

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, JULY 17<sup>TH</sup>, 2006 AT 7:30 P.M. IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA**

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**PRESENT:** Mayor D. Burgess in the Chair, Councillor V. Barletta, Councillor E. Black, Councillor M. Blight, Councillor L. Brown, Councillor M. Campbell, Councillor R. Chrest, Councillor D. Jessiman, Councillor D. Paterson, Councillor G. Rice

**ABSENT:** Councillor B. Smale

**ADOPTION OF AGENDA:**

1885 Rice-Blight  
That the Agenda for the Regular Meeting of City Council to be held on Monday, July 17<sup>th</sup>, 2006 be adopted as presented. CARRIED.

**CONFIRMATION OF MINUTES:**

1886 Blight-Rice  
That the Minutes of the Regular Meeting of City Council held on Monday, June 26<sup>th</sup>, 2006 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

1887 Barletta-Blight  
That the Minutes of the Special Meeting of City Council held on Wednesday, July 5<sup>th</sup>, 2006 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

**HEARING OF DELEGATIONS:**

(A) SHAWN TAYLOR – SIMPLOT MILLENNIUM PARK INC.

Shawn Taylor, Chairman of the Simplot Millennium Park Board appeared before City Council to provide an update on the Park. He gave a brief history of the Park, noting that the development and on-going operation of the Park had been funded by Simplot Canada and sponsorship from businesses, corporations and service clubs. Mr. Taylor stated that Simplot Millennium Park Inc. was a non-profit organization that operated on a break-even basis and had been saddled with an extraordinary property tax bill which was putting the future of the Park in jeopardy. On behalf of Simplot Millennium Park Inc., Mr. Taylor requested assistance in resolving the tax issue that was an ongoing burden to the operation of the Park.

1888 Rice-Jessiman  
That the presentation by Shawn Taylor with respect to the tax issue for the Simplot Millennium Park be referred to the Administration for review and subsequent report to Council. CARRIED.

**PUBLIC HEARINGS:**

(A) CONDITIONAL USE – 238 – 16<sup>TH</sup> STREET NORTH (LOWE)

City Council sat to receive representation on the above noted matter.

Dwayne Lowe appeared before City Council in support of his application and to answer any questions. He stated that the purpose of the application was to allow for the construction of a storage building on the property.

No further written or verbal representation was put forward either in support of or in opposition to this application.

Paterson-Brown

1889 That the Public Hearing for the variation application by Dwayne Lowe on behalf of Dwayne and Julie Lowe for 238 – 16<sup>th</sup> Street North be concluded. CARRIED.

Paterson-Barletta

1890 That the conditional use application by Dwayne Lowe on behalf of Dwayne and Julie Lowe to allow for the construction of a storage building at 238 – 16<sup>th</sup> Street North (Lots 33/38, Block 7, Plan 223 BLTO) be approved. CARRIED.

(B) VARIATION – 541 PERCY STREET (MCCANNELL)

City Council sat to receive representation on the above noted matter.

Brenda McCannell appeared before City Council in support of her application and to answer any questions. She stated that the purpose of the application was to allow for the construction of a four-plex on the property.

Richard Thompson appeared on behalf of his daughter and son-in-law Renee and Jamie Snowdon, 528 Douglas Street, in opposition to the application. Mr. Thompson referred to the letter of objection submitted by Mr. and Mrs. Snowdon dated July 4<sup>th</sup>, 2006 whereby he stated that the proposed development would increase traffic, decrease property values, reduce green space, and increase the City's expenses for infrastructure costs.

No further written or verbal representation was put forward either in support of or in opposition to this application.

Black-Jessiman

1891 That the Public Hearing for the variation application by Brenda McCannell for 541 Percy Street be concluded. CARRIED.

Black-Jessiman

1892 That the variation application of Brenda McCannell to increase the number of dwelling units from three (3) units to four (4) units for future construction of a four-plex at 541 Percy Street (Lots 33/35, Block 8, Plan 9 BLTO), be approved whereby such approval is hereby granted in accordance with the intent of the application dated June 12<sup>th</sup>, 2006, the letter of intent and the attached drawing and subject to the owner or applicant entering into a development agreement with the City of Brandon. CARRIED.

(C) VARIATION – 3125 PARK AVENUE (SUTHERLAND)

City Council sat to receive representation on the above noted matter.

