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**TO:** GENERAL COMMITTEE

**SUBJECT:** AUTHORIZATION TO ENTER INTO AN AGREEMENT TO CONSTRUCT A FENCE ON CITY OWNED PROPERTY ALONG MCDONALD STREET FRONTAGE AT 88 MULCASTER STREET

**WARD:** 2

**PREPARED BY AND KEY CONTACT:** M. BANFIELD, RPP, DIRECTOR OF PLANNING AND BUILDING SERVICES, EXT. 5466

**SUBMITTED BY:** M. BANFIELD, RPP, DIRECTOR OF PLANNING AND BUILDING SERVICES, EXT. 5466

**GENERAL MANAGER APPROVAL:** A. MILLER, RPP, GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH MANAGEMENT, EXT. 4485

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

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### **RECOMMENDED MOTION**

1. That the Mayor and City Clerk be authorized to execute an Agreement with the Canadian Mental Health Association, owner of 88 Mulcaster Street, for the use of City owned lands to construct a fence along the McDonald Street frontage of the property and for the Agreement to contain details such as the responsibility for design, cost, installation and maintenance (the "Agreement"), subject to the satisfaction of the General Manager of Infrastructure and Growth Management and the Director of Legal Services.

### **PURPOSE & BACKGROUND**

#### Purpose

2. The purpose of this report is to obtain Council authorization for staff to enter into an agreement with the Owners of 88 Mulcaster Street to construct a fence along the McDonald Street frontage of the property on lands owned by the City of Barrie. See Appendix "A".

#### Background

3. The property located at 88 Mulcaster Street is owned by the Canadian Mental Health Association and operates as the David Busby Centre.
4. Since the David Busby Centre has located at the 88 Mulcaster Street location and in particular following the renovations at the site, there have been requests made by residents in the area for a fence to be constructed along the McDonald Street frontage of the property.

### **ANALYSIS**

5. The southern boundary of the property is the side yard of 88 Mulcaster Street but faces the front yard of existing homes on McDonald Street.

6. This is the only such interface with residential uses of the property at 88 Mulcaster Street. Along the northern boundary of the property is 90 Mulcaster Street, also owned by the Canadian Mental Health Association. Along the eastern boundary of the property is the court house across the street. Along the western boundary of the property there are trees and a slight grade separation between 88 Mulcaster Street and 13 Codrington Street.
7. At the May 14, 2019 City Building Committee the residents of this area brought to the attention of the Committee the neighbourhood integration matters along that interface of McDonald Street and 88 Mulcaster Street.
8. The residents indicated that a fence along that property boundary would address some of the matters related to the site operating as the David Busby Centre, in particular to the use of the side door as an entrance and an area to congregate.
9. Since that delegation there have been discussions with senior staff, the Owner, Busby Centre and residents to find a way to have a fence constructed on the McDonald Street boundary of the property.
10. The Canadian Mental Health Association provided the City with a survey that shows the boundary of the property immediately adjacent to the exterior wall facing McDonald Street. See Appendix "B".
11. Any fence along McDonald Street would have to be on City owned property. In fact with the property configuration as it is, the picnic tables that are in that area are on City owned property.
12. Staff are required to obtain authorization from Council to allow the use of City owned property, in this instance for a fence.
13. A fence that is located 0.3 m from the street, is no greater than 1.8 m in height and maintains a 5.0 m daylight triangle (i.e. stops 5.0 m from the front lot line of the property along Mulcaster Street) would meet all standards in the City's zoning by-law.
14. There are parking meters located in this area of McDonald Street, however it is possible to locate the fence on the north side of the parking meters at an appropriate distance to allow for their continued operation.
15. The design of the fence is proposed to be a tight board wood fence similar to that shown in the City's design standard. See Appendix "C".
16. The fence is proposed to extend along the property boundary on Mulcaster Street approximately 50 m in length, taking into account the daylight triangle.
17. A fence at this location would alter the interface along this property boundary and that may respond to some of the matters raised by the residents. A fence will not resolve all of the concerns of the residents, however it is one option that can alter the interface of the property from the residential uses along McDonald Street.
18. The Canadian Mental Health Association is not opposed to installing the fence but was unsure how to do so based on the configuration of the site. Therefore putting the fence on City owned property is the only viable solution otherwise no one would be able to enter or exit 88 Mulcaster Street from the side door as the fence would be on the door step.
19. The David Busby Centre offers important services to our community but its operation adjacent to residential uses is not without neighbourhood integration matters that can be improved upon.

20. The City has the ability to assist in the construction of a fence by provided the Owner with the use of City owned land for the purposes of constructing a fence along the southern boundary of the property.
21. The fence would be constructed in the near future following the execution of an agreement between the Owner and the City.

### **ENVIRONMENTAL MATTERS**

22. There are no environmental matters related to the recommendation.

### **ALTERNATIVES**

23. General Committee could not accept the recommendation to authorize staff to enter into an agreement to use City owned lands for the purposes of a fence for 88 Mulcaster Street. This option is not recommended as the fence will assist in altering the interface between the residential properties along McDonald Street and the operation of the David Busby Centre.

### **FINANCIAL**

24. There are no direct financial impacts to the City based on the recommendation contained within Staff Report PLN032-19 as the Canadian Mental Health Association will be responsible for the fence, details of which will be determined in an agreement between the City and the Owner. The City would not require the Canadian Mental Health Association to pay for the use of City owned land.

### **LINKAGE TO 2018-2022 STRATEGIC PLAN**

25. The recommendation(s) included in this Staff Report support the following goals identified in the 2018 - 2022 Strategic Plan:

- Fostering a Safe and Healthy City

One of the objectives of this goal is to: *collaborate to address social issues, especially homelessness and the opioid crisis.*

A fence is an important aspect of neighbourhood integration for the residents along McDonald Street surrounding the property at 88 Mulcaster Street operating as the David Busby Centre.

- Attachments: Appendix "A" – Key Map  
Appendix "B" – Site Survey  
Appendix "C" – Sample Board Fence Detail

Appendix "A"

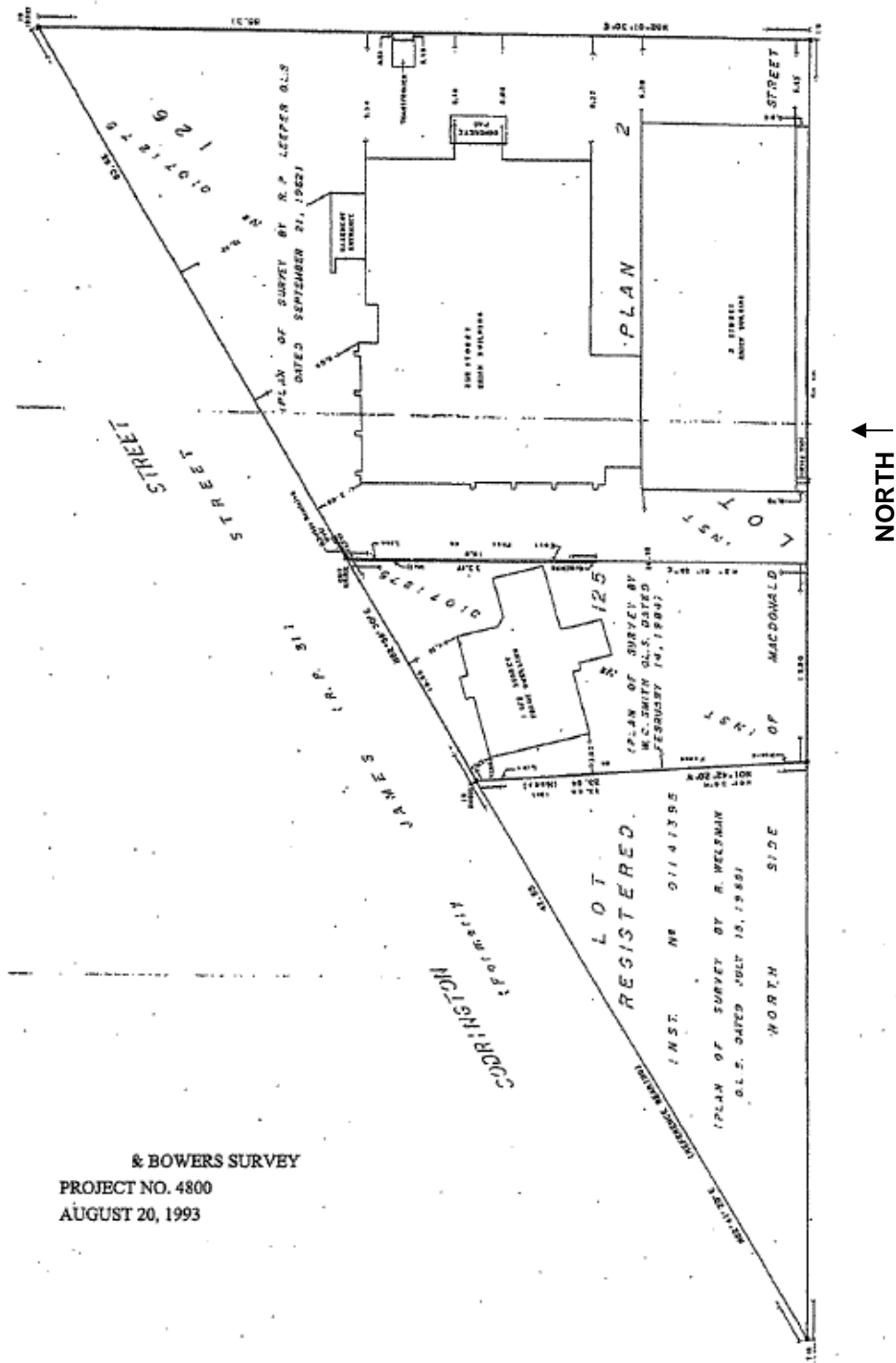
Key Map: 88 Mulcaster Street



<p>Key Map</p>	<p>★ Proposed Site</p>	
<p>1:4,000</p> <p>0 80 160 320 Meters</p>		

Appendix "B"  
Site Survey

SCHEDULE "A" MULCASTER STREET



& BOWERS SURVEY  
PROJECT NO. 4800  
AUGUST 20, 1993

Appendix "C"

Sample Board Fence Detail

