

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,
NOVEMBER 5, 2012 AT 7:30 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION
BUILDING, BRANDON, MANITOBA**

PRESENT: Mayor S. Decter Hirst in the Chair, Councillor S. Berry, Councillor M. Blight, Councillor J. Chaboyer, Councillor J. Fawcett, Councillor J. Harwood, Councillor L. Isleifson, Councillor J. McCrae, Councillor S. Montague, Councillor G. Rice, Councillor C. Roberts

ABSENT: Nil

MOMENT OF SILENCE IN REMEMBRANCE OF FORMER COUNCILLOR ERROL BLACK

City Council observed a moment of silence in honor of former city councillor Errol Black who passed away on November 3, 2012. Councillor Black served on City Council from 1998 – 2010.

ADOPTION OF AGENDA:

805 Blight-Chaboyer
That the Agenda for the Regular Meeting of City Council to be held on Monday, November 5, 2012 be amended whereby the Orders of Community Question Period, Committee Reports, Enquiries and Announcements shall be dealt with following the Order of By-laws and that the agenda, as amended, be adopted. CARRIED.

CONFIRMATION OF MINUTES:

806 Harwood-Isleifson
That the Minutes of the Regular Meeting of City Council held Monday, October 15, 2012 be taken as read, and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

Nil

PUBLIC HEARINGS:

(A) DESIGNATION OF MUNICIPAL HERITAGE SITE - 339 VICTORIA AVENUE

City Council sat to hear representation on the above noted application.

No written or verbal representation was put forward either in support of or in opposition to this application.

807 Roberts-McCrae
That the Public Hearing with respect to the proposed designation of the premises located at 339 Victoria Avenue as a municipal heritage site be concluded. CARRIED.

(B) DESIGATION OF MUNICIPAL HERITAGE SITE - 1037 LORNE AVENUE (FORMER
FIRST BAPTIST CHURCH)

City Council sat to hear representation on the above noted application.

No written or verbal representation was put forward either in support of or in opposition to this application.

Councillor Harwood requested on behalf of the Municipal Heritage Advisory Committee, that the public hearing on this designation be adjourned to allow for further discussions with the property owners.

Harwood-Roberts

808 That the Public Hearing with respect to the proposed designation of the premises located at 1037 Lorne Avenue commonly known as the former First Baptist Church as a municipal heritage site be adjourned until the November 19, 2012 meeting of City Council. CARRIED.

(C) VARIATION APPLICATION - 1660 34TH STREET (J & G HOMES LTD.)

City Council sat to hear representation on the appeal of the Planning Commission's decision to approve the variation application of J & G Homes Ltd. for 1660 - 34th Street.

Andrew Mok, Community Planner appeared before City Council and provided an overview of the variation application process. He noted that the application had been approved by the Planning Commission at its hearing held August 29, 2012 however an appeal of that decision had been filed, whereby a hearing before City Council was required. Mr. Mok advised that the applicant had modified its application to alter the requested minimum front and side yard setbacks, and had included a circle for garbage pick-up and a gated ingress off of Richmond Avenue for emergency vehicles in its site plans.

Steve McMillan appeared on behalf of the applicant and reviewed the revised variations being requested.

Brad Cosgrove, 5 Rainbow Bay appeared in opposition to the variation application. He expressed concerns with proposed driveway configurations and close proximity of the developer's roadway to existing properties.

Sandy Bonar, 26 Plateau Drive appeared in opposition to the application. She conveyed concerns with the street widths, neighbourhood density and the proposed greenscaping/landscaping plan for the development. Mrs. Bonar stated that the variations requested were too extreme and that the site could not fit the 24 units being proposed.

Jim Bonar, 26 Plateau Drive also appeared in opposition to the application. He did not feel that the revisions made to the variations being requested were significant enough and that too many units were being proposed for the space available.

No further verbal or written representation was put forward either in support of or in opposition to the by-law.

Berry-Harwood

809 That the public hearing on the variation application by J & G Homes Ltd. for 1660 - 34th Street be concluded. CARRIED.

