

**Minutes - Final
General Committee**

Monday, February 25, 2013

7:00 PM

Council Chamber

**GENERAL COMMITTEE REPORT
For consideration by the Council
of the City of Barrie on March 4, 2013**

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

- Present:** 10 - Mayor J. Lehman; Councillor L. Strachan; Councillor D. Shipley; Councillor B. Ward; Councillor P. Silveira; Councillor M. Prowse; Councillor J. Brassard; Councillor A. Khan; Councillor B. Jackson; and Councillor A. Nuttall
- Absent:** 1 - Councillor B. Ainsworth

STAFF:

Chief Administrative Officer, C. Ladd
City Clerk, D. McAlpine
Director of Engineering, R. Kahle
Director of Planning Services, S. Naylor
Director of Recreation, Facilities and Transit, B. Roth
General Manager of Community Operations, R. Forward
General Manager of Corporate Services, E. Archer
Manager of Development Control, R. Windle
Manager of Facilities, K. Bradley
Manager of Fleet Services, B. Pirie
Manager of Transit, G. Kaveckas
Manager of Water Operations, S. Brunet
Senior Project Engineer - Environmental, G. King
Supervisor of Administrative Support Services, W. Sutherland.

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

SECTION "A"

13-G-035 REPORT OF THE DEVELOPMENT SERVICES COMMITTEE DATED FEBRUARY 12, 2013.

The Development Services Committee Report dated February 12, 2013 was received. (File: C05)

This matter was recommended (Section "A") to City Council for consideration of receipt at its meeting to be held on 3/4/2013.

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

SECTION "B"

13-G-036 HEIGHT AND DENSITY BONUSING POLICIES

1. That Staff Report PLN001-13 concerning Height and Density Bonusing Policies be deferred until the Height and Density Study is presented to General Committee.
2. That staff in the Planning Services Department be directed to continue to use the current Official Plan bonusing policies related to Section 37 of the Planning Act. (13-G-014) (PLN001-13) (File: D08TE-BON)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/4/2013.

13-G-037 PROPOSED LEGACY PROJECTS - WAR OF 1812 - 1814 - HISTORIC STREET SIGNAGE POLICY

1. That staff in the Roads, Parks and Fleet Department in consultation with the Planning Services Department investigate establishing a Historic Street Signage Policy in light of the request by the Oro-Medonte Historical Association to recognize the Legacy Projects related to the War of 1812 - 1814.

2. That staff in the Roads, Parks and Fleet Department investigate the feasibility of implementing historic signage to identify the role of the Village of Kempenfel(d)t in relation to the War of 1812 - 1814 and report back to General Committee. (Item for Disc. 6.2, 120611) (12-G-163)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/4/2013.

13-G-038 CONTRIBUTION AGREEMENT STATUS FOR THE GEORGIAN COLLEGE HEALTH AND WELLNESS CENTRE

That pursuant to the Contribution Agreement between Georgian College and the City of Barrie approved by Motion 09-G-205, the scheduled 2011 and 2012 payments of \$1,000,000 each, for a total payment of \$2,000,000, be made to Georgian College with funding provided by the Tax Capital Reserve (13-04-0440). (CRP001-13) (File: F00)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/4/2013.

13-G-039 LITTLE LAKE MUNICIPAL DRAIN - APPROVAL TO ABANDON (WARD 3)

That notice be given of the intent to abandon the "Little Lake Municipal Drain" in its entirety. (ENG005-13) (File: D12-396)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/4/2013.

13-G-040 2012 WATER OPERATIONS BRANCH ANNUAL REPORT, SUMMARY REPORT AND MANAGEMENT REVIEWS

1. That Staff Report ENV001-13 concerning the 2012 Municipal Summary Report and Annual Drinking Water System Report regarding the City of Barrie's Drinking Water system be received for information purposes.
2. That the City of Barrie, Environmental Services Department, Water Operations Branch, Annual Report for 2012 be received for information purposes.
3. That the Water Operations Branch Management Reviews, dated December 4th, 2012 and January 11th, 2013 be received for information purposes. (ENV001-13) (File: W00)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/4/2013.

