

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON TUESDAY, FEBRUARY 19, 2013 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. Fawcett, Councillor L. Isleifson, Councillor J. McCrae, Councillor S. Montague, Councillor G. Rice, Councillor C. Roberts

**ABSENT:** Councillor J. Chaboyer, Councillor J. Harwood

**ADOPTION OF AGENDA:**

**Isleifson-Rice**  
970 That the Agenda for the Regular Meeting of City Council to be held on Tuesday, February 19, 2013 be adopted as presented. CARRIED.

**CONFIRMATION OF MINUTES:**

**Blight-Fawcett**  
971 That the Minutes of the Regular Meeting of City Council held on Monday, February 4, 2013 be taken as read, all statutory requirements having been fulfilled. CARRIED.

**HEARING OF DELEGATIONS:**

**(A) ORVAL HENDERSON - BRANDON COMMUNITY BUILDERS**

City Council received a presentation from Orval Henderson regarding the establishment of the Brandon Community Builders, an organization whose intent was to build affordable housing for low-income residents in the City of Brandon. Mr. Henderson indicated a steering committee was in the early stages of creating the organization, which would take the place of the now-defunct local chapter of Habitat for Humanity. He noted that the group had already partnered with the Canadian Mental Health Association Westman Region on one of its projects. He stated that he hoped to renew the partnership the City of Brandon had established with the former local chapter of Habitat for Humanity regarding a land donation in the area of Franklin and Percy Streets. He agreed to keep City Council apprised of the group's progress.

**Isleifson-Rice**  
972 That the presentation by Orval Henderson with respect to the establishment of the Brandon Community Builders organization to build affordable housing for low income families in Brandon be received. CARRIED.

**PUBLIC HEARINGS:**

**(A) DESIGNATION OF MUNICIPAL HERITAGE SITE - 662 – 11<sup>TH</sup> STREET**

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

Katy Singleton, City of Brandon Heritage Coordinator, appeared on behalf of the Municipal Heritage Advisory Committee (MHAC) in support of this application. She reviewed the evaluation undertaken by the MHAC from which the Committee had recommended designation of this property. Ms. Singleton also noted that the current property owners were in favour of the designation.

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

McCrae-Roberts

973 That the Public Hearing with respect to the proposed designation of the land and premises located at 662 - 11th Street as a municipal heritage site be concluded. CARRIED.

(B) DESIGNATION OF MUNICIPAL HERITAGE SITE - 706 LORNE AVENUE

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

Katy Singleton, City of Brandon Heritage Coordinator, appeared on behalf of the Municipal Heritage Advisory Committee (MHAC) in support of this application. Ms. Singleton reviewed the evaluation undertaken by the MHAC from which the Committee had recommended designation of this property. She also noted that the current property owners were in favour of the designation.

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

Roberts-McCrae

974 That the Public Hearing with respect to the proposed designation of the land and premises located at 706 Lorne Avenue as a municipal heritage site be concluded. CARRIED.

COMMUNITY QUESTION PERIOD:

Nil

COMMITTEE REPORTS:

(A) PERSONNEL COMMITTEE  
VERBAL

FEBRUARY 19, 2013

City Council considered a verbal report from the Personnel Committee dated February 19, 2013 with respect to the tentative contract settlement between the City of Brandon and the Brandon Police Association.

McCrae-Roberts

975 That the verbal report of the Personnel Committee dated February 19, 2013 regarding the tentative settlement reached between the City of Brandon and the Brandon Police Association be received. CARRIED.

McCrae-Roberts

976 That the City of Brandon enter into a one (1) year agreement with the Brandon Police Association for the period January 1, 2013 to December 31, 2013 as per the Memorandum of Settlement whereby wages shall be increased as follows:

- For sworn members:
  - January 1, 2013 – First Class Constable salary of \$84,328.40 (4.44%)
  - July 1, 2013 – will be established based on the average of First Class Constable salaries in Medicine Hat, Lethbridge, Prince Albert, and Moose Jaw as at July 1, 2013
- For non-sworn members:
  - 2.0% on January 1, 2013. CARRIED.

