

REGULAR CITY COUNCIL
MONDAY, AUGUST 19, 2013 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 City Council's consideration and debate.

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

REGULAR

JULY 15, 2013

5. Hearing of Delegations

(A) STEPHEN HAYTER AND ARCHIE LONDRY, COMMONWEALTH AIR TRAINING PLAN MUSEUM - VETERANS' MEMORIAL WALL PROJECT

That the presentation by Stephen Hayter and Archie Londry on behalf of the Commonwealth Air Training Plan Museum with respect to the Veterans' Memorial Wall Project be received.

That the request of the Commonwealth Air Training Plan Museum for the City of Brandon to pave the newly expanded parking lot as a gift-in-kind contribution to the Veterans' Memorial Wall project be referred to the 2014 Budget Deliberations.

- [Delegation Request -S. Hayter, A. Londry, CATPM Memorial Wall.pdf](#)

(B) HEIKO ZINN, BRANDON TAXI ASSOCIATION - PROPOSED TAXI FARE INCREASE

That the presentation by Heiko Zinn on behalf of the Brandon Taxi Association with respect to a proposed taxi fare increase be received.

- [Delegation Request -H. Zinn, Taxi Association Fare Increase.pdf](#)

(C) JENNA CLINTON, STEPHANIE BACHEWICH AND NATALY ORE, BRANDON UNIVERSITY STUDENTS' UNION - 2013 ROCK THE BLOCK EVENT

That the presentation by Jenna Clinton, Stephanie Bachewich and Nataly Ore of the Brandon University Students' Union with respect to the 2013 Rock the Block street party be received.

That the annual Rock the Block street party to be held September 13, 2013 be designated as a Community Event in the City of Brandon.

- [2013 Rock the Block Council Package.pdf](#)

(D) DR. BILL PATON - ENVIRONMENTAL ISSUES

That the presentation by Dr. Bill Paton with respect to drinking water treatment and quality, mosquitos and West Nile disease, city trees and the Pesticide Management Committee be received.

- [Delegation Request - Dr. B. Paton - Environmental Issues.pdf](#)

(E) JOHN AND BETTY GROSS - CLOSURE OF WALKWAY FROM CORNWALLIS CRESCENT TO THE BALMORAL/MACLEOD WALKWAY

That the presentation by John and Betty Gross with respect to the closure of the walkway from Cornwallis Crescent to the Balmoral/MacLeod walkway be received.

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

- [Delegation - J. Gross - Walkway Closure.pdf](#)

6. Public Hearing

(A) CONDITIONAL USE AND VARIANCE APPLICATIONS - 1539 PRINCESS AVENUE (WITTMEIER)

That the combined Public Hearing for the Conditional Use C-07-13-B and Variance V-09-13-B applications for 1539 Princess Avenue be concluded.

That Conditional Use C-07-13-B to allow for an Electronic Identification Sign at 1539 Princess Avenue (Lots 37/40, Block 54, Plan 2 BLTO exc. Nly 10' of Lot 37) be approved in accordance with the intent of the application, the attached letter of intent (A-4 and A-5) and the attached letter of appeal dated July 16, 2013, subject to:

1. The owner or successor:
 - a. prior to issuance of a building permit submitting a site plan to the satisfaction of the Planning and Building safety department identifying the location of the proposed sign 15.0m directly to the east of the existing sign structure; and
 - b. turning off the electronic sign between 11:00pm and 6:00am on a recurring basis for the length of time the electronic sign is in existence.

2. The approval of Variance V-09-13-B to allow an electronic sign within 10.0m of a residential zone.

That Variance V-09-13-B to reduce to minimum required distance of an Electronic Identification Sign in a Residential Zone from 92.0m (301.8') to 10.0m (32.8') at 1539 Princess Avenue (Lots 37/40, Block 54, Plan 2 BLTO exc. Nly 10' of Lot 37) be approved in accordance with the intent of the application, the attached letter of intent (A-4 and A-5) and the attached letter of appeal dated July 16, 2013.

- [Conditional Use and Variance Appeal - 1539 Princess Avenue.pdf](#)

7. Community Question Period

The public is invited to come forward to the podium to ask questions on any item appearing on the agenda for this evening's meeting. A total of 15 minutes will be allowed for this question period.

