

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,
OCTOBER 21, 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. Chaboyer, Councillor J. Fawcett, Councillor L. Isleifson, Councillor J. LoRegio, Councillor S. Montague, Councillor G. Rice, Councillor C. Roberts

ABSENT: Councillor J. Harwood

ADOPTION OF AGENDA:

Isleifson-Chaboyer
1262 That the Agenda for the Regular Meeting of City Council to be held on Monday, October 21, 2013 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Blight-Rice
1263 That the Minutes of the Regular Meeting of City Council held Monday, October 7, 2013 be taken as read, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

Nil

PUBLIC HEARINGS:

(A) VARIANCE APPLICATION - 1129 ASSINIBOINE AVENUE (GREGOIRE)

Councillor Blight declared a conflict of interest due to his relationship to the applicants and left the Council Chamber prior to any discussion.

Councillor Roberts stated for the public record that he no longer had a business affiliation with the applicants.

City Council sat to hear representation on the appeal of the Planning Commission's decision to reject the variance application of Geoffrey and Timothy Gregoire for 1129 Assiniboine Avenue.

Mr. Steve McMillan appeared on behalf of the owners, Geoffrey and Timothy Gregoire, and spoke in favour of the variance application. Mr. McMillan noted that the application had consisted of three separate variance requests, to increase the number of dwelling units from 2 dwelling units to 4 dwelling units, to reduce the minimum number of parking spaces for 4 dwelling units from 6 parking spaces to 5 parking spaces, and to reduce the Railway Overlay Zone from 30 metres to 25 metres at 1129 Assiniboine Avenue. Mr. McMillan advised that a variance application for this property had been approved in 2009 however, due to financial constraints, the project had been deferred and the order had expired. He noted that the Canadian Pacific Railway (CPR) had not objected at that time, and suggested that the reason for the rejection of this application was due to the objection of CPR. He requested that City Council approve Variance V-15-13-B as originally presented to the City of Brandon Planning Commission on September 4, 2013.

Mr. Waleed Albakry, Community Planner with the City of Brandon Planning and Building Safety Department provided information on the variance application. Mr. Albakry advised that the Planning and Building Safety Department had recommended rejecting the application for three reasons: the proposed four dwelling units and wall span would detract from the neighbourhood; limiting the dwelling units to two did not impose an injurious effect on the subject site; and the proposed development did not meet the Railway Overlay Zone setback of 30 metres as set in the City of Brandon Zoning By-law.

He also noted that the CPR had filed a letter of objection prior to the public hearing held by the Planning Commission. Mr. Albakry advised that, due to an oversight, the railway company had not been notified of the original variance application in 2009.

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

LoRegio-Roberts

1264 That the Public Hearing for Variance V-15-13-B for 1129 Assiniboine Avenue be concluded. CARRIED.

Roberts-Isleifson

1265 That Variance V-15-13-B to increase the maximum number of dwelling units from 2 dwelling units to 4 dwelling units, reduce the minimum number of required parking spaces for four dwelling units from six (6) parking spaces to five (5) parking spaces, and reduce the Railway Overlay Zone from 30 metres to 25 metres at 1129 Assiniboine Avenue (Lots 9 and 10, Block 89, Plan 2 BLTO in NW 1/4 23-10-19 WPM) be rejected. CARRIED.

Following the vote on the above motion Councillor Blight re-entered the Council Chamber.

COMMUNITY QUESTION PERIOD:

REVIEW OF FEDERATION OF CANADIAN MUNICIPALITIES (FCM) GUIDELINES FOR NEW DEVELOPMENT IN PROXIMITY TO RAILWAY OPERATIONS

Mr. Steve McMillan appeared before City Council and requested that the City of Brandon Planning & Building Safety Department be encouraged to review the Guidelines for New Development in Proximity to Railway Operations published by the FCM in May 2013.

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

COMMITTEE REPORTS:

(A) POVERTY COMMITTEE
VERBAL

OCTOBER 21, 2013

October 21, 2013
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Councillor Chaboyer reported that the Poverty Committee had met on October 15, 2013 where they received a presentation by Brandon Neighbourhood Renewal Corporation Community Development Coordinator Ryan Graves regarding the food assessment program and an update from Tim Sanderson on the discussions with the Provincial Government regarding a replacement for the Off-Peak Bus Pass Program.

Councillor Chaboyer invited the public to attend their upcoming P.E.P. (People Ending Poverty) Forum on November 7, 2013 from 4:00 p.m. to 7:00 p.m. in the Main Foyer of City Hall. She advised that the purpose of the Forum was for local community organizations to present information to the committee regarding potential solutions to food security and affordable housing issues.

Chaboyer-Berry

1266 That the verbal report of the Poverty Committee be received. CARRIED.

ENQUIRIES:

(473) UPDATE ON THE CONSTRUCTION AT THE WASTEWATER TREATMENT PLANT

Councillor Isleifson requested an update on the status of the construction of the Wastewater Treatment Plant on Victoria Avenue East, inclusive of the expected completion date and estimated costs.

At the request of Her Worship the Mayor, the City Manager responded that the Wastewater Treatment Plant on Victoria Avenue East was being modified to a pre-treatment facility at an estimated cost of approximately \$8,000,000. He advised that all wastewater generated within the City of Brandon was processed through this plant and that the project was expected to be completed by October 31, 2013 and commissioned by the end of November 2013.

(474) STREET LIGHTS

Councillor Roberts noted that street light outages continued to be a problem in all areas of the City of Brandon and enquired how this issue was being addressed by Manitoba Hydro. He also enquired as to the process to be followed for residents to request additional lighting in their neighbourhoods.

At the request of Her Worship the Mayor, the City Manager responded that Manitoba Hydro had recently hired a staff member whose main focus was to address the street light outages issues. He encouraged residents with concerns to contact his office or their Councillor and the issue would be brought to the attention of Manitoba Hydro. He agreed to take the matter of additional lighting requests under advisement.

(475) DEVELOPMENT OF THE GREENSPACE AT 10TH STREET AND VICTORIA AVENUE

Councillor Chaboyer requested an update on the development of the greenspace at 10th Street and Victoria Avenue. She noted that the site was rich in history including being the location of the Wheat City Arena as well as where over 900 Ukrainian men were held in an Internment Camp for over 2 years. She enquired if plaques acknowledging the history of the site could be considered in addition to the Veterans' Memorial and planned donor wall.

At the request of Her Worship the Mayor, Councillor Roberts responded that the Municipal Heritage Advisory Committee (MHAC) had discussed these projects along with others as a way of paying respect to the history of that site. The City Manager responded that the development of the Veterans' Memorial and greenspace was expected to be completed by the end of November 2013 and would span the entire frontage of the property. He confirmed that MHAC as well as the Veterans' Memorial Subcommittee were currently in talks with the City of Brandon Engineering Department on the development of the Veterans' Wall of Remembrance with the initial installation of the Wall and plaques planned for 2014. He advised that the City of Brandon currently displays a plaque of remembrance on the brick wall of the Courtyard at City Hall dedicated to the men held at the Internment Camp; however, the Ukrainian Canadian Civil Liberties Association had offered a second plaque to be unveiled during a Canada-wide ceremony to be held August 22, 2014.

He advised that MHAC was currently in discussions with representatives from the Brandon Police Service to find the best location for the plaque on the site. The City Manager agreed to take the matter of a plaque to honour the Wheat City Arena under advisement.

ANNOUNCEMENTS:

CONSTRUCTION OF THE DIKE - WEST OF 18TH STREET

Councillor Fawcett announced that the construction of the dike was currently underway west of 18th Street.

SOUTH CENTRE WARD MEETING - NOVEMBER 7, 2013

Councillor Rice announced that a South Centre Ward meeting would take place November 7, 2013 at 7:00 p.m. at South End Community Centre where the 2014 Budget, infrastructure, crime and safety and any other city and ward issues would be discussed.

RAPID CITY FIRE

Councillor Montague expressed condolences to the community of Rapid City on the loss of their Fire Hall and Municipal Office as a result of a fire overnight on October 17, 2013.

WESTMAN WOLVERINES

Councillor Roberts congratulated the Westman Wolverines who had their best performance of the season making the semi-finals of the Manitoba Major Football League Finals held over the weekend in Winnipeg.

SISTERS IN SPIRIT WALK - OCTOBER 4, 2014

Councillor Chaboyer announced that she had been pleased to represent City Council at the Annual Sisters in Spirit Walk held October 4, 2013 to honour the memory of missing and murdered Aboriginal Women in Canada. She added that the Police Chief Ian Grant had also attended and confirmed the Brandon Police Service's commitment to assisting these women in any way possible. Councillor Chaboyer suggested, and Her Worship the Mayor agreed, that the organizers of this event should be invited to meet with the Brandon Police Board as well as the Brandon Urban Aboriginal Peoples' Council.

BRANDON WHEAT KINGS' "PINK THE RINK" NIGHT

Councillor Berry congratulated the Brandon Wheat Kings and the local Canadian Cancer Society Branch on a very successful "Pink the Rink" night held October 19, 2013. He announced that over \$25,000 was raised for cancer research from the auction at which the pink jerseys worn by the team at the game that evening had been auctioned off.

GENERAL BUSINESS:

(A) DOWNTOWN ANGLE PARKING - 000-100 BLOCKS OF 9TH AND 10TH STREETS

City Council considered a report from the General Manager of Development Services dated October 15, 2013 with respect to the above.

1267 Roberts-LoRegio
That north bound one way travel in the 000 Block and 100 Block of 10th Street with angle parking on the west side and parallel parking on the east side of these blocks be approved. LOST.

Prior to the above motion being voted on, Councillor Roberts requested that a recorded vote be taken.

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

1268 Roberts-LoRegio
That south bound one way travel in the 000 Block and 100 Block of 9th Street with angle parking on the eastside and parallel parking on the west side of these blocks be approved. CARRIED.

Prior to the above motion being voted on, Councillor Roberts requested that a recorded vote be taken.

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

Roberts-LoRegio
That Renaissance Brandon be requested to pay for the design, construction and installation of the alternatives to the jersey barriers as sketched in the attachment to their report dated October 8, 2013 whereby such alternatives, once installed, shall be deemed a capital asset and be transferred to the City of Brandon for ongoing maintenance and assumption of related costs. CARRIED.

Prior to the above motion being voted on, Councillor Roberts requested that a recorded vote be taken.

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

AMENDMENT

Montague-Fawcett

1269 That the above motion be amended by adding the following thereto: "and further, that City Council approve the final design of the alternatives to the jersey barriers prior to the commencement of construction." LOST.

(B) INCREASE TO MOVING ALLOWANCE UNDER THE RESIDENTIAL TENANCIES ACT

Submitted for consideration was a report from Councillor M. Blight dated October 15, 2013 with respect to the above and in accordance with his notice of motion given at the regular meeting of City Council held October 7, 2013.

Blight-LoRegio

1270 That City Council reconsider the vote on Motion No. 1248 adopted at the meeting of City Council held September 16, 2013 with respect to City Council's decision to request the Provincial Government to increase the moving allowance to owners of mobile homes under The Residential Tenancies Act. CARRIED.

Decter Hirst-LoRegio

1271 That the Provincial Government be requested to increase the moving allowance and other benefits provided under Section 98 of The Residential Tenancies Act and Section 17 of Regulation 71/2010 to more accurately reflect the costs borne by owners of mobile homes when facing eviction. LOST.

(C) 2014 SCHEDULE OF CITY COUNCIL MEETINGS

Considered was a report from the City Clerk dated October 4, 2013 with respect to the above.

Rice-Fawcett

1272 That pursuant to Organizational By-law No. 6650, regular meetings of City Council be held on the following dates in 2014:

Monday, January 6, 2014	Monday, June 16, 2014
Monday, January 20, 2014	Monday, July 7, 2014
Monday, February 3, 2014	Monday, July 21, 2014
Tuesday, February 18, 2014	Monday, August 18, 2014
Monday, March 3, 2014	Tuesday, September 2, 2014
Monday, March 17, 2014	Monday, September 15, 2014
Monday, April 7, 2014	Monday, October 6, 2014
Tuesday, April 22, 2014	Monday, October 20, 2014
Monday, May 5, 2014	Monday, November 17, 2014
Tuesday, May 20, 2014	Monday, December 1, 2014
Monday, June 2, 2014	Monday, December 15, 2014

CARRIED.

BY-LAWS:

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

It was noted that this by-law had received first reading at the August 19, 2013 meeting of City Council.

Councillor Blight declared a conflict of interest due to his relationship to the applicants and left the Council Chamber prior to any discussion.

1273 Isleifson-Berry
That By-law No. 7067 (Z-05-13-B) to rezone 347 Douglas Street (SP Lot 4, Plan 46966 BLTO & Lot 11, Block 16, Plan 21 BLTO) from RSF Residential Single Family Zone to RLD Residential Low Density Multiple Family Zone be read a second time. CARRIED.

1274 Isleifson-Berry
That the by-law be read a third and final time. CARRIED.

Councillor Rice and Councillor Loregio abstained from voting on the above motions due to their having been absent from the Chamber during the discussion.

In accordance with Section 137 of The Municipal Act, a recorded vote was taken on the motion to give By-law No. 7067 third reading.

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

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

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

It was noted that this by-law was read a first time at the August 19, 2013 meeting of City Council.

1275 Blight-Isleifson
That By-law No. 7072 (Z-06-13-B) to rezone a 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 second time. CARRIED.

1276 Blight-Isleifson
That third reading of By-law No. 7072 to rezone 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 held in abeyance pending the objectors to the by-law being given notice pursuant to Section 76(3)(a) of The Planning Act of their right to file a further objection, and pending the execution of a development agreement between the City of Brandon and the owner/successor attached to the report of the Community Planner dated October 4, 2013, pursuant to Section 150 of The Planning Act. CARRIED.

NO. 7077 TO REZONE 1920 PARK AVENUE FROM MR INDUSTRIAL RESTRICTED ZONE TO CG COMMERCIAL GENERAL ZONE

City Council considered a report from the Planning Department dated September 26, 2013 with respect to the above.

1277 LoRegio-Berry
That By-law No. 7077 (Z-12-13-B) to rezone property located at 1920 Park Avenue (Lots 1/14 and Pt. Lane, Block 34 and Lots 15/28, Block 35 and Pt. Southern Avenue, Plan 720 BLTO) from MR Industrial Restricted Zone to CG Commercial General Zone be read a first time. CARRIED.

GIVING OF NOTICE:

(A) RECONSIDERATION OF VOTE ON THE RE-DESIGNATION OF THE CITY-OWNED
PROPERTY AT 2105 BRANDON AVENUE

In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor Chaboyer gave notice of her intent to introduce the following motion with respect to the City owned property at 2105 Brandon Avenue at the meeting of City Council to be held November 4, 2013:

“That City Council reconsider the vote on Motion No. 1165 adopted at the meeting of City Council held July 8, 2013 with respect to the adoption of the Land Inventory Listing dated June 12, 2013 in order to re-designate the City owned property at 2105 Brandon Avenue from Fully Developed to that of Surplus Affordable Housing.”

ADJOURN:

Berry-Roberts

That the meeting do now adjourn. (10:29 p.m.). CARRIED.

MAYOR

CITY CLERK