(B) BRANDON GENERAL MUSEUM AND ARCHIVES INC.  
VERBAL

FEBRUARY 19, 2013

February 19, 2013  
Brandon, Manitoba

Mayor and Councillors  
City of Brandon

Councillor Berry reported that he had recently been elected as the Chair of the Brandon General Museum and Archives Inc. Board. He further noted that the Board had developed its 5 year Strategic Plan, and a display from the 26th Field Regiment Museum was planned for the General Museum in the coming months.

Berry-Roberts

977 That the verbal report of the Brandon General Museum and Archives Inc. Board be received.  
CARRIED.

ENQUIRIES:

(360) SNOW PILES ON MEDIANS - VICTORIA AVENUE EAST

Councillor Isleifson advised that the snow piles on the medians along Victoria Avenue East, specifically at the intersections, were causing sight problems for drivers and enquired when same were expected to be removed.

At the request of Her Worship the Mayor, the Acting City Manager responded that the snow piles in the centre medians at intersections had been removed with the remainder to be gone by the end of the week.

(361) EASTVIEW LANDFILL SITE WASTE DISPOSAL CHARGES

Councillor Isleifson enquired if an explanation of the charges for waste disposal by residents at the Eastview Landfill Site could be provided.

At the request of Her Worship the Mayor, the Acting City Manager responded that loads less than 500 kilograms were free for City of Brandon residents, with residential loads over 500 kilograms charged at the commercial rate of \$51.50 plus \$10.00 per tonne. He noted however, that residents were given one warning before being charged and that there was no limit on the number of free loads per resident. The Acting City Manager provided a summary of fees from other cities and noted that the City of Brandon was the only one who permitted any free dumping.

(362) 2012 LIEUTENANT GOVERNOR'S WINTER FESTIVAL PAVILIONS

Councillor Montague enquired as to the procedure for the inclusion of pavilions in the 2012 Lieutenant Governor's Winter Festival.

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

(363) CITY COUNCIL CODE OF CONDUCT

Councillor Montague referred to the City Council Code of Conduct Policy adopted at the December 17, 2012 meeting and enquired to whom complaints were to be made and who investigated those complaints.

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

(364) UPDATE ON BRANDON INN DEMOLITION

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Councillor Roberts requested an update on the status of the demolition of the Brandon Inn building.

At the request of Her Worship the Mayor, the General Manager of Development Services responded that the tender for the demolition was now closed and staff was evaluating the bids with a report to be presented to City Council at the March 4, 2013 meeting.

ANNOUNCEMENTS:

PUBLIC OUTREACH INITIATIVE OPEN HOUSE - FEBRUARY 20, 2013

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Councillor Fawcett announced that the City of Brandon Planning and Building Safety Department would be hosting a public open house on February 20, 2013 in the Main Foyer of City Hall from 5:00 p.m. to 7:00 p.m. He invited citizens to come out and share their thoughts on the inclusion of public consultation in the planning process.

HOCKEY BRANDON TOURNAMENT OF CHAMPIONS

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Councillor Berry thanked the committee and all the volunteers responsible for the successful Hockey Brandon Tournament of Champions where 60 teams from across Canada competed over two weekends in February 2013.

Her Worship Mayor Decter Hirst noted that this was the first event to receive financial assistance from the Accommodation Tax Fund and enquired if Councillor Berry had an estimate of the number of teams from out of town. Councillor Berry estimated that at least 50 of the teams were from out of town and stayed in the City of Brandon for at least 3 nights.

Councillor Fawcett enquired if a full report on this event would be provided to City Council.

At the request of Her Worship the Mayor, the Director of Economic Development responded that organizations who received financial assistance from the Accommodation Tax Fund were required to provide a full report, inclusive of an accounting of the rooms, within 90 days of the event and from that the overall economic impact to the City could be determined.

Councillor Berry added that representatives from the Hockey Brandon committee planned to provide an update to City Council at the March 4, 2013 meeting.

MANITOBA MAYORS' MEETING

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Councillor Rice announced that he had been pleased to represent Her Worship Mayor Decter Hirst at the Manitoba Mayors' meeting held February 12, 2013 in Winnipeg where the possibility of new infrastructure funding becoming available had been discussed.

PUBLIC OPEN HOUSE - ENERGY EFFICIENCY PROGRAMS

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Councillor Rice announced that the Brandon Neighbourhood Renewal Corporation and Manitoba Hydro would be holding an open house on February 20, 2013 at 7:30 p.m. at George Fitton School where information would be provided on the Brandon Energy Efficiency Programs and the expansion of their jurisdiction to portions of the Riverview and South Centre Wards.