8. Committee Reports

9. Enquiries

10. Announcements

11. General Business

- (A) CLOSURE OF WALKWAY CONNECTING CORNWALLIS CRESCENT, MACLEOD DRIVE AND BALMORAL BAY

That the walkway connecting Cornwallis Crescent, MacLeod Drive and Balmoral Bay be closed effective August 15, 2013 for a period thereafter not to exceed one year whereby in the interim, the permanent closure and possible conveyance of the walkway to adjacent property owners shall proceed.

- [Closure of Walkway - Cornwallis MacLeod Balmoral .pdf](#)

- (B) PROPOSAL - NEW MOTOR GRADER

That the proposal of Toromont Cat for the supply of one new Motor Grader as per proposal and specifications, including the five year complete warranty and five year Total Maintenance and Repair, at a total price of \$281,249.50 not including GST be accepted.

- [Proposal - New Motor Grader.pdf](#)

- (C) ACQUISITION OF 1901 LYNDALE DRIVE

That 1901 Lyndale Drive (Lot 1 Block 1 Plan 679 BLTO) be acquired from the Province of Manitoba, or its designate, for the sum of \$20,000.00 to extend the adjacent public reserve whereby said funds shall be expended from the Land Acquisition Reserve.

- [Purchase of 1901 Lyndale Drive.pdf](#)

(D) APPLICATION TO SUBDIVIDE 2200 - 1ST STREET (VBJ DEVELOPMENTS LTD.)

That the application to subdivide (4500-13-555) 2200 - 1st Street (Pt. SE 1/4 11-10-19 WPM) to create 121 lots, public reserve and a public road in the RSF Residential Single Family, RLD Residential Low Density Multiple Family, RMD Residential Moderate Density Multiple Family and PR Parks and Recreation Zones be approved subject to the owner or successor:

- a. entering into a development agreement with the City of Brandon as attached to the report by the Community Planner dated June 26, 2013;
- b. submitting written confirmation to the City of Brandon Planning and Building Safety Department that the Brandon School Division has received \$33,178.39 as a cash-in lieu contribution for school purposes;
- c. submitting written confirmation to the City of Brandon Planning and Building Safety Department that arrangements have been made for a joint use easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro, MTS Inc. and Westman Communications Group; and
- d. submitting written confirmation to the City of Brandon Planning and Building Safety Department that arrangements have been made for an easement agreement for drainage purposes to the satisfaction of the City of Brandon Engineering Department.

- [Application to Subdivide 2200 - 1st Street.pdf](#)

(E) DEVELOPMENT AGREEMENTS FOR 1600 - 14TH STREET EAST, 804 RICHMOND AVENUE EAST AND 2001 DOUGLAS STREET

That the City of Brandon enter into agreements with 4431014 Manitoba Ltd., 3358616 Manitoba Ltd., Ballingall Brothers Ltd., and Allen & Bolack Excavating Ltd. respectively to amend the development agreement made between the City of Brandon and 4431014 on April 6, 2005 for the development of Phase 1 of the property at 1600 - 14th Street East and 804 Richmond Avenue East (Pt. NE 1/4 12-10-19 WPM and Lot 4, Plan 41483 BLTO), the form of which is attached to the report of the Property Section dated August 9, 2013.

That the City of Brandon enter into the development agreement with 4431014 Manitoba Ltd. attached to the report of the Property Section dated August 9, 2013 for the development of Phase 2 of the property at 804 Richmond Avenue East and 2001 Douglas Street (Pt. NE 1/4 12-10-19 WPM and Lot 4, Plan 41483 BLTO) whereby said agreement is an amended version of the agreement approved by City Council at its meeting held May 6, 2013.

- Development Agreements - 1600 - 14th St. E, 804 Richmond Ave E and 2001 Douglas [St.pdf](#)

(F) TENDER - CONTRACT H REPLACEMENT OF EXISTING WATER SERVICES

That the bid of C & C Construction Co. Ltd. to carry out the Contract H - Replacement of Existing Water Services as per tender and specifications at a cost of \$464,750.00 (exclusive of GST) be accepted.

- [Tender - Contract H - Replacement of Existing Water Services.pdf](#)

(G) AMENDMENTS TO CITY OF BRANDON MOSQUITO ABATEMENT PROGRAM

That City Administration, in consultation with the Mosquito Abatement Control Committee, prepare amendments to the Mosquito Abatement Policy for consideration in the Fall of 2013.

