



# City of Barrie

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

## Minutes - Final City Council

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Monday, October 22, 2012

7:00 PM

Council Chamber

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

**The meeting was called to order by the City Clerk at 7:01 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 Culture, R.Q. Willams  
Director of Engineering, R. Kahle  
Director of Environmental Services, J. Thompson  
Director of Legal Services, I. Peters  
Director of Planning Services, S. Naylor  
Director of Roads, Parks and Fleet, D. Friary  
Director of Recreation, Facilities and Transit, B. Roth  
Fire Chief, J. Lynn  
General Manager of Community Operations, R. Forward  
General Manager of Corporate Services, E. Archer  
General Manager of Infrastructure, Development and Culture, W. McArthur.

### **PRAYER FOR GUIDANCE BY MAYOR J. LEHMAN**

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

**STUDENT MAYOR(S)****12-A-137**

Carey deGorter, Deputy City Clerk, called upon Safana Raza of Mapleview Heights Elementary School and Shane Fujioka of St. Mary's Catholic School to be sworn into office as Student Mayors.

After being sworn into office, Safana and Shane assumed their seats on the dais beside Mayor Lehman. Dawn McAlpine, City Clerk, introduced the members of City Council and City staff to Safana and Shane. She noted that representatives of the community's media were also in attendance.

**CONFIRMATION OF THE MINUTES****12-A-138**

The minutes of the City Council meeting held on October 1, 2012 were adopted as printed and circulated.

**Attachments:**     [121001 City Council Minutes.pdf](#)

**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 7:09 p.m. and passed the Chair to Acting Mayor D. Shipley.**

**Pursuant to Section 2 (4) of Procedural By-law 90-01 as amended, City Council considered an emergency deputation request from Ian Rowe, to provide a deputation to City Council in opposition to motion 12-G-251, Declaration of City Owned Lands as Surplus - 155 Dunlop Street East (Westerly portion of Bayview Park). Upon a vote of Council being taken, Mr. Rowe was permitted to address City Council.**

**12-A-139**

Ian Rowe provided a deputation to City Council in opposition to motion 12-G-251, Declaration of City Owned Lands as Surplus - 155 Dunlop Street East (westerly portion of Bayview Park). He requested that City Council consider the series of correspondence he has submitted before making a decision. Mr. Rowe stated that he believes the entire proposal is based on a typographical error associated with the zoning for the subject property. Mr. Rowe suggested that if the error is dismissed, then the matter may generate an Ontario Municipal Board appeal as he believes the community was denied the opportunity to comment on the zoning. He stated that he believes City Council should not rely on a mistake to permit this proposal.

Mr. Rowe commented that he believes the memorandum prepared by City staff misinterprets the City of Barrie's Official Plan with respect to the waterfront land. He referenced a section of the Official Plan pertaining to the waterfront lands along Kempenfelt Bay. He stated that he believes that public ownership of the lands along the waterfront is a cornerstone of the City's policies and these policies promote public ownership. He stated that the draft Waterfront Master Plan that will be presented to City Council later in the evening uses the principle of protecting the waterfront and maintaining the land in public ownership. He commented that he feels that intensification is working in the urban core and does not have to occur along the waterfront. He questioned the adequacy of the compensation proposed for the lands, the reliance on the Xenios Plan and the perceived windfall of cash associated with the proposal. Mr. Rowe concluded by requesting that City Council look at all the options and "do the right thing".

**Attachments:** [Dep 121022 - I. Rowe -155 Dunlop St. E. - Additions.pdf](#)

#### **12-A-140**

Former Councillor, Sam Cancilla provided a deputation to City Council in opposition to motion 12-G-251, Declaration of City Owned Lands as Surplus - 155 Dunlop Street East (westerly portion of Bayview Park). He commented that he believes that the people of Barrie do not want a portion of Bayview Park to be sold. He stated that he feels the process has been unfair and that communication concerning the issue has been poor. Mr. Cancilla noted that he feels that City Council has been trying to serve the developer and not the public. He suggested that the development be required to be built on the land owned by the developer and not include any public land. Mr. Cancilla concluded by stating that he believes he could organize a petition in opposition to the sale of a portion of Bayview Park that would generate enough support from the public to give Council and idea of the public's thoughts on the matter.

**Attachments:** [121022 DEP - Sam Cancilla 155 Dunlop St. E.pdf](#)

**Mayor Lehman assumed the Chair at 7:19 p.m.**

#### **TAX APPLICATIONS**

#### **12-A-141**

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

That the list of applications for cancellation, reduction or additions of taxes dated October 22, 2012 submitted by the Treasurer in the amount of \$11,968.68 be approved.

