

REGULAR CITY COUNCIL
MONDAY, APRIL 24TH, 2006 AT 7:30 P.M.
COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING

A G E N D A

1. Roll Call
2. Adoption of Agenda
3. Confirmation of Minutes

REGULAR

APRIL 10TH, 2006

4. Hearing of Delegations

(A) KARLY MCRAE – WAKEFEST

City Manager recommends following the above, that the presentation by Karly McRae with respect to Wakefest be received.

5. Public Hearings

NOTICE TO THE PUBLIC

Under the Public Hearing process, the applicant will be given first opportunity to address City Council on his/her application following which any person wishing to make representation on the application is encouraged to come forward.

Please appreciate that any recommendation put forth by the City Manager on an application has been without the benefit of input from the applicant and/or the public.

(A) VARIATION – 28 BALSAM CRESCENT (MARTIN)

Following receipt of all representation:

City Manager recommends that the Public Hearing with respect to the above noted application be concluded.

City Council may discuss whether to approve or reject the application once the following motion has been made.

City Manager further recommends that the variation application by Earl and Cheryl Martin to reduce the minimum required set back of the east side yard from 1.2m (3.94') to 0.80m (2.62') to allow for the construction of an addition at 28 Balsam Crescent (Lot 10, Block 1, Plan 967 BLTO) be approved whereby such approval is hereby granted in accordance with the intent of the application dated March 9th, 2006, the letter of intent dated March 7th, 2006 and the attached drawing.

(B) VARIATION – 8 COTTONWOOD CRESCENT (TAYLOR O/B/O SALI)

Following receipt of all representation:

City Manager recommends that the Public Hearing with respect to the above noted application be concluded.

City Council may discuss whether to approve or reject the application once the following motion has been made.

City Manager further recommends that the variation application by Charles Taylor on behalf of Robert and Alma Sali to reduce the minimum required side yard for an existing detached garage from 0.3m (1') clear of all projections to 0.24m (0.79') clear of all projections at 8 Cottonwood Crescent (Lot 110, Plan 952 BLTO) be approved whereby such approval is hereby granted in accordance with the intent of the application dated March 9th, 2006 and the attached drawing.

(C) VARIATION – 355 PACIFIC AVENUE (CRANE STEEL LIMITED)

Following receipt of all representation:

City Manager recommends that the Public Hearing with respect to the above noted application be concluded.

City Council may discuss whether to approve or reject the application once the following motion has been made.

City Manager further recommends that the variation application by Crane Steel Limited to reduce the required number of parking spaces from 47 to 12 at 355 Pacific Avenue (Lot 3, Plan 40851 BLTO) be approved whereby such approval is hereby granted in accordance with the intent of the application dated March 24th, 2006, the letter of intent dated March 24th, 2006 and the attached drawing subject to the applicant providing confirmation that 35 off-site parking spaces have been developed within 200m of the property, to the standards required by the City of Brandon Zoning By-law and Landscape Design Standards and that there is a legal agreement in place to ensure those parking spaces remain available to Canadian Pacific Railway for so long as it occupies 355 Pacific Avenue.

(D) VARIATION – 3019 MCDONALD AVENUE (CHAMPAGNE)

Following receipt of all representation:

City Manager recommends that the Public Hearing with respect to the above noted application be concluded.

City Council may discuss whether to approve or reject the application once the following motion has been made.

City Manager further recommends that the variation application by Gary Champagne on behalf of Netannis Champagne to reduce the minimum required setback of a deck from a side property line from no closer than 0.6m (2') to the side site line to no closer than 0.15m (6") to the side site line to accommodate an existing deck at 3019 McDonald Avenue (Lots 8/9, Block 101, Plan 2 BLTO) be approved whereby such approval is hereby granted in accordance with the intent of the application dated March 24th, 2006, the letter of intent dated March 20th, 2006 and the attached drawing subject to the owner or applicant:

- (i) removing or adjusting the portion of the deck used as a walk way along the side of the house from the side door entrance to the front of the house to a distance no closer than 0.6m (2') to the side property line; and
 - (ii) applying for a permit for the existing deck to ensure that it complies with Manitoba Building Code standards.
- (E) BY-LAW NO. 6829 TO REZONE PROPERTY LOCATED WEST OF WAVERLY DRIVE, EAST OF 42ND STREET AND INCLUDING THE FUTURE EXTENSION OF WINDSOR DRIVE AND ADJACENT PROPERTIES FROM DR DEVELOPMENT RESERVE ZONE TO RSF RESIDENTIAL SINGLE FAMILY ZONE (WAVERLY DEVELOPMENTS LTD.)

Following receipt of representation.

City Manager recommends that the Public Hearing with respect to By-law No. 6829 to rezone property located west of Waverly Drive, East of 42nd Street and including the future extension of Windsor Drive and adjacent properties from DR Development Reserve Zone to RSF Residential Single Family Zone be concluded.

Note: This item will be dealt with further under the Order of By-laws.

- 6. Communications & Petitions
- 7. Committee Reports
- 8. Enquiries
- 9. General Business

(A) PROPOSAL TO SUBDIVIDE 1850 – 17TH STREET EAST (4790210 MANITOBA LTD.)

City Manager recommends that the application of 4790210 Manitoba Ltd. to subdivide 1850 – 17th Street East (Lot 2, Plan 42065 BLTO) be approved.

(B) CANADA/MANITOBA INFRASTRUCTURE FUNDING 2005-2010

City Manager recommends that application be made through the Canada/Manitoba Infrastructure Program for the following project whereby the costs shall be equally shared between the federal, provincial and municipal governments:

Wastewater Treatment 2006 Upgrade	\$39,000,000
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and further, that the current applications for the following two projects be rescinded:

Water Distribution Capacity Upgrade	\$500,000
Riverheights Lift Station Elimination	\$350,000

(C) DEPOSIT ON DRINK CONTAINERS

Councillor Black recommends that the Association of Manitoba Municipalities be requested to petition the Province of Manitoba to establish a 10¢ deposit on all drink containers in this province and create the infrastructure required to ensure the processing of containers on which deposits are paid and the payment of deposits to individuals who bring in the containers.

