



City of Barrie

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

Minutes - Final City Council

Monday, October 1, 2012

7:00 PM

Council Chamber

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

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

Present: 10 - 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 B. Jackson and Councillor A. Nuttall

STAFF:

Chief Administrative Officer, C. Ladd
City Clerk, D. McAlpine
Deputy City Clerk, C. deGorter
Director of Corporate Asset Management, B. Parkin
Director of Culture, R. Q. Williams
Director of Engineering, B. Kahle
Director of Legal Services, I. Peters
Director of Recreation, Facilities and Transit, B. Roth
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
General Manager of Infrastructure, Development and Culture, W. McArthur
Manager of Facilities, K. Bradley
Manager of Wastewater Operations, D. Quenneville.

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

12-A-130 The minutes of the City Council meeting held on September 17, 2012 were adopted as printed and circulated.

Attachments: [120917 Council Minutes.docx](#)

DEPUTATION(S) ON COMMITTEE REPORTS

Mayor J. Lehman declared a potential pecuniary interest with respect to motion 12-G-151 and the deputations concerning the Declaration of City Owned Lands as Surplus – 155 Dunlop Street East (Westerly Portion of Bayview Park) as his family owns property in the vicinity of the subject site. He did not participate in the discussion. Mayor J. Lehman left the Council Chamber at 7:01 p.m. and passed the Chair to Acting Mayor D. Shipley.

12-A-131 Former Mayor Janice Laking provided a deputation to City Council in opposition to motion 12-G-251 concerning the Declaration of City owned lands as surplus - 155 Dunlop Street East (westerly portion of Bayview Park). She noted that the motion being considered by City Council is to have the item referred back to staff and she feels that a decision should be made concerning the sale of the property. Ms. Laking commented that she feels that Council is avoiding making a decision related to whether or not to surplus the land by referring the item to staff for additional information. Ms. Laking commented that her father was a member of Council when Bayview Park was established; she has enjoyed it during her lifetime and wants her children and grandchildren to be able to enjoy it. She requested that City Council make two amendments to the motion. Firstly she requested that City Council correct any zoning errors on all City documents concerning the subject property. Secondly she requested that Bayview Park remain as a park in public ownership. Ms. Laking stated that she believes that the decision to declare the lands surplus is a decision to be made by the politicians, not staff and Council should not be discussing the potential development until a complete application is submitted to the City for consideration. She concluded by asking City Council not to declare the land surplus and requesting that the zoning lines be corrected.

Attachments: [121001 J Laking deputation request](#)

12-A-132

Former Councillor Sam Cancilla provided a deputation to City Council in opposition to motion 12-G-251 concerning the Declaration of City owned lands as surplus - 155 Dunlop Street East (westerly portion of Bayview Park). He commented that his family has lived downtown for many years. Mr. Cancilla noted that he feels that the City does not need to sell portions of its parkland to entice development. He stated that he believes that parks provide enjoyment for people and should not be for sale. Mr. Cancilla highlighted that the City's marvelous park system and commented that the park system took many years and hard work to develop. He commented that he feels Council would be moving backwards if it sold the parkland. Mr. Cancilla stated that he had contacted current and former City Council members and staff to gain information concerning the subject property. He expressed his objection to selling a portion of Bayview Park and noted that he believes that the subject property should be re-zoned as Open Space. Mr. Cancilla observed that vandalism has been expressed as a concern at Bayview Park but it is his understanding that this park is not vandalized more than other parks across the City. He stated that this is not the first time a developer has expressed an interest in purchasing a portion of the City's parkland and City Council has turned many offers down. He concluded by requesting that City Council not sell the portion of Bayview Park under consideration.

City Council asked a number of questions concerning the deputation and received responses.

Attachments: [121001 DEP Sam Cancilla.pdf](#)

Mayor Lehman assumed the Chair at 7:27 p.m.**12-A-133**

Peter Lowry provided a deputation to City Council in opposition to motion 12-G-242 concerning the Wastewater Treatment Facility Recommendation for Biogas Utilization Upgrades. He commented that he lives directly next door to the Wastewater Treatment Facility and has learned a lot about the treatment of wastewater. Mr. Lowry noted that he was surprised that the recommended motion was approved without any comment by General Committee. He stated that he feels that the decision being made is a significant one and will provide critical direction for the City of Barrie in the years to come. Mr. Lowry explained that he believes a biogas facility should be built in the south end of the City to attract industry to the City of Barrie and to generate energy for its clients. He noted that District Energy Systems have been around for many years and provided examples of such facilities. Mr. Lowry stated that these systems may be able to provide an efficient approach to energy for municipalities. He suggested that City Council approve the use of garburators in order to provide additional material for the creation of methane gas. Mr. Lowry concluded by encouraging City Council to consider the implementation of a District Energy System.