William Sutherland appeared before City Council in support of his application and to answer any questions. He stated that the purpose of the application was to allow for the construction of an attached garage on the property.

No further written or verbal representation was put forward either in support of or in opposition to this application.

Chrest-Blight

1893 That the Public Hearing for the variation application by William and Barbara Sutherland for 3125 Park Avenue be concluded. CARRIED.

Chrest-Blight

1894 That the variation application by William and Barbara Sutherland to reduce the minimum required east side yard from 1.2m (3.94') to 0.6m (1.97') to construct an attached garage at 3125 Park Avenue (Lot 9 & Ely 15' of Lot 8, Block 3, Plan 1416 BLTO), be approved whereby such approval is hereby granted in accordance with the intent of the application dated June 6<sup>th</sup>, 2006, the letter of intent dated June 5<sup>th</sup>, 2006 and the attached drawing subject to the owner entering into a development agreement with the City of Brandon. CARRIED.

(D) VARIATION – 823 – 5<sup>TH</sup> STREET (BROOKING)

City Council sat to receive representation on the above noted matter.

Barry Brooking appeared before City Council in support of his application and to answer any questions. He stated that the purpose of the application was to allow for the construction of a duplex on the property.

No further written or verbal representation was put forward either in support of or in opposition to this application.

Rice-Jessiman

1895 That the Public Hearing for the variation application by Barry Brooking for 823 – 5<sup>th</sup> Street be concluded. CARRIED.

Rice-Paterson

1896 That the variation application by Barry Brooking to reduce the minimum required north side yard from 3m (9.84') to 1.82m (6') and reduce the minimum required south side yard from 3m (9.84') to 2.13m (7') for the future construction of a duplex at 823 – 5<sup>th</sup> Street (Lot 21, Block 52, Plan 8 BLTO), be approved whereby such approval is hereby granted in accordance with the intent of the application dated June 12<sup>th</sup>, 2006, the letter of intent dated June 8<sup>th</sup>, 2006 and the attached drawing subject to the owner entering into a Development Agreement with the City of Brandon. CARRIED.

(E) VARIATION – 332 – 12<sup>TH</sup> STREET (DORNN)

City Council sat to receive representation on the above noted matter.

Brian Dornn appeared before City Council in support of his application and to answer any questions. He stated that the purpose of the application was to allow for the construction of a four-plex on the property.

City Council also considered a petition in opposition to the application put forward by neighbourhood residents.

June Harness, 336 – 12<sup>th</sup> Street, appeared in opposition to the above noted application. She expressed concerns with increased traffic, privacy issues and whether or not the building design would fit in with the neighbourhood. Mrs. Harness requested that the entrances to the proposed building be off of 12<sup>th</sup> Street to reduce the intrusion on neighbouring properties.

Sandy Maxon, 347 – 12<sup>th</sup> Street, also appeared in opposition to the application. She stated that she would prefer a duplex to a 4-plex on the lot as it would fit in better with the existing neighbourhood.

Meaghan Moon, 314 – 12<sup>th</sup> Street, appeared in opposition to the application. She noted that the neighbourhood had suffered several traumatic events in the last year and was in the process of healing. Ms. Moon felt that the design of the building did not fit in with the neighbourhood, and that a duplex was more appropriate for the area.

Colin Corneau, 342 – 12<sup>th</sup> Street, appeared in opposition to the application. Mr. Corneau expressed concerns that the proposed development would negatively impact the property values of the neighbourhood.

Martha Sokolowski, 346 – 12<sup>th</sup> Street, appeared in opposition to the application. She stated that the increased density proposed was not suitable to the property

Devryn Ross, 324 – 13<sup>th</sup> Street, appeared in opposition to the application. He advised that the property had been a single family residence until 10 years ago, whereby it was converted into a multiple family dwelling, despite regulations prohibiting same. Mr. Ross stated his concern with the proposed development was its impact on the heritage value of the neighbourhood, and noted that no consultation had taken place with the area residents that he was aware of. He further noted that the density of area had been downsized ten years ago, and area residents were now requesting that this be adhered to.

No further written or verbal representation was put forward either in support of or in opposition to this application.

Barletta-Blight

1897 That the Public Hearing for the variation application by Brian and Rhonda Dornn for 332 – 12<sup>th</sup> Street be concluded. CARRIED.

