

**Minutes - Final
General Committee**

Monday, April 8, 2013

7:00 PM

Council Chamber

**GENERAL COMMITTEE REPORT
For consideration by the Council
of the City of Barrie on April 15 , 2013**

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

Present: 11 - Mayor J. Lehman; Councillor B. Ainsworth; Councillor L. Strachan; Councillor D. Shipley; Councillor B. Ward; Councillor P. Silveira; Councillor M. Prowse; Councillor J. Brassard; Councillor A. Khan; Councillor B. Jackson; and Councillor A. Nuttall

STUDENT MAYOR:

L. Elliott, Saint Gabriel the Archangel Catholic School.

STAFF:

Chief Administrative Officer, C. Ladd

City Clerk, D. McAlpine

Deputy City Clerk, C. deGorter

Deputy City Treasurer, C. Millar

Director of Culture, R. Q. Williams

Director of Environmental Services, J. Thompson

Director of Legal Services, I. Peters

Director of Planning Services, S. Naylor

Director of Roads, Parks and Fleet, D. Friary

General Manager of Community Operations, R. Forward

General Manager of Corporate Services, E. Archer

Manager of Infrastructure Planning, S. Patterson.

The General Committee met for the purpose of two public meetings and reports as follows:

Mayor Lehman advised the public that any concerns or appeals dealing with the applications that were subject to the Public Meetings should be directed to the City Clerk's Office. Any interested persons wishing further notification of the staff reports regarding the applications were advised to sign the appropriate notification form required by the City Clerk's Office. Mayor Lehman confirmed with the Deputy City Clerk that notification was conducted in accordance with the Planning Act.

SECTION "A"

**13-G-086 APPLICATION FOR A PROPOSED OFFICIAL PLAN AMENDMENT -
INNOVATIVE PLANNING SOLUTIONS ON BEHALF OF JOE AND MARY
SANTOS - 200C DOCK ROAD (WARD 10) (APRIL 8, 2013)
(D09-OPA026)**

Darren Vella of Innovative Planning Solutions explained that the purpose of this public meeting is to review an application to consider an Official Plan Amendment submitted by Innovative Planning Solutions, on behalf of Joe and Mary Santos, for lands located on the south side of Dock Road, west of the shoreline of Kempenfelt Bay with access from Plunkett Court. He noted that the property is known municipally as 200C Dock Road, has a total area of approximately .48 hectares and is contained within the Bayshore Secondary Plan. Mr. Vella described the surrounding land uses and provided the background history concerning a number of applications that have been submitted to the City concerning the property, including two matters before the Ontario Municipal Board. He explained that the lands are designated Residential within the City's Official Plan and are zoned Residential Low Density (R1) in accordance with Zoning By-law 2009-141. Mr. Vella indicated where the property is located with the Bayshore Secondary Plan and that is identified as Low Density.

Mr. Vella explained that the existing Medium Density lands contained within the Secondary Plan are unable to be developed and that he believes the location for Medium Density residential lands should be changed to the subject property. He described the development proposal for a 24 unit three and a half storey rest home. Mr. Vella listed the studies that have been submitted to the City in support of the application and highlighted a number of features of the development proposal. He provided his planning rationale basis for relocating the Medium Density within the Bayshore Secondary Plan. He concluded by providing his professional opinion with respect to the planning rationale associated with the application.

PUBLIC COMMENTS:

1. **Craig Duncan, 34 Plunkett Court** expressed his concerns regarding the proposed medium density development. He noted that development proposals for the subject property have been ongoing for a number of years. Mr. Duncan indicated that he was opposed to the development proposal and asked the other individuals in the audience who opposed the proposal to stand. He explained that the written comments he had submitted to the City and previous comments in opposition to the development proposals on the subject property continue to reflect his own concerns and the concerns of the neighbours.