BRANDON COMMUNITY LANGUAGE CENTRE COMMUNITY INTERPRETER TRAINING

Councillor Isleifson announced that he had been pleased to bring greetings on behalf of City Council to the attendees of the Community Interpreter Training held recently at the Brandon Community Language Centre.

GENERAL BUSINESS:

(A) RECONSIDERATION OF GRANT REDUCTION TO BRANDON DOWNTOWN DEVELOPMENT CORPORATION

City Council considered a report from Councillor M. Blight dated January 24, 2013 with respect to the above and in accordance with his notice of motion given at the regular meeting of City Council held January 21, 2013.

Councillor McCrae declared a conflict of interest in this matter due to his part-time employment with Renaissance Brandon and left the Council Chamber without any further discussion.

Blight-Roberts

978 That pursuant to Subsection 139(1) of The Municipal Act, and in accordance with my notice of motion given at the meeting of City Council held January 21, 2013, I hereby move that City Council reconsider the vote on Motion No. 931 of the Special Meeting of City Council held January 12, 2013 with respect to the reduction in the amount of the grant to the Brandon Downtown Development Corporation (Renaissance Brandon). CARRIED.

It was noted that the motion being reconsidered was amending the following main motion:

“That the 2013 Operating and Capital budgets be approved;

and further, that Administration prepare the required Financial Plan in accordance with the above noted budgets.”

In view of the above motion of reconsideration having been adopted, the following motion was before City Council as if it had not yet been voted on.

AMENDMENT

Montague-Berry

979 That the above main motion be further amended by adding the following sub-paragraph:

“(14) the deletion of \$50,000 as an Operating budget expense in the amount of the grant to the Brandon Downtown Development Corporation (Renaissance Brandon)”. LOST.

AMENDMENT TO AMENDMENT

Montague-Berry

980 That the above amending motion be amended by deleting the figure: “\$50,000” and substituting therefor, the figure: “\$25,000”. LOST.

Following the vote on the above motions, Councillor McCrae re-entered the Council Chamber.

981 Montague-Berry  
That City Council reconsider the vote on Motion No. 914, as amended, of the Special Meeting of City Council held January 12, 2013 with respect to the addition of funding for building code equivalencies. CARRIED.

It was noted that as previous notice of the reconsideration was not given, a two-third majority vote was required to adopt the motion of reconsideration.

In view of the above motion of reconsideration having been adopted, the following motion was before City Council as if it had not yet been voted on.

AMENDMENT

982 Roberts-Harwood  
That the above main motion be further amended by adding the following sub-paragraph thereto:

“(5) the addition of \$25,000 as an Operating budget expense to fund building code equivalencies”.  
LOST.

983 Berry-Montague  
That City Council reconsider the vote on Motion No. 913 of the Special Meeting of City Council held January 12, 2013 with respect to the reduction to the allocation for special project contracts. CARRIED.

It was noted that as previous notice of the reconsideration was not given, a two-third majority vote was required to adopt the motion of reconsideration.

In view of the above motion of reconsideration having been adopted, the following motion was before City Council as if it had not yet been voted on.

AMENDMENT

984 Berry-Montague  
That the above main motion be further amended by adding the following sub-paragraph thereto:

“(5) the deletion of \$15,000 as an Operating budget expense representing a reduction of the allocation for Planning and Development Services special project contracts”. LOST.

985 Isleifson-McCrae  
That City Council reconsider the vote on Motion No. 906, as amended, of the Special Meeting of City Council held January 12, 2013 with respect to the adoption of the 2013 budget. CARRIED.

It was noted that as previous notice of the reconsideration was not given, a two-third majority vote was required to adopt the motion of reconsideration.

In view of the above motion of reconsideration having been adopted, the following motion was before City Council as if it had not yet been voted on.

986 Rice-Isleifson  
That the 2013 Operating and Capital budgets be approved,

And further, that Administration prepare the required Financial Plan in accordance with the above noted budgets. CARRIED AS AMENDED.

AMENDMENT

Isleifson-McCrae

987 That the above main motion be further amended by adding the following sub-paragraph thereto:

“(23) the deletion of an additional \$25,000 to be determined by Administration, as an Operating budget expense from the existing 2013 budget.” CARRIED.

