

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,
JANUARY 6, 2014 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. LoRegio, Councillor S. Montague, Councillor G. Rice

ABSENT: Councillor C. Roberts

ADOPTION OF AGENDA:

1364 Harwood-Blight
That the Agenda for the Regular Meeting of City Council to be held on Monday, January 6, 2014 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

1365 Isleifson-Rice
That the Minutes of the Regular Meeting of City Council held Monday, December 16, 2013 be taken as read, all statutory requirements having been fulfilled. CARRIED.

Councillor LoRegio abstained from voting on the above motion as he was absent from the meeting.

1366 Rice-Chaboyer
That the Minutes of the Special Meeting of City Council held Friday, December 20, 2013 be taken as read, all statutory requirements having been fulfilled. CARRIED.

Councillors Rice and LoRegio abstained from voting on the above motion as both were absent from the meeting.

HEARING OF DELEGATIONS:

(A) BRIAN BARNES - SALE OF 2105 BRANDON AVENUE

Brian Barnes of Source for Sports, appeared before City Council regarding the future of City-owned land at 2105 Brandon Avenue and his interest as the adjacent property owner to purchase a small portion of that land. Mr. Barnes noted that his business, Brandon Source For Sports, had been located at its current location since 2003 and that he was interested in purchasing approximately 60 feet of the land on the east side of the noted parcel of land in order to expand the existing building.

1367 Harwood-Berry
That the presentation by Brian Barnes with respect to the sale of 2105 Brandon Avenue be received. CARRIED.

PUBLIC HEARINGS:

(A) BY-LAW NO. 7073 - TO REZONE 1640 SYCAMORE DRIVE AND 21 WILLOWCREST AVENUE FROM CAR COMMERCIAL ARTERIAL ZONE TO RHD RESIDENTIAL HIGH DENSITY MULTIPLE FAMILY ZONE

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

Dean Esler appeared in opposition to the rezoning on behalf of his mother, Marlene Esler who was a resident of the trailer park. He stated that his concern with the proposed redevelopment was the displacement of the current residents of the trailer park.

Andrew Mok, Community Planner clarified questions regarding the legal non-conformance use of the property as a trailer park.

Matt Dickinson appeared in opposition to the rezoning. He noted that there was a cause and effect between the pending eviction and rezoning, and stated that the proposed redevelopment would have a financial impact on all residents of the trailer court.

Candace Sparks spoke in opposition to the application noting that the high density of the proposed development would create parking concerns and increased traffic in the area.

Sherry Dickinson appeared in opposition to the rezoning. She stated that area residents were concerned with relocating and the affordable housing options available if the rezoning application was approved.

Don Affleck, a concerned citizen, spoke in opposition to the rezoning. He stated that the 40+ low income housing units that would be lost as part of the proposed development would not be replaced in Brandon. He noted that the availability of affordable housing was a concern.

Colleen Weisbrodt appeared in opposition to the application and submitted a petition containing 1,186 signatures opposing the rezoning and redevelopment of Kingsway Trailer Court. She stated that the rezoning would directly impact those individuals or families residing there whereby all occupied homes presently located there would have to be relocated or vacated/abandoned if deemed too old or unable to be moved.

Lisa Halter spoke in opposition to the rezoning application. Ms. Halter stated that residents of the trailer park were interested in purchasing the land in order to keep the trailer court open.

Clayton Halter, resident of Kingsway Kort, requested clarification on the date of rezoning application, the process for expropriation of land by the City of Brandon, and what affect a pending legal case might have on the rezoning application.

The City Clerk advised that details of the expropriation process were set out in The Municipal Act.

Mr. Mok confirmed that the date of the application was July 18, 2013 and that the rules in processing applications were the same whether the applicant was a corporation or an individual person.

Dale Truax, a resident of Kingsway Kort appeared in opposition to the application. He stated that by allowing the rezoning, a precedent would be set for any large corporation to come into the City of Brandon and could be seen as an insult to local developers.

Elizabeth Bhugwandeem, a resident of Kingsway Kort spoke in opposition to the rezoning. She also submitted a written presentation on behalf of her husband, Haris Bhugwandeem.

