

REGULAR CITY COUNCIL
MONDAY, JUNE 26TH, 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

JUNE 12TH, 2006

4. Hearing of Delegations

(A) DR. BILL PATON, PESTICIDE BY-LAW REVIEW COMMITTEE – ECO NET AWARD

City Manager recommends following the above, that the presentation by Dr. Bill Paton of the Pesticide By-law Review Committee with respect to the Eco Net Award 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 – 15 HERON COVE (BEHRENS O/B/O WHEATON)

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 Peter Behrens on behalf of Clarence and Patricia Wheaton to reduce the minimum required rear yard from 7.6m (24.93') to 5.18m (17') to construct a three season sunroom at 15 Heron Cove (Lot 17, Block 4, Plan 34717 BLTO) be approved whereby such approval is hereby granted in accordance with the intent of the application dated May 2nd, 2006, the letter of intent and the attached drawing.

(B) VARIATION – 209 DURUM DRIVE (BEHRENS O/B/O SNIDER AND WILLIAMSON)

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 Peter Behrens on behalf of Ken Snider to reduce the minimum required rear yard from 7.6m (24.93') to 5.79m (19') to construct a three season sunroom at 209 Durum Drive (Lot 6, Block 7, Plan 1929 BLTO) be approved whereby such approval is hereby granted in accordance with the intent of the application dated May 18th, 2006, the letter of intent and the attached drawing.

(C) PROPOSAL TO SUBDIVIDE – AURORA CRESCENT (WAVERLY DEVELOPMENTS LTD. O/B/O BROOKWOOD FARMS MANITOBA LTD.)

Following receipt of all representation:

City Manager recommends that the Public Hearing with respect to the application by Waverly Developments Ltd., on behalf of Brookwood Farms Manitoba Ltd., to subdivide Aurora Crescent south of Richmond Avenue and west of Brookwood Drive (Pt. NE¼ 9-10-19 WPM) to create 29 lots and an extension to a public road in the RSF Residential Single Family Zone be concluded.

Note: This item will be dealt with further under the Order of General Business.

6. Communications & Petitions

7. Committee Reports

(A) AUDIT AND FINANCE COMMITTEE REPORT MAY 18TH, 2006

The Audit and Finance Committee recommends that the report of its meeting held May 18th, 2006 be received.

The Audit and Finance Committee recommends that the 2005 City of Brandon Financial Report be received as presented.

The Audit and Finance Committee recommends that the City of Brandon actively pursue collection of outstanding Downtown Brandon Business Improvement Area levies.

Note: Please refer to the previously distributed copy of the Financial Plan or contact the General Manager of Corporate Services for an additional copy.

8. Enquiries

9. Announcements

10. General Business

(A) PROPOSAL TO SUBDIVIDE – AURORA CRESCENT (WAVERLY DEVELOPMENTS LTD. O/B/O BROOKWOOD FARMS MANITOBA LTD.)

City Manager recommends that the application of Waverly Developments Ltd., on behalf of Brookwood Farms Manitoba Ltd., to subdivide Aurora Crescent south of Richmond Avenue and west of Brookwood Drive (Pt. NE¼ 9-10-19 WPM) be approved subject to:

- (i) the owner or successor entering into a development agreement with the City of Brandon as attached to the report of the Brandon and Area Planning District dated June 14th, 2006; and
- (ii) confirmation being received that arrangements have been made for a Joint Use Easement and Plan of Easement to the satisfaction of Manitoba Hydro, MTS Communications Inc. and Westman Communications Group.

(B) WINTER LIGHTS CONTRIBUTION AGREEMENT

City Manager recommends that the City of Brandon enter into a four (4) year agreement with Brandon Riverbank Inc. to provide \$10,000 annually starting in 2007 to support the Festive Light Park.

(C) DISPOSAL OF CITY OWNED SMALL PARCELS OF LAND

City Manager recommends that the following parcels of City owned land be disposed of to the adjacent property owners described below, or their designate, for the sum of \$1.00 in each case subject to the purchaser being solely responsible for the transfer fee of \$69.00 and the Transfer being registered within one (1) month of receipt:

- (a) 730 Douglas Street (Lot 43, Plan 1489) be disposed of to Hamilton Iron Ltd.;
- (b) 2509 McDonald Avenue (Wly 1' Lot 2 and Ely 19' Lot 3, Block 106, Plan 15 and East/West Lane (closed)) be disposed of to Thomas Andrew Peter Commer; and
- (c) 134 Russell Street (Lot 34, Block 25, Plan 4-excluding Sly 10') be disposed of to Ivan Branko Odeljan and Diane Lynn Odeljan.

(D) COMMITTEE MEMBER FOR STANDING COMMITTEES OF THE FEDERATION OF CANADIAN MUNICIPALITIES

Councillor Jessiman recommends that the City of Brandon assume the cost of his attending meetings of the Federation of Canadian Municipalities Standing Committees for Crime and Safety and Infrastructure and Transportation.

11. By-laws

NO. 6824 - TO CREATE THE GAS TAX FUNDING RESERVE
1ST READING

City Manager recommends that By-law No. 6824 to create the Gas Tax Funding Reserve Fund be read a first time.

NO. 6827 - TO AMEND ZONING BY-LAW NO. 6642 WITH RESPECT TO DESIGN STANDARDS FOR CONDITIONAL USES IN THE CR COMMERCIAL RESTRICTED ZONE AND TO REZONE 1701 LORNE AVENUE (LOTS 1/4, BLOCK 51, PLAN 2 BLTO) AND 1704 LORNE AVENUE (LOTS 12/15, BLOCK 18 PLAN 2 BLTO) FROM CR COMMERCIAL RESTRICTED ZONE TO RSF RESIDENTIAL SINGLE FAMILY ZONE
AMENDMENT AND 3RD READING

City Manager recommends that By-law No. 6827 to amend Zoning By-law No. 6642 with respect to regulations pertaining to the CR Commercial Restricted Zone, and to rezone property located at 1701 and 1704 Lorne Avenue from CR Commercial Restricted Zone to RSF Residential Single Family Zone be amended, in accordance with Board Order No. 091/2006 issued by the Brandon and Area Planning District, by deleting Subsections 40.2. (3), (4) and (6) in their entirety and renumbering the remaining clauses (1) through (6) respectively.

City Manager recommends that the by-law, as amended, be read a third and final time.

Note: This by-law received second reading at the April 10th, 2006 meeting of City Council whereby due to opposition received, the by-law was referred to the Board of the Brandon and Area Planning District.

NO. 6841 - TO REZONE PROPERTY LOCATED AT 110 – 16TH STREET NORTH AND 117 – 17TH STREET NORTH FROM RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE TO RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE (JACOBSON & GREINER LTD.)
3RD READING

City Manager recommends that By-law No. 6841 to rezone 110 – 16th Street North and 117 – 17th Street North (Lots 1/2 and Lots 19/20, Block 115, Plan 2 BLTO and Parcel B and C, Plan 42055 BLTO) from RLD Residential Low Density Multiple Family Zone to RMD Residential Moderate Density Multiple Family Zone be read a third and final time.

Note: This by-law was read a second time at the June 12th, 2006 meeting of City Council whereby third reading had been held in abeyance pending execution of the required development agreement, which has now been duly signed.

12. Giving of Notice

13. Adjournment

J. Swidnicki
Deputy City Clerk