



City of Barrie

70 Collier Street (Box 400)
Barrie, ON L4M 4T5

Minutes - Final City Council

Monday, June 24, 2013

8:00 PM

Council Chamber

CALLING TO ORDER BY THE CITY CLERK, DAWN A. MCALPINE

The meeting was called to order by the City Clerk at 9:45 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

STAFF:

Chief Administrative Officer, C. Ladd
City Clerk/Director of Legislative and Court Services, D. McAlpine
Director of Corporate Asset Management, B. Parkin
Director of Finance, D. McKinnon
Director of Facilities and Transit, K. Bradley
Director of Information Technology, C. Glaser
Director of Planning, S. Naylor
Executive Director of Innovate Barrie, R. Bunn
General Manager of Community and Corporate Services, E. Archer
General Manager of Infrastructure and Growth Management, R. Forward
Manager of Facility Planning and Development, D. Burton
Supervisor of Administrative Support Services, W. Sutherland.

PRAYER FOR GUIDANCE BY MAYOR J. LEHMAN

Mayor J. Lehman opened the meeting with a prayer for guidance and welcomed the visitors in attendance.

CONFIRMATION OF THE MINUTES

13-A-082 The minutes of the City Council meeting held on June 17, 2013 were adopted as printed and circulated.

Attachments: [130617 City Council Minutes.pdf](#)

COMMITTEE REPORTS

13-A-083 First General Committee Report dated June 17, 2013, Sections A, B and C. (Appendix "A")

SECTION "A" - Adoption of this Section

Moved by: Councillor, B. Ainsworth
Seconded by: Councillor, L. Strachan

That Section "A" of the General Committee Report dated June 17, 2013 now circulated, be adopted.

13-G-165 AFFORDABLE HOUSING

13-G-166 NAMING OF A STREET IN RECOGNITION OF EMIL PIDUTTI

CARRIED**SECTION "B" - Adoption of this Section**

Moved by: Councillor, B. Ainsworth
Seconded by: Councillor, L. Strachan

That Section "B" of the General Committee Report dated June 17, 2013 now circulated, be adopted.

13-G-167 2014 BUDGET DIRECTIONS

Attachments: [EMT002-130617.pdf](#)

AMENDMENT # 1

Moved by: Councillor, B. Ainsworth
Seconded by: Councillor, L. Strachan

That motion 13-G-167 of Section "B" of the General Committee Report dated June 17, 2013 concerning the 2014 Budget Directions be amended as follows:

1. By deleting the number "7%" in paragraph 9..d) i) and replacing it with the number "3%"

2. By adding the following as paragraph 14:

"14. That a letter be sent to the Minister of Finance that identifies all costs projected for the 2014 budget that result from Provincial legislative or regulatory changes, requesting funding so that these costs are not downloaded onto property taxpayers."

AMENDMENT # 1 to AMENDMENT # 1

Pursuant to Section 8.8 of the Procedural By-law 2013-072, the votes upon paragraphs 1 and 2 of Amendment # 1 were taken separately.

Upon the question of the adoption of Paragraph 1 of Amendment # 1, the vote was taken as:

- Yes:** 3 - Mayor J. Lehman; Councillor B. Ainsworth and Councillor B. Ward
- No:** 8 - Councillor L. Strachan; Councillor D. Shipley; Councillor P. Silveira; Councillor M. Prowse; Councillor J. Brassard; Councillor A. Khan; Councillor B. Jackson and Councillor A. Nuttall

LOST

Upon the question of the adoption of Paragraph 2 of Amendment # 1, it was **CARRIED**.

Upon the question of the adoption of **AMENDMENT # 1** moved by Councillor, B. Ainsworth and seconded by Councillor, L. Strachan it was **CARRIED AS AMENDED BY THE AMENDMENT TO AMENDMENT # 1**.

Upon the question of the adoption of the original motion moved by Councillor, B. Ainsworth and seconded by Councillor, L. Strachan it was **CARRIED AS AMENDED BY THE AMENDMENT TO AMENDMENT #1**.

SECTION "C" - Adoption of this Section

Moved by: Councillor, B. Ainsworth
Seconded by: Councillor, L. Strachan

That Section "C" of the General Committee Report dated June 17, 2013 now circulated, be adopted.