13-G-041

OFFICIAL PLAN AMENDMENT AND REZONING - PROPOSED MEDIUM AND HIGH DENSITY RESIDENTIAL, 300 ESSA ROAD (WARD 6)

1. That the application to amend the Official Plan submitted by Jones Consulting Group Ltd. on behalf of Essa Residences Inc. to redesignate lands known municipally as 300 Essa Road from General Industrial to Residential and Environmental Protection be approved.
2. That Part A and B of the Official Plan Amendment No. 17, as attached as Appendix "A" to Staff Report PLN005-13, be approved.
3. That the application to amend Zoning By-law 2009-141, submitted by Jones Consulting Group Ltd. on behalf of Essa Residences Inc. to rezone 300 Essa Road from Service Industrial (EM3) to Residential Apartment Dwelling Second Density-2 (Special)(Holding) RA2-2(SP) (H) be approved.
4. That the following Special Provisions (SP) be referenced in the implementing Zoning By-law for the subject lands:
 - a) A maximum of 413 residential units shall be permitted;
 - b) A maximum of two 12 storey apartment buildings each containing a maximum of 118 residential units with a maximum height of 39 metres;
 - c) A maximum of one 8 storey apartment building containing a maximum of 95 units with a maximum height of 26 metres;
 - d) A maximum of one 4 storey apartment building containing a maximum of 54 units with a maximum height of 15 metres;
 - e) A maximum of 18 units in the form of stacked townhouses with a maximum height of 10 metres;
 - f) A maximum of 10 street townhouse units fronting on a private road with a maximum height of 10 metres;
 - g) That block, cluster, street and stacked townhouse dwelling units be permitted under the Residential RA2-2 zone;
 - h) That a minimum density of 50 units per hectare and a maximum density of 139 units per hectare be achieved over the subject property;
 - i) That a minimum 5 metre building setback be provided from all lands which are zoned Environmental Protection unless provided with a secondary means of access, in which case a setback of 7 metres shall be provided;

- j) That driveways accessing townhouse garages be a minimum length of 6 metres; and
 - k) That all other zoning provisions of By-law 2009-141 shall apply.
5. That the By-law for the purpose of lifting the Holding Zone from the Zoning By-law Amendment as it applies to the lands municipally known as 300 Essa Road, shall be brought forward for approval once the owner/applicant provides the following to the satisfaction of the City of Barrie:
- a) A Site Plan Agreement with the City;
 - b) The dedication of a 3 metre road widening along the Essa Road frontage;
 - c) The payment of all applicable City of Barrie and local improvements charges;
 - d) The obligation to prepare and implement a public open space trail network plan for the Environmental Protection Lands which shall include the components and funding, all of which are to be approved by the City and the Lake Simcoe Region Conservation Authority; and
 - e) The dedication of the environmentally sensitive lands as determined and to the satisfaction of the Lake Simcoe Region Conservation Authority and the City of Barrie. (PLN005-13) (File: D09-OPA017, D14-1473R)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/4/2013.

13-G-042 EXTENSION OF TEMPORARY USE BY-LAW - KEMPENFELT BAY SCHOOL, 576 BRYNE DRIVE (WARD 7)

- 1. That the application by Glen Lucas Associates on behalf of 1255560 Ontario Inc. (BIN Management) to extend a Temporary Use By-law for lands known municipally as 576 Bryne Drive and 111 Commerce Park Drive, (currently occupied by Kempenfelt Bay School), to permit a school and playing field, be extended for a period of 3 years from the date of passage of the implementing Temporary Use By-Law attached as Appendix "A" to Staff Report PLN007-13.
- 2. That in accordance with Section 34(17) of the Planning Act, no further public notification be required. (PLN007-13) (File: D14-1545)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 3/4/2013.