Steve McMillan, representing VBJ Developments Ltd. enquired what the infrastructure capacity was for the area and what the impact of 400+ units would have on other developments in the area.

Daniel Burns, Burns Maendel Consulting Engineers Ltd. appeared on behalf of the applicant and spoke in favour of the application. Mr. Burns reviewed the proposed project's technical aspects and phasing, noting the applicant had respected the re-zoning process and that a residential high-density development was well-suited and a good fit for the area.

Aaron Dubois, representing the applicant also appeared in favor of the rezoning application and reiterated that Kingsway Trailer Court would be closing, and that a contingency plan was in place if the rezoning application was rejected.

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

Isleifson-Montague

1370 That the Public Hearing regarding By-law No. 7073 to rezone 1640 Sycamore Drive and 21 Willowcrest Avenue (Parcel A, Plan 1592 BLTO, Parcels 1/2, Plan 1287 BLTO, Parcels A/B, Plan 1269 BLTO & Parcels A/B, Plan 1547 BLTO) from CAR Commercial Arterial Zone to RHD Residential High Density Multiple Family Zone be concluded. CARRIED.

COMMUNITY QUESTION PERIOD:

ORVAL HENDERSON - CITY COUNCIL'S APPROACH TO SURPLUS LAND AND AFFORDABLE HOUSING

Mr. Orval Henderson enquired why, with the shortage of affordable housing in the City of Brandon, City Council was hesitant to dedicate the property located at 2105 Brandon Avenue for affordable housing.

Her Worship the Mayor thanked Mr. Henderson for coming forward and advised that his question would be answered later in the meeting when the issue of amendments to the 2013 Land Inventory Listing were debated.

COMMITTEE REPORTS:

Nil

ENQUIRIES:

(506) PROCESS FOR BRANDON SCHOOL DIVISION (BSD) 2014 BUDGET AND HISTORY OF ANNUAL TAX INCREASE IMPOSED BY THE BSD

Councillor Blight noted that the City's budget deliberations were to take place on January 10 and 11, 2014 and enquired as to the status of the Brandon School Division's 2014 budget process. He enquired how the amount of the annual tax increases imposed by the BSD compared with those imposed by the City over the last 4 years.

At the request of Her Worship the Mayor, the City Manager responded that the preliminary budget was to be presented to the BSD Board on January 20, 2014; public consultations scheduled for February 12; deliberations February 18; public presentations March 3; and the final 2014-2015 Budget was expected to be passed on March 10, 2014. He provided the following comparisons of percentage increases: 2011 - BSD 5.4%, Municipal 2.39%; 2012 - BSD 5.5%, Municipal 4.9%; and 2013 - BSD 7.8%, Municipal 0.97%.

(507) RIDERSHIP NUMBERS ON BRANDON TRANSIT FOR NEW YEAR'S DAY

Councillor Berry requested an update on the number of Brandon Transit riders on New Year's Day, broken down by the hour.

At the request of Her Worship the Mayor, the City Manager responded that there were a total of 207 riders between the hours of 8:00 a.m. and 8:00 p.m. on January 1, 2014. He advised that he had provided City Council with a total breakdown by route and from that, summarized that Routes 1, 3 and 21 were used the most throughout the day, with the peak usage being between 12:00 p.m. and 5:00 p.m.

(508) 2013 BUDGET FOR SNOW REMOVAL

Councillor Rice requested an update on the status of the 2013 budget for snow removal.

At the request of Her Worship the Mayor, the City Manager responded that with the majority of the costs accounted for, the streets and roads snow removal came in over budget by approximately \$186,000, however, same could be absorbed by the city's overall budget without the need to access the reserves.

(509) WATER MAIN BREAKS THIS WINTER

Councillor Rice requested an update on the number of water main breaks so far this winter and also the number of homes with taps left running to avoid frozen water lines.

At the request of Her Worship the Mayor, the City Manager responded that 7 water mains had been repaired to date, 40 homes were currently running taps to avoid freeze-up and the Meter Department had thawed one location where service had frozen on the city's side of the property.