13-G-168 REBATE OF 2012 WATER SURPLUS

Attachments: [FIN010-130610.pdf](#)

- Yes:** 9 - Mayor J. Lehman; Councillor B. Ainsworth; Councillor L. Strachan; Councillor D. Shipley; Councillor B. Ward; Councillor P. Silveira; Councillor M. Prowse; Councillor A. Khan and Councillor A. Nuttall
- No:** 2 - Councillor J. Brassard and Councillor B. Jackson

CARRIED

13-A-084 Second General Committee Report dated June 17, 2013, Sections A,B,C,D,E and F. (Appendix "B")

SECTION "A" - Receipt of this Section

Moved by: Councillor, B. Ainsworth
Seconded by: Councillor, L. Strachan

That Section "A" of the General Committee Report dated June 24, 2013, be received.

13-G-169 REPORT OF THE DEVELOPMENT SERVICES COMMITTEE DATED JUNE 11, 2013.

Attachments: [130611 Development Services Committee.pdf](#)

13-G-170 REPORT OF THE TRANSPORTATION AND ECONOMIC DEVELOPMENT COMMITTEE DATED JUNE 12, 2013.

Attachments: [130612 Transportation & Economic Development Committee.pdf](#)

13-G-171 REPORT OF THE COMMUNITY SERVICES COMMITTEE DATED JUNE 19, 2013.

Attachments: [130619 Community Services Committee.pdf](#)

13-G-172

REPORT OF THE FINANCE AND CORPORATE SERVICES COMMITTEE
DATED JUNE 19, 2013

Attachments: [130619 Community Services Committee.pdf](#)

CARRIED

SECTION "B" - Adoption of this Section

Moved by: Councillor, B. Ainsworth
Seconded by: Councillor, L. Strachan

That Section "B" of the General Committee Report dated June 24, 2013, be adopted.

13-G-173 HEIGHT REVIEW AND TALL BUILDING POLICIES

Attachments: [Report - Height Review.pdf](#)

13-G-174 DEVELOPMENT APPLICATIONS UNDER REVIEW - 147 TORONTO STREET

13-G-175 CHRONIC CEREBROSPINAL VENOUS INSUFFICIENCY (CCSVI)

13-G-176 2012 AUDITED CONSOLIDATED FINANCIAL STATEMENTS

Attachments: [Report to Finance and Corporate Services June 19 2013.pdf](#)

13-G-177 WARD BOUNDARY REVIEW

Attachments: [Ward Boundary Review - CLK006-13.pdf](#)
[WBR- Option 1 Alternative 1.pdf](#)
[WBR - Option 1 - Alternative 2.pdf](#)
[WBR - Option 1 - Alternative 3.pdf](#)
[WBR- Option 1 - Alternative 4.pdf](#)
[Memo to Council 130617 Ward Boundary Review\[1\].pdf](#)
[Barrie Proposed Ward Structure Map - Finance and Corpo Preferred Option.](#)
[Barrie Ward Boundary Population - Finance and Corp Preferred Option.pdf](#)

13-G-178 SURPLUSING OF REPURCHASED CITY INDUSTRIAL LAND

Attachments: [EDO004-130624.pdf](#)

13-G-179 CONFIDENTIAL POTENTIAL ACQUISITION OF PROPERTY MATTER - MAPLEVIEW DRIVE

13-G-180 THE QUEENSWAY COMMUNITY SAFETY AND 40 KM/H ZONE AND STOPPING PROHIBITED (WARD 10)

Attachments: [ENG025-130624.pdf](#)

13-G-181 2012 PURCHASING ACTIVITY REPORT

Attachments: [FIN009-130624.pdf](#)

13-G-182 2012 ANNUAL DEVELOPMENT CHARGES REPORTS

Attachments: [FIN014-130624.pdf](#)

CARRIED

SECTION "C" - Adoption of this Section

Moved by: Councillor, B. Ainsworth
Seconded by: Councillor, L. Strachan

That Section "C" of the General Committee Report dated June 24, 2013, be adopted.

Councillor B. Ward declared a potential pecuniary interest in the foregoing motion as his spouse has been retained by PowerStream Inc. He did not participate in the discussion or vote on the question and he did not leave the Council table.