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

SECTION "C"

13-G-043 OPTION TO PURCHASE BLOCK 203, PLAN 51M-771 FOR PARKLAND PROPERTY (WARD 6)

That in response to the Superior Court's interpretation of the City's rights set out in the Residential Subdivider's Agreement registered as Instrument # SC219250, the City elect not to exercise its option to purchase Block 203, Plan 51M-771 shown on Appendix "A" to Staff Report LGL004-13 for parkland purposes from 1291264 Ontario Limited. (LGL004-13) (File: L02-A72)

Councillor A. Khan declared a potential pecuniary interest in the foregoing matter as an extended family member owns the subject property. He did not take part in the discussion nor vote on the matter and he did not leave the Council Chamber.

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 3/4/2013.

SECTION "D"

13-G-044 SUNNIDALE ROAD - HIGHWAY 400 TRANSMISSION WATERMAIN CROSSING MUNICIPAL CLASS EA, SCHEDULE B (WARDS 2 AND 4)

That Staff Report ENG001-13 concerning the Sunnidale Road - Highway 400 Transmission Watermain Crossing Municipal Class EA, Schedule B (Wards 2 and 4) be referred back to staff in the Engineering Department for further consultation with the residents of the impacted properties associated with the preferred alternative route and report back to General Committee. (ENG001-13) (File: W03-SUN)

This matter was recommended (Section "D") to City Council for consideration of adoption at its meeting to be held on 3/4/2013.

13-G-045

SANITARY AND WATER SERVICING AND URBANIZATION FOR THE BAY LANE, COTTAGE LANE AND ROYAL OAK DRIVE AREA (WARD 10)

1. That a by-law be prepared to authorize the recovery of capital costs for the installation of sanitary servicing on Bay Lane, Cottage Lane, Gables Park, Royal Oak Drive, Forestwood Lane, Lovers Court and Tollendal Mill Road, as outlined in Staff Report ENG003-13, through the collection of a per metre frontage charge plus lateral costs for benefiting properties abutting the proposed new sections of sanitary sewer, as provided under Section 326 of the Municipal Act, with the option of payment of the sanitary charges over a 10 year period with interest.
2. That a by-law be prepared to authorize the recovery of capital costs for the installation of water servicing on Bay Lane, Cottage Lane, and Gables Park, as outlined in Staff Report ENG003-13, through the collection of a per metre frontage charge plus lateral costs for benefiting properties abutting the proposed new sections of watermain, as provided under Section 326 of the Municipal Act, with the option of payment of the water charges over a 10 year period interest free.
3. That 101-119 Bay Lane be assessed costs based on its full frontage for sanitary servicing and water servicing and on servicing the 10 houses on the lot with 10 sanitary services and 10 water services.
4. That staff be authorized to prepare construction contract drawings, including detailed design drawings for water servicing (per Staff Report ENG003-13), with a design cost of \$36,000, on Bay Lane, Cottage Lane, Gables Park and utility corridor easements with Bay Lane, Cottage Lane, Gables Park and utility corridor easements to be restored to their original condition and this change in project scope be funded from the Water Reserve Fund (12-05-0580).
5. That staff be authorized to prepare construction contract drawings, including detailed design drawings for a two lane/8.5 metre wide urbanized roadway including storm sewer, curb and gutters, boulevard works, sidewalks and street lighting (per Staff Report ENG003-13), with a design cost of \$120,000, on Royal Oak Drive, Forestwood Lane, and Lovers Court and this change in project scope be funded from the Tax Capital Reserve (13-04-0440).
6. That staff be authorized to prepare construction contract drawings, including detailed design drawings for a sidewalk (per Staff Report ENG003-13), on Tollendal Mill Road extending from Royal Oak Drive westerly to the sidewalk that extends from Hurst Drive on Tollendal Mill Road, with a design cost of \$5,000 and this change in project scope be funded from the Tax Capital Reserve (13-04-0440).

