

REGULAR COUNCIL MEETING

MONDAY, MAY 11, 2020 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

APRIL 20, 2020

- [Minutes - April 20, 2020.pdf](#)

SPECIAL

APRIL 20, 2020

- [Minutes - Special Meeting April 20, 2020 - Tax Levy By-law.pdf](#)

5. Hearing of Presentations

(A) STEVE MCMILLAN, BELLAFIELD HOLDINGS LTD. - CONDITIONS OF DEVELOPMENT AGREEMENT FOR SUBDIVISION FO 1901 AND 1905 - 34TH STREET

That the presentation by Steve McMillan on behalf of Bellafield Holdings Ltd. with respect to the conditions of the development agreement for the subdivision for 1901 and 1905 - 34th Street be received.

- [Delegation Request - Steve McMillan, Bellafield Holdings - Conditions of Development Agreement for Subdivision of 1901 and 1955 - 34th Street.pdf](#)

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 MAY 11, 2020

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That the report of the Keystone Centre be received.

11. Enquiries

12. Announcements

13. General Business

(A) TEMPORARY SUSPENSION OF TAX SALE PROCESS FOR 2018 ARREARS

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WHEREAS Manitoba has declared a state of emergency as a result of the COVID-19 pandemic;

AND WHEREAS the pandemic is causing financial difficulties for many businesses and individuals;

THEREFORE IT IS RESOLVED THAT proceedings to offer properties for sale at tax sale auction be temporarily suspended for a period of four (4) months.

- [Temporary Suspension of Tax Sale Process for 2018 Arrears.pdf](#)

(B) 2020 FEE SCHEDULE AMENDMENT – CREDIT CARD PAYMENT CONVENIENCE FEE

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That a Credit Card Convenience Fee of 2.25% of the payment value be levied for payments processed using a Credit Card in conjunction with the City of Brandon Virtual City Hall (VCH) application;

and further, that this fee will only apply to payments made for Property Taxes, Water Utility Accounts and Accounts Receivable;

and further, that page 31 of Schedule "A", By-Law No. 7260 be replaced with the attached amended page noting this Credit Card Convenience Fee;

whereby this fee is being introduced to cover the cost incurred by the City of Brandon for accepting and processing credit card payments through the VCH application being introduced as a payment option as a result of the COVID-19 crisis and the Civic Administration Building (City Hall) being closed to the general public.

- [2020 Fee Schedule Amendment - Credit Card Convenience Fee.pdf](#)

(C) SOCIO-ECONOMIC JUSTIFICATION TO MODIFY CLASS 4 WETLAND

That the letter providing socioeconomic justification for the modification of a Class 4 Wetland be submitted to The Manitoba Drainage and Water Control Licensing Branch in support of a request from VBJ Developments Ltd. for a drainage license on the lands known as the South Brandon Village Development.

- [Socioeconomic Justification to Modify Class 4 Wetland.pdf](#)

(D) APPLICATION TO SUBDIVIDE – 1901 AND 1955 – 34TH STREET (BELLAFIELD HOLDINGS LTD.)

That prior to City Council giving conditional approval of the subdivision, the owner or successor shall submit all required information to oversize land drainage infrastructure and retention areas as outlined in the Southwest Brandon Secondary Plan and The Oversized Infrastructure & Developer Reimbursement Parameter and Standards Operating Procedure. The oversizing information will be used to calculate oversizing reimbursements as outlined in development agreement Condition "a";

and further, that following the calculation of oversizing reimbursements, the application (4500-20-701) to subdivide 1901 and 1955 – 34th Street (Pt. SW¼ 10-10-19 WPM and Pt. Parcels 2 and 4, Plan 1731 BLTO) to create seventy five (75) lots and public roads in the Residential Single Detached (RSD) and Parks and Recreation (PR) Zones, be approved subject to the owner or successor:

1. The owner of successor entering in to a development agreement with the City of Brandon, to be registered in series with the subdivision, with the following conditions:

- a. Developer is required to oversize land drainage infrastructure and retention areas as outlined in the Southwest Brandon Secondary Plan. In accordance with the Secondary Plan, Oversized Infrastructure & Developer Reimbursement Parameter, and Standard Operating Procedure, the applicant is entitled to the following estimated reimbursements: Engineering Design \$XXXX, Supply and Installation of Materials \$XXXX, and Loss of Developable Land \$XXXX. The estimated reimbursement values will be finalized (total recovery costs) upon the City accepting the actual unit prices, design and construction costs and record drawings for oversizing benefit. The developer will be entitled to receive payment by the City in accordance with the Parameter and Standard Operating Procedure, and no earlier than the issuance of a Construction Completion Certificate.
- b. The Developer agrees as part of the Phase 1 interim storm water detention basin, considerations are to be made to accommodate at minimum 3 hectares of land to the north of Maryland Avenue within the interim basin. Design of the detention basin is to be reviewed and accepted by the City Engineer prior to the permitting of work.
- c. The Developer agrees that any piped land drainage sewer that falls within private property is to be covered by a 5-metre easement and is to be registered in series with the Plan of Subdivision.
- d. The Developer agrees that all easements are to be registered on all rear yard swales in series with the Plan of Subdivision; width of easement is to be to the acceptance of the City Engineer. Proof of registration is to be provided to engineering prior to the issuance of a Construction Completion Certificate.
- e. A gravel turnaround with a minimum radius of 13 metres is required at the dead end of the street stub to the southeast of the Hanlon Crescent and Chipperfield Drive intersection, servicing Lots 1 & 2 Block 4, and Lots 1 & 2 Block 5 of the proposed subdivision map, for waste collection purposes. Design of turnaround is to be reviewed and accepted by the City Engineer prior to permitting of work.
- f. The Developer will be required to pay a cash-in-lieu contribution towards 105 boulevard trees. The amount of the contribution of trees will be calculated at the time of execution of the development agreement and based upon the City's tree contract pricing for the current year. Payment in full will be required at the time of execution of the development agreement.

- g. The Developer will be required to provide a landscaping plan showing the location of 105 boulevard trees. The species will be determined by the City of Brandon at the time of planting.
- h. The Developer is required to provide to the City, a construction access plan. The Construction Access Plan is to be reviewed and accepted by the City Engineer prior to the issuance of building and/or development permits.
- i. The Developer agrees to design and develop the 15 metre Public Reserve along the east boundary of the subdivision including but not limited to grading, sodding, tree planting and 3 metre wide asphalt trail with boundary connection to the existing multi-use trail within Maryland Avenue. The design is to be reviewed and accepted by the Director of Parks and Recreation Services.
- j. 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.
- k. The Developer acknowledges the site will be subject to development charges. Network Infrastructure charges of \$286,392.93 (2020 rate) are due upon the execution of the development agreement in accordance with Schedule B-3 of the Development Charges By-law. Additional development charges will be charged against any future buildings and will be applied at the time of issuance of a building permit.
- l. The Developer agrees, prior to the issuance of the subdivision certificate of approval to contribute to the Brandon School Division in lieu of land dedication in the amount of \$21,262.50.
- m. 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.
- n. The Developer will be responsible to submit an Irrevocable Letter of Credit totalling 15% of the Detailed Cost Estimate. Submission of the Letter of Credit is required prior to the execution of a development agreement.

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.

2. The owner or successor submitting written confirmation to the City of Brandon Planning & Buildings Department that arrangements have been made for Plan of Easement to the satisfaction of Manitoba Hydro and Central Gas; BellMTS; Westman Communications Group and registering the easement agreement along with the easement plan, if required, in series with the plan of subdivision;

and further, the request to name the following streets as per the subdivision application map be approved:

1. Hanlon Crescent
2. Allison Way
3. Ferraro Drive

- [Application to Subdivide - 1901 and 1955 - 34th Street.pdf](#)

14. By-Laws

NO. 7232 TO BORROW FUNDS FOR THE EXTENSION OF 34TH STREET FROM PACIFIC TO  
MCDONALD AVENUES  
AMENDMENT, 2ND AND 3RD READINGS

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That By-law No. 7232 to borrow funds for the purpose of constructing and extending 34th Street from Pacific Avenue to McDonald Avenue be amended by deleting Clause 3 in its entirety and substituting the following therefor:

- "3. That the borrowing of the aforesaid project shall be issued by the City of Brandon in the Province of Manitoba, and shall be payable at the Bank of Montreal in Brandon or at the principal office of the Bank in one of the Cities of Winnipeg, Toronto, Montreal or Vancouver, Canada at the holder's option, and shall be dated the 31st day of January 2020."

That the by-law, as amended, be given second reading.