Members of City Council asked a number of questions concerning the deputation and received responses.

Attachments: [121001 DEP Peter Lowry.pdf](#)

COMMITTEE REPORTS

12-A-134 General Committee Report dated September 24, 2012, Sections A, B, C, D and E.

Attachments: [120924 General Committee Report.pdf](#)

SECTION "A" - Receipt of this Section

Moved by: Councillor, D. Shipley

Seconded by: Councillor, B. Ward

That Section "A" of the General Committee Report dated September 24, 2012, be received.

CARRIED

12-G-237 APPLICATION FOR AN OFFICIAL PLAN AMENDMENT AND AMENDMENT TO THE ZONING BY-LAW - NORTH AMERICAN (PARK PLACE) CORPORATION - 100 MAPLEVIEW DRIVE EAST, BARRIE (WARD 8) (OPA-22/D14-1542)

Attachments: [PM1 120924 - Presentation - Park Place Shop.Dine.Unwind - Additions.pdf](#)
[PM1 120924 - Revised Presentation - 100 Mapleview Drive East - Additions.](#)
[PM1 120924 - Correspondence - North American \(Park Place\) Corporation.p](#)

SECTION "B" - Receipt of this Section

Moved by: Councillor, D. Shipley

Seconded by: Councillor, B. Ward

That Section "B" of the General Committee Report dated September 24, 2012, be received.

CARRIED

12-G-238 REPORT OF THE TRANSPORTATION AND ECONOMIC DEVELOPMENT COMMITTEE DATED SEPTEMBER 12, 2012.

Attachments: [Transportation and Economic Development Committee-120924.pdf](#)

12-G-239 REPORT OF THE DEVELOPMENT SERVICES COMMITTEE DATED SEPTEMBER 18, 2012.

Attachments: [Development Services Committee-120924.pdf](#)

SECTION "C" - Adoption of this Section**Moved by: Councillor, D. Shipley****Seconded by: Councillor, B. Ward****That Section "C" of the General Committee Report dated September 24, 2012, be adopted.****CARRIED****12-G-240** SPECIAL MEETING PROVISIONS - LOCAL GOVERNMENT WEEK AND PROCEDURAL BY-LAW CHANGES**Attachments:** [CLK010-120924.pdf](#)**12-G-241** TRAFFIC BY-LAW 80-138 UPDATES**Attachments:** [ENG030-120924.pdf](#)**12-G-242** WASTEWATER TREATMENT FACILITY RECOMMENDATION FOR BIOGAS UTILIZATION UPGRADES (WARD 2)**Attachments:** [ENG031-120924.pdf](#)**12-G-243** WASTEWATER TREATMENT FACILITY - ENVIRONMENTAL COMPLIANCE APPROVAL APPEAL**Attachments:** [ENG032-120924.pdf](#)**12-G-244** DELEGATED AUTHORITY TO EXECUTE ENCROACHMENT AGREEMENTS**Attachments:** [LGL018-120924.pdf](#)**12-G-245** SALE OF ROAD WIDENING TO THE MINISTRY OF TRANSPORTATION**Attachments:** [LGL019-120924.pdf](#)**12-G-246** EXPROPRIATION - PART 2 ON REFERENCE PLAN 51R-33187 FOR WATER QUALITY SAMPLING STATION (WARD 6)**12-G-247** DELEGATION OF DEEMING BY-LAW APPROVAL AUTHORITY**Attachments:** [PLN040-120924.pdf](#)**12-G-248** FUNDING FOR ANNUAL TOWN AND GOWN ASSOCIATION OF ONTARIO SYMPOSIA

[12-G-249](#) ORDER OF THE SPIRIT CATCHER AWARDS - BARRIE COMMUNITY FOUNDATION PARTNERSHIP

[12-G-250](#) BARRIE'S 160TH ANNIVERSARY

SECTION "D" - Adoption of this Section

Moved by: Councillor, P. Silveira

Seconded by: Councillor B. Ward

That Section "D" of the General Committee Report dated September 24, 2012, be adopted.