7. That staff in the Legal Services Department be authorized to commence acquisition of any required easements and/or property. (ENG003-13) (File: W03-BAY)

This matter was recommended (Section "D") to City Council for consideration of adoption at its meeting to be held on 3/4/2013.

13-G-046 TRANSIT SERVICE PARTNERSHIP AND FUNDING AGREEMENTS - FOR THE PROVISION OF TRANSIT SERVICES TO THE TOWNSHIP OF ESSA

1. That the Director of Recreation, Facilities and Transit or their designate be authorized to negotiate with the Township of Essa and the County of Simcoe to develop and finalize the following relevant agreements for the provision of transit services between Barrie, Angus and CFB Borden in accordance with the parameters identified in Appendix "A" to Staff Report RFT001-13:
 - a) A Transit Services Partnership Agreement between the City of Barrie and the Township of Essa that will define the services to be provided, and the roles and responsibilities of the parties, the terms and conditions for the provision of the service, and the funding to be provided by the Township of Essa to the City of Barrie; and
 - b) A Transit Services Funding Agreement between the City of Barrie and the County of Simcoe that will define the funding to be provided by the County of Simcoe to the City of Barrie for the provision of transit services to the Township of Essa, and the terms and conditions related to such funding.
2. That the Mayor and City Clerk be authorized to execute the Transit Services Partnership Agreement with the Township of Essa and Transit Services Funding Agreement with the County of Simcoe, subject to the agreements addressing the key terms and conditions, as well as any other terms and conditions necessary as determined by the General Manager of Community Operations, and the form of the agreement being prepared to the satisfaction of the Director of Legal Services and the Director of Finance.
3. That the Director of Recreation, Facilities and Transit report back to General Committee should negotiations not produce, by May 1, 2013 a Transit Services Partnership Agreement and a Transit Service Funding Agreement in accordance with the key terms and conditions identified in Appendix "A" to Staff Report RFT001-13.
4. That the required bylaw(s) designating the City of Barrie as the host municipality for the provision of transit services in the Township of Essa, for the purposes of Ontario Gas Tax Funding, be presented to City Council for consideration, as soon as possible following the execution of the Transit Services Partnership Agreement with the Township of Essa.

5. That subject to the execution of the Transit Services Partnership Agreement, the appropriate by-law be prepared to authorize the execution of lease agreement related to the bus equipment required for this service subject to the satisfaction of the Director of Legal Services and the Director of Finance.
6. That the Director of Recreation, Facilities and Transit provide City Council with a memorandum, no later than 14 months following the implementation of the new transit service, to provide details on first year usage, ongoing operating costs, and initial start-up costs related to the new transit service. (RFT001-13) (File: T03)

This matter was recommended (Section "D") to City Council for consideration of adoption at its meeting to be held on 3/4/2013.

SECTION "E"

13-G-047 REQUEST FOR SUPPORT FOR THE BID BY THE BARRIE COLTS JUNIOR HOCKEY CLUB FOR 2014 MEMORIAL CUP - BID ORGANIZING COMMITTEE AND BARRIE MOLSON CENTRE EXPANSION PROJECT

1. That a 2014 Memorial Cup Bid Organizing Committee be established by the Barrie Colts Junior Hockey Club with City Council and staff representation to support the Club's bid for the 2014 Memorial Cup.
2. That, if the Barrie Colts Junior Hockey Club is successful in its bid, the Mayor and City Clerk are authorized to execute a Financial Contribution Agreement on terms satisfactory to the City with Horsepower Sports & Entertainment Group Inc. ("HSE") in the amount of \$930,000 to be contributed by HSE and used for the expansion of the Barrie Molson Centre including partial funding of the dressing room expansion and full funding for the expansion of the restaurant, additional seating, additional suites, and a new marquee exterior sign subject to the following conditions being met:
 - a) The procurement and the contract administration of the project be fully administered by the City of Barrie as the owner of the Barrie Molson Centre using a design-build project delivery approach;
 - b) That the committed funding for the project from the Barrie Colts Junior Hockey Club be received in full by the City prior to the initiation of construction; and
 - c) That all additions and installed elements will be owned by the City of Barrie.