Barletta-Rice

1898 That the variation application by Brian and Rhonda Dornn to increase the number of dwelling units from two (2) units to four (4) units for the future construction of a four-plex at 332 – 12<sup>th</sup> Street (Lots 6/7 & S ½ of Lot 8, Block 23, Plan 2 BLTO), be rejected. CARRIED.

(F) VARIATION – 329 BRAECREST DRIVE (HLADKY O/B/O 4847165 MANITOBA LTD.)

City Council sat to receive representation on the above noted matter.

Ted Hladky appeared before City Council in support of the application and to answer any questions. He stated that the purpose of the application was to allow for the construction of four condo units with attached garages on the property.

Al McKay, 1 – 329 Braecrest Drive, President of the Braecrest Condo Association appeared in support of the application.

No further written or verbal representation was put forward either in support of or in opposition to this application.

Paterson-Brown

1899 That the Public Hearing for the variation application by Ted Hladky on behalf of 4847165 Manitoba Ltd. for 329 Braecrest Drive be concluded. CARRIED.

Paterson-Brown

1900 That the variation application by Ted Hladky on behalf of 4847165 Manitoba Ltd. to reduce the minimum required rear yard from 7.6m (24.93') to 1.5m (4.92') for the construction of four condo units with attached garages at 329 Braecrest Drive (Lots 1/3 & Ely. 10' of Lot 4, Block 2, Plan 848 BLTO), be approved whereby such approval is hereby granted in accordance with the intent of the application dated June 19<sup>th</sup>, 2006, the letter of intent dated June 19<sup>th</sup>, 2006 and the attached drawing. CARRIED.

(G) VARIATION – 2203 – 9<sup>TH</sup> STREET (REID)

City Council sat to receive representation on the above noted matter.

William Reid appeared before City Council in support of his application and to answer any questions. He stated that the purpose of the application was to allow for the construction of a three season sunroom onto the existing building.

No further written or verbal representation was put forward either in support of or in opposition to this application.

Campbell-Jessiman

1901 That the Public Hearing for the variation application by William Reid for 2203 – 9<sup>th</sup> Street be concluded. CARRIED.

Campbell-Brown

1902 That the variation application by William Reid to reduce the minimum required rear yard from 7.6m (24.93') to 5.486m (18.33') to construct a three season sunroom at 2203 – 9<sup>th</sup> Street (Lot 2, Block 2, Plan 44290 BLTO), be approved whereby such approval is hereby granted in accordance with the intent of the application dated June 19<sup>th</sup>, 2006, the letter of intent dated June 19<sup>th</sup>, 2006 and the attached drawing. CARRIED.

(H) VARIATION – 1, 9, 42 & 48 MULBERRY CRESCENT, 2 & 10 WOODLANDS DRIVE AND 1 & 7 HAWTHORN CRESCENT (JACOBSON O/B/O VBJ DEVELOPMENTS)

City Council sat to receive representation on the above noted matter.

Jared Jacobson appeared before City Council in support of the application and to answer any questions. He stated that the purpose of the application was to allow for future residential development of the site.

No further written or verbal representation was put forward either in support of or in opposition to this application.

Campbell-Paterson

1903 That the Public Hearing for the variation application by Jared Jacobson on behalf of VBJ Developments for 1, 9, 42 & 48 Mulberry Crescent, 2 & 10 Woodlands Drive and 1 & 7 Hawthorn Crescent be concluded. CARRIED.

Campbell-Chrest

1904 That the variation application by Jared Jacobson on behalf of VBJ Developments to reduce the minimum required reverse corner side yards on eight (8) lots in Phase One of the development from 4.6m (15.09') to 3m (9.84') for future residential development at 1, 9, 42 & 48 Mulberry Crescent, 2 & 10 Woodlands Drive, and 1 & 7 Hawthorn Crescent (Lots 1, 4, 9, 13, Block 2 and Lots 1, 5, 10, 13, Block 3, Plan 44374 BLTO) be approved whereby such approval is hereby granted in accordance with the intent of the application dated June 23<sup>rd</sup>, 2006 the letter of intent dated June 23<sup>rd</sup>, 2006 and the attached drawing. CARRIED.

- (I) BY-LAW NO. 6845 TO REZONE 1215 PATRICIA AVENUE FROM DR DEVELOPMENT RESERVE ZONE AND RSF RESIDENTIAL SINGLE FAMILY ZONE TO RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE (BLANCHARD AND LALUK)
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City Council sat to receive representation on the above noted matter.