**CARRIED**

**Attachments:** [121022 Tax Applications.pdf](#)

**COMMITTEE REPORTS**

**12-A-142** General Committee Report dated October 15, 2012, Sections, A, B, C, D, E, F and G.

**Attachments:** [121015 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 October 15, 2012, be received.

**CARRIED**

**12-G-258** APPLICATION FOR THE APPROVAL OF A PLAN OF SUBDIVISION - SMART CENTRES BARRIE-BRYNE DEVELOPMENTS LIMITED LOCATED SOUTH OF HARVIE ROAD AND EAST OF VETERAN'S DRIVE (WARD 7)

**Attachments:** [PM#1-121015-Harvie Road-Veterans Drive.pdf](#)  
[PM#1-121015-Harvie Road-Veterans Drive Correspondence.pdf](#)

**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 October 15, 2012, be received.

**CARRIED**

**12-G-259** FINANCE AND CORPORATE SERVICES REPORT DATED SEPTEMBER 26, 2012.

**Attachments:** [Finance and Corporate Services Committee.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 October 15, 2012, be adopted.

**CARRIED****12-G-260      FEED IN TARIFF, COUNCIL SUPPORT RESOLUTION**

**Attachments:**      [ENG033-12.pdf](#)

**12-G-261      PARKING PROHIBITION ON SHANTY BAY ROAD AND JOHNSON STREET (WARD 1)**

**Attachments:**      [ENG036-121015.pdf](#)

**12-G-262      PARKING PROHIBITION ON COLLEGE CRESCENT (WARD 1)**

**Attachments:**      [ENG037-121015.pdf](#)

**12-G-263      AWARD OF CONTRACT 2012-116T - DESIGN AND CONSTRUCTION OF ROAD AND RAILWAY GRADE CROSSING WARNING SYSTEMS (WARD 8 & 9)**

**Attachments:**      [ENG039-121015.pdf](#)

**12-G-264      ENERGY MANAGEMENT PLAN RECOMMENDATIONS**

**Attachments:**      [ENG040-121015.pdf](#)  
                                 [Energy Management Plan.pdf](#)

**12-G-265      BARRIE AREA PHYSICIAN RECRUITMENT TASK FORCE PRESENTATION REQUEST**

**Attachments:**      [ITM#6.3 - 121015.pdf](#)

**12-G-266      CONFIDENTIAL - PERSONAL INFORMATION MATTER - TAX ARREARS EXTENSION AGREEMENT - TORONTO STREET (WARD 2)****12-G-267      CONFIDENTIAL - PERSONAL INFORMATION MATTER - TAX ARREARS EXTENSION AGREEMENT - ROYAL OAK DRIVE (WARD 10)****12-G-268      CONFIDENTIAL - PERSONAL INFORMATION MATTER - TAX ARREARS EXTENSION AGREEMENT BROCK STREET (WARD 2)****SECTION "D" - Adoption of this Section**

Moved by: Councillor, D. Shipley

Seconded by: Councillor, B. Ward

That Section "D" of the General Committee Report dated October 15, 2012, be adopted.

**CARRIED**

**12-G-269** IDEAS IN MOTION ACTION PLAN

Attachments: [CAO001-121015.pdf](#)  
[CAO001 - Presentation.pdf](#)  
[Correspondence - Ideas In Motion.pdf](#)

**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 October 15, 2012, be adopted.

**CARRIED**

**12-G-270** UPDATE TO THE SANITARY SEWAGE COLLECTION SYSTEM POLICIES AND DESIGN GUIDELINES

Attachments: [ENG018-121015.pdf](#)

**12-G-271** PARKING PROHIBITION ON TORONTO STREET (WARD 2)

Attachments: [ENG035-121015.pdf](#)

**12-G-272** HURST DRIVE PEDESTRIAN TRAFFIC CONTROL SIGNAL REVIEW (WARD 10)

Attachments: [ENG041-121015.pdf](#)

**12-G-273** INSURANCE BILLING SERVICES FOR FIRES AND INSURED PERILS

Attachments: [FES002-121015.pdf](#)

**SECTION "F" - Adoption of this Section**

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

That Section "F" of the General Committee Report dated October 15, 2012, be adopted.