Mayor J. Lehman declared a potential pecuniary in the foregoing matter as his family owns property in the vicinity of the subject. He did not participate in the discussion or vote on the matter. Mayor J. Lehman left the Council Chamber at 7:48 p.m. and passed the Chair to Acting Mayor D. Shipley.

12-G-251 DECLARATION OF CITY OWNED LANDS AS SURPLUS - 155 DUNLOP STREET EAST (WESTERLY PORTION OF BAYVIEW PARK) (WARD 2)

Attachments: [IDC003-120924.pdf](#)

AMENDMENT #1

Moved by: Councillor, B. Ward

Seconded by: Councillor B. Ainsworth

That motion 12-G-251 of Section "D" of the General Committee Report dated September 24, 2012 concerning the Declaration of City Owned Lands as Surplus – 155 Dunlop Street East (Westerly Portion of Bayview Park) (Ward 2) be amended by adding the words "and retaining the parklands in public ownership" after the words "while maintaining the parkland for public use".

Pursuant to Subsection 30(1) of the Procedural By-law, Councillor L. Strachan objected Amendment #1 and requested that it be Tabled. The Procedural By-law, requires more than three members to agree to the request. Prior to determining whether or not a sufficient number of members objected to the amendment, the request to table Amendment #1 was withdrawn.

Pursuant to Section 45 of the Procedural By-law 90-01 as amended, Amendment #1 was WITHDRAWN with the permission of Council.

AMENDMENT #2

Moved by: Councillor, B. Ward

Seconded by: Councillor L. Strachan

That motion 12-G-251 of Section "D" of the General Committee Report dated September 24, 2012 concerning the Declaration of City Owned Lands as Surplus – 155 Dunlop Street East (Westerly Portion of Bayview Park) (Ward 2) be deferred to the City Council meeting scheduled for October 22, 2012.

CARRIED

Upon the Question of the adoption of the original motion, moved by Councillor P. Silveira and seconded by Councillor, B. Ward, it was **CARRIED AS AMENDED BY AMENDMENT #2.**

Mayor J. Lehman resumed the Chair at 8:19 p.m.

SECTION "E" - Adoption of this Section

Moved by: Councillor, D. Shipley
Seconded by: Councillor, B. Ward

That Section "E" of the General Committee Report dated September 24, 2012, be adopted.

12-G-252 PUBLIC ART POLICY

Attachments: [DOC003-120924.pdf](#)

AMENDMENT #1

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

That motion 12-G-252 of Section "E" of the General Committee Report dated September 24, 2012 concerning the Public Art Policy be amended by adding the following as paragraph 6:

"6. That an allocation of \$25,000 to the Public Art Reserve be considered as part of the 2014 Business Plan and the amount be increased annually in future years by 10%.

AMENDMENT TO AMENDMENT #1

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

That Amendment #1 to motion 12-G-252 concerning the Public Art Policy be further amended by specifying 6 "a maximum of ten years" at the end of the sentence in paragraph 6.

CARRIED

Upon the Question of the adoption of **AMENDMENT #1**, moved by Councillor, L. Strachan and seconded by Councillor, B. Ward **AS AMENDED BY THE AMENDMENT TO AMENDMENT #1**, the vote was taken as follows:

- Yes:** 7 - Mayor J. Lehman; Councillor L. Strachan; Councillor D. Shipley; Councillor B. Ward; Councillor P. Silveira; Councillor M. Prowse and Councillor A. Nuttall
- No:** 3 - Councillor B. Ainsworth; Councillor J. Brassard and Councillor B. Jackson

CARRIED

12-G-253 REMOVAL OF BOARDING, LODGING AND ROOMING HOUSES AS PERMITTED USES WITHIN SPECIFIC RESIDENTIAL ZONING CATEGORIES

12-G-254 RECRUITMENT OF A RISK MANAGEMENT OFFICIAL

Attachments: [ENG017-120924.pdf](#)

12-G-255 BAYFIELD STREET TRANSPORTATION IMPROVEMENTS (GROVE STREET TO CUNDLES ROAD) - MUNICIPAL CLASS EA, PHASES 3 & 4 (WARDS 2, 3 AND 4)

Attachments: [ENG034-120924.pdf](#)

12-G-256 REZONING - 364 ST. VINCENT STREET (WARD 2)

Attachments: [PLN037-120924.pdf](#)

12-G-257 USE OF CITY FACILITIES BY MEMBERS OF COUNCIL

Upon the Question of the adoption of the original motion, moved by Councillor D. Shipley and seconded by Councillor, B. Ward, it was **CARRIED AS AMENDED BY AMENDMENT #1**

City Council recessed at 8:39 p.m and resumed at 8:58 p.m.