Kevan Blanchard appeared before City Council in support of his application and to answer any questions. He stated that the purpose of the application was to allow for future residential development.

City Council also considered letters of concern from Florence Wotton, 1200 Patricia Avenue, and Leonard & Sandra Dyck of 43 Kelsey Bay, with respect to the above noted application.

No further written or verbal representation was put forward either in support of or in opposition to this application.

It was noted that this item would be dealt with further under the Order of By-laws.

Campbell-Brown

- 1905 That the Public Hearing with respect to By-law No. 6845 to rezone 1215 Patricia Avenue from DR Development Reserve Zone and RSF Residential Single Family Zone to RMD Residential Moderate Density Multiple Family Zone be concluded. CARRIED.

COMMUNICATIONS & PETITIONS:

Nil

COMMITTEE REPORTS:

Nil

ENQUIRIES:

- (701) SUSTAINABILITY STUDY – CANADIAN CURLING HALL OF FAME

Councillor Brown referred to the sustainability study being prepared for the Canadian Curling Hall of Fame that was to be ready by the end of June and enquired when this report would be submitted to Council for review.

His Worship the Mayor advised that he would be meeting with the committee members on Wednesday and would be able to provide a more definitive answer at that time.

- (702) CANOLA PROCESSING FACILITY – JAMES RICHARDSON INTERNATIONAL

Councillor Blight referred to a report received from Economic Development regarding James Richardson International's announcement to build a new state-of-the-art canola processing facility and enquired what steps the City was talking to attract the potential development to our community.

His Worship the Mayor advised that on the administrative and political side, efforts had been made to work with the Provincial Government and the development group to entice them to Brandon. He noted that he was unable to provide details at this time, but was encouraged by what had transpired to date.

(703) LIGHTING OF RIDEAU PARK

Councillor Black referred to recent break-ins at the Kinsmen Pool in the East End and a truck in the area whereby he noted that the large light in the centre of Rideau Park had been removed and replaced with smaller lights along the walking paths. He enquired why these lights had been turned off between midnight and dawn, as it seemed to be encouraging vandalism in the area.

At the request of the Chair, the Acting City Manager advised that the large light had been removed due to complaints from the neighbourhood that people were hanging out in the park all night. She stated that there was an on-going issue with vandalism, graffiti, etc. and the situation was being reviewed, inclusive of whether the lighting should be returned.

(704) COMPOSTING POLICY

Councillor Black requested an update on the City's composting policy noting that The Pas was manufacturing bio-degradable bags for composting materials. He enquired whether they could be made available for use in the City of Brandon and what means could be undertaken to encourage their use.

His Worship the Mayor agreed to take this matter under advisement.

(705) PROPOSED RACETRACK AND VLT EMPORIUM

Councillor Black advised that he had received a call regarding the proposed race track and VLT emporium on the North Hill with respect to what had been requested of the City and Province in the way of subsidies. Councillor Black enquired whether Council had endorsed this project and requested confirmation of what was being requested by the developers of the proposed racetrack.

His Worship the Mayor advised there had never been a request made of the City for subsidies or inputs of any kind, however, he was unable to confirm what had been requested of the Province. His Worship noted that ongoing negotiations were underway with respect to the number of VLTs being requested, and the percentage of take required by the Province, and that the information was not available at this time.

(706) ACCURACY OF ZONING APPLICATION MAPS

Councillor Campbell referred to the zoning application on Patricia Avenue that had been considered earlier in the meeting noting that there was some confusion as to the actual parcel of property being rezoned. She enquired if future applications and related maps could be more accurate.

His Worship the Mayor agreed to take this matter under advisement.

(707) SIDEWALKS/WALKING PATHS FOR PATRICIA AVENUE

Councillor Campbell stated that three new roads were opening up onto Patricia Avenue however, there were no sidewalks or walking paths whereby she enquired as to the cost of installing same for the safety of the area residents.

His Worship the Mayor agreed to take this matter under advisement.

(708) GREENSPACE BEHIND PATRICIA HEIGHTS

Councillor Campbell enquired whether the Administration could look into establishing a green space behind Patricia Heights inclusive of costs, practicality, etc. and report back to Council.

His Worship the Mayor agreed to take this matter under advisement.

(709) CONDITION OF RAIL CROSSING ON 17<sup>TH</sup> STREET EAST

Councillor Jessiman referred to a previous enquiry made regarding the dangerous condition of the rail crossing at 17<sup>th</sup> Street East and enquired who was responsible for the repair of same.