Berry-Isleifson

810 That the variation to reduce:

- (a) the minimum side yard requirement for buildings adjacent to the east boundary of a bare land condominium from 7.6m (24.9') to 1.2m (3.9');

- (b) the minimum side yard requirement for buildings adjacent to the west boundary of a bare land condominium from 7.6m (24.9') to 3.0m (10.0'); and
- (c) the minimum required front yard setback from 6.0m (19.7') to 2.7m (9'),

at 1660 - 34th Street (Pt. NE 1/4 9-10-19 WPM) in accordance with the intent of Variance Application V-25-12-B dated June 18, 2012, the attached letter of intent dated July 6, 2012 and the attached site plan dated October 25, 2012 and elevations be approved subject to the site being rezoned from DR Development Reserve to RLD Residential Low Density Multiple Family. CARRIED.

- (D) BY-LAW NO. 7028 - TO REZONE PROPERTY AT 1660 - 34TH STREET FROM DR DEVELOPMENT RESERVE ZONE TO OPEN SPACE AND RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE (J & G HOMES)

City Council sat to receive representation on the above noted matter.

Andrew Mok, Community Planner appeared before City Council to provide an overview of the rezoning application process. He noted that final reading of this by-law was being held in abeyance pending the execution of the required development agreement and pending the submission of further objections to this rezoning. He noted that the required development agreement had been signed and duly executed, however a second objection had been received, whereby a further public hearing before City Council was required.

Steve McMillan appeared before City Council in favour of the rezoning application. He reviewed some of the provisions of the development agreement concerning lighting and buffer zone requirements.

Sandy Bonar, 26 Plateau Drive appeared in opposition to the rezoning application. Mrs. Bonar expressed concerns that the rezoning would decreased property values in the neighbourhood.

No further verbal or written representation was put forward either in support of or in opposition to the by-law.

Berry-Harwood

- 811 That the public hearing with respect to Zoning Amendment By-law No. 7028 regarding 1660 - 34th Street be concluded. CARRIED.

GENERAL BUSINESS:

- (A) APPLICATION TO SUBDIVIDE 1660 - 34TH STREET (J & G HOMES LTD.)

City Council considered a report from the Planning Department dated October 29, 2012 with respect to the above.

Berry-Harwood

- 812 That the application to subdivide 1660 - 34th Street (Pt. NE 1/4 9-10-19 WPM) to create twenty-four (24) lots in the RLD Residential Low Density Multiple Family Zone be approved subject to the developer or successor:

- (a) entering into an easement agreement with the City of Brandon; and
- (b) providing written confirmation to the Planning and Building Safety Department that arrangements have been made for an Easement and Plan of Easements to the satisfaction of MTS Communications Inc. CARRIED.

BY-LAWS:

NO. 7028 TO REZONE PROPERTY AT 1660 34TH STREET (PT. NE 1/4 9-10-19 WPM) FROM DR DEVELOPMENT RESERVE ZONE TO OS OPEN SPACE AND RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE (J & G HOMES LTD.)

It was noted that this by-law had received second reading at the October 1, 2012 meeting of City Council.

Berry-Harwood

813 That By-law No. 7028 to re-zone 1660 - 34th Street (Pt. NE 1/4 9-10-10 WPM) from DR Development Reserve to OS Open Space and RLD Residential Low Density Multiple Family Zone be given third reading. CARRIED.

In accordance with Section 137 of The Municipal Act, a recorded vote was taken on the motion to give By-law No. 7028 third reading.

<u>FOR</u>	<u>AGAINST</u>
Her Worship Mayor Decter Hirst	Nil
Councillor Berry	
Councillor Blight	
Councillor Chaboyer	
Councillor Fawcett	
Councillor Harwood	
Councillor Isleifson	
Councillor McCrae	
Councillor Montague	
Councillor Rice	
Councillor Roberts	

NO. 7036 MUNICIPAL HERITAGE SITE DESIGNATION - 339 VICTORIA AVENUE

It was noted that the by-law had received first reading at the September 17, 2012 meeting of City Council.

