

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON TUESDAY, SEPTEMBER 3, 2019
AT 7:00 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING, BRANDON,
MANITOBA**

PRESENT: Mayor Rick Chrest In The Chair, Councillor Shawn Berry, Councillor Ron W. Brown, Councillor Shaun Cameron, Councillor Jan Chaboyer, Councillor Barry Cullen, Councillor Kris Desjarlais, Councillor Jeff Fawcett, Councillor John LoRegio, Councillor Bruce Luebke, Councillor Glen Parker

ABSENT: Nil

ADOPTION OF AGENDA:

Luebke-Chaboyer

359 That the Agenda for the Regular Meeting of City Council to be held Tuesday, September 3, 2019 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Cameron-Cullen

360 That the Minutes of the Regular Meeting of City Council held on Monday, August 12, 2019 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF PRESENTATIONS:

Nil

COMMUNITY COMMENTS/FEEDBACK:

Nil

HEARING OF DELEGATIONS:

Nil

PUBLIC HEARINGS:

(A) NEW DEVELOPMENT CONCEPT FOR 1640 SYCAMORE DRIVE

Ryan Nickel, Chief Planner provided an overview of the proposed development plan for 1640 Sycamore Drive. Mr. Nickel gave a synopsis of the proposed changes to the original concept plan which included site, landscape and servicing plan, drainage and elevation.

Mr. Nickel explained that if the concept plan is approved, then it would require the developer entering into a development agreement with the City. Mr. Nickel confirmed the proposal met City of Brandon development and zoning requirements.

Rachel Ricard and Kris Mailman, representatives of the developer Seymour Pacific Developments, provided a presentation to City Council providing an overview of their corporation, and reviewing the reasons for changes to the concept plan and request for a new development agreement. Ms. Ricard provided additional details regarding the development site plan, amenities, parking, fencing and green space which would be a good fit with the surrounding area.

Dennis Bercier, 6 Birchwood Drive, presented his concerns to City Council regarding drainage, increased traffic volume, buffer zone on the east side, and construction traffic.

Linda Meyer, 2 Birchwood Drive, presented her concerns to City Council regarding on-street parking, increased pedestrian traffic on proposed sidewalk, light pollution, and notification to residents of public hearing to examine the proposal.

Jeanette Wilson, 80 Aspen Drive, presented her concerns to City Council regarding safety concerns with the increase in traffic and not having a designated spot for school bus drop off and pick up.

Marilyn Roe, 23 White Ash Drive, presented her concerns to City Council regarding the increased number of children waiting without a designated school bus stop area, inquired into a crosswalk being put into the area, and access to pathways.

Brenda McLeod, 29 Birchwood Drive, presented her concerns to City Council regarding increased traffic and parked vehicles. Ms. McLeod inquired into parking spots being included in the rental costs.

Steve McMillan, VBJ Developments, presented his concerns to City Council regarding the length of the sidewalk, west access point, and drainage.

Parker-Brown

361 That the Public Hearing with respect to the proposed new development concept for 1640 Sycamore Drive (Parcel A, Plan 1547 BLTO) be concluded. CARRIED.

COMMUNICATIONS & PETITIONS:

Nil

COMMITTEE REPORTS:

Nil

ENQUIRIES:

(57) PAVING IN FRONT OF WAVERLY SCHOOL

Councillor LoRegio referred to the milling and paving work currently taking place on Park Avenue in front of Waverly School and enquired why same was not completed prior to school starting back in September.

At the request of His Worship the Mayor, the City Manager responded that the processing of the asphalt materials had been delayed. He confirmed that the staff planned to coordinate with the Brandon School Division to ensure that the work was completed during Professional Development Days when school was not in session.

(58) COUNCIL STRATEGIC PLAN

Councillor Luebke requested an update on the status of the final report from the Strategic Planning Session held in April 2019.

At the request of His Worship the Mayor, the City Manager responded that the Strategic Planning report had been received and would be reviewed by City Council at a meeting scheduled for late September 2019. He confirmed that the report included the following six strategic directions agreed upon at the session: create a community-wide economic strategy, develop a long-term recreation capital and operations program, create a long-term infrastructure replacement and maintenance program based on an asset management strategy, continue with downtown improvements based on the Downtown Enhancement Program, improve community-wide responsiveness to social challenges and generate a financial sustainability model.

(59) REVIEW OF THE KINSMEN POOL

Councillor Parker enquired if a comprehensive report on the Kinsmen Pool could be provided. He requested that the overall condition of the pool, estimated operating costs as well as usage and water cost comparisons over a 3-year period be included in the report.

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

(60) PEDESTRIAN CROSSING SIGNALIZATION

Councillor Cameron referred to recent discussions with respect to the installation of a rectangular rapid flashing beacon at the pedestrian corridor located on Victoria Avenue at McDiarmid Drive and enquired if a similar device could be considered between Lorne & Louise Avenues on 18th Street.

At the request of His Worship the Mayor, the City Manager responded that the McDiarmid Drive location was a pilot project being undertaken in partnership with Manitoba Infrastructure. He stated that should the project be successful, more locations throughout the City of Brandon would be considered. He agreed to take this matter under advisement.

ANNOUNCEMENTS:

INDIGENOUS AWARENESS & EDUCATION WEEK AND FLAG RAISING CEREMONY

Councillor Desjarlais announced that the week of September 30 to October 4, 2019 was being proclaimed Indigenous Awareness & Education Week in the City of Brandon. He advised that commemorative walks for Orange Shirt Day (September 30) and Sisters in Spirit (October 4) as well as other cultural awareness events and activities were planned.

Councillor Desjarlais further announced that the Treaty 2 Flag and the Metis Infinity Flag were being raised at a ceremony hosted by the Brandon Urban Aboriginal Peoples' Council to be held from 1:30 - 3:00 p.m. on October 1, 2019 in front of City Hall. He noted that the flags were being flown permanently in front of City Hall and invited everyone to come out and share in this ground-breaking event.

WELCOME BACK TO BRANDON UNIVERSITY AND ASSINIBOINE COMMUNITY COLLEGE STUDENTS

Councillor Fawcett welcomed new and returning students to Brandon University and Assiniboine Community College and wished them all the best in their studies.

His Worship Mayor Chrest reiterated Councillor Fawcett's welcome and noted that there were yellow Hello! signs located throughout the City of Brandon as part of the Brandon University and Assiniboine Community College's welcome campaign.

SCHOOL SPEED ZONES

His Worship Mayor Chrest welcomed all students in the Brandon School Division and reminded everyone that the school speed zones were in effect as of September 1, 2019 with the speed limit being 30 km/h in these posted zones.

GENERAL BUSINESS:

(A) NEW DEVELOPMENT CONCEPT FOR 1640 SYCAMORE DRIVE

City Council considered a report from the Planning & Buildings Department dated August 15, 2019 with respect to the above.

Brown-Luebke

362 That the concept plan attached to the report of the Senior Planner dated August 15, 2019 be approved with respect to the development of 1640 Sycamore Drive;

and further, that the City of Brandon enter into a development agreement with Freedom Communities Inc. with the following conditions:

1. The Developer agrees the development should be consistent with the attached site plan in Schedule "B", for a maximum of 208 residential multiple dwelling units. An increase to the density of the development or a significant variation from the site plan will require the developer to obtain approval from City Council, who may request additional public input and/or require amendment to the agreement;
2. The Developer agrees to construct a sidewalk along the south side of Sycamore Drive;
3. The Developer agrees to enter into a Private Sewer and Water Agreement with the City of Brandon, for the servicing of the dwelling units located within the development. The agreement is to be executed by the property owner prior to the issuance of any development and/or building permits and shall be registered in series with the Plan of Subdivision;
4. The Developer agrees to enter into a Statutory Easement Agreement with the City of Brandon. Such easement will serve to protect the public infrastructure extending westerly of the Lands and a width of six (6) metres. This agreement is to be executed by the property owner and registered on the title of the Lands prior to the issuance of any development and/or building permits;

5. The Developer agrees to pay a contribution towards twelve (12) boulevard trees. The amount of payment for such trees will be due at the time of execution of this development agreement and based upon the City's tree contract pricing for the current year;
6. The Developer agrees, prior to issuance of any development and/or building permits, to contribute \$202.50/dwelling unit for 208 dwelling units to the Brandon School Division in lieu of land dedication totaling \$42,120.00;
7. The Developer agrees to contribute \$9,739.41 in lieu of land dedication for public reserve. Payment is due upon execution of the development agreement;
8. The Developer agrees to provide the City with a Detailed Cost Estimate for all work proposed to be completed within the City's right-of-way. The Detailed Cost Estimate is to be prepared by the Developer's Consulting Engineer and is submit to review and acceptance by the City Engineer; and
9. The Developer agrees to provide to the City a Letter of Credit in the amount of 15% of the total cost of the detailed cost estimate; the total of which must be approved by the City Engineer.

And further, that the City of Brandon, upon execution and registration of said new development agreement, discharge the development agreement dated February 20, 2014 from Certificate of Title No. 2889325/2. CARRIED.