Councillor Rice retired from the meeting and left the Chamber at 10:19 p.m. due to illness.

(B) APPOINTMENTS TO BRANDON AND AREA PLANNING DISTRICT AND KEYSTONE CENTRE BOARDS

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Considered was a report from the City Clerk dated January 22, 2013 with respect to the above.

Montague-Fawcett

988 That Motion No. 834 (City Council Meeting - November 19, 2012) with respect to:

(a) the appointments to the Brandon and Area Planning District Board be amended by deleting: “Councillor Corey Roberts” and substituting therefor: "Councillor Murray Blight"; and

(b) the appointments to the Keystone Centre be amended by deleting: "Councillor Murray Blight" and substituting therefor: "Councillor Garth Rice". CARRIED.

(C) SECONDARY PLAN FOR SOUTHWEST BRANDON

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Submitted for consideration was a report from The Planning Department dated January 25, 2013 with respect to the above.

Berry-McCrae

989 That a by-law be prepared to adopt a Secondary Plan for the approximately 150 hectares of land located at southwest corner of the City of Brandon to be known as the Southwest Brandon Secondary Plan. CARRIED.

BY-LAWS:

NO. 7034 TO CHANGE THE BOUNDARIES OF THE LINDEN LANES AND MEADOWS WARDS AND THE NAME OF THE MEADOWS WARD TO MEADOWS-WAVERLY

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It was noted that this by-law had received second reading at the February 4, 2013 meeting of City Council.

Berry-McCrae

990 That By-law No. 7034 to change the boundaries of the Linden Lanes and Meadows Wards and the name of the Meadows Ward to Meadows-Waverly be read a third and final time. CARRIED.

FOR

Her Worship Mayor Decter Hirst  
Councillor Berry  
Councillor Blight  
Councillor Fawcett  
Councillor Isleifson  
Councillor McCrae  
Councillor Montague  
Councillor Roberts

AGAINST

Nil

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

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City Council considered a report from The Planning Department dated January 24, 2013 with respect to the above.

Roberts-Isleifson

991 That By-law No.7039, to amend Zoning By-law No. 6642 regarding land use and parking regulations within the Downtown Hub, be amended to include the following minor alterations:

(a) in Clause 2. h), by deleting subsection 22.1(a)(3) in its entirety and substituting the following therefor:

“22.1(a)(3) A minimum of one (1) off-street parking space shall be provided for each residential dwelling unit constructed in a new building in the HMU Zone. Off-street parking is not required for constructing dwelling units in an existing building in the HMU Zone.”;

(b) renumbering the existing subsection 22.1(a)(3) as 22.1(a)(4);

(c) by deleting Table 13.1 and Notes in its entirety and substituting therefor Table 13.1 THE DOWNTOWN HUB USE TABLE attached to the report of the Planning Department dated January 24, 2013;

(d) in Table 13.2: THE HUB BULK AND SITING REQUIREMENTS:

(i) by deleting the figure “3.0” as the Minimum Interior Side Yard requirement for Multiple family dwellings in the MU Zones and substituting therefor the figure: “0<sup>(4)</sup>”;

(ii) by deleting the figure: “4.6” as the Minimum Interior Side Yard requirement for Multiple family dwellings in the TR Zones and substituting therefor the figure: “3.0”; and

(iii) by adding the following as (13) to Notes to Table 13.2:

“(13) *If minimum density calculation results in an odd number of units, the calculation may be rounded down to the nearest even number of units.*”.

Roberts-Isleifson

992 That By-law No. 7039, as amended, be read a second time. CARRIED.

Roberts-Isleifson

993 That the 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. 7039 third reading.

FOR

Her Worship Mayor Decter Hirst  
Councillor Berry  
Councillor Blight  
Councillor Fawcett  
Councillor Isleifson  
Councillor McCrae  
Councillor Montague  
Councillor Roberts

AGAINST

Nil



NO. 7042 TO REZONE THE PROPERTY LOCATED AT 1406 LORNE AVENUE FROM RLD RESIDENTIAL LOW DENSITY MULTIPLE FAMILY ZONE TO RMD RESIDENTIAL MODERATE DENSITY MULTIPLE FAMILY ZONE (CROFTON PROPERTIES LTD.)