Roberts-Harwood

814 That By-law No. 7036, being a by-law to designate the residential premises located at 339 Victoria Avenue as a municipal heritage site be read a second time. CARRIED.

Roberts-Harwood

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

In accordance with Section 137 of The Municipal Act, a recorded vote was taken on the motion to give By-law No. 7036 third reading.

FOR
Her Worship Mayor Decter Hirst
Councillor Berry
Councillor Blight
Councillor Chaboyer
Councillor Fawcett
Councillor Harwood
Councillor Isleifson
Councillor McCrae
Councillor Montague
Councillor Rice
Councillor Roberts

AGAINST
Nil

NO. 7037 MUNICIPAL HERITAGE SITE DESIGNATION - 1037 LORNE AVENUE (FORMER FIRST BAPTIST CHURCH)

It was noted that the by-law had received first reading at the September 17, 2012 meeting of City Council.

816 Harwood-Roberts
That By-law No. 7037 to designate the premises located at 1037 Lorne Avenue as a municipal heritage site be referred to the November 19, 2012 meeting for consideration with the public hearing on the proposed designation. CARRIED.

NO. 7039 TO AMEND ZONING BY-LAW NO. 6642 RE: LAND USE AND PARKING REGULATIONS WITHIN THE DOWNTOWN HUB

Considered was a report from The Planning Department dated October 23, 2012 with respect to the above.

817 Roberts-Berry
That By-law 7039, to amend The City of Brandon Zoning By-law 6642 to include land use and parking regulations within the Downtown HUB, be read a first time. CARRIED.

NO. 7041 TO ESTABLISH THE CITY OF BRANDON POLICE BOARD

Submitted for consideration was a report from the City Clerks dated October 22, 2012 with respect to the above.

818 Blight-Fawcett
That By-law No. 7041 to establish a Police Board and its membership for the City of Brandon be read a first time. CARRIED.

Councillor McCrae raised a Point of Order whereby he noted that this by-law was a requirement of the provincial Police Services Act.

COMMUNITY QUESTION PERIOD:

Nil

COMMITTEE REPORTS:

(A) KEYSTONE CENTRE
VERBAL

NOVEMBER 5, 2012

November 5, 2012
City of Brandon

Mayor and Councillors
City of Brandon

Councillor Rice reported that the Keystone Centre Board had been very pleased with recent announcements regarding funding for capital upgrades. He noted that the Keystone Centre would be working hard to meet the funding deadlines for the upgrades required.

Rice-Berry

819 That the verbal report of the Keystone Centre of November 5, 2012 be received. CARRIED.

(B) AUDIT AND FINANCE COMMITTEE
VERBAL REPORT

NOVEMBER 5, 2012

November 5, 2012
City of Brandon

Mayor and Councillors
City of Brandon

Councillor Blight reported that the Audit and Finance Committee had met on November 1, 2012. He noted that an operating surplus was projected for 2012 and that a full report would be presented to City Council in near future.

Blight-Fawcett

820 That the verbal report of the Audit and Finance Committee of November 5, 2012 be received. CARRIED.

ENQUIRIES:

(320) AMOUNT OF LITTER ON MCDIARMID DRIVE

Councillor Harwood advised that the amount of litter on McDiarmid Drive had become a problem. He enquired if the area businesses and Vincent Massey High School could be contacted for assistance in getting the area cleaned up.

Her Worship the Mayor agreed to take this matter under advisement.

(321) ROAD CONDITIONS ON 1ST STREET NORTH

Councillor Fawcett referred to the recent icy road conditions that had caused the closure of 1st Street North during peak morning hours. He noted that the dispatching of sand trucks by Manitoba Infrastructure and Transportation had been delayed due to the recent cut-backs to overnight staff. Councillor Fawcett enquired if this issue could be discussed with the Province of Manitoba so as to avoid such a situation in the future.

Her Worship the Mayor agreed to take this matter under advisement.

