

REGULAR COUNCIL MEETING

MONDAY, OCTOBER 7, 2019 AT 7:00 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. Recognitions
4. Confirmation of Minutes

REGULAR

SEPTEMBER 16, 2019

- [Minutes - September 16, 2019.pdf](#)

5. Hearing of Presentations
6. Community Comments/Feedback

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.

7. Hearing of Delegations
8. Public Hearings
9. Communications & Petitions
10. Committee Reports

(A) KEYSTONE CENTRE

VERBAL

OCTOBER 7, 2019

11. Enquiries
12. Announcements
13. General Business

(A) BRAECREST DRIVE CORRIDOR FUNCTIONAL DESIGN STUDY

That the Braecrest Drive Corridor Functional Design Report dated June, 2019 be received and further, that the recommended enhancements and alternatives in the Braecrest Drive Functional Design Study be adopted.

- [Braecrest Drive Corridor Functional Design Study.pdf](#)
- [Braecrest Drive Corridor Functional Design Report FINAL.pdf](#)
- [Braecrest Powerpoint FINAL.pdf](#)

(B) APPLICATION TO SUBDIVIDE – 1910 & 2000 BELL AVENUE AND 1910 HAMILTON DRIVE

That the application to subdivide 1910 and 2000 Bell Avenue and 1910 Hamilton Avenue to create three (3) lots and a public road in the Development Reserve (DR) Zone, Residential Moderate Density (RMD) Zone, and Commercial Arterial (CAR) Zone, be approved subject to the following conditions:

1. The owner or successor providing written confirmation to the City of Brandon Planning & Buildings Department that:
 - a. Taxes for the property to be subdivided, for the current year plus any penalty, interest and arrears, have been paid in full or arrangements must be made satisfactory to Brandon City Council; and
 - b. Arrangements have been made for an easement agreement to the satisfaction of Manitoba Hydro, and registering the easement agreement along with the easement plan, if required, in series with the plan of subdivision; and
2. Proposed Lots 4 and 5 being consolidated as a single title to be registered in series with this subdivision.

- [Application to Subdivide - 1910 and 2000 Bell Avenue and 1910 Hamilton Avenue.pdf](#)

(C) PROPOSAL – ALL WHEEL DRIVE ARTICULATING MOTOR GRADER

That the bid from Toromont Cat to supply one (1) New 2019 or 2020 Cat 160M3AWD Motor Grader including Auto Articulation, Rear Steering, Grade Control, and 5-year Total Maintenance as per proposal and specifications for a total price of \$504,517.16 (net of GST) be accepted.

- [Proposal - All Wheel Drive Articulating Motor Grader.pdf](#)

(D) QUOTATION - 18TH STREET NORTH WATERMAIN REPLACEMENT

That the bid from Alternative Landscaping Ltd. to carry out the 18th Street North Watermain Replacement as per quotation and specifications at a cost of \$119,842.26 (net of GST) be accepted.

- [Quotation - 18th Street North Watermain Replacement.pdf](#)

14. By-Laws

NO. 7218 TO REZONE 660 – 7TH STREET AND 725 VAN HORNE AVENUE FROM INDUSTRIAL RESTRICTED ZONE TO RESIDENTIAL MODERATE DENSITY ZONE
2ND READING

That By-law No. 7218 to rezone property at 660 - 7th Street and 725 Van Horne Avenue (Lots 1/5 & Pt Lots 27/30, Block 71, Plan 8, Parcel A, Plan 43705 and Parcel A, Plan 51401 BLTO) from Industrial Restricted (IR) Zone to Residential Moderated Density (RMD) Zone be read a second time.

And further, that third reading of this by-law be held in abeyance pending the applicant entering into a Development Agreement with the City of Brandon subject to the following conditions:

1. The Developer agrees the development should be consistent with the attached site plan for a maximum of 24 residential multiple dwelling units. An increase to the density of the development or a significant variation from the site plan will require the developer to obtain approval from City Council, who may request additional public input and/or require amendment to the agreement.
2. The Developer agrees to provide written confirmation that necessary arrangements have been made for postal service and that the pick-up / drop off location of the community mail box has been determined between the Developer and Canada Post; to the approval of Canada Post.

3. The Developer agrees to consolidate Titles No. 2552397/2 and 2552365/2, prior to the release of the Building Permit.
4. The Developer agrees to construct and maintain a 1.8m chain link fence along the common site line of the proposed development property and the Canadian National Railway rights-of-way.
5. The Developer agrees to construct a crash wall and/or berm to the north of the parking lot along the Canadian National Railway rights-of-way property line. The crash wall and/or berm must be designed to Canadian National Railway Standard Specifications and is subject to approval by a City Engineer.
6. The Developer agrees that to design and construct a 1.8m boulevard sidewalk in conjunction with curb and gutter and completed with an asphalt road repair to tie into existing asphalt road surface. The Developer is also responsible to sod the City boulevard. The design of all work proposed within the right-of-way is subject to review and acceptance by the City Engineer and shall be performed as stated in the latest edition of the City of Brandon, Standard Construction Specifications.
7. The Developer acknowledges that, as per the requirements of the Canadian National Railway, the following clause be noted by all property owner(s) and/or future property owners and follow with the lands: "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject thereof. There may be alterations to or expansions of the railways facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
8. The Developer agrees to allow shared vehicle access with properties located to the east at 621 7th Street and 639 Van Horne Avenue in perpetuity as per attached site plan in Schedule "B".
9. The Developer agrees to pay a contribution towards seven (7) boulevard trees. The amount of payment for such trees will be due at the time of execution of this development agreement and based upon the City's tree contract pricing for the current year.
10. The Developer agrees prior to issuance of the building permit, to contribute \$202.50/unit for 24 dwelling units to the Brandon School Division in lieu of land dedication totaling \$4,860.00.

11. The Developer agrees to contribute \$1,709.35 in lieu of land dedication for public reserve. Payment is due upon execution of the development agreement.
12. The Developer agrees to provide the City with a Detailed Cost Estimate for all work proposed to be completed within the City's right-of-way. The Detailed Cost Estimate is to be prepared by the Developer's Consulting Engineer and is submit to review and acceptance by the City Engineer.
13. The Developer agrees to provide to the City a Letter of Credit in the amount of 15% of the total cost of the detailed cost estimate; the total of which must be approved by the City Engineer.

And that Administration be authorized to prepare a Development Agreement containing all conditions and requirements to protect the City's interests in accordance with any procedures, policies, by-laws and Acts.

- [By-law No. 7218 - rezone 660 - 7th Street and 725 Van Horne Avenue.pdf](#)

NO. 7246 TO REZONE 1837 PRINCESS AVENUE, PART OF 2003 PRINCESS AVENUE, PART OF THE EAST SIDE OF THE 200, 300 AND 400 BLOCKS OF 21ST STREET, 2021 VICTORIA AVENUE, AND 2030 LOUISE AVENUE
2ND AND 3RD READINGS

That By-law No. 7246 to rezone the following properties around Brandon University:

- 2026, 2030, and 2040 Princess Avenue, 2030 and 2039 Louise Avenue, and 223, 225, 227, 229, 233, 241, 251, 253, 257, 261, 325, 329, 335, 341, 343, 405, 413, 421, 427, 437, and 445 – 21st Street (Lots 20/38, Block 28, Lots 27/34, 38/40, and Sly 12.5' of Lot 37, Block 39, and Lots 20/34, Block 44, all of Plan 15 BLTO) from Educational and Institutional (EI) to Residential Moderate Density (RMD);
- 1837 Princess Avenue (Lots 9/10, Block 25, Plan 15 BLTO) from Educational and Institutional (EI) to Residential Low Density (RLD);
- 2003 Princess Avenue (Lots 1/4, Block 23, Plan 15 BLTO) from Educational and Institutional (EI) and Residential Low Density (RLD) to Educational and Institutional (EI); and
- 2021 Victoria Avenue (Lots 1/3, Block 44, Plan 15 BLTO) from Commercial Arterial (CAR) to Educational and Institutional (EI)

be read a second time.

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

- [By-law No. 7246 - rezone properties around BU.pdf](#)

NO. 7247 TO REZONE PART OF 1910 BELL AVENUE AND 1910 HAMILTON AVENUE FROM DEVELOPMENT RESERVE AND AGRICULTURE TO COMEMRCIAL ARTERIAL
2ND AND 3RD READINGS

That By-law No. 7247 to rezone a portion of 1910 Bell Avenue (Lot 72, Plan 48868 BLTO) from Development Reserve (DR) to Commercial Arterial (CAR) and a portion of 1910 Hamilton Avenue (Pt. NE 1/4 34-10-19 WPM) from Agricultural (A) to Commercial Arterial (CAR) be read a second time.

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

- [By-law No. 7247 - rezone 1910 Bell Ave and 1910 Hamilton Ave.pdf](#)

NO. 7248 TO AMEND ZONING BY-LAW NO. 7124 – PROVISIONS FOR AGGREGATE AREAS
2ND AND 3RD READINGS

That By-law No. 7248 to amend various provisions of Zoning By-law No. 7124 for clarity purposes be read a second time.

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

- [By-law No. 7248 - Update to Zoning By-law for Aggregate Areas.pdf](#)

NO. 7252 TO EXEMPT COMMONWEALTH AIR TRAINING PLAN MUSEUM PROPERTY LOCATED AT 100 AND 300 COMMONWEALTH WAY FROM MUNICIPAL PROPERTY TAXES
1ST READING

That By-law No. 7252 to exempt the Commonwealth Air Training Plan Museum, an occupier of the properties located at 100 and 300 Commonwealth Way, from municipal property taxes be read a first time.

- [By-law No. 7252 - Exempt Property at 100 and 300 Commonwealth Way \(CATP Museum\) from Municipal Taxes.pdf](#)

NO. 7253 TO EXEMPT THE PROVINCIAL EXHIBITION OF MANITOBA, AN OCCUPIER OF THE PROPERTY AT 1200 - 13TH STREET, FROM MUNICIPAL PROPERTY TAXES
1ST READING

That By-law No. 7253 to exempt the Provincial Exhibition of Manitoba, an occupier of the property at 1200 - 13th Street, from municipal property taxes be read a first time.

- [By-law No. 7253 - Exempt Property at 1200 - 13th Street \(Provincial Ex of Mb\) from municipal taxes.pdf](#)

NO. 7255 TO ESTABLISH THE PLANNING PROJECTS RESERVE
1ST READING

That By-law No. 7255 to establish a Planning Projects Reserve be read a first time.

- [By-law No. 7255 - to Create the Planning Projects Reserve.pdf](#)

15. Giving of Notice

16. Adjournment

Original Signed By
H. Ewasiuk

H. Ewasiuk
City Clerk