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

- [By-law No. 7232 - Borrowing for Extension of 34th Street.pdf](#)

NO. 7256 TO REZONE PROPERTY LOCATED AT 235 GLEN AVENUE FROM COMMERCIAL ARTERIAL ZONE TO RESIDENTIAL MOBILE/MODULAR HOME ZONE  
3RD READING

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That By-law No. 7256 to rezone property located at 235 Glen Avenue (Lot 1, Block 4, Plan 925 BLTO) from Commercial Arterial (CAR) zone to Residential Mobile/Modular Home (RMH) zone, be read a third and final time.

- [By-law No. 7256 - To Rezone Property Located at 235 Glen Avenue.pdf](#)

NO. 7262 TO REPEAL BY-LAW NO. 6917 – MULTI-FAMILY AFFORDABLE HOUSING PROGRAM  
2ND AND 3RD READINGS

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That By-law No. 7262, to repeal By-law No. 6917 to establish the Multi-family Affordable Housing Program to provide financial assistance for affordable housing projects in the City of Brandon, be read a second time.

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

- [By-law No. 7262 - To Repeal By-law No. 6917 - Multi Family Affordable Housing Program.pdf](#)

NO. 7265 TO AMEND ZONING BY-LAW NO. 7124 - FLOODPLAIN REGULATIONS  
AMENDMENT, 2ND AND 3RD READINGS

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That By-law No. 7265 to amend portions of Section 69 of Zoning By-law No. 7124 with respect to floodplain regulations be amended by deleting in Section 1 (a), the definition of Floodplain dike protection area in its entirety and substituting the following therefor:

"Floodplain diked protection area - included lands protected from flooding by the City engineered dike system. These lands are still at risk of flooding should a failure of the City dike system occur."

That By-law No. 7265, as amended, be read a second time.

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

- [By-law No. 7265 - Amend Zoning By-law - Floodplain Regulations.pdf](#)

NO. 7267 TO REZONE 1901 AND 1955 – 34TH STREET FROM AGRICULTURAL GENERAL ZONE TO RESIDENTIAL SINGLE FAMILY ZONE AND PARKS & RECREATION ZONE  
2ND AND 3RD READINGS

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That By-law No. 7267 to rezone a portion of property located at 1901 and 1955 - 34th Street (Pt. SW 1/4 10-10-19 WPM and Pt. Parcel 2 and 4, Plan 1731 BLTO) from Agricultural General (AG80) zone under the RM of Cornwallis Zoning By-law No. 1558/09/99 to Residential Single Detached (RSD) and Parks and Recreation (PR) zones, be read a second time.

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

- [By-law No. 7267 - to rezone 1901 and 1955 - 34th Street.pdf](#)

NO. 7268 TO OPEN THE “H” SHAPED PARCEL (LANE IN BLOCK 79, PLAN 15) LOCATED BETWEEN PRINCESS AND ROSSER AVENUES AND 28TH AND 29TH STREETS  
2ND AND 3RD READINGS

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That By-law No. 7268, to legally open the "H" shaped parcel (Lane Block 79 Plan 15) located between Princess and Rosser Avenues and 28th and 29th Streets, be read a second time.

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

- [By-law No. 7268 - to open H shaped lane between Princess and Rosser Avenues and 28th and 29th Streets.pdf](#)

NO. 7272 TO REPEAL BY-LAW NO. 6873 – HOME RENOVATION TAX ASSISTANCE PROGRAM  
2ND & 3RD READINGS

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That By-law No. 7272, to repeal By-law 6873 Home Renovation Assistance Program to incentivize renovations and repairs by middle to low income households in the City of Brandon, be read a second time.

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

- [By-law No. 7272 - To Repeal By-law No. 6873 - Home Renovation Tax Assistance Program.pdf](#)



NO. 7273 TO CREATE A MUNICIPAL TAX INCENTIVE PROGRAM FOR 3409 VICTORIA AVENUE  
2ND & 3RD READINGS

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That By-law No. 7273 , to create a municipal tax increment financing program for 3409 Victoria Avenue be read a second time.

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

- [By-law No. 7273 - To Create a TIF Program for 3409 Victoria Avenue.pdf](#)

15. Giving of Notice

16. Adjournment

*Original Signed By*  
*H. Ewasiuk*

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H. Ewasiuk  
City Clerk