



City of Barrie

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

Final City Council

Monday, September 12, 2022

8:00 PM

Council Chamber/Virtual Meeting

CALLING TO ORDER BY THE CITY CLERK, WENDY COOKE

The meeting was called to order by the City Clerk at 9:12 p.m. The following were in attendance for the meeting:

Present: 10 - Mayor, J. Lehman
Deputy Mayor, B. Ward
Councillor, C. Riepma
Councillor, A. Kungl
Councillor, R. Thomson
Councillor, N. Harris
Councillor, G. Harvey
Councillor, J. Harris
Councillor, S. Morales
Councillor, M. McCann

Absent: 1 - Councillor, K. Aylwin

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, M. Williams
Director of Development Services, M. Banfield
Director of Economic and Creative Development, S. Schlichter
Director of Information Technology, R. Nolan
Director of Infrastructure, S. Diemart
Director of Internal Audit, S. MacGregor
Director of Legal Services, I. Peters
Executive Director of Access Barrie, R. James-Reid
General Manager of Community and Corporate Services, D. McAlpine
General Manager of Infrastructure and Growth Management, B. Araniyasundaran
Legal Counsel, P. Krysiak
Manager of Business Planning and Budget, J. Kuehl
Manager of Corporate Asset Management, K. Oakley

Senior Manager of Accounting and Revenue, C. Smith
Senior Manager of Corporate Finance and Investments, C. Gillespie
Senior Manager of Operations Road and Fleet, C. Morton
Service Desk Generalist, K. Kovacs
Supervisor of Development Charges, M. Villeneuve.

PLAYING OF THE NATIONAL ANTHEM

The National Anthem was played.

READING OF LAND ACKNOWLEDGMENT

Mayor J. Lehman read the Land Acknowledgement.

COMMITTEE REPORTS

[22-A-084](#) General Committee Report dated September 12, 2022, Section "C".
(APPENDIX "A")

SECTION "B" - ADOPTED

Moved by: Deputy Mayor, B. Ward
Seconded by: Councillor, R. Thomson

That Section "B" of the General Committee Report dated September 12, 2022, be adopted.

22-G-155 PARKLAND - ALTERNATIVE RATES

That Parkland Dedication and Cash-in-Lieu By-law 2017-073 and all amendments thereto be repealed and be replaced with a new by-law maintaining the existing rates and processes as set out in Appendix "D" of Staff Report FIN010-22 Parkland-Alternative Rates. (FIN010-22)

ENQUIRIES

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

ANNOUNCEMENTS

A member of Council provided announcements concerning a number of matters.

BY-LAWS

Moved by: Deputy Mayor, B. Ward
Seconded by: Councillor, R. Thomson

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
2022-079**Bill #079**

A By-law of The Corporation of the City of Barrie to require the conveyance of land for a park or other public recreational purposes or the payment of cash in lieu of conveyance as a condition of development or redevelopment and to repeal By-law 2017-073 and all amendments thereto. (Parkland Dedication and Cash in Lieu By-law)

CONFIRMATION BY-LAW

Moved by: Deputy Mayor, B. Ward
Seconded by: Councillor, R. Thomson

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
2022-080**Bill #080**

A By-law of The Corporation of the City of Barrie to confirm the proceedings of Council at its meeting held on the 12th day of September, 2022.

ADJOURNMENT

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

That the meeting be adjourned at 9:16 p.m.

CARRIED

Mayor, J. Lehman

Wendy Cooke, City Clerk

APPENDIX “A”

**General Committee Report
dated September 12, 2022**

**Section “B”
Motion 22-G-158**



City of Barrie

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

Final General Committee

Monday, September 12, 2022

7:00 PM

Council Chambers/Virtual Meeting

GENERAL COMMITTEE REPORT

For consideration by Barrie City Council on September 21, 2022.

