

REGULAR CITY COUNCIL
MONDAY, AUGUST 18TH, 2008 AT 7:30 PM
COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING

AGENDA

RECOMMENDATIONS

Please note that all recommendations contained in this agenda have been put forward by members of City Council or the Administration for Council's consideration and debate.

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

REGULAR

JULY 21, 2008

5. Hearing of Delegations

(A) KIM HOOKER - SKATE PLAZA FUNDRAISER 2008

That the presentation by Kim Hooker with respect to the 2008 Skate Plaza Fundraiser be received.

- [Delegation - Skate Plaza Fundraiser.pdf](#)

6. Public Hearing
7. Communication and Petitions
8. Committee Reports
9. Enquiries
10. Announcements
11. General Business

(@) SKATE PLAZA FUNDRAISER STREET PARTY

That in support of the Skate Plaza Fundraiser (SPF 2008) being held September 27, 2008 in Downtown Brandon:

- (1) Rosser Avenue between 9th and 10th Streets and Rosser Avenue's intersection with 10th Street be closed to vehicle traffic from 1:00 PM, September 27, 2008 until 3:00 AM, September 28, 2008;
- (2) the noise restriction set-out in Nuisance By-law No. 5806 with respect to the sound emanating from any musical instrument or loud speaker be hereby waived during the event; and
- (3) gift in kind contributions be provided by the City of Brandon in the form of no parking signs, barricades, bleachers and garbage containers/pickup for the event.

- [Skate Plaza Fundraiser 2008.pdf](#)

(A) CULTURAL DEVELOPMENT AND DIVERSITY STRATEGY

That Brandon's Cultural Development and Diversity Plan dated July 2008 attached to the report of the Community Services Department dated July 24, 2008 be adopted and the recommendations contained therein be implemented.

- [Cultural Development and Diversity Plan.pdf](#)

(B) CEMETERY PLAN

That the Cemetery Plan dated July 2008 attached to the report of Operational Services dated July 24, 2008 be received as information and that the plan be debated at the regular meeting of City Council to be held September 8, 2008.

- [Cemetery Plan.pdf](#)

(C) 2008 CITIZEN APPOINTMENT TO THE PLANNING COMMISSION

That Colleen Anderson be hereby appointed to the City of Brandon Planning Commission, with a term of office to expire March 31, 2010.

- [Planning Commission Appointment.pdf](#)

(D) LAND TRANSFER TAX - ACQUISITION OF LAND AT 1ST STREET NORTH AND VETERANS WAY

That \$45,439.00 plus applicable registration costs be expended from the Land Acquisition Reserve for the payment of the land transfer tax associated with the City's acquisition of land at the southeast corner of 1st Street North and Veterans Way (Pt. of SW 1/4 25-10-19 WPM) from the Province of Manitoba.

- [Land Transfer Tax - Land at 1st Street North and Veterans Way.pdf](#)

(E) CITY OF BRANDON'S SUPPORT OF THE MASSEY HARRIS INTEGRATED HOUSING COMPLEX PROJECT AT 638 PACIFIC AVENUE

That \$210,000 be expended in 2008 and \$210,000 in 2009 from the Affordable Housing Initiatives Reserve Fund as the City of Brandon's contribution to the Massey Harris Integrated Housing Complex at 638 Pacific Avenue.

- [Massey Harris Building.pdf](#)

(F) PROPOSAL TO SUBDIVIDE LAND SOUTH OF SYCAMORE DRIVE, EAST OF TRACEY STREET AND WEST OF 9TH STREET (PT. SW 1/4 11-10-19 WPM)

That the application to subdivide land south of Sycamore Drive, east of Tracey Street and west of 9th Street (Pt. SW ■ 11-10-19 WPM) to create eighty-seven (87) residential lots and public roads in the DR Development Reserve Zone to accommodate future residential development be approved subject to:

1. the City of Brandon Planning Department receiving a true copy of a zoning amendment by-law rezoning said property from DR Development Reserve Zone to PR Parks and Recreation Zone and an appropriate residential zone;
2. the owner or successor entering into a development agreement with the City of Brandon as a condition of both subdivision and re-zoning approval under Sections 81 and 135 respectively of The Planning Act;
3. confirmation that arrangements have been made for a Joint Use Easement and Plan of Easements to the satisfaction of Manitoba Hydro, MTS and Westman Communications Group;
4. confirmation from the Senior Building Inspector of the City of Brandon Building Department that the issues pertaining to site access with respect to applicable building and fire codes have been resolved to the Senior Building Inspector's satisfaction; and
5. the owner or successor paying to the Brandon School Division financial consideration in lieu of land dedication in the amount of \$24,664.50.

- [Proposal to Subdivide Sycamore Drive.pdf](#)

(G) TRANSFER OF FUNDS

That \$20,000 be transferred from the Parks Reserve to the Engineering Operating Account for the purchase and installation of trees in the Waverly, Brookwood and Woodlands Subdivisions.