13-G-183 POWERSTREAM INC. AFFILIATE STRUCTURE AND PROMISSORY NOTE

Attachments: [CLK010-130624.pdf](#)

CARRIED

SECTION "D" - Adoption of this Section

Moved by: Councillor, B. Ainsworth

Seconded by: Councillor, L. Strachan

That Section "D" of the General Committee Report dated June 24, 2013, be adopted.

13-G-184 PUBLIC TREE BY-LAW DEFINITION

13-G-185 SUNNIDALE PARK PLAYGROUND PARTNERSHIP WITH BARRIE PROFESSIONAL FIREFIGHTERS ASSOCIATION (WARD 4)

Attachments: [ENG012-130624.pdf](#)

13-G-186 EMERGENCY MANAGEMENT BY-LAW

Attachments: [FES003-130624.pdf](#)

13-G-187 FEASIBILITY STUDY REGARDING A MARKET BUILDING

CARRIED

SECTION "E" - Receipt of this Section

Moved by: Councillor, B. Ainsworth

Seconded by: Councillor, L. Strachan

That Section "E" of the General Committee Report dated June 24, 2013, be received.

13-G-188 DISCUSSION OF A CONFIDENTIAL POTENTIAL ACQUISITION OF LAND MATTER - FIRST RESPONDERS CAMPUS DEVELOPMENT PLAN

CARRIED

SECTION "F" - Adoption of this Section

Moved by: Councillor, B. Ainsworth
Seconded by: Councillor, L. Strachan

That Section "F" of the General Committee Report dated June 24, 2013, be adopted.

13-G-189 CONFIDENTIAL POTENTIAL ACQUISITION OF LAND MATTER - FIRST RESPONDERS CAMPUS DEVELOPMENT PLAN

Yes: 10 - Mayor J. Lehman; Councillor B. Ainsworth; Councillor L. Strachan; Councillor D. Shipley; Councillor B. Ward; Councillor M. Prowse; Councillor J. Brassard; Councillor A. Khan; Councillor B. Jackson and Councillor A. Nuttall

No: 1 - Councillor P. Silveira

CARRIED

13-A-085 RECONSIDERATION OF ZONING BY-LAW AMENDMENT - 140-152 CUMBERLAND STREET

Moved by: Councillor A. Khan
Seconded by: Councillor J. Brassard

That pursuant to Section 8.15 of the Procedural By-law 2013-072, permission be granted to reconsider motion 13-G-098 of Section "E" of the General Committee Report dated April 8, 2013 as amended by resolution 13-A-062, concerning the 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)

Moved by: Councillor, A. Khan
Seconded by: Councillor, J. Brassard

That pursuant to Section 8.15 of the Procedural By-law 2013-072, permission be granted to reconsider motion 13-G-098 of Section "E" of the General Committee Report dated April 8, 2013 as amended by resolution 13-A-062, concerning the 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)

CARRIED**13-A-086** ZONING BY-LAW AMENDMENT - 140-152 CUMBERLAND STREET**Moved by: Councillor A. Khan****Seconded by: Councillor J. Brassard**

That motion 13-G-098 of Section "E" of the General Committee Report dated April 8, 2013 as amended by resolution 13-A-062, concerning the 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), be amended by:

"1. Deleting 3 a) and replacing it with the following:

"3 a) The continuous landscaped buffer area along the left (east side) property line shall be reduced to a minimum of 1.1 metres"

2. Adding the following words to paragraph 4 a):

"and the continuous landscaped buffer area along the left (east side) property line be reduced to 1.6 metres".

3. That in accordance with Section 34(17) of the Planning Act, no further public notification is required with respect to the amendments as proposed."

CARRIED**ENQUIRIES**

There were no enquiries at City Council.

ANNOUNCEMENTS

Members of City Council provided announcements relating to a number of matters.

BY-LAWS

Moved by: Councillor, B. Ainsworth
Seconded by: Councillor, L. Strachan

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
2013-119****Bill #113**

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. (13-G-098 and 13-A-062) (1842648 Ontario Limited - rezoning 140 - 152 Cumberland Street) (Ward 8) (PLN006-13) (File: D14-1541)

Attachments: [Bill 113.pdf](#)

AMENDMENT # 1

Moved by: Councillor, A. Khan
Seconded by: Councillor, J. Brassard

That Bill #113 concerning the 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) - 140m 142, 144, 148 & 152 Cumberland Street (Ward 8), be amended by:

1. Deleting paragraph 2 and replacing it with the following:

"2. That notwithstanding the provisions set out in Section 5.3.7.1 and Section 5.3.7.2 of By-law 2009-141, a minimum continuous landscaped bugger area along the rear (south side) property line of 1.1 metres and a continuous landscaped buffer area along the left (east side) property line of 1.6 metres shall be permitted in the Residential Apartment Dwelling, First Density (RA1-2) (SP-486) (H-123) zone."

