

REGULAR CITY COUNCIL
MONDAY, AUGUST 14TH, 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

JULY 17TH, 2006

4. Hearing of Delegations

(A) JORDAN ROSS – DOWNTOWN SKATEBOARD PARK

City Manager recommends following the above that the presentation by Jordan Ross with respect to the request to remove the condition to obtain matching funding in order to access the City allocated funds for the completion of the downtown skateboard park be referred to the Administration for consideration and subsequent report.

(B) KAREN OLIVER – PROVINCIAL EXHIBITION OF MANITOBA

City Manager recommends following the above that the presentation by Karen Oliver with respect to an update on the Provincial Exhibition of Manitoba be received.

(C) TROY NOTT – CANADIAN CURLING HALL OF FAME – BUSINESS CASE

City Manager recommends following the above that the presentation by Troy Nott of the Canadian Curling Hall of Fame Committee regarding its business case be received.

(D) GLEN VANDERHAEGHE – SHAPE FOODS

City Manager recommends following the above that the presentation by Glen Vanderhaeghe of Shape Foods with respect to the building of an omega 3 processing facility in Brandon be received.

(E) DR. EVA PIP – ASSESSMENT OF PROPOSED SITE FOR FIRE HALL (1ST STREET AND PACIFIC AVENUE)

City Manager recommends that following the above that the presentation by Dr. Pip with respect to the assessment of the proposed site for the new fire hall at 1st Street and Pacific Avenue 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) CONDITIONAL USE – 638 PACIFIC AVENUE (MASSEY HARRIS BUILDING DEVELOPMENT COMPANY INC.)

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 conditional use application by Massey Harris Building Development Company Inc. to allow for warehouses and storage facilities as a permitted use at 638 Pacific Avenue (Lots 9/18, Block 74, Plan 2 BLTO) be approved subject to the owner entering into a development agreement with the City of Brandon as attached to the report of the Brandon and Area Planning District dated August 1st, 2006.

(B) CONDITIONAL USE – 342 PARK AVENUE EAST (EDMONDSON)

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 conditional use application by Glenn Arthur Edmondson to allow for a self storage building at 342 Park Avenue East (Lot 2, Block 1, Plan 1949 BLTO) be approved.

(C) CONDITIONAL USE – 1700 MCGREGOR AVENUE EAST (J.W. DITCHFIELD & SON LTD.)

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 conditional use application by Don Ditchfield on behalf of J.W. Ditchfield to allow for a detached dwelling supportive of a permitted principal use at 1700 McGregor Avenue East (Pt. NW¼ 19-10-18 WPM) be approved.

(D) VARIATION – 602 – 25TH STREET (CATHCART)

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 Gerald and Caroline Cathcart to reduce the minimum required corner side yard for an accessory building from 3m (9.84') to 1.5m (4.92') to build a detached garage at 602 – 25th Street (Nly 5' of Lot 38, all of Lots 39/40, Block 9, SS Plan 720 BLTO) be approved whereby such approval is hereby granted in accordance with the intent of the application dated June 19th, 2006, the letter of intent dated July 8th, 2006 and the attached drawing subject to the garage being accessed from the public lane.

(E) VARIATION – 1539 – 22ND STREET (WILSON O/B/O MACSYMACH)

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 Alistair and Audrey Wilson on behalf of the owners, Jason and Tryna Macsymach, to reduce the minimum required side yard for an existing garage from 0.3m (0.98') clear of all projections to 0.25m (0.82') clear of all projections at 1539 – 22nd Street (Lot 6, Plan 37214 BLTO) be approved whereby such approval is hereby granted in accordance with the intent of the application dated July 14th, 2006, the letter of intent dated July 14th, 2006 and the attached drawing.

(F) BY-LAW NO. 6846 TO REZONE 1510, 1512, 1530 AND 1550 – 12TH STREET FROM RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE TO CAR COMMERCIAL ARTERIAL ZONE (ESLER O/B/O 3777121 MANITOBA LTD.)

Following receipt of all representation:

City Manager recommends that the Public Hearing with respect to By-law No. 6846 to rezone 1510, 1512, 1530 and 1550 – 12th Street (Lots 25/44, Block 6, Plan 227 BLTO) from RLD Residential Low Density Multiple Family Zone to CAR Commercial Arterial Zone be concluded.