(D) MEMORANDUM OF UNDERSTANDING WITH THE PROVINCE OF MANITOBA REGARDING EMPLOYMENT OPPORTUNITIES FOR SOCIAL ASSISTANCE RECIPIENTS

Councillor Rice recommends that the City of Brandon enter into a Memorandum of Understanding with the Province of Manitoba with respect to employment opportunities and assisting social assistance recipients in finding perspective employers in the community.

10. By-laws

NO. 6813 - TO REZONE PROPERTY LOCATED AT 1665 PATRICIA AVENUE FROM PR PARKS AND RECREATION ZONE AND DR DEVELOPMENT RESERVE ZONE TO RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE AND FROM DR DEVELOPMENT RESERVE ZONE TO RHD RESIDENTIAL HIGH DENSITY MULTIPLE FAMILY ZONE (CITY OF BRANDON)
3RD READING

City Manager recommends that By-law No. 6813 to rezone property located at 1665 Patricia Avenue (Parcel A, Plan 40470 BLTO) from PR Parks and Recreation Zone and DR Development Reserve Zone to RMD Residential Moderate Density Multiple Family Zone and from DR Development Reserve Zone to RHD Residential High Density Multiple Family Zone to accommodate future development, be read a third and final time.

Note: This by-law received second reading at the March 20th, 2006 meeting of City Council.

NO. 6822 - 2006 TAX LEVY BY-LAW
2ND AND 3RD READINGS

City Manager recommends that By-law No. 6822 being the 2006 Tax Levy By-law be read a second time.

City Manager recommends that this by-law be read a third and final time.

Note: This by-law received first reading at the April 10th, 2006 meeting of City Council.

NO. 6823 - TO AMEND TRAFFIC BY-LAW NO. 5483 REGARDING TEMPORARY SIGNS ON PUBLIC RIGHTS-OF-WAY
2ND AND 3RD READINGS

City Manager recommends that By-law No. 6823 to amend Traffic By-law No. 5483 with respect to temporary signs on public rights-of-way be read a second time.

City Manager recommends that this by-law be read a third and final time.

Note: This by-law received first reading at the April 10th, 2006 meeting of City Council.

- NO. 6829 - TO REZONE PROPERTY LOCATED WEST OF WAVERLY DRIVE, EAST OF 42ND STREET INCLUDING THE FUTURE EXTENSION OF WINDSOR DRIVE AND ADJACENT PROPERTIES FROM DR DEVELOPMENT RESERVE ZONE TO RSF RESIDENTIAL SINGLE FAMILY ZONE (WAVERLY DEVELOPMENTS LTD.)
2ND READING
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City Manager recommends that By-law No. 6829 to rezone property located west of Waverly Drive, east of 42nd Street and including the future extension of Windsor Drive and adjacent properties (Pt. NE¼ 16-10-19 WPM) from DR Development Reserve Zone to RSF Residential Single Family Zone, be read a second time.

City Manager recommends that third reading of this by-law be held in abeyance pending execution of the required development agreement.

Note: This by-law received first reading at the March 28th, 2006 meeting of City Council.

- NO. 6831 - TO AMEND BY-LAW NO. 6817 BEING THE 2006 SCHEDULE OF FEES FOR SERVICES AND ACTIVITIES PROVIDED BY THE CITY OF BRANDON
2ND AND 3RD READINGS
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City Manager recommends that By-law No. 6831 to amend Schedule of Fees By-law No. 6817 to include changes to the Compliance Fine Schedule, license fees, and various services charges be read a second time.

City Manager recommends that this by-law be read a third and final time.

Note: This by-law received first reading at the April 10th, 2006 meeting of City Council.

- NO. 6832 - TO AMEND BUSINESS LICENSING BY-LAW NO. 6009 TO INCLUDE SPECIAL LICENSE CONDITIONS FOR PUBLIC TRADE SHOWS
2ND AND 3RD READINGS
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City Manager recommends that By-law No. 6832 to amend Business Licensing By-law No. 6009 to include special license conditions for public trade shows be read a second time.

City Manager recommends that this by-law be read a third and final time.

Note: This by-law received first reading at the April 10th, 2006 meeting of City Council.

- NO. 6838 - TO AMEND PESTICIDE BY-LAW NO. 6825 REGARDING REQUIREMENTS FOR THE BRANDON PESTICIDE NOTIFICATION REGISTRY
2ND AND 3RD READINGS
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City Manager recommends that By-law No. 6838 to amend Pesticide By-law No. 6725 regarding requirements for the Brandon Pesticide Notification Registry be read a second time.

City Manager recommends that this by-law be read a third and final time.

Note: This by-law received first reading at the April 10th, 2006 meeting of City Council.

NO. 6839 - TO REZONE PROPERTY LOCATED AT 522, 552 AND 556 PARK STREET
FROM RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE TO EI
EDUCATIONAL AND INSTITUTIONAL ZONE (BRANDON REGIONAL
HEALTH AUTHORITY INC.)
1ST READING

City Manager recommends that By-law No. 6839 to rezone property located at 522, 552 and 556 Park Street (Lots 11/14, Lots 20/24, Block 4, Plan 9 BLTO) from RLD Residential Low Density Multiple Family Zone to EI Educational and Institutional Zone be read a first time.

11. Giving of Notice
12. Announcements
13. Adjournment

J. Swidnicki
Deputy City Clerk