PRESENTATIONS

12-A-135 TOWARDS ENERGY SUSTAINABILITY - CITY OF BARRIE ENERGY MANAGEMENT PLAN

Barry Thompson, Energy and Environmental Officer for the City of Barrie provided a presentation to City Council entitled Towards Energy Sustainability - City of Barrie Energy Management Plan (EMP). Mr. Thompson explained the strategic importance of the City of Barrie having an Energy Management Plan, highlighting that the EMP addresses two of Council's Strategic Priorities. He compared the projected energy costs for facilities and corporate uses with and without the implementation of the EMP. Mr. Thompson reviewed the EMP Process and the scope of the Plan. Mr. Thompson compared the capital costs to the anticipated savings once the EMP is in place. He outlined the key elements of success associated with the implementation of the Plan and concluded by reviewing the next steps in the process.

Members of City Council asked a number of questions concerning the presentation and received responses from staff.

Attachments: [121001 City of Barrie Energy Management Plan.pdf](#)

OPEN DELEGATIONS

12-A-136 BARRIE PUBLIC LIBRARY - GET A LIFE HUMAN LIBRARY FESTIVAL

Elizabeth Bufton and Chantale Boileau from the Barrie Public Library provided an Open Delegation to City Council regarding the upcoming Get a Life Human Library Festival. They explained that the second annual Get a Life Human Library Festival is an event taking place in various libraries throughout Simcoe County in October 2012. The aim of the festival is to create a sense of connection, encourage understanding, celebrate differences and promote tolerance within the community. They noted that one of the features of the festival was the opportunity to check out a "human book" and learn more about that person's life and experiences.. Ms. Bufton and Ms. Boileau described the various activities taking place during the festival and provided dates, times and locations for the activities. They encouraged residents to visit the Get a Life Human Library Festival website at www.getlifefestival.ca <<http://www.getlifefestival.ca>> for additional information.

Mayor Lehman asked a question concerning the festival and received a response.

Attachments: [121001 OD - Get a Life Human Library Festival.pdf](#)
[121001 PRES - Get a Life Human Library Festival.pdf](#)

ENQUIRIES

Members of City Council addressed enquiries to City staff and received responses.

ANNOUNCEMENTS

Members of City Council provided announcements concerning several matters.

BY-LAWS

Moved by: Councillor, D. Shipley
Seconded by: Councillor, B. Ward

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 2012-165

Bill #157

A By-law of The Corporation of the City of Barrie to establish Part of Lots 43 and 44, Plan 959, designated as Parts 7 & 8 on Plan 51R-35282, in the City of Barrie, County of Simcoe as a public highway, and to name the highway Patterson Road. **(As per site plan conditions, By-law 99-312 - Hedbern Homes - 95 Patterson Road) (File: D11-1589)**

Attachments: [Bill 157.pdf](#)

BY-LAW 2012-166

Bill #171

A By-law of The Corporation of the City of Barrie to repeal By-law Numbers 2012-142 and 2012-143. **(11-G-276) (Repeal - Patrician Homes Plan of Subdivision - assumption of Stapleton Place and Orsi Court) (ENG047-11) (File: D12-281)**

Attachments: [Bill 171.pdf](#)

BY-LAW 2012-167

Bill #172

A By-law of The Corporation of the City of Barrie to accept the "as-constructed" municipal services within and complementary to the Patrician Homes Plan of Subdivision registered as Plan 51M-670 further described on Plans 51R32803 and 51R31738 and to assume the streets

within this plan of subdivision for public use. **(11-G-276) (Patrician Homes Plan of Subdivision - assumption of Stapleton Place and Orsi Court) (ENG047-11) (File: D12-281)**

Attachments: [Bill 172.pdf](#)

BY-LAW
2012-168

Bill #173

A By-law of The Corporation of the City of Barrie to establish Part of Lot 21, Concession 3, formerly Township of Vespra, designated as Part 3 on Plan 51R-38296, in the City of Barrie, County of Simcoe as a public highway, and to name the highway Cundles Road East. **(12-G-042) (Simcoe Muskoka Catholic District School Board - 243 Cundles Road East) (LGL004-12) (File: L07-967)**

Attachments: [Bill 173.pdf](#)

