

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: 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
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.

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.

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.

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 garbuarators 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.

COMMITTEE REPORTS

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

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)

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.

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

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
- 12-G-241 TRAFFIC BY-LAW 80-138 UPDATES
- 12-G-242 WASTEWATER TREATMENT FACILITY RECOMMENDATION FOR BIOGAS UTILIZATION UPGRADES (WARD 2)
- 12-G-243 WASTEWATER TREATMENT FACILITY - ENVIRONMENTAL COMPLIANCE APPROVAL APPEAL
- 12-G-244 DELEGATED AUTHORITY TO EXECUTE ENCROACHMENT AGREEMENTS
- 12-G-245 SALE OF ROAD WIDENING TO THE MINISTRY OF TRANSPORTATION
- 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
- 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)

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

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 "for 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: Mayor J. Lehman; Councillor L. Strachan; Councillor D. Shipley; Councillor B. Ward; Councillor P. Silveira; Councillor M. Prowse and Councillor A. Nuttall

No: 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
- 12-G-255 BAYFIELD STREET TRANSPORTATION IMPROVEMENTS (GROVE STREET TO
CUNDLES ROAD) - MUNICIPAL CLASS EA, PHASES 3 & 4 (WARDS 2, 3 AND 4)
- 12-G-256 REZONING - 364 ST. VINCENT STREET (WARD 2)
- 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.

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.getalifefestival.ca <<http://www.getalifefestival.ca>> for additional information.

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

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)**

**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)**

**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)**

**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)**

**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)**

**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)**

**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)**

**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)**

**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)**

**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)**

**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)**

**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)**

**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)**

**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)**

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.

CARRIED UNANIMOUSLY

ADJOURNMENT

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

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

CARRIED

Mayor

City Clerk

APPENDIX “A”

**General Committee Report dated
September 24, 2012**

**Minutes - Final
General Committee**

Monday, September 24, 2012

7:00 PM

Council Chamber

**GENERAL COMMITTEE REPORT
For consideration by the Council
of the City of Barrie on October 1, 2012**

The meeting was called to order by Mayor Lehman at 7:02 p.m. The following were in attendance at 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 Centre Revitalization Coordinator, J. Foster
City Clerk, D. McAlpine
Director of Corporate Asset Management, B. Parkin
Director of Culture, Q. Williams
Director of Engineering, B. Kahle
Director of Finance, C. Millar
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
General Manager of Infrastructure, Development and Culture, W. McArthur
Lawyer, R. Carlson
Manager of Environmental Operations, S. Coulter
Recording Secretary, W. Sutherland.

The General Committee met at 7:02 p.m. for the purpose of a public meeting and reports as follows:

Mayor Lehman advised the public that any concerns or appeals dealing with the Application for an Official Plan Amendment and Amendment to the Zoning By-Law should be directed to the City Clerk's Office. Any interested persons wishing further notification of the staff report regarding the application were advised to sign the appropriate notification form required by the City Clerk's Office. Mayor Lehman confirmed with the Recording Secretary that notification was conducted in accordance with the Planning Act.

SECTION "A"

**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)**

Terry Coughlin of North American (Park Place) Corporation explained that the purpose of the public meeting is to review an application to consider an Official Plan Amendment and Amendment to the Zoning By-law submitted by R.G. Richards and Associates, on behalf of the owner, North American (Park Place) Corporation, for lands located east of Highway 400 and north of Maplevue Drive East. The property is known municipally as 100 Maplevue Drive East and has a total area of approximately 60 hectares. He outlined plans for the next phase of Park Place including the addition of a Target store and a medical office complex. Mr. Coughlin provided images of the existing site, described the stores and offices that already opened and the aspects that are currently submitted for site plan approval. He reviewed the proposed changes to the Official Plan, Zoning and reorganization of the lands to reflect the existing development, the proposed Target store and site amenities.

Mr. Coughlin explained that North American Corporation is not proposing any change to the approved land uses currently identified for the site. He noted that the Official Plan and Zoning By-Law amendments are required to permit a modified Park Place development providing greater flexibility with respect to phasing. He outlined the proposed zoning by-law amendments and their application to each of the land parcels. He stated that the Target company of stores is very involved in the site development and requires site plan approval prior to construction to permit one of the first stores to open in Canada. Mr. Coughlin concluded by providing his opinion that he believes that the modified Park Place development concept offers the residents of Barrie a place to Shop, Dine and Unwind.