**CARRIED**

**12-G-274** INVESTIGATION - BY-LAW TO REGULATE THE FEEDING OF WILDLIFE

**SECTION "G" - - Adoption of this Section**

**Moved by: Councillor, D. Shipley**

**Seconded by: Councillor, B. Ward**

**That Section "G" of the General Committee Report dated October 15, 2012, be adopted.**

**12-G-275****HONOURARIUM FOR MEMBERS OF CITY COUNCIL**

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

**CARRIED**

**In accordance with Section 28 of the Procedural By-law as amended, the abstentions by Councillor, B. Ward and Councillor, P. Silveira are deemed to be votes in the negative and are so recorded.**

**DEFERRED BUSINESS**

Mayor J. Lehman declared a potential pecuniary interest to motion 12-G-151 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 or vote on the matter. Mayor J. Lehman left the Council Chamber at 7:26 p.m. and passed the Chair to Acting Mayor D. Shipley.

**12-A-143**

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

That motion 12-G-251 of the General Committee Report dated September 24, 2012 concerning the declaration of City owned land as surplus - 155 Dunlop Street East (westerly portion of Bayview Park) be adopted as follows:

That Staff Report IDC003-12 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 149-153 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.

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

**AMENDMENT #1**

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

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 referred to the Development Services Committee for further consideration.

**LOST**

Upon the question of the adoption of the original motion, moved by Councillor, L. Strachan and seconded by Councillor, B. Ward, the vote was taken as follows:



**Yes:** 7 - Councillor L. Strachan; Councillor D. Shipley; Councillor B. Ward; Councillor P. Silveira; Councillor M. Prowse; Councillor J. Brassard and Councillor A. Nuttall

**No:** 2 - Councillor B. Ainsworth and Councillor B. Jackson

**Excused:** 1 - Mayor J. Lehman

## **CARRIED**

**Council recessed at 8:11 p.m. and resumed at 8:24 p.m. with Mayor Lehman in the Chair.**

**The order of business for the meeting was altered to permit the open delegation from Graham Fraser to proceed as the next item of business, with the permission of Council.**

## **OPEN DELEGATIONS**

### **12-A-144**

#### **PROPOSED SPORTING EVENT IN BARRIE - EGAMES (ENDURANCE GAMES)**

Graham Fraser provided an Open Delegation to City Council concerning a new sports event proposed to be held in Barrie on the last weekend in June, 2013. He commented that the concept of eGames (Endurance Games) is to create a multi discipline sporting event under one umbrella to celebrate the art and sport of competition in an Olympic-style format along Barrie's waterfront. Mr. Fraser stated that the event will showcase Canada's Olympic and elite athletes and provide an occasion to create attention to health and fitness for all generations. He provided details concerning his previous experience in organizing various sporting events and outlined the potential sports to be showcased at the proposed eGames in Barrie. He concluded by stating that he feels the event will benefit the community, draw large numbers of participants and spectators and showcase the Barrie waterfront.

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

**Attachments:** [egames open delegation](#)

## PRESENTATIONS

### 12-A-145

#### **BARRIE WATERFRONT AND MARINA STRATEGIC PLAN**

Stew Patterson Manager of Infrastructure Planning for the City of Barrie introduced Ron Palmer Partner of The Planning Partnership to provide a presentation concerning the proposed Barrie Waterfront and Marina Strategic Plan. Mr. Palmer explained the consultation that has occurred to date regarding the draft master plan. He provided the waterfront vision statement and the principles contained within the proposed plan. Mr. Palmer displayed a map of the existing trails, parks and natural system along the waterfront. Mr. Palmer described each of the main ideas contained within the proposed plan in detail including:

- a hierarchy of activity centres
- a connected mobility network
- placemaking and safety features; and
- activity centre improvements.

He provided a concept plan for the waterfront and described key features noting that two additional activity centre improvements are included in the proposed plan including, the Spirit Catcher Park and the Marina and the Boat House. Mr. Palmer provided described in detail the proposed Spirit Catcher Park, Marina expansion and the Boat House development. He commented that he believes the proposed waterfront master plan will promote economic development along the waterfront. He reviewed the proposed implementation of the plan and the associated estimated costs. Mr. Palmer highlighted the short term priorities related to the plan and suggested various revenue sources for the funding of the proposed plan.

