



City of Barrie

70 Collier Street
P.O. Box 400
Barrie, ON L4M 4T5

Final City Council

Wednesday, May 3, 2023

7:00 PM

Council Chambers/Virtual Meeting

CALLING TO ORDER BY THE CITY CLERK, WENDY COOKE

The meeting was called to order by the City Clerk at 7:03 p.m. The following were in attendance for the meeting:

Present: 11 - Mayor, A. Nuttall
Deputy Mayor, R. Thomson
Councillor, C. Riepma
Councillor, C. Nixon
Councillor, A.M. Kungl
Councillor, A. Courser
Councillor, N. Nigussie
Councillor, G. Harvey
Councillor, J. Harris
Councillor, S. Morales
Councillor, B. Hamilton

STAFF:

Chief Administrative Officer, M. Prowse
Chief Financial Officer, C. Millar
City Clerk/Director of Legislative and Court Services, W. Cooke
Committee Support Clerk, T. Maynard
Deputy City Clerk, T. McArthur
Director of Corporate Facilities, R. Pews
Director of Development Services, M. Banfield
Director of Economic and Creative Development, S. Schlichter
Director of Internal Audit, S. MacGregor
Director of Legal Services, I. Peters
Director of Operations, D. Friary
Director of Recreation and Culture Services, D. Bell
Director of Transit and Parking Strategy, B. Forsyth
Executive Director of Access Barrie, R. James-Reid
Fire Chief, C. Mainprize
General Manager of Community and Corporate Services, D. McAlpine
General Manager of Infrastructure and Growth Management, B. Araniyasundaran
Manager of Wastewater Operations, G. Jorden

Service Desk Generalist, K. Kovacs.

PLAYING OF THE NATIONAL ANTHEM

The National Anthem was played.

READING OF LAND ACKNOWLEDGMENT

Mayor A. Nuttall read the Land Acknowledgement.

CONFIRMATION OF THE MINUTES

23-A-036 The Minutes of the City Council meeting held on April 19, 2023 were adopted as printed and circulated.

DEPUTATION(S) ON COMMITTEE REPORTS

Pursuant to Section 4 (16) of Procedural By-law 2019-100, City Council considered deputation requests by Taisha Twiss, Carl Buchheit and Wayne Doucette concerning motion 23-G-098, Confidential Litigation Matter - Ontario Land Tribunal Appeal - Essa Road. Upon a vote of City Council being taken, Taisha Twiss, Carl Buchheit and Wayne Doucette were permitted to address City Council.

23-A-037 **DEPUTATION BY WOLTER WAGTER CONCERNING MOTION 23-G-097, CYCLING IMPLEMENTATION - GROVE STREET AND DUNLOP STREET/BLAKE STREET (WARD 1 AND 2)**

Pursuant to Procedural By-law 2019-100, as amended, Section 4, Subsection 13, Mr. Wolter Wagter submitted written comments for his deputation to the City Clerk prior to the City Council meeting. Mr. Wagter written comments have been attached to the City Council Minutes dated May 3, 2023.

23-A-038 **DEPUTATIONS BY THE FOLLOWING INDIVIDUALS CONCERNING MOTION 23-G-098, CONFIDENTIAL LITIGATION MATTER - ONTARIO LAND TRIBUNAL APPEAL - ESSA ROAD**

The following individuals provided Deputation(s) concerning motion 23-G-098, Ontario Land Tribunal Appeal - Essa Road.

1. David MacKenzie advised that he has been a resident of Barrie for 30 years and the location of his property related to the proposed development and Cityview Circle. He expressed that the neighbours are not against development on the property and were aware that the property would be developed.

Mr. MacKenzie provided an overview of the developer's history related to 405 Essa Road. He described the first and second applications and the Ontario Land Tribunal Appeal (OLT) process in that residents raised concerns surrounding the built form and density. He further commented on the concerns related to the height of the buildings, the intensification compared to the property size, and the transition to the surrounding neighbourhoods. He acknowledged the changes in intensification associated with provincial policies and that Ontario municipalities are finding this challenging.

Mr. MacKenzie expressed gratitude to City staff and Councillor Nigussie for meeting with the concerned residents about development. He commented that the proposed development should not be approved because of the over-intensification and the transitioning to the neighbourhood. Mr. MacKenzie noted that if the development is approved, it could set a precedent for future unbalanced development proposals.

Mr. MacKenzie concluded by recommending that Council vote no and send a clear message to the Ontario Land Tribunal in support of the concerned residents.

2. Peggy Hill provided an overview of her history as a resident of Barrie and a property owner on Cityview Circle. She advised that the development is out of step, invasive, and will impact the privacy and property values of the existing homeowners in the area. She discussed concerns related to increases in traffic, parking disruptions to the surrounding streets, density, and community safety. Ms. Hill noted that the residents fundraised to hire a planner because of their concerns about the proposed development. She comments that she felt that there is a loophole in the OLT process for developers. Ms. Hill recommended that the municipality take the time to look at the plan and vote no to send a clear message to the OLT in support of the community.

Ms. Hill concluded by commenting that the proposed development is not fair to residents and homeowners should not be losing money on their properties.

3. Graeme Montgomery commented on the location of his property in relation to the proposed development. He expressed that Council should vote no to the proposed development for all Barrie residents and the future.

Mr. Montgomery advised he is representing the property owners on Essa Road. He discussed the previous OLT appeal for 405 Essa Road, and he felt the second development proposal is intrusive and lacks a fulsome response to the concerns of the 557 residents who signed a petition against the development.

Mr. Montgomery indicated that if this development is approved by the OLT, it would set a precedent for the community and future development in the City. He recommended that Council vote no to the OLT appeal and send a clear message that residents are against this development. Mr. Montgomery noted that this proposed development is pure punishment for the neighbours surrounding the development.

4. Taisha Twiss commented on her time as a resident of Barrie and the location of her property near the proposed development. She discussed concerns related to the intensification on a small parcel of land, traffic, the location of the current buildings proposed in the development, and the impact on the value of her home.

Ms. Twiss acknowledged the strength of her neighbours and their demonstrated concern for the proposed development.

5. Carl Buchheit commented on the Ontario Land Tribunal (OLT) appeal for 405 Essa Road. He discussed concerns with the height of the building. He further expressed that there has been a disconnect in communication between the developer, OLT, the municipality, and residents about the proposed development and that he felt there is a loophole in OLT process that has the potential to circumvent the democratic process.

Mr. Buchheit commented that if City Council approves this development, it could set a precedent not just for Barrie, but other municipalities to allow over-intensified future developments. Mr. Buchheit recommended that City Council votes no to this development.

6. Wayne Doucette felt that the proposed development is a bad decision is against every planning guideline and he feels let down as a citizen of Barrie. He discussed concerns related to the size and density of this development. Mr. Doucette expressed that citizens should not have to shoulder the costs to hire a planner when developments are appealed to the OLT.

7. Laura Fess provided comments related to her family and the location of the proposed development of her property. She discussed concerns related to children's safety and the development is too large for the size of the parcel of land and the neighbourhood.

Ms. Fess quoted her young daughter saying, "Mommy please tell them that this is really silly and pretty please say no thank you". She suggested members of Council tour the neighbourhood and see for themselves the size of the proposed development is not good for the community.

PRESENTATIONS

Pursuant to Section 4.10 of Procedural By-law 2019-100 as amended, the order of business was altered such that the Presentation regarding a Downtown Barrie Business Improvement Area (BIA) update was considered prior to the Committee Report(s).

23-A-039 **PRESENTATION CONCERNING AN UPDATE ON THE DOWNTOWN BARRIE BUSINESS IMPROVEMENT AREA (BIA)**

Craig Stevens, Executive Director of the Downtown Barrie Business Improvement Area (BIA) provided a presentation concerning the Downtown Barrie BIA.

Mr. Stevens discussed slides concerning the following topics:

- An overview of the history and boundary of the BIA;
- The BIA and the Ontario Business Improvement Area Association;
- The role of the BIA;
- The BIA's legislation and relationship to the municipality;
- Accountability, transparency, and responsibilities of the BIA;
- The City's Plans and Strategic priorities between 2010 to 2026;
- Memberships and Community partnerships to create a solid foundation;
- The Strategic Pillars of the BIA:
 - Event Facilitator
 - Area Marketer;
 - Public Realm Investor; and
 - Policy and Partner Influencer.
- Governance as a Corporation and a local board of Council;
- The BIA's Organizational Chart;
- The 2023 to 2026 Board of Directors and BIA staff;
- The current budget and strategic action map.