His Worship the Mayor agreed to take this matter under advisement.

(710) WORK ALONE LEGISLATION

Councillor Jessiman referred to a previous request made to the Provincial Government regarding work alone legislation whereby he noted that the issue had been referred to Department of Labour where it was scuttled to Workplace Health and Safety. Councillor Jessiman enquired if this issue could be raised again with the Province.

His Worship the Mayor agreed to take this matter under advisement.

(711) CITIZENS ON PATROL PROGRAM IN RESIDENTIAL AREAS

Councillor Jessiman also referred to the recent break-ins in the East End and enquired whether or not the Citizens On Patrol Program could include residential areas as well as the downtown.

His Worship the Mayor agreed to take this matter under advisement.

(712) DOWNTOWN IMPROVEMENTS

Councillor Barletta referred to downtown improvements such as the fencing around trees that were not being maintained now that the Downtown Business Improvement Area (BIA) was defunct and enquired if the City would continue to uphold the same maintenance schedule for BIA improvements as in the past.

At the request of the Chair, the Acting City Manager advised that responsibility for maintaining the downtown area had been taken over by the City and that a number of issues would be addressed over the summer.

Councillor Barletta also enquired as to the status of the flower basket program that had been paid for by the BIA in the past whereby the Acting City Manager advised that the BIA had purchased the baskets this year, and same were being maintained by the City. She noted that there would be a similar program in place next year whereby business owners would have an opportunity to purchase baskets for their businesses again. The Acting City Manager did caution however that due to budget constraints, the number of baskets on light standards, etc. may have to be decreased.

(713) STATUS OF FLOOD CLAIMS - 2005 SUMMER STORM

Councillor Paterson enquired as to the status of flood claims from the storm that had hit the City last summer and whether or not any response had been received from the senior levels of government. Councillor Paterson suggested a legal opinion on what constituted a natural disaster versus a normal flood claim might be in order and enquired if the Administration could provide a report on ways the City could be more aggressive in its attempts to obtain emergency assistance.

His Worship the Mayor noted that with the recent change in the Federal Government, there had been a change in attitude with respect to the situation and that the City had received excellent communication from The Honourable Vic Toews, with a further response promised in the near future, therefore he would not recommend taking a more aggressive approach at this time.

(714) TOURIST SIGNS ON HIGHWAY NO. 1

Councillor Paterson referred to a previous enquiry regarding tourist signs east and west, as well as north and south of Brandon, and made a further enquiry if consideration could be given to installing a sign on the Trans Canada Highway on the north edge of the City to make travellers aware of the existence of Brandon and what it had to offer.

His Worship the Mayor agreed to take this matter under advisement.

ANNOUNCEMENTS:

GREENACRES/RICHMOND WARD MEETING

Councillor Campbell announced that a joint Green Acres and Richmond Ward Meeting would be held on Tuesday, July 25<sup>th</sup>, in the Council Chambers at 410 – 9th Street starting at 7:00 p.m. She noted that some of the issues to be discussed included flood proofing, upgrade of the lift station, the water retention pond, drainage issues, Patricia Heights improvements and other ward issues.

25<sup>TH</sup> ANNIVERSARY OF DAKOTA OJIBWAY TRIBAL COUNCIL CHILD & FAMILY SERVICES

Councillor Black announced that on July 6<sup>th</sup> he had attended, on behalf of City Council, the 25<sup>th</sup> Anniversary of the Dakota Ojibway Tribal Council (D.O.T.C.) Child & Family Services. He noted that the D.O.T.C. had been the first Aboriginal organization to assume responsibility for Child & Family service in Canada in 1981 and had since become the model for everywhere else in Canada. He reported that the event had been attended by over 300 people.

5<sup>TH</sup> ANNUAL DOORS OPEN BRANDON HERITAGE TOURS

Councillor Barletta announced that the 5<sup>th</sup> Annual Doors Open Brandon Heritage Tours would be held this upcoming weekend on Saturday, July 22<sup>nd</sup> and Sunday, July 23<sup>rd</sup>, 2006 from 1:00 – 5:00 p.m. each day. He noted that passports containing all of the information regarding the sites on the tour this year could be picked up at Riverbank Discovery Centre, HomeLife Realty, or at the Treasury Department at City Hall. Information was also available on the City's website and full details would be published in the July 20<sup>th</sup> edition of Wheat City Journal.