It was noted that this by-law had received first reading at the November 19, 2012 meeting of City Council.

Roberts-McCrae

994 That By-law No. 7042 to rezone 1406 Lorne Avenue (Lots 1/2, Plan 22551 BLTO) from RLD Residential Low Density Multiple Family Zone to RMD Residential Moderate Density Multiple Family Zone be read a second time. CARRIED.

Roberts-McCrae

995 That third reading of By-law No. 7042 to rezone 1406 Lorne Avenue (Lots 1/2, Plan 22551 BLTO) from RLD Residential Low Density Multiple Family Zone to RMD Residential Moderate Density Multiple Family Zone be held in abeyance pending the objectors to the by-law being given notice of their right to file a further objection, and the execution of a development agreement between the City of Brandon and the owner/successor of the property. CARRIED.

NO. 7044 TO REZONE PROPERTY LOCATED AT 3000 RICHMOND AVENUE EAST (PT. NE 1/4 7-10-18 WPM) FROM DR DEVELOPMENT RESERVE ZONE TO MG INDUSTRIAL GENERAL ZONE

It was noted that this by-law had received first reading at the December 3, 2012 meeting of City Council.

Montague-Roberts

996 That By-law No. 7044 to rezone the northern portion of 3000 Richmond Avenue East (PT. NE 1/4 7-10-18 WPM) from DR Development Reserve Zone to MG Industrial General Zone be read a second time. CARRIED.

Montague-Roberts

997 That third reading of By-law No. 7044 to rezone the northern portion of 3000 Richmond Avenue East (Pt. NE 1/4 7-10-18 WPM) from DR Development Reserve Zone to MG Industrial General Zone be held in abeyance pending the execution of a development agreement between the City of Brandon and the owner/successor of the property. CARRIED.

NO. 7051 MUNICIPAL HERITAGE SITE DESIGNATION - 662 - 11TH STREET

It was noted that this by-law had received first reading at the January 21, 2013 meeting of City Council.

Roberts-Isleifson

998 That By-law No. 7051, being a by-law to designate the land and premises located at 662- 11th Street as a municipal heritage site be read a second time.

Roberts-Isleifson

999 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. 7051 third reading.

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

NO. 7052      MUNICIPAL HERITAGE SITE DESIGNATION - 706 LORNE AVENUE

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It was noted that this by-law had received first reading at the January 21, 2013 meeting of City Council.

1000      Roberts-McCrae  
That By-law No. 7052, being a by-law to designate the land and premises located at 706 Lorne Avenue as a municipal heritage site, be amended by deleting in Clause 1 the words: "original wood trim and flooring in the enclosed porch and original foyer, the main staircase and stained glass window in the original foyer", and substituting therefor the following: "outer enclosed porch door to the verandah, the original wood trim and flooring in the main foyer, the staircase and stained glass window in the main foyer". CARRIED.

1001      Roberts-McCrae  
That By-law No. 7052, as amended, be read a second time. CARRIED.

1002      Roberts-McCrae  
That the 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. 7052 third reading.

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

NO. 7055      TO AMEND PLANNING COMMISSION BY-LAW NO. 6843 - TERMS OF OFFICE FOR MEMBERS

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It was noted that this by-law had received first reading at the February 4, 2013 meeting of City Council.

1003      Berry-Fawcett  
That By-law No. 7055 to amend Planning Commission By-law No. 6843 with respect to the members' terms of office be read a second time. CARRIED.

1004 Berry-Fawcett  
That the 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. 7055 third reading.

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

NO. 7056 TO REZONE THE PROPERTY LOCATED AT 1660 - 34TH STREET FROM DR DEVELOPMENT RESERVE ZONE TO RSF RESIDENTIAL SINGLE FAMILY ZONE (WAVERLY DEVELOPMENTS LTD.)

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City Council considered a report from The Planning Department dated January 29, 2013 with respect to the above.

1005 Berry-Montague  
That By-law No. 7056 to rezone property located at 1660 - 34th Street (Pt. NE 1/4 9-10-19 W.P.M.) from DR Development Reserve Zone to RSF Residential Single Family Zone be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Berry-Fawcett  
That the meeting do now adjourn (10:55 p.m.). CARRIED.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK