

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,
JANUARY 19, 2015 AT 7:00 PM IN THE COUNCIL CHAMBER, CIVIC
ADMINISTRATION BUILDING, BRANDON, MANITOBA**

PRESENT: Mayor Rick Chrest, Councillor Shawn Berry, Councillor Jan Chaboyer, Councillor Barry Cullen, Councillor Kris Desjarlais, Councillor Jeff Fawcett, Councillor Jeff Harwood, Councillor John LoRegio, Councillor Lonnie Patterson

ABSENT: Councillor Ron W. Brown, Councillor Vanessa Hamilton

ADOPTION OF AGENDA:

LoRegio-Cullen

108 That the Agenda for the Regular Meeting of City Council to be held on Monday, January 19, 2015 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Harwood-Berry

109 That the Minutes of the Regular Meeting of City Council held Monday, January 5, 2015 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

Chaboyer-Patterson

110 That the Minutes of the Special Meeting of City Council held on Saturday, January 10, 2015 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

**(A) RICK WELLS, WINNIPEG HABITAT FOR HUMANITY - APPLICATION FOR
SUBDIVISION ON FRANKLIN AND PERCY STREETS**

Mr. Rick Wells appeared before City Council on behalf of Winnipeg Habitat for Humanity Inc. with respect to Habitat's application to subdivide and develop a number of lots in the 700 Blocks of Franklin and Percy Streets. Mr. Wells noted that the plan would see 19 residential units developed in the area via its "sweat equity" home ownership model for families in need of assistance.

Harwood-LoRegio

111 That the presentation by Rick Wells with respect to the Winnipeg Habitat for Humanity application for subdivision of the 700 Blocks of Franklin and Percy Streets be received. CARRIED.

PUBLIC HEARINGS:

**(A) VARIANCE APPLICATION - 659 FRANKLIN STREET (KEHLER/6369945
MANITOBA LTD.)**

City Council sat to hear representation on the appeal of the Planning Commission's decision to reject the variance application of Jarett Kehler on behalf of 6369945 Manitoba Ltd. for 659 Franklin Street.

Jarret Kehler, one of the partners in the proposed housing project, appeared in support of the application. He noted that at issue, was the requested dual access from both the front street and the rear lane, which was not inconsistent with other areas of the city. He also stated that the site design provided for street and pedestrian safety.

Chad Martin, a developer, appeared in support of the application. He stated that the opportunity for rear lane and front street access was a needed tool for infill development.

Jeff Hood appeared in support of the application. He stated that the ability to park in a garage that was warm and safe was highly desirable in the community.

Waleed Albakry, Community Planner provided City Council with additional information on the application and background on the decision by the Planning Commission to reject the variance.

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

Chaboyer-LoRegio

112 That the Public Hearing for Variance Application V-24-14-B for 659 Franklin Street be concluded. CARRIED.

Chaboyer-LoRegio

113 That Variance Application V-24-14-B to increase the maximum allowed dwelling units from three (3) to four (4) at 659 Franklin Street (Lots 18 to 20, Block 10, Plan 9 BLTO), and to allow front and rear access for a site that abuts a public lane be approved in accordance with the intent of the application "Schedule A-1", the attached letter of intent "Schedule A-3 & A-4", and the attached site plan "Schedule B-2" and elevation plans "Schedule B-3". CARRIED AS AMENDED.

114 AMENDMENT

Chaboyer-LoRegio

That the above motion be amended by adding the following: "subject to the owner or successor:

- a. entering into a development agreement with the City of Brandon as attached to the report by the Community Planner dated December 29, 2014;
- b. prior to the issuance of a building permit, submitting \$302.67 to the City of Brandon Planning & Building Safety Department as a cash-in lieu contribution for public reserve purposes; and
- c. prior to the issuance of a building permit, submitting written confirmation to the City of Brandon Planning & Building Safety Department that the Brandon School Division has received \$ 283.50 as a cash-in lieu contribution for school purposes." CARRIED.

COMMUNITY QUESTION PERIOD:

Nil

COMMITTEE REPORTS:

(A) POVERTY COMMITTEE

JANUARY 13, 2015

January 13, 2015
Brandon, Manitoba

Mayor and Councillors
City of Brandon

Committee Members: Councillor Jan Chaboyer (Co-Chairperson); Councillor Lonnie Patterson (Co-Chairperson); Councillor Vanessa Hamilton; Mark Kovatch; Susan Spring; Erin May; Nathan Peto, on behalf of the City Manager, Danniele Carriere as Recording Secretary.

Your Poverty Committee, at its meeting held this 13th day of January, 2015 begs leave to report as follows and submits recommendations where deemed necessary and expedient:

TERMS OF OFFICE – POVERTY COMMITTEE

Upon review, the Poverty Committee felt it would be better served by the membership in carrying out its duties and functions by extending the appointments to a two year term, instead of one (with the exception of the members of Council). City Council referred this matter back to the Poverty Committee for consideration of staggered citizen appointments whereby the Committee agreed that same would provide some continuity from one year to the next.

RECOMMENDATION:

That the terms of office for the citizen appointments to the Poverty Committee be extended to two (2) years, with staggered expiry dates whereby the term of office for citizen member Susan Spring shall expire December 31, 2015, and the terms of office for citizen members Mark Kovatch and Erin May shall expire December 31, 2016.

Respectfully submitted,

Councillor Jan Chaboyer,
Co-Chairperson, Poverty Committee

Chaboyer-Patterson

114 That the report of the Poverty Committee dated January 13, 2015 be received. CARRIED.

Chaboyer-Cullen

115 That the terms of office for the citizen appointments to the Poverty Committee be extended to two (2) years, with staggered expiry dates whereby the term of office for citizen member Susan Spring shall expire December 31, 2015, and the terms of office for citizen members Mark Kovatch and Erin May shall expire December 31, 2016. CARRIED.

ENQUIRIES:

(22) SNOW CLEARING OF SIDEWALKS IN VICINITY OF MEADOWS SCHOOL

Councillor Berry advised that the sidewalk on the west side of 22nd Street from Richmond Avenue to Meadows School was snow packed, making it difficult for children walking to school. He enquired if this area could be cleared as part of the regular snow clearing efforts.

At the request of His Worship the Mayor, the City Manager responded that this section was on the list of sidewalks to be cleared as a priority route. He confirmed that going forward, the section of sidewalk from Meadows School north to Brandon Avenue would be cleared on a regular basis.

(23) ACCOMMODATION TAX FUNDING FOLLOW-UP

Councillor Berry enquired if the required room nights had been achieved to allow the Pee wee Hockey Tournament and the Rogers Hometown Hockey Event to receive the full amount requested from the Accommodation Tax Fund.

At the request of His Worship the Mayor, the City Manager responded that the Pee wee Hockey Tournament had not generated the necessary hotel room nights and as such, had received a reduced grant amount; however, the Hometown Hockey Event had exceeded the projected room nights and had received the full grant amount.

The City Manager advised that a full report on the 2014 Accommodation Tax Grants would be provided to City Council in the near future and on a regular basis going forward.

(24) POSTED SPEED LIMITS ON VICTORIA AVENUE BETWEEN 38TH AND 50TH STREETS

Councillor Cullen referred to the section of Victoria Avenue between 38th and 50th Streets and noted that the speed limit increased from 50 km/h to 70 km/h immediately before a crosswalk and enquired if the Province of Manitoba could be requested to extend the reduced speed limit to 50th Street. He also noted that traffic was coming to a halt waiting for vehicles to turn left onto 38th Street off Victoria Avenue and enquired if the installation of a passing lane in that area could be considered.

At the request of His Worship the Mayor, the City Manager responded that Manitoba Infrastructure and Transportation was unlikely to support a speed reduction in the area at this time, however increased signage and increased enforcement by Brandon Police Service in the area should alleviate the problem. With respect to the installation of a passing lane, the City Manager responded that the construction of same was cost prohibitive and had been deemed unwarranted at this time. The City Manager agreed to follow up with both the City of Brandon Engineering Department and Manitoba Infrastructure and Transportation as to possible solutions to both these issues.

(25) BUDGETING FOR FUNDING REQUIREMENTS OF KEYSTONE CENTRE

Councillor Cullen requested an update on the City of Brandon's partnership agreement for funding to the Keystone Centre.

At the request of His Worship the Mayor, the City Manager responded that the City of Brandon currently supported the Keystone Centre by means of an annual operating grant, a debt reduction grant, a property tax reinvestment arrangement, and through four separate debentures for capital improvement projects at an estimated 2015 dollar value of \$1,346,147. He noted that this item would be discussed at the upcoming City Council Strategic Planning Session.

His Worship the Mayor reiterated the City Manager's comments with respect to the upcoming Strategic Planning Session and agreed that a full discussion on the Keystone Centre and funding requirements of same would take place at that time.

(26) **STATUS OF DISASTER FINANCIAL ASSISTANCE (DFA) CLAIMS FROM JULY 2014 STORM**

Councillor Chaboyer requested an update on the status of the Disaster Financial Assistance (DFA) Claims with respect to the July 2014 severe rainstorm.

At the request of His Worship the Mayor, the City Manager responded that the City of Brandon had submitted a Community Impact Assessment to the Manitoba Emergency Measures Organization (EMO) on July 16, 2014 which included the Assiniboine River flood threat in April/May of 2014 and the rain and wind storms of June/July. He advised that to date, only the June 27-30 rain event had been included in the DFA Program. The City Manager advised that negotiations were ongoing between the Provincial and Federal Governments to have the July 5, 2014 rain event included with the other events of Spring/Summer 2014, however until such time as an agreement was reached, the clean-up costs from that event were not eligible for compensation.

His Worship the Mayor advised that he continued to discuss this issue with both Provincial and Federal Government representatives and would once again bring this issue to the forefront in an upcoming meeting with the Federal Member of Parliament, Mr. Larry Maguire.

(27) **PLACEMENT OF BENCHES AT BUS STOPS**

Councillor Desjarlais advised that he had received complaints from residents with respect to the number of bus stops without benches throughout the City of Brandon and requested an update on same.

At the request of His Worship the Mayor, the City Manager responded that Cardinal Signs had been contracted to install and maintain a minimum of 150 transit benches throughout the City of Brandon. He advised that in accordance with that contract, the locations of the benches were determined by mutual consent of both Brandon Transit and Cardinal Signs. The City Manager also advised that while there was no limit on the maximum number of benches, there were limiting factors that may prevent the installation of benches at some locations. He encouraged residents who would like to request a bench be installed at a bus stop to contact Brandon Transit at (204) 729-2279. The City Manager advised that all requests were evaluated and if warranted, benches installed.

Councillor Desjarlais enquired as to the number of bus stops within the City of Brandon and how many currently had benches.

At the request of His Worship the Mayor, the City Manager agreed to follow-up on this matter and respond back to Councillor Desjarlais as soon as possible.

ANNOUNCEMENTS:

60TH ANNIVERSARY OF GEORGE FITTON SCHOOL AND GRAND OPENING OF NEW GYMNASIUM

Councillor Harwood announced that he had been pleased to represent City Council at the 60th Anniversary Celebrations and grand opening of the new gymnasium at George Fitton School on January 15, 2015. He advised that Councillor Patterson had also attended the event. Councillor Patterson thanked the students for the hand-written invitation she had received and stated that she was pleased to see this new facility in her neighbourhood.

JOINT WARD MEETING - VICTORIA, UNIVERSITY, MEADOWS-WAVERLY AND LINDEN LANES WARDS

Councillor Berry announced that a joint Victoria, University, Meadows-Waverly and Linden Lanes Ward Meeting would take place on Wednesday, February 4, 2015 at 7:00 p.m. at Westridge Community Centre. He advised that items to be discussed would include the 2015 Budget, infrastructure projects, and any other city or ward issues.

TOUR OF WASTE WATER TREATMENT FACILITY

Councillor Cullen announced that he, Councillor Harwood and Councillor Patterson had recently toured the Waste Water Treatment Facility and noted that the citizens of Brandon were very lucky to have the state-of-the-art facility in the community.

REMOVAL OF WINDROWS BETWEEN PARKING METERS IN DOWNTOWN

Councillor Cullen announced that the windrows had been removed between the parking meters in the downtown area and thanked city staff for having completed this important task.

COMMUNITY COUNT - HOUSING FIRST READINESS PROJECT

Councillor Desjarlais announced that Brandon's first "Point in Time" count would be conducted by volunteers from the Brandon Neighbourhood Renewal Corporation on January 21, 2015. He explained that the results of the five-minute survey regarding participant's housing situation was expected to provide a clearer picture of the homelessness situation in the City of Brandon as well as provide direction for the Housing First Readiness Project.

12TH ANNUAL LIEUTENANT GOVERNOR'S WINTER FESTIVAL

His Worship Mayor Chrest announced that the 12th Annual Lieutenant Governor's Winter Festival would take place January 29-31, 2015 at various locations throughout the city and invited everyone to come out and enjoy the celebrations.

GENERAL BUSINESS:

(A) ACCOMMODATION TAX EVENT FUNDING REQUEST - MANITOBA AG DAYS

City Council considered a report from the Director of Economic Development dated December 1, 2014 with respect to the above.

Desjarlais-Harwood

- 116 That a grant of \$46,875 to Manitoba Ag Days Inc. to host Manitoba Ag Days, January 20 – 22, 2015 in Brandon be approved, with said funds to be transferred from the Accommodation Tax Reserve to the Tourism Initiatives operating account. CARRIED.

(B) AMENDING DEVELOPMENT AGREEMENT - WINNIPEG HABITAT FOR HUMANITY INC. (BLOCKS 22/24, PLAN 9 BLTO)

Submitted for consideration was a report from the Manager of Property Administration dated November 26, 2014 with respect to the above.

Chaboyer-LoRegio

- 117 That the City of Brandon enter into an Amending Development Agreement with Winnipeg Habitat for Humanity Inc. to amend the original Development Agreement dated September 12, 2001 made between the City of Brandon and Habitat for Humanity Brandon Inc. with respect to Blocks 22/24, Plan 9 BLTO to approve the sale of one (1) additional lot (50' x 120'), subject to no further sales of their remaining 575' of land to other builders for profit. CARRIED.

(C) APPLICATION TO SUBDIVIDE - 700 BLOCK OF FRANKLIN AND PERCY STREETS (WINNIPEG HABITAT FOR HUMANITY)

Considered was a report from Planning & Building Services dated November 25, 2014 with respect to the above.

Chaboyer-LoRegio

- 118 That the application to subdivide 718, 726, 730, 734, 738, 721, 725 and 729 Franklin Street, and 735 and 753 Percy Street (Lots 21/32, Block 22, Plan 9 BLTO, Lots 11/17, Block 23, Plan 9 BLTO and Lots 15/18, Block 24, Plan 9 BLTO) to create nineteen (19) lots in the RMD Residential Moderate Density Multiple Family Zone be approved subject to:

1. the owner or successor
 - a. entering into an amended development agreement with the City of Brandon as attached to the report by the Community Planner dated November 25, 2014, and registering the development agreement in series immediately following registration of the subdivision;
 - b. submitting to the City of Brandon Planning & Building Safety Department \$2,864.11 as a cash-in lieu contribution for public reserve purposes;
 - c. submitting to the City of Brandon Planning & Building Safety Department written confirmation that the Brandon School Division has received \$5,386.50 as a cash-in lieu contribution for school purposes; and

- d. submitting to the City of Brandon Planning & Building Safety Department written confirmation that arrangements have been made for a joint use easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro and MTS Inc., and registering the easement agreement along with the easement plan, if required, in series immediately following registration of the subdivision. CARRIED.

(D) APPLICATION TO SUBDIVIDE 2110 - 49TH STREET EAST (ELDER/DONALD)

City Council considered a report from Planning & Building Safety dated December 29, 2014 with respect to the above.

Chaboyer-Desjarlais

- 119 That the application to subdivide 2110 - 49th Street East (Lot 3, Block 2, and Plan 2147) to create four (4) lots in the MH Industrial Heavy Zone and OS Open Space Zone be approved, subject to the owner or successor submitting written confirmation to the City of Brandon Planning & Building Safety Department that an application for Manitoba's Pit & Quarry Rehabilitation Program has been applied for. CARRIED.

BY-LAWS:

- NO. 7103 TO REZONE PROPERTY LOCATED AT 2010 AND 2110 - 49TH STREET EAST FROM DR DEVELOPMENT RESERVE ZONE AND MG INDUSTRIAL GENERAL ZONE TO MH INDUSTRIAL HEAVY ZONE AND OS OPEN SPACE ZONE

It was noted that this by-law had received first reading at the November 17, 2014 meeting of City Council.

Chaboyer-Harwood

- 120 That By-law No. 7103 to rezone 2010 - 49th Street East (Lot 2, Block 2, Plan 2147) from MG Industrial General Zone to MH Industrial Heavy Zone and OS Open Space Zone and 2110 - 49th Street East (Lot 3, Block 2, Plan 2147) from DR Development Reserve Zone to MH Industrial Heavy Zone, respectively, be read a second time. CARRIED.

Chaboyer-Harwood

- 121 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. 7103 third reading.

FOR

Mayor Rick Chrest
Councillor Shawn Berry
Councillor Jan Chaboyer
Councillor Barry Cullen
Councillor Kris Desjarlais
Councillor Jeff Fawcett
Councillor Jeff Harwood
Councillor John LoRegio
Councillor Lonnie Patterson

AGAINST

Nil

NO. 7107 TO CLOSE AND CONVEY THE PUBLIC WALKWAY IN PLAN 1608 & 1913 BLTO LOCATED WEST OF CORNWALLIS CRESCENT AND BETWEEN BALMORAL BAY AND MCLEOD DRIVE

Submitted for consideration was a report from Property Administration dated January 12, 2015 with respect to the above.

122 Berry-LoRegio
That By-law No. 7107 to close and convey the Public Lane in Plans 1609 & 1913 BLTO to adjacent property owners be read a first time. CARRIED.

NO. 7108 TO OPEN 18 - 19TH STREET NORTH (LOT 46, BLOCK 7, PLAN 15) AS A PUBLIC LANE

Considered was a report from Property Administration dated December 8, 2014 with respect to the above.

123 Desjarlais-Harwood
That By-law No. 7108 to open 18 – 19th Street North (Lot 46, Block 7, Plan 15 BLTO) as a public lane be read a first time. CARRIED.

NO. 7112 TO REZONE THE PROPERTY LOCATED AT 1901 & 1955 - 34TH STREET FROM AG AGRICULTURAL GENERAL ZONE TO RSF RESIDENTIAL SINGLE FAMILY ZONE

City Council considered a report from Planning & Building Safety dated January 4, 2015 with respect to the above.

124 Berry-Desjarlais
That By-law No. 7112 to rezone the property located at 1901 & 1955 - 34th Street (Pt. SW ¼ 10-10-19 WPM) from AG Agricultural General Zone to RSF Residential Single Family Zone be read a first time. CARRIED.

GIVING OF NOTICE:

(A) ESTABLISH COMMITTEE TO REVIEW ACCOMMODATION TAX BY-LAW

In accordance with Rule 60 of City Council Procedure By-law No. 6634, Councillor Patterson gave notice of her intent to introduce at the February 2, 2015 meeting of City Council a motion to establish an ad-hoc committee to review the Accommodation Tax By-law prior to June, 2015.

ADJOURN:

Cullen-Berry
That the meeting do now adjourn. (9:31 p.m.) CARRIED.

MAYOR

CITY CLERK