6. Communications & Petitions
7. Committee Reports
8. Enquiries

9. Announcements

10. General Business

(A) SPORTSPLEX ICE RENTAL RATES

That the ice rental rate at the Sportsplex be increased to \$127.00 per hour effective September 1st, 2006 and the ongoing practice of providing a 20% discount to minor sport using the arena be endorsed.

(B) SIMPLOT MILLENIUM PARK INC. – TAX RELIEF

City Manager recommends that the education portion of the 2004 and 2005 property tax bills on the Simplot Millenium Park including penalties thereon be refunded by the City of Brandon to Simplot Canada Ltd.

(C) EVENT OF LOCAL SIGNIFICANCE – ROCK THE BLOCK CELEBRATION

City Manager recommends that City Policy No. 004 designating Events of Local Significance be amended by:

(a) deleting: “Street Beat” Celebration; and

(b) adding: “Rock The Block” Celebration.

(D) PREPARATION OF A BY-LAW TO AMEND ZONING BY-LAW NO. 6642 TO REGULATE THE USE OF LIGHTS

Councillor Barletta recommends that the Administration bring forward a by-law that will provide general guidelines for commercial and other public lighting including the adoption of energy efficiency standards for new lighting installations in the City of Brandon.

11. By-laws

NO. 6837 - TO PROVIDE FOR THE BORROWING OF FUNDS FOR THE PURCHASE OF THE MATIERALS RECYLCING FACILITY AND ASSOCIATION EQUIPMENT BY THE ISSUE AND SALE OF DEBENTURES AMENDMENT, 3RD READING

City Manager recommends that By-law 6837 be amended by adding to Section 6 the word: “mill” immediately after the word: “special”.

City Manager recommends that By-law No. 6837, as amended, be read a third and final time.

Note: This by-law received second reading at the May 8th, 2006 meeting of City Council.

NO. 6845 - TO REZONE PROPERTY LOCATED AT 1215 PATRICIA AVENUE FROM DR DEVELOPMENT RESERVE ZONE TO RSF RESIDENTIAL SINGLE FAMILY ZONE AND RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE (BLANCHARD AND LALUK) AMENDMENT, 2ND AND 3RD READINGS

City Manager recommends that Motion No. 1916 (July 17th, 2006 City Council Meeting), to amend By-law No. 6845 by deleting the portion of 1215 Patricia Avenue which is currently zoned as RSF Residential Single Family Zone from the application, be rescinded.

City Manager recommends that By-law No. 6845 to rezone property located at 1215 Patricia Avenue (Parcel B, Plan 40470 BLTO) be amended by deleting Clause 1 in its entirety and substituting therefor the following:

1. The land described as follows:

the Northerly 61.2m (201') of Parcel B, identified on a plan of part of the City of Brandon, in Manitoba, registered in the Brandon Land Titles Office as Plan 40470,

commonly known as 1215 Patricia Avenue and highlighted on the map attached hereto as Schedule "A" is hereby reclassified:

FROM: DR Development Reserve Zone

TO: RSF Residential Single Family Zone

2. The land described as follows:

the Southerly 215.254m (706') of Parcel B, identified on a plan of part of the City of Brandon, in Manitoba, registered in the Brandon Land Titles Office as Plan 40470,

commonly known as 1215 Patricia Avenue and highlighted on the map attached hereto as Schedule "A" is hereby reclassified:

FROM: DR Development Reserve Zone

TO: RMD Residential Moderate Density Multiple Family Zone

and by renumbering Clauses 2 and 3 as Clauses 3 and 4 respectively.

City Manager recommends that in accordance with Subsection 74(3) of The Planning Act, it is hereby deemed that the alterations made to Zoning By-law No. 6843 following the public hearing are minor ones that do not change the intent of the by-law and as a result, a second public hearing to receive representation on said alterations is not required.

City Manager recommends that By-law No. 6843, as amended, be read a second time.

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

NO. 6846 - TO REZONE PROPERTY LOCATED AT 1510, 1512, 1530 AND 1550 – 12TH STREET FROM RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE TO CAR COMMERCIAL ARTERIAL ZONE (ESLER O/B/O 3777121 MANITOBA LTD.)
2ND READING

City Manager recommends that By-law No. 6846 to rezone property located at 1510, 1512, 1530 and 1550 – 12th Street (Lots 25/44, Block 6, Plan 227 BLTO) from RLD Residential Low Density Multiple Family Zone to CAR Commercial Arterial Zone be read a second time.

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

12. Giving of Notice

13. Adjournment

H. Ewasiuk
A/Deputy Clerk