ACCOLADES TO CITY STAFF – CLEAN UP OF TREES

His Worship the Mayor offered accolades to City staff for their efforts in the clean up of trees throughout the City as a result of the storm last week.

VISIT FROM COMMUNITIES IN BLOOM JUDGES

His Worship Mayor Burgess announced that the judges for the national Communities in Bloom competition had visited the City today and that a barbeque had been held at Eleanor Kidd Park to welcome them to the City and give them an opportunity to meet the many volunteers involved in the Communities in Bloom program.

SPECIAL OLYMPICS

His Worship the Mayor announced that from July 18<sup>th</sup> to 23<sup>rd</sup>, Brandon would be hosting the Special Olympics Canada 2006 Summer Games whereby he stated that around 4,000 visitors would be in the City. He encouraged members of Council and the public to attend the games and cheer on the athletes.

VISIT TO GRAND FORKS, NORTH DAKOTA

His Worship the Mayor announced that he had been away on business in Grand Forks, North Dakota where he and Mayor Mike Brown of Grand Forks, had attended the Change of Command at the Airforce Base. He stated that encouraging discussions had been held on increasing the tourism and trading between the two cities.

MAJOR RECONSTRUCTION ON 18<sup>TH</sup> STREET

His Worship Mayor Burgess announced that major reconstruction on 18<sup>th</sup> Street would be starting on July 24<sup>th</sup>, 2006. He noted that during the construction period, one lane of traffic would be opened , but delays should be expected and requested that citizens show patience while the construction and paving work was being done along 18<sup>th</sup> Street, Richmond Avenue and 1<sup>st</sup> Street.

GENERAL BUSINESS:

- (A) PROPOSAL TO SUBDIVIDE 615 AND 617 MCDIARMID DRIVE (GRAHAM O/B/O DUMYR LTD.)

Considered was a report from the Brandon and Area Planning District dated July 4<sup>th</sup>, 2006 with respect to the above.

Chrest-Paterson

1906 That the application of Douglas Graham on behalf of the owner, Dumyr Ltd, to subdivide 615 and 617 McDiarmid Drive (Pt. of Lots 27/28, Block 4, Plan 967 BLTO) be approved subject to the owner constructing a common party wall within the garage along the proposed subdivision line satisfactory to the Senior Building Inspector of the Brandon and Area Planning District. CARRIED.

- (B) LEGAL AGREEMENT BETWEEN BRANDON AND AREA PLANNING DISTRICT AND THE CITY OF BRANDON

City Council considered a report from the General Manager of Development Services dated July 7<sup>th</sup>, 2006 with respect to the above.

Chrest-Barletta

1907 That the City of Brandon enter into an agreement with the Brandon and Area Planning District to provide planning and building inspection services on behalf of the Brandon and Area Planning District, as attached to the report of the General Manager of Development Services dated July 7<sup>th</sup>, 2006. CARRIED.

Prior to voting on the above motion, Councillor Paterson noted that there was no process set out in the agreement if one of the parties wanted to amend the agreement and requested that same be considered.

(C) BRANDON RECREATION AND SPORTS CENTRE PUBLIC CONSULTATION

Submitted for consideration was a report from the General Manager of Operational Services dated July 7<sup>th</sup>, 2006 with respect to the above.

Paterson-Jessiman

1908 That Administration be authorized to conduct a public consultation regarding the potential options for the Brandon Recreation and Sports Centre. CARRIED.

AMENDMENT

Black-Blight

1909 That the above motion be amended by deleting the words: "to conduct a public consultation" and substituting the following therefor: "to prepare a plan for public consultation"; and adding the following to the end of the motion: "whereby same shall be approved by Council in September of 2006 to be implemented following the civic election in October." LOST.

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

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Barletta-Rice

1910 That the matter of a by-law to amend Zoning By-law No. 6642 to regulate the use of lights be referred to the August 14<sup>th</sup>, 2006 meeting of City Council. CARRIED.

(E) TENDER NO. 68/06 – BULLDOZER ITEM #2006/20TR

Considered was a report from the Transportation Manager dated July 12<sup>th</sup>, 2006 with respect to the above.

Rice-Brown

1911 That the low bid from Toromont Cat for the purchase of a D6 Bulldozer – D6RXL111 as per proposal and City specifications at a cost of \$310,175 be accepted whereby said funds shall be expended from the Equipment Replacement Reserve. CARRIED.

