the Purchaser; and
 - g) The Purchaser acknowledges that all approvals including a rezoning, are not being guaranteed by the terms of this Agreement and shall be effected by the Purchaser at the Purchaser's own risk and expense.
- 2. That the City Clerk in consultation with the Executive Director of Invest Barrie and Director Legal Services be authorized to execute any consent or authorization documents permitting the Purchaser to process any necessary Zoning By-Law Amendments concerning the Property solely at their cost, as well as any amendments or extensions to the Completion, Construction and Conditions dates as set out in the Purchase Agreement.
 - 3. That proceeds from the sale of the Property, in the amount of \$76,424 be allocated to the Industrial Land Reserve (13-04-0430), with the remaining amount to be allocated to the Parking Reserve. (BDD003-17) (File: L00)

This matter was recommended (Section "E") to City Council for consideration of adoption at its meeting to be held on 3/27/2017.

17-G-059**2017 BUSINESS PLAN - OPERATING AND CAPITAL REDUCTIONS**

- 1. That the proposed 2017 operating budget amendments listed as Appendix "A" in Staff Report EMT002-17 be approved with an amendment to delete the increased revenue identified in paragraph 5 b) related to \$13,000 associated with Roads - rented equipment operations.
- 2. That the proposed 2017 capital budget amendments listed as Appendices "B" and "C" in Staff Report EMT002-17 be approved. (EMT002-17) (File: F00)

This matter was recommended (Section "E") to City Council for consideration of adoption at its meeting to be held on 3/27/2017.

ENQUIRIES

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

ANNOUNCEMENTS

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

ADJOURNMENT

The meeting adjourned at 10:27 p.m.

CHAIRMAN

APPENDIX “B”

**General Committee Report dated
March 21, 2017**

**Minutes - Final
General Committee**

Tuesday, March 21, 2017

6:30 PM

Council Chamber

GENERAL COMMITTEE REPORT

For consideration by Barrie City Council on March 27, 2017.

The meeting was called to order by Mayor Lehman at 6:30 p.m. The following were in attendance for the meeting:

- Present:** 7 - Mayor, J. Lehman; Councillor, B. Ainsworth; Councillor, R. Romita; Councillor, D. Shipley; Councillor, B. Ward; Councillor, A. Khan; and Councillor, S. Morales
- Absent:** 4 - Councillor, P. Silveira; Councillor, M. Prowse; Councillor, A. Prince; and Councillor, M. McCann

STUDENT MAYOR:

Ewan MacKinnon, Barrie North Collegiate

STAFF:

City Clerk/Director of Legislative and Court Services, D. McAlpine

Deputy City Clerk, W. Cooke

Deputy Treasurer, M. Jermey

Director of Finance/Treasurer, C. Millar

General Manager of Infrastructure and Growth Management, R. Forward

Legal Counsel, P. Krysiak

Supervisor of Development Charges, A. Gallant

Supervisor of Small Buildings - Residential, C. Glanville

Zoning Administration Officer, D. Read.

Mayor Lehman advised that the purpose of the meeting was to conduct a complaint hearing pursuant to Section 20 of the Development Charges Act, filed by Kim and Conal Derdall. He confirmed for the record with the City Clerk that proper notification was delivered to the applicant in accordance with the Development Charges Act.

SECTION "A"

17-G-060 DEVELOPMENT CHARGES COMPLAINT HEARING- KIM AND CONAL DERRALL (WARD 8)

Mayor Lehman requested that the complainant(s) and/or their representatives identify themselves.

Kim and Conal Derdall identified themselves and explained they were representing themselves.

Mayor Lehman requested that the City's representative(s) identify himself.

Mr. Peter Krysiak, Legal Counsel identified himself.

Ms. Derdall provided evidence in support of her complaint. She discussed the details concerning the timelines associated with their purchase of 10 Centre Street as a derelict property, the decision to turn off the water in December of 2010 and the issuance of a demolition permit. She commented that at the time the demolition permit was issued in 2011, they were advised that a development charge credit was available. Ms. Derdall advised that when they attempted to close the permit, they were required to re-excavate the front lawn to address the sewer pipe. Ms. Derdall noted that it was at this time, that they were informed verbally that they had 60 months from the closing of the demolition permit for the development charge credit to be available. She discussed the information that she and her husband had learned during the process and that the requirement for a building permit to be issued within 60 months of the property becoming vacant was not expressly identified in any of the documents from the City or in discussions with City staff until they applied for their building permit in December of 2016.