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

Present: 10 - Mayor, J. Lehman
Deputy Mayor, B. Ward
Councillor, C. Riepma
Councillor, A. Kungl
Councillor, R. Thomson
Councillor, N. Harris
Councillor, G. Harvey
Councillor, J. Harris
Councillor, S. Morales
Councillor, M. McCann

Absent: 1 - Councillor, K. Aylwin

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, M. Williams
Director of Development Services, M. Banfield
Director of Economic and Creative Development, S. Schlichter
Director of Information Technology, R. Nolan
Director of Infrastructure, S. Diemart
Director of Internal Audit, S. MacGregor
Director of Legal Services, I. Peters
Executive Director of Access Barrie, R. James-Reid
General Manager of Community and Corporate Services, D. McAlpine
General Manager of Infrastructure and Growth Management, B. Araniyasundaran
Legal Counsel, P. Krysiak
Manager of Business Planning and Budget, J. Kuehl

Manager of Corporate Asset Management, K. Oakley
Senior Manager of Accounting and Revenue, C. Smith
Senior Manager of Corporate Finance and Investments, C. Gillespie
Senior Manager of Operations Road and Fleet, C. Morton
Service Desk Generalist, K. Kovacs
Supervisor of Development Charges, M. Villeneuve.

Mayor Lehman acknowledged the passing of Curtis King, River Wells, Jason Ono-O'Connor, Luke West, Jersey Mitchell and Haley Marin who were killed in a tragic car accident on August 28, 2022. On behalf of Barrie City Council he expressed on behalf of Barrie City Council deepest condolences and sympathies to the families and friends of the victims. A moment of silence was observed in memory of the victims.

Mayor Lehman acknowledged the passing of Her Majesty Queen Elizabeth II. On behalf of Barrie City Council he expressed deepest condolences and sympathies to the Royal Family on the passing of Her Majesty Queen Elizabeth II. He touched upon Queen Elizabeth II's long reign, her key moments in history, her calm presence and her life of service. A moment of silence was observed in honour of Her Majesty Queen Elizabeth II.

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

SECTION "A"

22-G-151

CONFIDENTIAL LITIGATION MATTER - ZONING BY-LAW AMENDMENT APPLICATION - ESSA ROAD

1. That the Zoning By-law Amendment Application File No. D30-011-2021 submitted by Innovative Planning Solutions, on behalf of Sean Mason Homes (Essa Road) Inc., to rezone the lands municipally known as 405 Essa Road from 'Residential Multiple Dwelling Second Density with Special Provision', Hold (RM2)(SP-562)(H-138) to 'Mixed Use Corridor with Special Provisions' (MU2)(SP-XXX) be denied.
2. That the City Solicitor forward Council's decision on the subject application to the Ontario Land Tribunal (OLT).
3. That staff in the Legal Services and Development Services Departments be permitted to attend all necessary meetings and proceedings before the Ontario Land Tribunal (OLT) related to the appeal of the subject application File No. D30-011-2021 by the applicant, Sean Mason Homes (Essa Road) Inc., regarding the City's lack of decision on the application.

- 4 That the Mayor and City Clerk be authorized to sign any Minutes of Settlement, in a form acceptable to the Director of Development Services and City Solicitor, on behalf of the City of Barrie, if required, where such settlement maintains the intent of applicable Provincial and municipal policies and by-laws. (DEV025-22)

This matter was recommended (Section "A") to City Council for consideration of adoption at its meeting to be held on 9/21/2022.

22-G-152**CUTHBERT STREET NO PARKING ANYTIME (WARD 6)**

That Traffic By-law 2020-107, Schedule '1', "No Parking Anytime" be amended by adding the following:

"Cuthbert Street North side from Ferndale Drive South to a point 194 metres east thereof."

(DEV029-22) (File: T00)

This matter was recommended (Section "A") to City Council for consideration of adoption at its meeting to be held on 9/21/2022.