Stew Patterson provided an update concerning four individual waterfront parks. He reviewed the pre-design for Bayview Park completed to date and displayed a rendering of the park area including a cross-section view. He described the details of the outdoor performance theatre and reviewed the next steps related to Bayview Park. Mr. Patterson discussed the pre-design and detailed design work completed to date for Memorial Square Park. He noted that discussions are underway with the Downtown Business Improvements Area concerning the project. He described the detailed design work for Centennial Park and the next steps for the project. Mr. Patterson reviewed the proposed concept plan for the Military Heritage Park. He provided details regarding the proposed project noting that the park is currently undergoing the detailed design process. He provided the current cost estimates for each of the parks and the next steps for the Waterfront and Marina Strategic Plan.

Members of City Council asked a number of questions regarding the information provided and received responses from Mr. Palmer and City staff.

**Attachments:** [121022 PRES - Barrie Waterfront & Marina Strategic Plan.pdf](#)

## ENQUIRIES

There were no enquiries at City Council.

## 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 followings Bills and these Bills be read a first, second and third time this day and finally passed:

### BY-LAW 2012-180

#### Bill #186

A By-law of The Corporation of the City of Barrie to acquire an easement over Part of Lot 15, Concession 13, Innisfil, designated as Part 1 on Plan 51R-38511, City of Barrie, County of Simcoe from Beverley Fein and Lawrence Fein for sanitary sewer purposes. **(11-G-273) (Beverley Fein and Lawrence Fein - sanitary sewer purposes) (File: L07-910)**

Attachments: [Bill 186.pdf](#)

### BY-LAW 2012-181

#### Bill #187

A By-law of The Corporation of the City of Barrie to establish Part of Lot 259, Plan 51M-623, designated as Part 3, Plan 51R-28147 and Part 3, Plan 51R-30883, Part of Lot 260, Plan 51M-623, designated as Part 2, Plan 51R-28147 and Part 2, Plan 51R-30883, Part of Lot 261, Plan 51M-623, designated as Part 1, Plan 51R-28147, Block 301, Plan 51M-623, Part of Block 290, Plan 51M-623, designated as Part 4, Plan 51R-30883, Part of Lot 283, Plan 51M-623, designated as Part 6, Plan 51R-30883, Block 39, Plan 51M-842, City of Barrie, County of Simcoe as part of the municipal highway system. **(As per subdivision agreement - Barrie Development Corporation - east of St. Vincent Street and north of Cundles Road) (File: D12-280)**

Attachments: [Bill 187.pdf](#)

### BY-LAW 2012-182

#### Bill #188

A By-law of The Corporation of the City of Barrie to acquire Part of the Common Elements of Simcoe Condominium Plan No. 15, designated as

Parts 1 and 2, Plan 51R-38218, City of Barrie, County of Simcoe from Simcoe Condominium Corporation No. 15 and to establish same as part of the municipal highway system. **(12-G-042) (Road widening - 2 Bernick Drive) (LGL004-12) (File: L07-925)**

**Attachments:** [Bill 188.pdf](#)

**BY-LAW**  
**2012-183**

**Bill #191**

A By-law of The Corporation of the City of Barrie to amend By-law 2010-166 as amended being a by-law to provide for the delegation of authority to approve draft plans of subdivision including extensions, revisions and draft plans of condominium and part lot control exemption. **(12-G-247) (Delegation of Deeming By-law Approval Authority) (PLN040-12) (File: D12-SUB)**

**Attachments:** [Bill 191.pdf](#)

**BY-LAW**  
**2012-184**

**Bill #192**

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-241) (Traffic By-law 80-138 Updates) (ENG030-12) (File: T02-PA)**

**Attachments:** [Bill 192.pdf](#)

**BY-LAW**  
**2012-185**

**Bill #193**

A By-law of The Corporation of the City of Barrie to exempt Lots 6, 7, 17, 18, 19, 20, 36, 37, 43, 44, 47 and 48 and Blocks 94 and 95, Plan 51M-975 in the City of Barrie, County of Simcoe, from Part Lot Control imposed by Section 50(5) of the Planning Act, R.S.O. 1990, c.P.13. **(As per subdivision agreement - Moorgate Plan of Subdivision - Bayfield Street North at City Limits) (File: D12-366)**

**Attachments:** [Bill 193.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**  
**2012-186**

**Bill #194**

A By-law of The Corporation of the City of Barrie to confirm the proceedings of Council at its meeting held on the 22nd day of October, 2012.

Attachments:     [Bill 194.pdf](#)

**CARRIED UNANIMOUSLY**

**ADJOURNMENT**

**Moved by: Councillor, A. Nuttall**

**Seconded by: Councillor, B. Jackson**

**That the meeting be adjourned at 9:55 p.m.**

**CARRIED**