Mr. Stevens discussed an article entitled "Why Investing in Public Space Matters for Cities and Real Estate Developers".

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

COMMITTEE REPORTS

23-A-040 General Committee Report dated April 26, 2023, Sections A, B, C, D, E, F, G, H, I, J and K. (APPENDIX "A").

SECTION "A" - TO BE RECEIVED

Moved by: Deputy Mayor, Thomson
Seconded by: Councillor, A.M. Kungl

That Section "A" of the General Committee Report dated April 26, 2023, now circulated, be received.

23-G-083 REPORT OF THE FINANCE AND RESPONSIBLE GOVERNANCE COMMITTEE DATED MARCH 29, 2023

23-G-084 REPORT OF THE AFFORDABILITY COMMITTEE DATED APRIL 5, 2023

CARRIED

SECTION "B" - TO BE ADOPTED

Moved by: Deputy Mayor, Thomson
Seconded by: Councillor, A.M. Kungl

That Section "B" of the General Committee Report dated April 26, 2023, now circulated, be adopted.

23-G-085 2022 YEAR TO DATE INTERNAL AUDIT STATUS REPORT, 2022 FRAUD AND WRONGDOING PROGRAM ACTIVITY, 2022 SUMMARY OF INTERNAL AUDIT ACTIVITY AND 2023 INTERNAL AUDIT WORK PLAN

23-G-086 2022 INVESTMENT MANAGEMENT ANNUAL REPORT

23-G-087 REFERRED BY MOTION 23-G-006 - CORRESPONDENCE FROM THE CIRCULATION LIST DATED JANUARY 11, 2023 REGARDING THE BARRIE FARMER'S MARKET

AMENDMENT#1

Moved by: Councillor, A.M. Kungl
Seconded by: Councillor, C. Riepma

That motion 23-G-087 of Section "B" of the General Committee Report dated April 26, 2023, as circulated, be amended as follows:

"To change the date to report back from by the "end of April, 2023" to prior to "summer recess"."

CARRIED

Upon the question of the original motion moved by Deputy Mayor, R. Thomson and seconded by Councillor, A.M. Kungl the motion was **CARRIED AS AMENDED BY AMENDMENT #1.**

23-G-088 REFERRED BY MOTION 23-G-016 - MEMORANDUM FROM CIRCULATION LIST DATED JANUARY 25, 2023 CONCERNING AN UPDATE ON THE PERMANENT MARKET

23-G-089 REFERRED BY MOTION 23-G-047 - CORRESPONDENCE FROM CIRCULATION LIST DATED FEBRUARY 15, 2023 CONCERNING THE FRESHWATER ACTION PLAN FUND

23-G-090 FREE TRANSIT FOR SENIORS

23-G-091 2022 BUDGET AND BUSINESS PLAN YEAR-END REPORT

23-G-092 2023 TAX RATES

23-G-093 INVITATION TO PRESENT TO COUNCIL - SIMCOE COUNTY DISTRICT HEALTH UNIT (SMDHU)

23-G-094 INVITATION TO PRESENT TO COUNCIL - BARRIE SPORTS HALL OF FAME

CARRIED

SECTION "C" - TO BE ADOPTED

Moved by: Deputy Mayor, Thomson
Seconded by: Councillor, A.M. Kungl

That Section "C" of the General Committee Report dated April 26, 2023, now circulated, be adopted.

23-G-095 CONFIDENTIAL PERSONAL INFORMATION MATTER - APPOINTMENTS TO THE INVESTMENT BOARD

CARRIED

SECTION "D" - TO BE ADOPTED

Moved by: Deputy Mayor, Thomson
Seconded by: Councillor, A.M. Kungl

That Section "D" of the General Committee Report dated April 26, 2023, now circulated, be adopted.

23-G-096 MOTION 23-G-066 REFERRED BY CITY COUNCIL ON MARCH 29, 2023 - REQUEST FOR CIVIC ADDRESS CHANGE: 67 OWEN STREET (WARD 2)

CARRIED

SECTION "E" - TO BE ADOPTED

Moved by: Deputy Mayor, Thomson
Seconded by: Councillor, A.M. Kungl

That Section "E" of the General Committee Report dated April 26, 2023, now circulated, be adopted.