PUBLIC COMMENTS:

1. **Todd Pierce** on behalf of **Barrie Bryne Developments and Calloway Reit (Barrie) Inc.** advised that his client owns property municipally known as 35 Mapleview Drive East. He noted that they were in receipt of the Planning Justification Report and had begun a review of the document. He expressed concern with the drastic deviations from the Ontario Municipal Board decision. He encouraged the City of Barrie to undertake a thorough review of the application.
2. **Brad Keast** on behalf of **Osmington Inc.**, advised that his client owns property on the north east corner of Highway 400 and Essa Road. He stated that in his opinion, the proposed amendments are a drastic change to what was approved by the Ontario Municipal Board. B. Keast requested that there be a proper process to review the retail hierarchy as well as consider the impact the development would have Barrie as a whole.
3. **Gary Bell** on behalf of **Bell Media**, advised that Bell Media is interested and potentially has concerns relating to the OPA amendments for Park Place. He expressed that in his opinion, special policy provisions were required as a result of the 2006 OMB hearing and decisions regarding the site development should be maintained. G. Bell noted that Bell Media owns 94 acres of land which would include the potential extension of Bryne Drive and has concerns relating to the significant changes of the rules after the Ontario Municipal Board decision. He requested careful and prudent attention to traffic, phasing and equitable cost sharing proposals. He stated that Bell Media requests further notification as the amendment proposal progresses.
4. **Mark Blake, 1077 Currie Street**, advised that he has observed the ongoing construction of the Park Place site over the past four to five years. He expressed, that in his opinion, it would be beneficial to have the amendment approved to allow the development to progress more quickly as the development is not attractive in its current state. M. Blake stated that it would be beneficial to attract retail business to reap the economic benefits.

Members of General Committee asked a number of questions related to the presentation and received responses from the Applicant, the Applicant's Planner and City staff.

WRITTEN COMMENTS:

1. Correspondence from Mady Development Corporation dated September 17, 2012.
2. Correspondence from Bell Media dated September 24, 2012.

This matter was recommended (Section "A") to City Council for consideration of receipt at its meeting to be held on 01/10/2012.

The General Committee met and reports as follows:

SECTION "B"

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

The Report of the Transportation and Economic Development Committee dated September 12, 2012 was received.

This matter was recommended (Section "B") to City Council for consideration of receipt at its meeting to be held on 01/10/2012.

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

The Report of the Development Services Committee dated September 18, 2012 was received.

This matter was recommended (Section "B") to City Council for consideration of receipt at its meeting to be held on 01/10/2012.

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

SECTION "C"

12-G-240 SPECIAL MEETING PROVISIONS - LOCAL GOVERNMENT WEEK AND PROCEDURAL BY-LAW CHANGES

1. That notwithstanding Procedural By-law 90-01 as amended, the following special provisions shall apply related to a meeting(s) of City Council or a Standing Committee that may be scheduled as a youth engagement initiative:
 - a) A meeting of City Council or a Standing Committee may be called for the purposes of promoting a better understanding and awareness about the operations and services of their municipality, and fostering in children and youth, responsible citizenship and stewardship of their local communities;
 - b) The order of business for a meeting of City Council or a Standing Committee as part of a youth engagement initiative may be altered as deemed necessary to facilitate any requirements associated with limitations on available time and appropriate agenda format, including the provision of a question and answer period;
 - c) The following changes with respect to the provisions related to Presentations as part of a youth engagement initiative:
 - i) The deletion of the maximum number of Presentations permitted at each meeting; and
 - ii) The elimination of the requirement for a request for a Presentation to be submitted to the City Clerk in advance of the meeting and approved by City Council, while maintaining a requirement for a delegation to identify an individual's name and the matter to be discussed to the City Clerk, prior to commencing the Presentation;
 - d) The following changes with respect to the provisions related to Open Delegation as part of a youth engagement initiative:
 - i) The deletion of the maximum number of delegations permitted at each meeting and the requirement to schedule Open Delegations based upon the date and time of the submission of the delegations request;

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- ii) The elimination of the requirement for a request for an Open Delegation to be submitted to the City Clerk in advance of the meeting, while maintaining a requirement for a delegation to identify an individual's name and the matter to be discussed to the City Clerk, prior to commencing the Open Delegation; and
 - iii) The elimination of the requirement of a majority vote of Council in order for a person whose name does not appear on the agenda to be permitted to proceed with an Open Delegation.
 - 2. That the Procedural By-law 90-01 as amended, be further amended, to address the following with respect to the place of meetings of City Council and/or a Standing Committee:
 - a) A meeting of City Council and/or a Standing Committee shall be permitted to be held at any facility, whether or not the facility is City-owned or operated or located within the municipal boundaries, subject to the following:
 - i) Access to the facility or portion of the facility to be utilized is open to the public;
 - ii) Individuals attending the meeting, including but not limited to members of the public, shall not be required to pay a fee for entrance into the facility and/or meeting room;
 - iii) The facility and meeting room shall meet accessibility requirements as per the applicable legislation in force and effect at the time of the calling of the meeting;
 - iv) Any meeting held outside of the municipality, shall be held within a municipality with boundaries abutting those of the City of Barrie; and
 - v) The location of the facility, including street address as well as meeting room name or number, shall be included on the notice of meeting or agenda; and
 - b) A special meeting called in the case of a disaster or emergency as defined in the City of Barrie Emergency Management By-law in force and effect, shall be permitted to be held at any facility, whether or not the facility is City-owned or operated or located within the municipal boundaries, subject to the following:
 - i) The location of the facility, including street address as well as meeting room name or number, shall be included on the notice of meeting or agenda; and
 - ii) Where feasible,

- a) Access to the facility or portion of the facility to be utilized is open to the public;
- b) Individuals attending the meeting, including but not limited to members of the public, shall not be required to pay a fee for entrance into the facility; and
- c) The facility and meeting room shall meet accessibility requirements as per the applicable legislation in force and effect at the time of the calling of the meeting. (CLK010-12) (File: C01)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

12-G-241 TRAFFIC BY-LAW 80-138 UPDATES

1. That By-law 80-138, Parking Prohibition, Section 4 (2) (b), relating to intersection clearance, which does not allow vehicles parking within 15 metres of an intersection where appropriate signs have been erected and are on display, be amended by:

Deleting the following:

"(b) Within 15 metres of any intersection or any through highway".

And by adding the following:

"(b) Within 30 metres of any intersection or any through highway".

2. That By-law 80-138, Parking Prohibition Section 4 (2) "In Specified Places Where Signs are on Display" be amended by adding the following:

"(f) 15 metres before the point of curve and 15 metres past the point of tangent for curves with a radius less than 50 metres".

3. That the following definition be added to By-Law 80-138, Interpretation, Section 1:

"(pp) "Curve" means changes in a roadway alignment which changes the road direction, within the plane of the road surface. The beginning point of this alignment is known as the point of curve, and the end point is known as the point of tangent. The size of the curve is defined by the radius".

4. That staff be authorized to make applications to the Ministry of the Attorney General for approval of fines for the following offences:
 - a) Early payment of \$20.00 and set fine of \$30.00 for the violation of "Park within 30 metres of an intersection prohibited by sign"; and
 - b) Early payment of \$20.00 and set fine of \$30.00 for the violation of "Park within 15 metres of a curve prohibited by sign". (ENG030-12) (File:T02-PA)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

12-G-242 WASTEWATER TREATMENT FACILITY RECOMMENDATION FOR BIOGAS UTILIZATION UPGRADES (WARD 2)

That the recommendations for the Wastewater Treatment Facility (WwTF) Biogas Utilization Upgrades, be endorsed as follows:

- a) Configure the two (2) existing co-generators to optimize the use of biogas for the WwTF electrical load displacement and/or feed power back to the distribution grid;
- b) Continue the use of biogas for WwTF hydronic heating and process improvement and expand within the WwTF where possible; and
- c) Construct horizontal medium pressurized steel biogas storage vessel(s) and auxiliary buildings with enhanced security. (ENG031-12) (File: A19-COG)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

12-G-243 WASTEWATER TREATMENT FACILITY - ENVIRONMENTAL COMPLIANCE APPROVAL APPEAL

That staff continue the process of appealing the current Environmental Compliance Approval Certificate (ECA) on the following grounds:

- a) The existing Wastewater Treatment Facility (VWTF) was not designed to meet a Phosphorous Effluent Compliance Limit of 0.10 mg/l;
- b) That the timelines associated with achieving the Phosphorous Effluent Compliance Limit of 0.10 mg/l. are not achievable by June 2015; and
- c) That clarification is required on the ECA language pertaining to:
 - i) The Substantial Completion of the 76 MLD Wastewater Treatment Facility plant expansion;
 - ii) The existing sewage works description for the Raw Sewage Pumping Station; and
 - iii) The existing sewage works description. (ENG032-12) (File: E03-EC)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

12-G-244 DELEGATED AUTHORITY TO EXECUTE ENCROACHMENT AGREEMENTS

That the City Clerk be authorized to execute encroachment agreements on behalf of the City of Barrie for City owned land subject to the following:

- a) That all new encroachment applications be circulated in memorandum format to all applicable departments for comments to address any objections or concerns;
- b) The contents of all encroachment agreements be to the satisfaction of the Director of Legal Services or designate; and
- c) That staff prepare an annual memorandum to General Committee with a summary of encroachment transactions completed under delegated authority. (LGL018-12) (File: D16-DEL)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

12-G-245 SALE OF ROAD WIDENING TO THE MINISTRY OF TRANSPORTATION

That the Mayor and City Clerk be authorized to declare surplus and sell a portion of the Barrie Community Sports Complex property (Sports Complex) to the Ontario Ministry of Transportation (MTO) indicated as Part 5 on Reference Plan 51R-38370 for road widening purposes for \$3640. (LGL019-12) (File: L17-74) ⁴ 8

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

12-G-246 EXPROPRIATION - PART 2 ON REFERENCE PLAN 51R-33187 FOR WATER QUALITY SAMPLING STATION (WARD 6)

That staff be directed to undertake the actions identified in Appendix "B" of the confidential Staff Report LGL020-12 with respect to the acquisition of lands on Ardagh Road. (LGL020-12) (File: L00)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

12-G-247 DELEGATION OF DEEMING BY-LAW APPROVAL AUTHORITY

1. That By-law 2010-166, being a by-law for the delegation of authority to the Director of Planning Services, the Manager of Development Control, and the Manager of Policy Planning for the approval of draft plans of subdivision, draft plans of condominium (including extensions and revisions), and exemption from part-lot control, be further amended under the provisions of the Planning Act to include authority to approve applications for deeming by-laws in accordance with the procedures proposed in Staff Report PLN040-12.
2. That the deeming by-law approval process (including extensions and revisions) provide the opportunity for referral or "bump up" to General Committee and City Council by the applicant, any member of Council, the Director of Planning Services, the Manager of Development Control, or the Manager of Policy Planning, in the event that there are unresolved issues and/or conditions of approval. (PLN040-12) (File: D12-SUB)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

12-G-248 FUNDING FOR ANNUAL TOWN AND GOWN ASSOCIATION OF ONTARIO SYMPOSIA

That the Council Policy regarding funding for attendance at annual conferences be amended to add to the list of conferences with Council representative attendance funded from the \$15,000 included annually in the Council Conference Account (Account # 01-06-0950-0000-3071), as follows:

- One member of Council be granted approval to attend the annual Town and Gown Association of Ontario Symposia typically held in May of each year. (Item for Discussion 6.1, September 24, 2012) (File: A04)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

12-G-249 ORDER OF THE SPIRIT CATCHER AWARDS - BARRIE COMMUNITY FOUNDATION PARTNERSHIP

1. That the City of Barrie partner with the Barrie Community Foundation to expand the celebrations associated with the Order of the Spirit Catcher Award.
2. That a \$500 cash award be provided to the two recipients of the Order of the Spirit Catcher Award, to be funded from the Council Strategic Priorities Account. (Item for Discussion 6.3, September 24, 2012) (File: C00)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

12-G-250 BARRIE'S 160TH ANNIVERSARY

1. That a Barrie's 160th Anniversary working group be formed with a mandate to facilitate and make recommendations on celebrations for the City of Barrie's 160th Anniversary Celebration for 2013.
2. That the working group objectives be as follows:
 - a) Develop plans for the City of Barrie's 160th Anniversary Celebrations of Incorporation in 2013;
 - b) Encourage community input, participation and sponsorship;
 - c) Promote the development and implementation of special projects, activities and events; and
 - d) Prepare a budget to be considered by Council as part of the 2013 Business Plan to cover the costs of the event(s), in consultation with staff in the Department of Culture, to be funded from the Council Strategic Priorities Account.

3. That Barrie's 160th Anniversary working group be chaired by _____ and shall be comprised by representatives of the following organizations:
- Members of Council (2)
 - Downtown BIA Representative
 - Greater Barrie Chamber of Commerce Representative
 - Heritage Barrie Committee Representative
 - Tourism Barrie Representative
 - Barrie Historical Association Representative
 - Internal Relations Committee Representative
 - Citizens of Barrie (2)
4. That staff in the Department of Culture shall serve as the resources to the working group. (Item for Discussion 6.4, September 24, 2012) (File: R00)

This matter was recommended (Section "C") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

Mayor J. Lehman left the Council Table at 7:39 p.m. and Acting Mayor, D. Shipley assumed the Chair.