3. That if HSE wishes to proceed with the expansion project in its entirety, even if the Barrie Colts Junior Hockey Club is not successful in its bid, the Mayor and City Clerk are authorized to execute a Financial Contribution Agreement in the amount of \$1,230,000 for the expansion of the Barrie Molson Centre subject to the aforementioned conditions. (RFT003-13) (File: R00)

This matter was recommended (Section "E") to City Council for consideration of adoption at its meeting to be held on 3/4/2013.

SECTION "F"

13-G-048 REQUEST FOR SUPPORT FOR THE BID BY THE BARRIE COLTS JUNIOR HOCKEY CLUB FOR 2014 MEMORIAL CUP - FACILITY USE AGREEMENT AND FINANCIAL SUPPORT

1. That the Mayor and City Clerk be authorized to execute a Facility Use Agreement for the 2014 Memorial Cup (in accordance with the terms and conditions of the agreement attached in Appendix "A" to Staff Report RFT003-13) in a final form approved by the Director of Legal Services, if the Barrie Colts Junior Hockey Club is successful in its bid.
2. That, financial support be provided with respect to the 2014 Memorial Cup by waiving user fees and charges in the amount of \$122,495 (as outlined in Appendix "B" to Staff Report RFT003-13) if the Barrie Colts Junior Hockey Club is successful in its bid. (RFT003-13) (File: R00)

This matter was recommended (Section "F") to City Council for consideration of adoption at its meeting to be held on 3/4/2013.

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

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

The Committee recessed at 7:55 p.m.

The General Committee reports that upon adoption of the required procedural motion it met in-camera in the Sir Robert Barrie Room at 8:06 p.m. to discuss the content of Staff Report ENG009-13 concerning a Confidential Litigation Matter – Wastewater Treatment Facility – Environmental Compliance Approval Appeal Recommendation. The Chief Administrative Officer, City Clerk, Director of Engineering, General Manager of Community Operations, General Manager of Corporate Services and Senior Project Engineer – Environmental were present for this portion of the meeting, with the General Manager of Corporate Services joining the meeting at 8:15 p.m. Members of the press and public were not present for this portion of the meeting.

The General Committee met and reports as follows:

SECTION "G"

13-G-049 CONFIDENTIAL LITIGATION MATTER - WASTEWATER TREATMENT FACILITY - ENVIRONMENTAL COMPLIANCE APPROVAL APPEAL RECOMMENDATION

That motion 13-G-049 contained within the confidential notes to the General Committee Report dated February 25, 2013 concerning the discussion of the content of staff report ENG009-13 related to a confidential litigation matter - Wastewater Treatment Facility Environmental Compliance Approval Appeal Recommendation, be received. (ENG009-13) (FILE:E03-EC)

This matter was recommended (Section "G") to City Council for consideration of receipt at its meeting to be held on 3/4/2013.

The General Committee resumed in open session in the Sir Robert Barrie Room at 8:27 p.m.

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

SECTION "H"

13-G-050 WASTEWATER TREATMENT FACILITY - ENVIRONMENTAL COMPLIANCE APPROVAL APPEAL RECOMMENDATION

1. That further to Motion 12-G-243, the Director of Engineering be directed to settle the appeal to the minor errors and omissions in the Environmental Compliance Approval (ECA) by advancing to the Environmental Review Tribunal an ECA in the form as set out in Appendix "C" to Confidential Staff Report ENG009-13.
2. That the Director of Engineering be directed to withdraw the balance of City's appeal, concerning the annual average concentration limit and to continue discussions with MOE staff in 2014 concerning changes to the annual phosphorous concentration limit in the Reduction Strategy.(ENG009-13) (File: E03-EC)

This matter was recommended (Section"H") to City Council for consideration of adoption at its meeting to be held on 3/4/2013.

The meeting adjourned at 8:29 p.m.

CHAIRMAN