- [Mosquito Abatement Program Amendments \(S. Montague\).pdf](#)

12. By-laws

NO. 7062 TO ESTABLISH PACIFIC AVENUE BETWEEN 18TH AND 26TH STREETS
2ND AND 3RD READINGS

That By-law No. 7062 to establish Pacific Avenue between 18th and 26th Streets be read a second time.

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

- [Bylaw 7062.pdf](#)

NO. 7064 TO AMEND VACANT AND DERELICT BUILDING BY-LAW NO. 7007
1ST READING

That By-law No. 7064 to amend Vacant and Building By-law No. 7007 be read a first time.

- [Bylaw 7064.pdf](#)

NO. 7067 TO REZONE 347 DOUGLAS STREET FROM RSF RESIDENTIAL SINGLE FAMILY ZONE TO
RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE
1ST READING

That By-law No. 7067, to rezone 347 Douglas Street (SP Lot 4, Plan 46966 BLTO and Lot 11, Block 16, Plan 21 BLTO) from RSF Residential Single Family Zone to RLD Residential Low Density Multiple Family Zone be read a first time.

- [Bylaw 7067.pdf](#)

NO. 7068 TO AMEND BY-LAW NO. 6924 - TARIFF OF FARES FOR METERED TAXICABS IN THE CITY OF BRANDON
2ND AND 3RD READINGS

That By-law No. 7068, to amend By-law No. 6924 to allow for a \$0.60 increase in the drop rate fee for metered taxicabs in the City of Brandon to \$3.80 for the first 100m or fraction thereof, be read a second time.

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

- [Bylaw 7068.pdf](#)

NO. 7071 TO AMEND BY-LAW NO. 7059 - TO PROVIDE FINANCIAL ASSISTANCE TO THE KEYSTONE CENTRE FOR CAPITAL IMPROVEMENTS
1ST AND 2ND READINGS

That By-law No. 7071 to amend By-law No. 7059 to decrease the principal amount of borrowing and the term of the debt to provide financial assistance to the Keystone Centre for capital improvements be read a first time.

That the by-law be read a second time.

- [Bylaw 7071.pdf](#)

NO. 7072 TO REZONE 507 - 42ND STREET FROM CAR COMMERCIAL ARTERIAL ZONE TO RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE
1ST READING

That By-law No. 7072 to rezone property located at 507 - 42nd Street (Parcel A, Plan 37524 BLTO and Lots 12/41 and Lane, Block 4, Plan 269 BLTO) from CAR Commercial Arterial Zone to RMD Residential Moderate Density Multiple Family Zone be read a first time.

- [Bylaw 7072.pdf](#)

NO. 7073 TO REZONE 21 WILLOWCREST AVENUE AND 1640 SYCAMORE DRIVE FROM CAR COMMERCIAL ARTERIAL ZONE TO RHD RESIDENTIAL HIGH DENSITY MULTIPLE FAMILY ZONE
1ST READING

That By-law No. 7073 (Z-07-13-B) to rezone property located at 1640 Sycamore Drive and 21 Willowcrest Avenue (Parcel A, Plan 1592 BLTO, Parcels 1/2, Plan 1287 BLTO, Parcels A/B, Plan 1269 BLTO and Parcels A/B, Plan 1547 BLTO) from CAR Commercial Arterial Zone to RHD Residential High Density Multiple Family Zone be read a first time.

- [Bylaw 7073.pdf](#)

NO. 7074 TO CLOSE THE PUBLIC LANE NORTH OF VICTORIA AVENUE EAST BETWEEN PARK AND FRANKLIN STREETS
1ST READING

That By-law No. 7074 to close the public lane north of Victoria Avenue East between Park and Franklin Street be read a first time.

- [Bylaw 7074.pdf](#)

NO. 7076 TO NAME THE PRIVATE ROAD SOUTH OF RICHMOND AVENUE AND EAST OF RAINBOW BAY AS CHINOOK WAY
1ST READING

That By-law No. 7076 to name the private road located south of Richmond Avenue and east of Rainbow Bay as Chinook Bay be read a first time.

- [Bylaw 7076.pdf](#)

13. Giving of Notice

14. Adjournment

Original Signed By
H. Ewasiuk

H. Ewasiuk
Deputy City Clerk