2. Deleting paragraph 7 and replacing it with the following:

"7. That notwithstanding Section 5.3.7.1 of By-law 2009-141, a minimum continuous landscaped buffer area along the left (east side) property line of 1.1 metres shall be permitted in the Multiple Residential Dwelling, Second Density (RM2) (SP-487) (H-123)."

And that in accordance with Section 34(17) of the Planning Act, no further public notification is required with respect to the amendments as proposed.

CARRIED

Upon the question of the original motion, moved by Councillor, B. Ainsworth and seconded by Councillor, L. Strachan, it was CARRIED UNANIMOUSLY AS AMENDED BY AMENDMENT # 1.

Moved by: Councillor, B. Ainsworth
Seconded by: Councillor, L. Strachan

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
2013-120

Bill #122

A By-law of The Corporation of the City of Barrie to amend By-law 2013-081 being a By-law to set tax capping parameters for 2013 for properties in the multi-residential, commercial and industrial property classes. **(13-G-149) (2013 Property Tax Clawback Rates) (FIN011-13) (File: F23)**

Attachments: [Bill 122.pdf](#)

BY-LAW
2013-121

Bill #123

A By-law of The Corporation of the City of Barrie to deem certain Plans of Subdivision or parts thereof not to be a Registered Plan of Subdivision. **(By-law 99-312) (Simcoe Muskoka District School Board Site Plan - St. Marguerite d'Youville Catholic Elementary School - 240 Kozlov Street) (File: D11-1633)**

Attachments: [Bill 123.pdf](#)

BY-LAW
2013-122

Bill #124

A By-law of The Corporation of the City of Barrie to further amend By-law 80-138, as amended, being a By-law to regulate traffic on highways. **(13-G-151) (Amendment to Traffic By-law 80-138 - Fred Grant Street - Ward 2) (File: T00)**

Attachments: [Bill 124.pdf](#)

BY-LAW
2013-123

Bill #125

A By-law of The Corporation of the City of Barrie to acquire Part of Lot 42,

Plan 959, designated as Part 8, Plan 51R-38879, City of Barrie, County of Simcoe from Pearl and Bernard Belanger and to establish same as part of the municipal highway system. **(05-G-338) (Pearl and Bernard Belanger) (CLK005-05) (File: D23-ALV)**

Attachments: [Bill 125.pdf](#)

BY-LAW
2013-124**Bill #126**

A By-law of The Corporation of the City of Barrie to acquire Part of Lots 41 & 42, Plan 959 being Parts 1, 3, 5 & 13 on Plan 51R-38879, City of Barrie, County of Simcoe for easement purposes. **(05-G-338) (82 Patterson Road and 211 Alva Street) (CLK005-05) (File: D23-ALV)**

Attachments: [Bill 126.pdf](#)

BY-LAW
2013-125**Bill #135**

A By-law of The Corporation of the City of Barrie to appoint Inspectors, Deputy Chief Building Officials and a Chief Building Official as authorized under the Building Code Act. **(05-G-475) (Timothy Bergman, Stephen Edwards Barks, Christopher James William Glanville and Gordon Harvey Allison) (CLK108-05) (File: C06)**

Attachments: [Bill 135.pdf](#)

CARRIED UNANIMOUSLY

Moved by: Councillor, B. Ainsworth
Seconded by: Councillor, L. Strachan

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:

Councillor B. Jackson declared a potential pecuniary interest with respect to the foregoing motion as he is principal of a firm acting as a sub-contractor for the developer. He did not participate in the discussion or vote on the question and he remained in the Council Chamber.

BY-LAW
2013-126**Bill #127**

A By-law of The Corporation of the City of Barrie to acquire Part of Lot 21, Concession 3, in the Geographic Township of Vespra being Part 1 on Reference Plan 51R-36255, City of Barrie, County of Simcoe to widen Cundles Road East from Home Depot Holdings Inc., and to establish same as part of the municipal highway system. **(By-law 99-312) (Penady (Barrie) Ltd. Site Plan - corner of Cundles Road East and Duckworth Street) (File: D11-1476)**

Attachments: [Bill 127.pdf](#)

BY-LAW
2013-127

Bill #128

A By-law of The Corporation of the City of Barrie to acquire Part of Lot 21, Concession 3, in the Geographic Township of Vespra being Parts 16, 19 and 32 on Reference Plan 51R-35759, City of Barrie, County of Simcoe to widen Cundles Road East from Penady (Barrie) Ltd., and to establish same as part of the municipal highway system. **(By-law 99-312) (Penady (Barrie) Ltd. Site Plan - corner of Cundles Road East and Duckworth Street) (File: D11-1476)**

Attachments: [Bill 128.pdf](#)

BY-LAW
2013-128

Bill #129

A By-law of The Corporation of the City of Barrie to acquire Part of Lot 21, Concession 3, in the Geographic Township of Vespra being Parts 15 and 29 on Reference Plan 51R-35759, City of Barrie, County of Simcoe, to widen Cundles Road East from Penady (Barrie) Ltd. and to establish same as part of the municipal highway system. **(By-law 99-312) (Penady (Barrie) Ltd. Site Plan - corner of Cundles Road East and Duckworth Street) (File: D11-1476)**

Attachments: [Bill 129.pdf](#)

BY-LAW
2013-129

Bill #130

A By-law of The Corporation of the City of Barrie to acquire Part of Lot 21, Concession 3, in the Geographic Township of Vespra, in the City of Barrie being Part 1 on Reference Plan 51R-38283 from Conseil scolaire de district catholique Centre-Sud, for easement purposes. **(By-law 99-312) (Penady (Barrie) Ltd. Site Plan - corner of Cundles Road East and Duckworth Street) (File: D11-1476)**

Attachments: [Bill 130.pdf](#)

BY-LAW
2013-130

Bill #131

A By-law of The Corporation of the City of Barrie to acquire Part of Lot 21, Concession 3, in the Geographic Township of Vespra, in the City of Barrie being Parts 2 and 3 on Reference Plan 51R-38283 from Penady (Barrie) Ltd., for easement purposes. **(By-law 99-312) (Penady (Barrie) Ltd. Site Plan - corner of Cundles Road East and Duckworth Street) (File:D11-1476)**

Attachments: [Bill 131.pdf](#)

CARRIED WITH A TWO-THIRDS VOTE

Moved by: Councillor, L. Strachan
Seconded by: Councillor, D. Shipley

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:

Mayor J. Lehman declared a potential pecuniary interest in the foregoing motion as his family owns property overlooking the site. He did not participate in the discussion or vote on the question and he did not leave the Council Chamber. Mayor J. Lehman left the Chair at 10:26 p.m. and Acting Mayor B. Ainsworth assumed the Chair.

BY-LAW
2013-131

Bill #132

A By-law of The Corporation of the City of Barrie to adopt an amendment to the Official Plan (O.P.A. #30). **(13-G-138) (Application for Official Plan and Zoning By-law Amendment - City of Barrie - 155 Dunlop Street East, Portion of Bayview Park - Ward 2) (PLN016-13) (File: D14-1551)**

Attachments: [Bill 132.pdf](#)

Moved by: Councillor, L. Strachan
Seconded by: Councillor, D. Shipley

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
2013-132

Bill #133

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. **(13-G-138) (Application for Official Plan and Zoning By-law Amendment - City of Barrie - 155 Dunlop Street East, Portion of Bayview Park) (Ward 2) (PLN016-13) (File: D14-1551)**

Attachments: [Bill 133.pdf](#)

CARRIED WITH A TWO-THIRDS VOTE

Mayor J. Lehman returned to the Chair at 10:27 p.m.

CONFIRMATION BY-LAW

Moved by: Councillor, B. Ainsworth

Seconded by: Councillor, L. Strachan

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
2013-133

Bill #137

A By-law of The Corporation of the City of Barrie to confirm the proceedings of Council at its meeting held on the 24th day of June, 2013.

Attachments: [Bill 137.pdf](#)

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by: Councillor, A. Nuttall

Seconded by: Councillor, B. Jackson

That the meeting be adjourned at 10:28 p.m.

CARRIED