(322) SAFETY CONCERNS - MOUNTAIN BIKE TRAILS AND BUSH AREA IN THE VICINITY OF ABERDEEN AVENUE BETWEEN 1ST AND 4TH STREETS

Councillor Chaboyer advised that the bush area at the northeast corner of the mountain bike trails in the vicinity of Aberdeen Avenue between 1st and 4th Streets had become a safety concern due to the area being used as a hang-out with the construction of a fort and random fire pits. She noted that, the random, uncontrolled fires in the area posed a threat to the nearby housing developments and enquired if the area could be cleaned up as soon as possible.

Her Worship the Mayor agreed to take this matter under advisement.

(323) CONDITION OF 200 BLOCK OF 2ND STREET

Councillor Roberts advised that the 200 Block of 2nd Street was in need of repairs to allow safe access to the street for people using mobility devices and enquired if this issue could be addressed as soon as possible.

Her Worship the Mayor agreed to take this matter under advisement.

(324) VEHICLES AND PARKING AREAS IN SCHOOL ZONES - BY-LAW ENFORCEMENT

Councillor Roberts advised that motorists not using the appropriate parking areas in school zones was causing safety concerns. He enquired if stricter by-law enforcement in these areas could be considered.

Her Worship the Mayor agreed to take this matter under advisement.

(325) TURNING SIGNAL AT 18TH STREET AND BRANDON AVENUE INTERSECTION

Councillor Blight advised that the General Manager of Development Services had confirmed that the installation of a turning signal at the intersection of 18th Street and Brandon Avenue was being considered, with a report on same expected to be provided to City Council in the near future.

(326) SUNDAY BUS SERVICE

Councillor Chaboyer noted that the need for Sunday bus service had been raised in previous enquiries and advised that this issue was to be discussed further in the upcoming Budget Deliberations.

(327) CLEARING OF SNOW IN FRONT OF ABANDONED GAS STATION AT 3RD STREET AND ROSSER AVENUE

Her Worship the Mayor advised that the build-up of snow in front of the abandoned gas station located at 3rd Street and Rosser Avenue was causing problems for area residents using mobility devices. She noted that this had been an ongoing issue and enquired if the snow could be cleared by the City and the cost of same added to the property taxes.

The City Manager agreed to follow-up on this issue as soon as possible.

ANNOUNCEMENTS:

FAREWELL TO KEVIN MARTEL - CKLQ RADIO

Her Worship Mayor Decker Hirst announced that Kevin Martel was leaving CKLQ Radio and moving to Regina. She thanked Mr. Martel for his dedicated service to Brandon and wished him the best of luck in his new career.

VETERANS' MEMORIAL

Councillor Harwood announced that the expected completion date for the Veterans' Memorial to be located at the corner of 11th Street and Victoria Avenue was June 2013 with donations for same being accepted in the Treasury Department at City Hall.

SOUTH CENTRE WARD MEETING - NOVEMBER 29, 2012

Councillor Rice announced that a South Centre Ward Meeting would take place November 29, 2012 at 7:00 p.m. at the Central Community Centre. He advised that items to be discussed would include the 2013 City of Brandon Budget; age-friendly Brandon; and any other city and ward issues.

2013 BUDGET ROUND TABLE DISCUSSION - NOVEMBER 22, 2012

Councillor Chaboyer announced that a round table discussion on the 2013 Budget would be held November 22, 2012 from 7:30 p.m. to 9:00 p.m. with the location to be announced in the near future. She advised that invitations would be sent out to several local community groups and organizations and invited interested citizens to attend and share their thoughts. She noted that a Councillor would be available at every table to discuss the issues raised and compile a list of suggested priorities for 2013. She advised that Councillor Isleifson was also involved in the planning of this event and invited him to provide further information.

Councillor Isleifson advised that the event was being hosted by City Council in an effort to have citizens become engaged in the budget process and allow them to share their suggestions with City Council in smaller group discussions. He advised that a list of priorities and suggestions would be compiled by the Councillor at each table with same to be discussed by the whole group at the end of the evening. In conclusion he encouraged residents to come out and become involved in the entire budget process.

GIVING OF NOTICE:

Nil

ADJOURN:

Berry-Chaboyer

That the meeting do now adjourn (9:35 p.m.). CARRIED.

MAYOR

CITY CLERK