(F) ROAMING COMMUNITY LAND TRUST – AFFORDABLE HOUSING

City Council considered a report from the Economic Development Officer dated July 12<sup>th</sup>, 2006 with respect to the above.

Barletta-Paterson

1912 That the City of Brandon enter into an offer to purchase agreement with the Canadian Mental Health Association Westman Region Incorporated whereby the City shall dispose of 15 - 5<sup>th</sup> Street North (Lots 6/7, Plan 18, Roll No. 37549) to the Canadian Mental Health Association Westman Region Incorporated for the sum of \$1.00 free of encumbrances and back taxes;

and further, the offer to purchase agreement shall state that if an affordable home is not constructed on the donated parcel of land within 24 months, ownership of the land reverts to the City of Brandon;

and further, once constructed, the affordable home cannot serve as a show home for longer than 12 months. CARRIED.

At the request of Councillor Paterson, a recorded vote was taken on the above motion.

FOR  
His Worship Mayor Burgess  
Councillor Barletta  
Councillor Black  
Councillor Blight  
Councillor Brown  
Councillor Campbell  
Councillor Chrest  
Councillor Jessiman  
Councillor Rice

AGAINST  
Councillor Paterson

BY-LAWS:

NO. 6783 - TO REZONE PROPERTY LOCATED AT 448, 454 AND 462 – 8<sup>TH</sup> STREET FROM RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE TO CCC COMMERCIAL CENTRAL CORE ZONE (RICE O/B/O 4916825 MANITOBA LTD.)

Councillor Rice declared a conflict of interest due to his relationship to the applicant and left the Chamber without any further discussion.

It was noted that this by-law had received second reading at the December 6<sup>th</sup>, 2004 meeting of City Council whereby third reading had been held in abeyance pending execution of the required development agreement, which had now been duly signed.

1913 Barletta-Black  
That By-law No. 6783 to rezone property located at 448, 454 and 462 – 8<sup>th</sup> Street from RLD Residential Low Density Multiple Family Zone to CCC Commercial Central Core Zone be read a third and final time. CARRIED.

In accordance with Section 137 of The Municipal Act, a recorded vote was taken on the motion to give By-law No. 6783 third reading.

FOR  
His Worship Mayor Burgess  
Councillor Barletta  
Councillor Black  
Councillor Blight  
Councillor Brown  
Councillor Campbell  
Councillor Chrest  
Councillor Jessiman  
Councillor Paterson

AGAINST  
Nil

Following the above motion being voted on, Councillor Rice re-entered the Council Chamber.

NO. 6824 - TO CREATE THE GAS TAX FUNDING RESERVE

It was noted that this by-law had received first reading at the June 26<sup>th</sup>, 2006 meeting of City Council.

1914 Paterson-Barletta  
That By-law No. 6824 to create the Gas Tax Funding Reserve Fund be read a second time. CARRIED.

1915 Paterson- Brown  
That this by-law be read a third and final time. CARRIED.

In accordance with Section 137 of The Municipal Act, a recorded vote was taken on the motion to give By-law No. 6824 third reading.

FOR  
His Worship Mayor Burgess  
Councillor Barletta  
Councillor Black  
Councillor Blight  
Councillor Brown  
Councillor Campbell  
Councillor Chrest  
Councillor Jessiman  
Councillor Paterson  
Councillor Rice

AGAINST  
Nil

NO. 6845 - TO REZONE PROPERTY LOCATED AT 1215 PATRICIA AVENUE FROM DR DEVELOPMENT RESERVE ZONE AND RSF RESIDENTIAL SINGLE FAMILY ZONE TO RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE (BLANCHARD AND LALUK)  
\_\_\_\_\_

It was noted that this by-law had received first reading at the June 26<sup>th</sup>, 2006 meeting of City Council.

1916 Campbell-Black  
That By-law No. 6845 be amended by deleting the portion of 1215 Patricia Avenue which is currently zoned as RSF Residential Single Family Zone from the application. CARRIED.

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

Considered was a report from the Brandon and Area Planning District dated July 4<sup>th</sup>, 2006 with respect to the above.

1917 Campbell-Rice  
That By-law No. 6846 to rezone property located at 1510, 1512, 1530 and 1550 – 12<sup>th</sup> 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 first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Paterson-Blight  
That the meeting do now adjourn. (11:12 p.m.) CARRIED.