- [Transfer of Funds.pdf](#)

(H) WASTEWATER MAIN OVERSIZING COSTS FROM CAPITAL DEVELOPMENT RESERVE

That Von Ast Management be paid \$10,633.92 GST inclusive for the oversizing costs associated with the installation of the wastewater main on Village Drive, and said costs to be derived from the Capital Development Reserve.

- [Wastewater Main Oversizing Costs from Development Reserve.pdf](#)

12. By-laws

NO. 6893 TO CREATE A FINANCIAL ASSISTANCE PROGRAM FOR THE REDEVELOPMENT OF THE FORMER NURSE'S RESIDENCE AT THE BRANDON MENTAL HEALTH CENTRE PROPERTY
1ST READING

That By-law No. 6893, to create a financial assistance program for the redevelopment of the former Nurse's Residence at the Brandon Mental Health Centre Property be read a first time.

- [Bylaw 6893.pdf](#)

NO. 6899 TO CHANGE ELECTORAL WARD BOUNDARIES IN THE CITY OF BRANDON
1ST READING

That By-law No. 6899, to change the electoral ward boundaries in the City of Brandon, be read a first time.

- [Bylaw 6899.pdf](#)

NO. 6907 TO REZONE 1925 PATRICIA AVENUE FROM RRL RESIDENTIAL LARGE LOT ZONE TO RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE (JACOBSON AND GREINER LTD.)
2ND READING AND HOLDING 3RD READING IN ABEYANCE.

That By-law No. 6907, to rezone 1925 Patricia Avenue (Lot 3, Plan 2041 BLTO) from RLL Residential Large Lot Zone to RMD Residential Moderate Density Multiple Family Zone, be read a second time.

That third reading of the by-law be held in abeyance pending:

(a) the due process for a possible second objection to this application pursuant to The Planning Act; and

(b) the developer entering into the development agreement attached to the report of the General Manager of Development Services dated August 6, 2008.

- [Bylaw 6907.pdf](#)

NO. 6909 A BY-LAW TO LEVY A TAX ON SHORT TERM ACCOMMODATION

That By-law No. 6909, to impose a tax on accommodation of short duration, be amended by adding the following to

Subsection 3.3:

(i) accommodation provided in establishments in which fewer than four bedrooms are available for rent.

That the by-law be further amended by deleting in Subsection 7.1 the word: incentives and substituting therefor, the word: initiatives.

That the by-law be further amended by adding in Subsection 7.2, after the word: funds, the words: will be used to fund new initiatives and events that generate more overnight stays in Brandon and.

That the by-law be further amended by adding in Subsection 7.3, after the word: by-law, the words: which shall be limited to 10% of the gross revenue generated by this tax.

That the by-law be further amended by deleting in Subsection 12.1(b)(i), the words: or to imprisonment for a term not exceeding six (6) months, or both fine and imprisonment.

That the by-law be further amended by deleting in Subsection 13.1, the date: January 1 and substituting therefor, the date: January 5.

That the by-law be further amended by re-numbering Section 13 as Section 14 and by adding the following as Section 13:

13. BY-LAW REVIEW

13.1 The City's Administration shall conduct a review of this by-law inclusive of industry member input and present its findings to City Council prior to December 1, 2010.

That the by-law, as amended, be read a second time.

That the by-law be read a third and final time.

- [Bylaw 6909.pdf](#)

NO. 6911

TO AMEND BY-LAW NO. 6799 TO CLOSE AND CONVEY 12TH STREET SOUTH OF RICHMOND AVENUE TO OTTAWA AVENUE, OTTAWA AVENUE LOCATED BETWEEN 12TH AND 13TH STREETS, AND NORTH/SOUTH LANE IN BLOCK 9, PLAN 276
1ST READING

That By-law No. 6911, to amend By-law No. 6799 to convey Parcel D of the public lane located east of 13th Street and south of Ottawa Avenue to the registered land owners of Lot 3, Block 9, Plan 276 BLTO and to convey Parcel E of the public lane located east of 13th Street and south of Ottawa Avenue to the registered owners of Lots 4/6, Block 9, Plan 276 BLTO, be read a first time.

- [Bylaw 6911.pdf](#)

NO. 6915 TO AMEND ANIMAL CONTROL BY-LAW NO. 5900 TO REGULATE
RABIES VACCINATIONS FOR DOGS AND CATS

That By-law No. 6915, to amend Animal Control By-law No. 5900 to regulate rabies vaccinations for dogs and cats within the City of Brandon, be read a second time.

That this by-law be read a third and final time.

- [Bylaw 6915.pdf](#)

NO. 6917 TO ESTABLISH A MULTI-FAMILY AFFORDABLE HOUSING
FINANCIAL ASSISTANCE PROGRAM
1ST READING

That By-law No. 6917, to create a Multi-Family Affordable Housing Financial Assistance Program to encourage the construction of affordable multi-family housing units in the City of Brandon and to repeal By-law Nos. 6870 and 6879, be read a first time.

- [Bylaw 6917.pdf](#)

13. Giving of Notice

14. Adjournment

H. Ewasiuk
Deputy City Clerk