Ms. Derdall also noted that Bill 204, Promoting Affordable Housing Act, 2016, that is not yet in effect, if implemented, would not allow for the imposition of a development charge related to the creation of a second dwelling unit. She asked whether the legislation would create the potential to alleviate the development charges for their new building with two rental units. Ms. Derdall commented that they are building units that they feel suit Barrie and they are excited to contribute to Barrie's urban community. She concluded by requesting a waiver of all of the development charges applicable or a partial waiver and noted that the process had been both challenging and confusing.

Members of General Committee asked a number of questions of Mr. and Mrs. Derdall and received responses. The members of General Committee sought and obtained clarification from staff on matters raised by the Derdalls.

Mr. Krysiak presented evidence on behalf of the City of Barrie. Mr. Krysiak explained the grounds under which a complaint may be filed in accordance with Section 20 of the *Development Charges Act*, noted that the complaint fell under Section 20 (1) (b) and the decisions available to the Committee. He advised that the provision in the City of Barrie by-law allows for a credit for each unit formerly located on the property and advised that since only one unit had been previously located on the property, only a single credit was available. Mr. Krysiak discussed the basis of the complaint, noting that it was a matter of timing. He stated that the building became unoccupied on December 10, 2010 and as a result, the credit was available until December 10, 2015. As the owner had not applied for a building permit until December 12, 2016, their application was outside of the 60 month timeframe established in the City's by-law. Mr. Krysiak requested that the complaint be dismissed as the provisions within the City's by-law for a credit had not been met and the Derdall's had not provided compelling proof to support their position that any delay was caused by the City. He commented regarding the precedent that could be set by granting a credit to the Derdalls.

Members of General Committee asked a number of questions of Mr. Krysiak, the Derdalls and City staff and received responses.

Mr. and Mrs. Derdall requested clarification regarding the grounds for a complaint and submitted that they felt their situation met all three grounds. They also reiterated their comments associated with their understanding of the timelines associated with the eligibility for a development charge credit. Mr. and Mrs. Derdall requested clarification of paragraph six of Staff Report FIN004-17 in relation to the provisions of the City's Development Charge By-law.

Staff advised Mr. and Mrs. Derdall that Section 9 b) of the City's Development Charge by-law established the timeline for development charge credits.

Members of General Committee asked further questions of Mr. and Ms. Derdall and received responses.

City staff provided information related to the Community Improvement Plan grants that may be available to the Derdalls depending upon the rental rates associated with their proposed units.

Mr. Krysiak provided a closing submission on behalf of the City identifying the deadline to meet the requirements of the City's Development Charges By-law was missed and the lack evidence to support the Derdall's claim that they were misinformed regarding the timelines. He commented that Mr. and Mrs. Derdall did not qualify for a credit under the By-law.

Ms. Derdall provided a closing submission thanking the members of General Committee for their time and requested consideration be given to credits that may be available in the Derdall's circumstance.

A member of General Committee put forward a motion that was discussed by the Committee. Members of the Committee provided their individual perspectives of the submissions provided by both parties.

Mayor Lehman noted that the Committee was acting in its capacity as a quasi-judicial body and as such would be required to address the specific grounds for a complaint under Section 20 of the *Development Charges Act*. He advised that the Committee was required to determine whether City staff had erred in the application of the provisions for development charge credits under the City's by-law. Mayor Lehman provided his perspective with respect to the submissions provided by both parties. (FIN004-17) (File: F21A)

This matter was recommended (Section "A") to City Council for consideration of receipt at its meeting to be held on 3/27/2017.

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

SECTION "B"

17-G-061 SECTION 20 COMPLAINT (DCA, 1997) - 10 CENTRE STREET (WARD 8)

1. That the Development Charge credit for the property known as 10 Centre Street be confirmed as expired.
2. That a grant be provided to Kim and Donal Derdall equal to the value of a Development Charge credit in the amount of \$43,478, to be applied to the property known as 10 Centre Street, subject to a building permit for 10 Centre Street being pulled within six months from the date of the Council decision. (FIN004-17) (File: F21A)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/27/2017.

ADJOURNMENT

The meeting adjourned at 8:10 p.m.

CHAIRMAN