23-G-097 CYCLING LANE IMPLEMENTATION - GROVE STREET AND DUNLOP STREET/BLAKE STREET (WARD 1 AND 2)

CARRIED

SECTION "F" - TO BE ADOPTED

Moved by: Deputy Mayor, Thomson
Seconded by: Councillor, A.M. Kungl

That Section "F" of the General Committee Report dated April 26, 2023, now circulated, be adopted.

23-G-098 CONFIDENTIAL LITIGATION MATTER - ONTARIO LAND TRIBUNAL APPEAL - ESSA ROAD

CARRIED

SECTION "G" - TO BE ADOPTED

Moved by: Deputy Mayor, Thomson
Seconded by: Councillor, A.M. Kungl

That Section "G" of the General Committee Report dated April 26, 2023, now circulated, be adopted.

23-G-099 2023 DOWNTOWN BARRIE BUSINESS ASSOCIATION LEVY

CARRIED

SECTION "H" - TO BE ADOPTED

Moved by: Deputy Mayor, Thomson
Seconded by: Councillor, A.M. Kungl

That Section "H" of the General Committee Report dated April 26, 2023, now circulated, be adopted.

23-G-100 CAPITAL PLAN FORECAST ADJUSTMENTS

CARRIED

SECTION "I" - TO BE ADOPTED

Moved by: Deputy Mayor, Thomson
Seconded by: Councillor, A.M. Kungl

That Section "I" of the General Committee Report dated April 26, 2023, now circulated, be adopted.

23-G-101 ESTABLISHING A LOBBYIST REGISTRY AND APPOINTMENT OF A LOBBYIST REGISTRAR

The recorded vote was taken as follows:

Yes: 11 - Mayor, A. Nuttall
Deputy, R. Thomson
Councillor, C. Nixon
Councillor, C. Riepma
Councillor, A.M. Kungl
Councillor, A. Courser
Councillor, N. Nigussie
Councillor, G. Harvey
Councillor, J. Harris

Councillor, S. Morales
Councillor, B. Hamilton.

No: 0

CARRIED

SECTION "J" - TO BE RECEIVED

Moved by: Deputy Mayor, Thomson
Seconded by: Councillor, A.M. Kungl

That Section "J" of the General Committee Report dated April 26, 2023, now circulated, be received.

23-G-102 CONFIDENTIAL PERSONAL INFORMATION MATTER - APPOINTMENT TO THE INTERNATIONAL RELATIONS COMMITTEE

CARRIED

SECTION "K" - TO BE ADOPTED

Moved by: Deputy Mayor, Thomson
Seconded by: Councillor, A.M. Kungl

That Section "K" of the General Committee Report dated April 26, 2023, now circulated, be adopted.

23-G-103 APPOINTMENTS TO THE INTERNATIONAL RELATIONS COMMITTEE

CARRIED

23-A-041 General Committee Report dated May 3, 2023, Section A and B. (APPENDIX "B")

SECTION "A" - TO BE RECEIVED

Moved by: Deputy Mayor, Thomson
Seconded by: Councillor, A.M. Kungl

That Section "A" of the General Committee Report dated May 3, 2023, now circulated, be received.

23-G-104 DEFERRED BY MOTION 23-G-098 FROM GENERAL COMMITTEE ON APRIL 26, 2023 - CONFIDENTIAL LITIGATION MATTER - ONTARIO LAND TRIBUNAL APPEAL - ESSA ROAD

CARRIED

SECTION "B" - TO BE ADOPTED

Moved by: Deputy Mayor, Thomson
Seconded by: Councillor, A.M. Kungl

That Section "B" of the General Committee Report dated May 3, 2023, now circulated, be adopted.

23-G-105 ONTARIO LAND TRIBUNAL APPEAL - ESSA ROAD

The recorded vote was taken as follows:

Yes: 11 - Mayor, A. Nuttall
Deputy, R. Thomson
Councillor, C. Nixon
Councillor, C. Riepma
Councillor, A.M. Kungl
Councillor, A. Courser
Councillor, N. Nigussie
Councillor, G. Harvey
Councillor, J. Harris
Councillor, S. Morales
Councillor, B. Hamilton.