The General Committee met and recommends adoption of the following recommendations:

SECTION "D"

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

That Staff Report ICD003-12 concerning the declaration of City owned land as surplus - 155 Dunlop Street East (westerly portion of Bayview Park), be referred back to staff in the Infrastructure, Development and Culture Division to investigate in consultation with the applicant, potential alternative design options that could utilize 155 Dunlop Street East for below grade parking, while maintaining the parkland for public use, through changes to the form and design of the proposed development on 147 Dunlop Street East that could permit the applicant the desired density without utilizing the above grade portion of 155 Dunlop Street East, and report back to General Committee. (IDC003-12) (File: D18-DUN)

Mayor J. Lehman declared a potential pecuniary interest in the foregoing matter as his family owns property in the vicinity of the subject site. He did not participate in the discussion or vote on the question.

This matter was recommended (Section "D") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

Mayor J. Lehman returned to the Council Table at 8:26 p.m. and assumed the Chair.

SECTION "E"

12-G-252 PUBLIC ART POLICY

1. That the Public Art Policy, attached as Appendix 'A' to Staff Report DOC003-12, be adopted in principle with the exception of Section 5.1 and that Section 5.4 be amended to indicate that funds for the Public Art Policy and Reserve are not being provided by the City, at this time.
2. That the Director of Planning Services be directed to include, as part of the work plan to review community benefit provisions under Section 37 of the Planning Act, recommendations related to developer contributions for public art.
3. That a Public Art Reserve be created to receive cash contributions from public and private donations, and operated in accordance with Barrie's financial policies.
4. That staff be encouraged to seek contributions from private donations in support of the Public Art Policy.
5. That the Public Art Reserve be used to fund and maintain projects in accordance with the City of Barrie's Public Art Policy. (DOC003-12) (File: A09)

This matter was recommended (Section "E") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

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

1. That the current standards for Boarding, Lodging and Rooming Houses in Zoning By-law 2009-141 be maintained.
2. That staff in the Building Services Department in consultation with the Legal Services Department be directed to provide a report to General Committee with a plan to identify establishments as well as implement proactive enforcement of Boarding, Lodging and Rooming House licensing, property standards, building code and fire code provisions for Boarding, Lodging and Rooming Houses located in RM2 zones.
3. That the memorandum from I. Peters, Director of Legal Services dated September 18, 2012 regarding Licensing of Boarding, Lodging and Rooming Houses, be received. (12-G-123 and 12-G-184) (P27/12, P46/12 and P47/12)(PLN006-12) (File: D14TE-MIN)

This matter was recommended (Section "E") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

12-G-254 RECRUITMENT OF A RISK MANAGEMENT OFFICIAL

1. That staff initiate recruitment immediately of one full time dedicated Risk Management Official at a cost of approximately \$156,000, with funding from the Water Rate Reserve (12-05-0580) for any salary and benefit costs incurred in 2012 and funding for 2013 provided by Water Rate Revenues.
2. That staff report back to General Committee by June 2013 regarding a new fee structure related to Source Protection Activities, such fee structure to provide options for an exemption for residential properties from all fees associated with existing threats identified under the Source Water Protection Plan. (ENG017-12) (File: F11-SO)

This matter was recommended (Section "E") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

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

1. That the Preferred Design Alternative for the Municipal Class Environmental Assessment for Bayfield Street (Class EA), from Grove Street to Cundles Road, Phases 3 & 4 be adopted as outlined in Staff Report ENG034-12.
2. That in accordance with the requirements of the Class EA process, the Engineering Department publish a Notice of Completion for the Bayfield Street Environmental Study Report.
3. That in the interest of pedestrian safety and making Barrie a fully accessible community, the Ministry of Transportation (MTO) be urged to adopt a three metre wide sidewalk over Highway 400 and MTO jurisdiction areas. (ENG034-12) (File: T05-BA)

This matter was recommended (Section "E") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

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

That Staff Report PLN037-12 concerning the Rezoning - 364 St. Vincent Street (Ward 2) be deferred to a General Committee meeting in late October 2012, or when the applicant is available to attend a meeting. (PLN037-12) (File: D14-1526)

This matter was recommended (Section "E") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

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

That the following item be referred to staff in the City Clerk's Office for a report back to General Committee to identify whether there is a continued need for the use of the City Facilities Policy:

"That the following Council Policy regarding the use of City Facilities by members of Council be deleted:

Use of City Facilities

Individual expense accounts will be charged for the usage of Corporate Facilities based on the applicable rate established in the City's Fees By-law and the amounts will be included in annual Council remuneration reports." (Item for Discussion 6.2, September 24, 2012) (File: C00)

This matter was recommended (Section "E") to City Council for consideration of adoption at its meeting to be held on 01/10/2012.

The were no enquires at General Committee.

Members of General Committee provided announcements concerning a number of matters.

The meeting adjourned at 9:57 p.m.

CHAIRMAN