22-G-153**SURPLUSING CITY LANDS FOR INCLUSION IN INDUSTRIAL DEVELOPMENT PROPOSAL D30-004-2021 (140 LOCKHART ROAD) (WARD 8)**

1. That the property referred to as Rawson North Open Space, also described as PIN 587280511, as depicted in Appendix "A" (the Lands) to Staff Report ECD006-22, and to be further described by reference plan to be deposited, be declared surplus to the City's needs.
2. That the Proponent be authorized to submit a pre-consultation application, on behalf of the City of Barrie (as owner), for the Lands at the Proponent's own expense, for the purpose of determining the viability of integrating the Lands within the Proponent's adjacent industrial development proposal.
3. That the City Clerk be authorized to execute any documents to provide such authorization.
4. That should the property be deemed appropriate to support the development, staff in the Economic and Creative Department in consultation with Legal Services be authorized to negotiate an Agreement of Purchase and Sale (APS) with the Proponent of Development Application D30-004-2021 (the Proponent) for the subject lands and report back to General Committee for approval. (ECD006-22) (File: ECD006-22)

This matter was recommended (Section "A") to City Council for consideration of adoption at its meeting to be held on 9/21/2022.

22-G-154**BUSINESS PLAN STATUS AS OF JUNE 30, 2022**

That Staff Report EMT002-22 concerning the 2023 Budget and Business Plan Status as of June 30, 2022 be received as information. (EMT002-22) (File: F00)

This matter was recommended (Section "A") to City Council for consideration of adoption at its meeting to be held on 9/21/2022.

22-G-155**DELEGATED AUTHORITY TO EXECUTE NON-DISCLOSURE AGREEMENTS**

That the Director of Internal Audit and City Clerk or designate be authorized to execute Non-Disclosure Agreements on behalf of the Corporation for the purpose of conducting third party audits, where appropriate, in a form approved by the Director of Legal Services. (IA001-22)

This matter was recommended for consideration of adoption (Section "A") to City Council for consideration of adoption at its meeting to be held on 9/21/2022.

22-G-156**EXPROPRIATION - MAPLEVIEW DRIVE EAST ROAD EXPANSION - EAST OF YONGE TO PRINCE WILLIAM, PROJECT EN1271 (WARD 9 AND 10)**

1. That the Director of Legal Services be authorized to commence expropriation proceedings to acquire the property requirements necessary to facilitate the construction of Mapleview Drive East between Yonge Street and Prince William Way, being Parts 1 and 2 on Reference Plan 51R-43564, Parts 1 and 2 on Reference Plan 51R-43562, Parts 1 to 5 on Reference Plan 51R-45363, Part 1 on Reference Plan 51R-43592 and Parts 1 to 4 on Reference Plan 51R-45393 as identified in Appendix "A" of Staff Report INF004-22 (the "Subject Properties")
2. That the Corporation of the City of Barrie make an application to City Council, as approving authority, for approval to expropriate the Subject Properties, and that the City Clerk be authorized to execute the necessary forms of application.
3. That the "Notice of Application for Approval to Expropriate" be served and published and that any requests for inquiries received, pursuant to the "Notice of Application for Approval to Expropriate" be forwarded to the Chief Inquiry Officer and that the Chief Inquiry Officer be requested to report to Council with respect to any such request.
4. That the Director of Legal Services be delegated authority to settle the expropriations or any negotiated agreements relating to the Subject Properties and that the City Clerk be authorized to execute all associated and required documents in a form approved by the Director of Legal Services. (INF004-22) (File: T05-MAP EN1271)

This matter was recommended (Section "A") to City Council for consideration of adoption at its meeting to be held on 9/21/2022.

22-G-157**EXPROPRIATION - HURONIA ROAD IMPROVEMENTS - LOCKHART ROAD TO SOUTH OF MCKAY ROAD EAST, PROJECT EN1255 (WARD 8 AND 9)**

1. That the Director of Legal Services be authorized to commence expropriation proceedings to acquire the property requirements necessary to facilitate the reconstruction of Huronia Road between Lockhart Road and south of McKay Road East to the City limits, being Parts 1 to 5 on Reference Plan 51R-43576, Parts 1 to 4 on Reference Plan 51R-43575, Parts 1 to 3 on Reference Plan 51R-43574, 6 as identified in Appendix "A" of this Staff Report INF005-22 (the "Subject Properties")
2. That the Corporation of the City of Barrie make an application to City Council, as approving authority, for approval to expropriate the Subject Properties, and that the City Clerk be authorized to execute the necessary forms of application.
3. That the "Notice of Application for Approval to Expropriate" be served and published and that any requests for inquiries received, pursuant to the "Notice of Application for Approval to Expropriate" be forwarded to the Chief Inquiry Officer and that the Chief Inquiry Officer be requested to report to Council with respect to any such request.
4. That the Director of Legal Services be delegated authority to settle the expropriations or any negotiated agreements relating to the Subject Properties and that the City Clerk be authorized to execute all associated and required documents in a form approved by the Director of Legal Services. (INF005-22) (File: T05-YHM EN1255)

This matter was recommended (Section "A") to City Council for consideration of adoption at its meeting to be held on 9/21/2022.

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

SECTION "B"**22-G-158****PARKLAND - ALTERNATIVE RATES**

That Parkland Dedication and Cash-in-Lieu By-law 2017-073 and all amendments thereto be repealed and be replaced with a new by-law maintaining the existing rates and processes as set out in Appendix "D" of Staff Report FIN010-22 Parkland-Alternative Rates. (FIN010-22)

This matter was recommended (Section "B") to City Council for consideration of adoption at its meeting to be held on 9/12/2022.

SECTION "C"

22-G-159 OWEN STREET - DEVELOPMENT CHARGES DEFERRAL REQUEST (WARD 2)

That staff enter into an agreement with the Junction Group on behalf of their client Traditions Seniors Housing to defer the portion of Development Charges related to the proposed rental units (excluding the owned units) with payment in full at occupancy, interest free for one-year and thereafter add interest at the City's 5-year moving average weighted cost of capital, contingent on the developer applying for building permits within 120 days of this agreement. (FIN010-22)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 9/21/2022.

The General Committee reports that upon adoption of the required procedural motion it met in a closed session in the Sir Robert Barrie Room at 7:57 p.m. to discuss the contents of a confidential Staff Report concerning a confidential litigation matter - Ontario Land Tribunal Appeal Mapleview Drive (LGL004-22).

Members of General Committee, with the exception of Councillor K. Alywin, the Chief Administrative Officer, the Chief Financial Officer, the City Clerk/Director of Legislative and Court Services, the Deputy City Clerk, the General Manager of Community and Corporate Services, the General Manager of Infrastructure and Growth Management, the Director of Development Services, the Director of Legal Services, the Executive-Director of Access Barrie, and Legal Counsel were in attendance for the portion of the meeting closed to the public. Members of the media and public were not present for this portion of the meeting.

The General Committee met and reports as follows:

SECTION "D"

22-G-160 CONFIDENTIAL LITIGATION MATTER - ONTARIO LAND TRIBUNAL APPEAL - MAPLEVIEW DRIVE

That motion 22-G-160 contained within the confidential notes to the General Committee Report dated September 12, 2022 concerning the discussion of a

confidential litigation matter - Ontario Land Tribunal Appeal - Maplevue Drive, be received (LGL004-22)

This matter was recommended (Section "D") to City Council for consideration of receipt at its meeting to be held on 9/21/2022.

Upon adoption of the required procedural motion, General Committee moved into Open Session at 8:59 p.m.

Mayor Lehman provided a brief overview of the nature of the closed session noting that General Committee met and discussed a Staff Report concerning a confidential litigation matter – Ontario Land Tribunal Appeal – Maplevue Drive. Mayor Lehman stated that with the exception of the procedural matter to move into public/open session, votes were not taken during the portion of the meeting closed to the public.

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

SECTION "E"

22-G-161

ONTARIO LAND TRIBUNAL APPEAL - MAPLEVIEW DRIVE

1. That staff be directed to implement the steps outlined in Appendix "A" to Confidential Staff Report LGL004-22 and should the application be resolved, the Mayor and City Clerk be authorized to execute any documents that may be requisite.
- 2 That Staff Report LGL004-22 be released publicly after Council approval. (LGL004-22)

This matter was recommended (Section "E") to City Council for consideration of adoption at its meeting to be held on 9/21/2022.

ENQUIRIES

A member of General Committee addressed enquires to City staff.

ANNOUNCEMENTS

A member of General Committee provided announcements concerning a number of matters.

ADJOURNMENT

The meeting adjourned at 9:10 p.m.

CHAIRMAN