(510) CITY OF BRANDON'S EMERGENCY PLAN IN EVENT OF AN ICE STORM OR WIDE-SPREAD POWER OUTAGE

Councillor Chaboyer enquired if information could be provided on the City of Brandon's Emergency Plan in the event of an ice storm or wide-spread power outage.

At the request of Her Worship the Mayor, the City Manager responded that a presentation on this issue would be provided to City Council by the Director of Risk and Emergency Management in the very near future.

ANNOUNCEMENTS:

PUBLIC INPUT ON THE 2014 CITY OF BRANDON BUDGET

Councillor Rice announced that there was still time for the public input on the 2014 City of Brandon budget and encouraged residents to contact their local Councillors or the Mayor with comments or concerns.

RICHMOND WARD MEETING - JANUARY 8, 2014

Councillor Montague announced that a Richmond Ward meeting would take place on January 8, 2014 in the Lecture Theatre of Crocus Plains Regional Secondary School at 7:00 p.m. where the proposed 2014 City of Brandon budget would be discussed.

WESTMAN AND AREA TRADITIONAL CHRISTMAS DINNER

Councillor LoRegio announced that he had been pleased to represent City Council at the annual Westman and Area Traditional Christmas Dinner and thanked the many volunteers for all their hard work in making this special event possible.

GENERAL BUSINESS:

(A) PROPOSED AMENDMENTS TO 2013 LAND INVENTORY LISTING

Considered were two reports from Property Administration dated December 4, 2013 and a report from the City Clerk dated December 30, 2013 with respect to the above.

1371 Harwood-Fawcett
That the complete Land Inventory Listing dated June 12, 2013 and attached to the report of the Property Administrator dated June 24, 2013 be adopted. CARRIED AS AMENDED.

AMENDMENT

1372 Chaboyer-LoRegio
That the above main motion be amended by adding prior to the word: "adopted", the following words: "be amended by reclassifying 2105 Brandon Avenue from Civic Lands-Fully Developed to Surplus Lands-Affordable Housing and so." CARRIED.

AMENDMENT

1373 Harwood-Berry
That the above main motion be further amended by adding the following thereto prior to the words" and so":

"and further:

- 635 Lorne Avenue from Surplus Lands-Affordable Housing to Civic Lands-Reserved;
 - 705 Lorne Avenue from Civic Lands-Fully Developed to Surplus Lands-Affordable Housing;
 - 709 Lorne Avenue from Civic Lands-Fully Developed to Surplus Lands-Affordable Housing;
 - 244 - 7th Street from Civic Lands-Reserve to Surplus Lands-Affordable Housing; and
 - 2600 Pacific Avenue from Surplus Lands-Affordable Housing to Civic Lands-Fully Developed."
- CARRIED.

1374 LoRegio-Montague
That Administration proceed to make application to subdivide for sale proportionately to adjacent property owners the east 18.29 metres (60 feet) of 2105 Brandon Avenue. CARRIED.

BY-LAWS:

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

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

1375 Montague-LoRegio
That By-law No. 7077 to rezone 1920 Park Avenue (Lots 1/14 & Pt. Lane, Block 34 & Lots 15/28, Block 35 & Pt. Southern Ave., Plan 720 BLTO) from MR Industrial Restricted Zone to CG Commercial General Zone be read a second time. CARRIED.

1376 LoRegio-Montague
That third reading of the by-law be held in abeyance pending the objectors to the by-law being given notice 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 December 16, 2013. CARRIED.

NO. 7084 TO AMEND PLANNING COMMISSION BY-LAW NO. 6843 TO ALTER THE START TIME OF REGULAR MEETINGS

It was noted that this by-law received first reading at the December 16, 2013 meeting of City Council.

1377 Harwood-Berry
That By-law No. 7084 to amend Planning Commission By-law No. 6834 to alter the start time of regular meetings to 7:00 p.m. be read a second time. CARRIED.

1378 Harwood-Berry
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. 7084 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 LoRegio	
Councillor Rice	

GIVING OF NOTICE:

Nil

ADJOURN:

Chaboyer-Berry
That the meeting do now adjourn. (11:22 p.m.) CARRIED.

MAYOR

CITY CLERK