BY-LAW
2012-169

Bill #174

A By-law of The Corporation of The City of Barrie to expropriate the lands described as Part of Lot 24, Concession 7, former Township of Vespra, now City of Barrie, being part of PIN 58764-0051 (LT) further described as Part 15 on Reference Plan 51R-33865. **(12-G-042) (Expropriation - 80 Ferndale Drive North) (LGL004-12) (File: L07-796)**

Attachments: [Bill 174.pdf](#)

BY-LAW
2012-170

Bill #176

A By-law of The Corporation of the City of Barrie to authorize certain capital works of The Corporation of the City of Barrie; to authorize the submission of an application to the Ontario Infrastructure and Lands Corporation ("OILC") for financing such capital works; to authorize temporary borrowing from OILC to meet expenditures in connection with such works; and to authorize long term borrowing from OILC for such works through the issue of debentures. **(12-G-112) (Surface Water Treatment Plan Debenture Issue) (FIN006-12) (File: F00)**

Attachments: [Bill 176.pdf](#)

BY-LAW
2012-171

Bill #177

A By-law of The Corporation of the City of Barrie to adopt an amendment to the Official Plan (O.P.A. #20). **(12-G-208) (Application for an Official Plan Amendment and Zoning By-law Amendment - 430 and 434 Ferndale Drive North by The Corporation of the City of Barrie - Ward 5) (PLN028-12) (File: D09-OPA020 and D14-1535)**

Attachments: [Bill 177.pdf](#)

BY-LAW
2012-172

Bill #178

A By-law of The Corporation of the City of Barrie to prohibit, regulate and control discharges into the sanitary and storm sewer systems of the City of Barrie and to Repeal By-law 89-167. **(12-G-236) (Repeal and Replace**

Sewer Use By-law 89-167) (ENV005-12) (File: C11-SUB)

Attachments: [Bill 178.pdf](#)

BY-LAW
2012-173**Bill #179**

A By-law of The Corporation of the City of Barrie to regulate activity on municipal right-of-ways and public lands and to repeal By-laws 90-265, 95-61 and 2005-256. **(12-G-228) (Right of Way Activity By-law 2005-256 Revision) (RPF001-12) (File: T06)**

Attachments: [Bill 179.pdf](#)

BY-LAW
2012-174**Bill #180**

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. **(12-G-227) (Parking Prohibition on Crompton Drive - Ward 3) (ENG028-12) (File: T02-PA)**

Attachments: [Bill 180.pdf](#)

BY-LAW
2012-175**Bill #181**

A By-law of The Corporation of the City of Barrie to appoint Christopher David Grexton as a Building Inspector as authorized under the Building Code Act. **(05-G-475) (Appointment - Christopher David Grexton) (CLK108-05) (File: C06)**

Attachments: [Bill 181.pdf](#)

BY-LAW
2012-176**Bill #182**

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. **(12-G-208) (Application for an Official Plan Amendment and Zoning By-law Amendment - 430 and 434 Ferndale Drive North by The Corporation of the City of Barrie - Ward 5) (PLN028-12) (File: D09-OPA020 and D14-1535)**

Attachments: [Bill 182.pdf](#)

BY-LAW
2012-177**Bill #183**

A By-law of The Corporation of the City of Barrie to appoint Municipal Law Enforcement Officers as authorized under the provision of the Police Services Act. **(05-G-475) (Appointment - Christopher Floyd Pearson and Robert Lawrence Kennedy) (CLK108-05) (File: C06)**

Attachments: [Bill 183.pdf](#)

BY-LAW
2012-178**Bill #184**

A By-law of The Corporation of the City of Barrie to further amend Procedural By-law 90-01 as amended, being a by-law to govern the proceedings of Council. (12-G-238) (Special Meeting Provisions - Local Government Week and Procedural By-law Changes) (CLK010-12) (File: C01)

Attachments: [Bill 184.pdf](#)

CARRIED UNANIMOUSLY

CONFIRMATION BY-LAW

Moved by: Councillor, D. Shipley
Seconded by: Councillor, B. Ward

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
2012-179**Bill #185**

A By-law of The Corporation of the City of Barrie to confirm the proceedings of Council at its meeting held on the 1st day of October, 2012.

Attachments: [Bill 185.pdf](#)

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by: Councillor, A. Nuttall
Seconded by: Councillor, B. Jackson

That the meeting be adjourned at 9:39 p.m.

CARRIED