No: 0

CARRIED

DEFERRED BUSINESS

Moved by: Deputy Mayor, R. Thomson
Seconded by: Councillor, A.M. Kungl

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

**BY-LAW
2023-038****BILL #036 DEFERRED FROM CITY COUNCIL MEETING ON APRIL 19, 2023**

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. (23-G-081) (Zoning By-law Amendment - 303 Cundles Road East - Penady North Barrie Limited) (Ward 3) (DEV014-23) (File: D30-018-2022)

CARRIED UNANIMOUSLY**DIRECT MOTIONS****23-A-042****MOTION WITHOUT NOTICE - KING CHARLES III CORONATION**

Moved by: Deputy Mayor, R. Thomson
Seconded by: Councillor, N. Nigussie

That pursuant to Section 7.1 of the Procedural By-law 2019-100, permission be granted to introduce a motion without notice concerning King Charles the Third Coronation.

CARRIED BY TWO-THIRDS VOTE**23-A-043****KING CHARLES III CORONATION**

Moved by: Deputy Mayor, R. Thomson
Seconded by: Councillor, N. Nigussie

1. That the City of Barrie extends congratulations to His Majesty King Charles III on his coronation as this historic occasion marks the first coronation of a Canadian Head of State in seven decades.
2. That May 6, 2023 be proclaimed as Coronation Day in the City of Barrie.

CARRIED

ENQUIRIES

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

ANNOUNCEMENTS

Members of Council provided announcements concerning a number of matters.

BY-LAWS

Moved by: Deputy Mayor, R. Thomson

Seconded by: Councillor, A.M. Kungl

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
2023-039**Bill #040**

A By-law of The Corporation of the City of Barrie to levy and collect taxes for municipal purposes of the City of Barrie for the year. (23-091 and 23-G-092) (2023 Tax Rates and 2022 Budget and Business Plan Year End Report) (EMT002-23 and FIN003-23) (Files: F00 and F22)

BY-LAW
2023-040**Bill #041**

A By-law of The Corporation of the City of Barrie to exempt all of Block 166 on Plan 51M-1224 being Parts 14 to 33 on Plan 51R-43984; City of Barrie, County of Simcoe, being all of PIN: 58092-0299 (LT) from Part Lot Control imposed by Section 50(5) of the *Planning Act*, R.S.O. 1990, c.P.13. (12-G-190) (Part Lot Control Exemption - 11-21 Pumpkin Corner Crescent) (File: D23-015-2023)

BY-LAW
2023-041**Bill #042**

A By-law of The Corporation of the City of Barrie to exempt all of Block 167 on Plan 51M-1224 being Parts 1 to 13 on Plan 51R-43984; City of Barrie, County of Simcoe, being all of PIN: 58092-0300 (LT) from Part Lot Control imposed by Section 50(5) of the *Planning Act*, R.S.O. 1990, c.P.13. (12-G-190) (Part Lot Control Exemption - 23 to 29 Pumpkin Corner Crescent) (File: D23-016-2023)

BY-LAW
2023-042**Bill #043**

A By-law of The Corporation of the City of Barrie to levy a special charge for the year 2023 upon rateable property in the downtown area assessed for commercial assessment in 2023. (23-G-099) (2023 Tax Rates) (FIN005-23)

BY-LAW
2023-043**Bill #044**

A By-law of The Corporation of the City of Barrie to accept the "as-constructed" municipal services within and complementary to the Meadows of Bear Creek subdivision Registered as Plan 51M-1167 as shown in the attached map, and to assume the streets within this plan of subdivision for public use. (Meadows of Bear Creek Subdivision - Summerset Drive Extension, Graihawk Drive, McWatt Street, Pennell Drive and Wright Drive) (11-G-276) (File: D12-404)

CARRIED UNANIMOUSLY**CONFIRMATION BY-LAW****BY-LAW**
2023-044**Bill #045**

A By-law of The Corporation of the City of Barrie to confirm the proceedings of Council at its meeting held on the 3rd day of May, 2023.

CARRIED UNANIMOUSLY**ADJOURNMENT**

Moved by: Councillor, C. Riepma
Seconded by: Councillor, A. Courser

That the meeting be adjourned at 9:40 p.m.

CARRIED

Mayor, A. Nuttall

Wendy Cooke, City Clerk