2. **Alan Mather, 201 Tynhead Road** stated that he objects to the proposed development and indicated that he spoke in opposition to the proposals at the previous public meetings. He noted that the current proposal is located in close proximity of Tollendal Village and abuts the Southshore Planning Area. Mr. Mather provided details concerning the Ontario Municipal Board (OMB) decision for the Marandal application on Dock Road. He explained that the OMB decision suggested that the development proposal must reflect the character of the neighbourhood. Mr. Mather noted when the servicing of the Tynhead area was discussed the owner of the property originally indicated that he would maintain his single family dwelling and was interested in creating an additional two residential lots only. He expressed concern regarding the impact the development may have on the vegetation on the property and the destruction of the trees. Mr. Mather observed that the lands would be raised to accommodate the development resulting in a taller building. He suggested that the City review the impact of the grading and the stormwater management plans prior to approval of any development applications. Mr. Mather questioned if any studies had been conducted concerning the impact of the City's intensification policies on existing neighbourhoods. He concluded by expressing concern regarding the amount of hard surfaces within the development and the impact of run-off to Kempenfelt Bay.

Members of General Committee provided a number of questions related to presentation and received responses from the presenter.

WRITTEN COMMENTS:

1. Correspondence received from Bell Canada dated March 26, 2013.

2. Correspondence received from Craig and Kelly Duncan dated March 29, 2013.

3. Correspondence received from Brad and Jenny Harris dated April 1, 2013.

4. Correspondence received from Eugene Lee dated April 1, 2013.
5. Correspondence received from Rowan and Nicki Maré dated April 1, 2013.
6. Correspondence received from Sarah Saville dated April 2, 2013.
7. Correspondence received from Tony and Agnes Galea dated April 3, 2013.
8. Correspondence received from Alan Mather dated April 3, 2012.
9. Correspondence received from Sasha Opacic and Sasha Minchin dated April 3, 2013.
10. Petition submitted containing by Aaron and Melanie Cooper containing 40 signatures and circulated by email to 52 recipients dated April 3, 2013.

This matter was recommended (Section "A") to City Council for consideration of receipt at its meeting to be held on 4/15/2013.

13-G-087**APPLICATION FOR A PROPOSED OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT - PLANSCAPE INC. ON BEHALF OF CHAMPLAIN READY MIX - RAWSON ROAD (WARD 8) (APRIL 8, 2013) (D09-28/D14-1548)**

Margaret Walton of Planscape Inc explained that the purpose of the public meeting is to review an application for an Official Plan Amendment and Zoning By-law amendment to allow a concrete ready mix facility in the South Barrie Industrial Park submitted on behalf of Champlain Ready Mix Ltd. She noted that the subject property is located on the west side of Rawson Road in the South Barrie Industrial Park and has a total area of 1.85 hectares. Ms. Walton indicated that the property is currently owned by the City of Barrie and that the offer to purchase by Champlain Ready Mix is conditional on the property being re-designated and rezoned for use as a concrete ready mix facility. She explained that the property is designated Restricted Industrial within the City's Official Plan and are zoned Restricted Industrial subject to Special Provisions (EM5) (SP 413) (H107) in accordance with the Zoning By-law 2009-141. Ms. Walton indicated that she believes the property is compatible with other uses in the area and consistent with the applicable policies for the industrial park. She listed the studies that have been submitted to the City in support of the application and described the recommendations that have been incorporated in the design and development of the application.

Ms. Walton provided the concept plan and described the proposed development in detail. She noted that that Site Plan approval is required for the subject property and will address potential impacts including dust and noise control. Ms. Walton concluded by sharing her professional opinion with respect to the planning rationale associated with the application.

PUBLIC COMMENTS:

1. **Craig Busch, 16 Bingham Court** explained that he is the President and Chief Executive Officer of the Busch Group of Companies which is located directly across from the subject property. He noted that the Rawson Road area has experienced recent growth and has five businesses in the area. Mr. Busch commented that he believes this area is a destination of future businesses. He expressed concern regarding the proposal for a concrete ready-mix plant and stated that he believes this may reduce the curbside appeal to the area and hinder future business development. Mr. Busch requested that Council give serious consideration to any request for rezoning the land along Rawson Avenue. He commented that he believes re-zoning the property and allowing a ready-mix facility may pose a serious threat to the local community. He expressed concern regarding the impact of the proposed facility on air quality and the health of employees of existing businesses and the impact of dust from the facility on buildings and vehicles in the area. He noted that the existing Coco Paving plant is not impacting his business operations as a sufficient buffer exists and expressed concern that the proposed buffer for this facility is inadequate. Mr. Busch cited concerns regarding the concentration of paving and concrete plants in the area. He outlined his environmental concerns including the future soil condition, runoff into the water table and the possible infrastructure damage if the proposal is approved. Mr. Busch commented that he feels there may be traffic concerns and that the existing tree line buffer may not be sufficient. Mr. Busch concluded by requesting that Council maintain the existing zoning of the land along Rawson Avenue.

2. **Brian Westgarth-Taylor, 424 Dunlop Street West** commented that he is representing his wife Judith Westgarth-Taylor who is the owner of approximately 93 acres of land known as 140 Lockhart Road (Lockhart farm). He noted that he is opposed to the development proposal. He explained that the Lockhart farm is described differently by various institutions and questioned how his property could be deemed vacant with an occupied residence. Mr. Westgarth-Taylor provided details concerning an agreement between the City of Barrie and Judith Westgarth-Taylor containing a restrictive covenant for a period of 20 years that prevents the use of City land for any purpose that may result in noxious odour or excessive noise. He indicated that he believes if the proposed development is approved that the restrictive covenant may not be upheld. Mr. Westgarth-Taylor provided details concerning a potential sale of the Lockhart land that took place in the past. He explained that he believes that the sale could not be finalized due to the existing cement and asphalt industries in the area and the inability to provide the requirements needed to complete the sale.

Mr. Westgarth-Taylor concluded by requesting that City not approve the development proposal and it honour the restrictive covenant regarding noise and odour.

Members of General Committee provided a number of questions related to presentation and received responses from the presenter and City staff.

WRITTEN CORRESPONDENCE:

1. Correspondence received from Bell Canada dated March 26, 2013.
2. Correspondence received from Brian Westgarth-Taylor dated April 4, 2013.
3. Correspondence received from the Lake Simcoe Region Conservation Authority dated April 5, 2013.
4. Correspondence received from Craig Busch dated April 8, 2013.

This matter was recommended (Section "A") to City Council for consideration of receipt at its meeting to be held on 4/15/2013.

The General Committee met and reports as follows:

SECTION "B"

**13-G-088 REPORT OF THE FINANCE AND CORPORATE SERVICES
COMMITTEE DATED MARCH 25, 2013.**

The Report of the Finance and Corporate Services Committee dated March 25, 2013 was received. (File: C05)

This matter was recommended (Section "B") to City Council for consideration of receipt at its meeting to be held on 4/15/2013.

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

SECTION "C"

13-G-089 ACTIVE TRANSPORTATION BARRIE (ALL WARDS)

1. That the Active Transportation Barrie Awards continue to be endorsed.
2. That Active Transportation Barrie host a Bike Summit in partnership with the Share The Road Cycling Coalition in November 2013 to:
 - a) Further promote active transportation benefits for the City of Barrie and surrounding Townships;
 - b) Learn from and be inspired by other jurisdictions who have successfully implemented active transportation initiatives; and
 - c) Explore how municipalities can benefit from recent provincial initiatives.

(ENG008-13) (File: A09-AC)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 4/15/2013.

13-G-090 ON-STREET PARKING INVESTIGATION - LENNOX DRIVE (WARD 5)

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

"Lennox Drive North side from Ferndale Drive to a point 368 metres east thereof."

(ENG016-13) (File: T02-PA)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 4/15/2013.

13-G-091 ON-STREET PARKING INVESTIGATION - CHARLES COURT (WARD 8)

That no further action be taken at this time regarding on-street parking on Charles Court. (ENG017-13) (File: T02-PA)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 4/15/2013.

13-G-092 ALL-WAY STOP INVESTIGATION - INTERSECTION OF FENCHURCH MANOR AND MICHELLE DRIVE (WARD 8)

That staff in the Engineering Department investigate the feasibility of installing an all-way stop at the intersection of Fenchurch Manor and Michelle Drive and report back to General Committee via memorandum or staff report. (Item for Discussion 6.1, Apr. 8, 2013) (File: T00)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 4/15/2013.

13-G-093 COUNCIL APPOINTMENTS - PUBLIC ART COMMITTEE

That Councillor B. Ward and Councillor L. Strachan be appointed to the Public Art Committee for a term of office to expire November 30, 2014. (Item for Discussion 6.2, Apr. 8, 2013) (File: C06)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 4/15/2013.

13-G-094 LAKE SIMCOE REGION CONSERVATION AUTHORITY'S 2013 BUDGET

1. That Councillor Ward's percentage of the weighted vote concerning the Lake Simcoe Region Conservation Authority's (LSRCA) 2013 budget at their April 26, 2013 Board of Director's Meeting be assigned to Mr. Eric Bull, an appointed member to LSRCA by the City of Barrie.
2. That the Chief Administrative Officer/Secretary Treasurer of Lake Simcoe Region Conservation Authority be advised of this resolution. (Item for Discussion 6.3, Apr. 8, 2013) (File: C06)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 4/15/2013.

13-G-095 CULTURAL GRANTS PROGRAM 2013 MEMORANDUM

That the memorandum from R. Q. Williams, Director of Culture dated March 25, 2013 regarding the Cultural Grants Program 2013 be referred to the Finance and Corporate Services Committee for consideration. (Item for Discussion 6.4, Apr. 8, 2013) (File: F11)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 4/15/2013.

13-G-096 FOX'S BAKERY AND DELI - POTENTIAL LEASE OF A PORTION OF THE PARKING AT THE FORMER FIRE HALL ON VESPRA AND INNISFIL STREETS

That the correspondence from the Fox's Bakery and Deli dated March 19, 2013 concerning a potential lease of a portion of the parking at the site of the former Fire Hall on Vespra and Innisfil Streets, be referred to staff in the Recreation, Facilities and Transit and Legal Services Departments for review and a report back to General Committee. (Item for Discussion 6.5, Apr. 8, 2013) (File: A20)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 4/15/2013.

SECTION "D"**13-G-097 INVESTIGATION - 2014 MEMORIAL CUP FESTIVAL**

That staff in the Culture and Engineering Departments, in consultation with any other impacted department, investigate the feasibility of the 2014 Memorial Cup Bid Organizing Committee hosting a 10 day festival in May of 2014 involving the closure of Bayview Drive between Mapleview Drive East and the first entrance to Park Place located north of Mapleview Drive East, to allow for carnival activities to be located on the road, should the Committee be successful in its bid to host the 2014 Memorial Cup, and report back to General Committee on the implications. (Item for Discussion 6.6, Apr. 8, 2013) (File: M02)

This matter was recommended (Section "D") to City Council for consideration of adoption at its meeting to be held on 4/15/2013.

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

The order of the Staff Reports was altered with the consent of General Committee.

SECTION "E"

13-G-098 REZONING FROM MULTIPLE-FAMILY DWELLING FIRST DENSITY (RM1) TO MULTIPLE-FAMILY DWELLING SECOND DENSITY (RM2) SPECIAL PROVISION (SP) AND APARTMENT DWELLING FIRST DENSITY RESIDENTIAL (RA1-2) SPECIAL PROVISION (SP) - 140, 142, 144, 148 & 152 CUMBERLAND STREET (WARD 8)

1. That the application submitted by Innovative Planning Solutions on behalf of 1842648 Ontario Limited to amend the Zoning By-law from Multiple-Family Dwelling First Density (RM1) to Multiple-Family Dwelling Second Density with Special Provision and a Hold (RM2) (SP) (H) on the property legally described as Lots 9 and 10, south side on Registered Plan 433, known municipally as 148/152 Cumberland Street be approved.
2. That the application submitted by Innovative Planning Solutions on behalf of 1842648 Ontario Limited to amend the Zoning By-law from Multiple-Family Dwelling First Density (RM1) to Apartment Dwelling First Density with a Special Provision and a Hold (RA1-2)(SP)(H) on the property legally described as Lot 11 and 12, south side on Registered Plan 40, as well as Part of Robinson Street, Registered Plan 40, municipally known as 140/142 and a portion of 144 Cumberland Street be approved.
3. That the following Special Provisions (SP) be referenced in the implementing Zoning By-law for the subject lands municipally known as 148/152 Cumberland Street:
 - a) The minimum landscaped open space strip at the south side of the subject property is reduced to a minimum of 1.1 metres;
 - b) The density permitted on site shall be a minimum of 53 units per hectare and a maximum of 74 units per hectare; and
 - c) The amenity space be permitted within 0 metres of the required setbacks.
4. That the following Special Provisions (SP) be referenced in the implementing Zoning By-law for the subject lands municipally known as 140/142 and a portion of 144 Cumberland Street:
 - a) The minimum landscaped open space strip at the south side of the subject property is reduced to a minimum of 1.1 metres;
 - b) On-site parking be required at a minimum rate of 1.2 parking spaces per unit;

- c) The maximum surface parking area be increased to 40%; and
 - d) Notwithstanding, Section 5.2.6 of the Zoning By-law, a commercial use shall not be permitted.
5. That the By-law for the purpose of lifting the Holding provision from Zoning By-law Amendments for the lands municipally known as 148/152 Cumberland Street and 140/142/144 Cumberland Street, shall be brought forward for consideration following a Site Plan Agreement being registered on title and the owner/applicant entering into a Planning Act S.40 Agreement for the payment of cash in lieu of parking regarding the reduced parking requirement for the lands known municipally as 140/142 and a portion of 144 Cumberland Street.
6. That the final building design for the proposed 5 storey building at 140/142/144 Cumberland Street include façade step-backs for the 4th and 5th storeys, to the satisfaction of the Planning Services Department.
7. That in accordance with Section 34 (17) of the Planning Act, no further public notification is required with respect to the amendments as proposed. (PLN006-13) (File: D14-1541)

This matter was recommended (Section "E") to City Council for consideration of adoption at its meeting to be held on 4/15/2013.

13-G-099**2012 BUSINESS PLAN - YEAR END REPORT (ALL WARDS)**

1. That the 2012 year end tax rate supported surplus of \$2,276,459, comprising \$2.1 million in net surplus from services provided by Service Partners and \$0.2 million in surplus from services provided by the City of Barrie, be distributed as follows:
- a) \$115,678 carried forward to 2013 to fund items that were committed in 2012 by purchase order or contract but remained incomplete or undelivered at December 31, 2012;
 - b) \$950,000 to the Tax Capital Reserve 13-04-0440, to fund carry forward commitments related to the County of Simcoe Capital Projects,
 - c) \$847,547 to the Tax Capital Reserve 13-04-0440; and
 - d) \$363,234 to the Tax Rate Stabilization Reserve 13-04-0461.

2. That the 2012 wastewater rate surplus of \$2,216,697 be distributed as follows:
 - a) \$68,430 carried forward to 2013 to fund items that were committed in 2012 by purchase order or contract but remained incomplete or undelivered at December 31, 2012;
 - b) \$1,503,787 to the Wastewater Rate Capital Reserve 12-05-0575; and
 - c) \$644,480 to the Wastewater Rate Stabilization Reserve.
3. That the 2012 water rate surplus of \$2,804,896 be distributed as follows:
 - a) \$34,500 to the Lake Simcoe Conservation Authority to fund a 2013 capital project commitment;
 - b) \$1,939,277 to the Water Rate Reserve 12-05-0580; and
 - c) \$831,119 to the Water Rate Stabilization Reserve.
4. That in consideration of the 2012 surpluses in water and wastewater programs, staff prepare a plan that addresses the technical, fiscal and long-term implications associated with reducing 2013 water rates such that 2013 actual revenues are \$2.0M lower than budgeted levels and report back to General Committee, no later than the end of May 2013.
5. That the \$500,000 paid to the City of Barrie by the Mady Development Corporation, forming part of the financial contribution for the purchase of the Foodland site, located at 90 Collier and 55 Mulcaster Streets, be transferred into the Parking Rate Reserve Account #12-05-0570.
6. That an additional \$815,000 required to fund the growth management program, for a total commitment of \$3.1 million, be approved and funded from the Tax Rate Stabilization Reserves (13-04-0461). (FIN006-13) (File: F00)

This matter was recommended (Section "E") to City Council for consideration of adoption at its meeting to be held on 4/15/2013.

SECTION "F"

13-G-100 2012 ANNUAL REPORT OF THE INTEGRITY COMMISSIONER FOR THE CITY OF BARRIE DATED MARCH 6, 2013.

That the 2012 Annual Report of the Integrity Commissioner for the City of Barrie dated March 6, 2013 be received and referred to staff in the City Clerk's Office for a report back to General Committee on the changes to the Code of Conduct recommendations by the Integrity Commissioner.
(File: C05)

This matter was recommended (Section "F") to City Council for consideration of adoption at its meeting to be held on 4/15/2013.

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 meeting adjourned at 9:00 p.m.

CHAIRMAN