(B) APPLICATION TO SUBDIVIDE – 1201 PACIFIC AVENUE

Submitted for consideration was a report from the Planning & Buildings Department dated August 22, 2019 with respect to the above.

Desjarlais-Chaboyer

363 That the application to subdivide 1201 Pacific Avenue (Lots 1 and 2, Plan 2224 BLTO) to create two (2) lots in the DMU-Downtown Mixed Use Zone be approved subject to:

- (1) the owner or successor of Lot 2 entering into a development agreement with the City of Brandon with the following conditions:
 1. The Developer agrees to design and construct a sidewalk for the length of the newly created lot 2 in the City right of way concurrently with the development permit process. Any curbing replacement to facilitate sidewalk construction is to be at the sole cost of the developer.

2. The Developer agrees that prior to the issuance of a development permit, the developer agrees to pay a contribution towards the removal of the boulevard trees within the Pacific Avenue right-of-way. The amount of payment for such trees will be due at the time of execution of this development agreement and based upon the City's tree contract pricing for the current year.
3. The Developer agrees to contribute \$921.50 in lieu of land dedication for public reserve. Payment is due upon execution of the development agreement.

(2) the owner or successor of Lot 3:

- a) entering into a development agreement with the City of Brandon with the following conditions:
 1. The Developer agrees that to design and construct a sidewalk for the length of the newly created lot 3 in the City right of way concurrently with the development permit process. Any curbing replacement to facilitate sidewalk construction is to be at the sole cost of the developer.
 2. The Developer agrees that prior to the issuance of a development permit the developer agrees to pay a contribution towards the removal of the boulevard trees within the Pacific Avenue right-of-way. The amount of payment for such trees will be due at the time of execution of this development agreement and based upon the City's tree contract pricing for the current year.
 3. The Developer agrees to contribute \$858.21 in lieu of land dedication for public reserve. Payment is due upon execution of the development agreement.
- b) entering into an easement agreement with the City of Brandon and registering the easement agreement in series with the plan of subdivision. CARRIED.

(C) INVESTING IN CANADA INFRASTRUCTURE PROGRAM

Considered was a report from the City Manager dated August 19, 2019 with respect to the above.

Luebke-Cameron

364 That the City of Brandon supports the applications for funding under the Investing in Canada Infrastructure Program (ICIP) for the prioritized listing of projects as outlined in the report of the City Manager dated August 26, 2019. CARRIED.

(D) TENDER – AIRPORT VEHICLE GARAGE AND OFFICE

Submitted for consideration was a report from the Transportation Services Department dated August 26, 2019 with respect to the above.

Fawcett-Chaboyer

365 That the bid from LCL Construction Ltd. for the construction of the Airport vehicle garage and office including alternates #1, #2 and #3, as per Tender and Specifications at a cost of \$2,067,850.00 (net of GST) be accepted. CARRIED.

(E) PROPOSAL – AUTOMATED FARE COLLECTION SYSTEM, ON BOARD ANNOUNCEMENT SYSTEM AND CAD/AVL SOFTWARE FOR TRANSIT SYSTEM

City Council considered a report from the Transportation Services Department dated August 26, 2019 with respect to the above.

Fawcett-Cameron

366 That the proposal from Trapeze Software ULC dba TripSpark Technologies for the supply and installation of a new automated fare collection system, on board announcement system and CAD/AVL software, as per proposal at a cost of \$915,780 (net of GST) be accepted. CARRIED.

BY-LAWS:

NO. 7243 TO AMEND BY-LAW NO. 7079 – NORTH BRANDON GATEWAY SECONDARY PLAN

Considered was a report from the Planning & Buildings Department dated August 21, 2019 with respect to the above.

Fawcett-Parker

367 That By-law No. 7243 to amend By-law No. 7079 to incorporate updates to the Brandon North Gateway Secondary Plan, be read a first time. CARRIED.

NO. 7251 TO AMEND BUSINESS LICENSING BY-LAW NO. 6009 – MASSAGE THERAPY BUSINESSES

It was noted that this by-law received first reading at the August 12, 2019 meeting of City Council.

Desjarlais-Chaboyer

368 That By-law No. 7251 to amend the Business Licensing By-law No. 6009/46/92 to clarify and update rules on massage therapists be read a second time. CARRIED.

Desjarlais-Chaboyer

369 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. 7251 third reading.

FOR

AGAINST

Mayor Rick Chrest

Nil

Councillor Shawn Berry

Councillor Ron W. Brown

Councillor Shaun Cameron

Councillor Jan Chaboyer

Councillor Barry Cullen

Councillor Kris Desjarlais

Councillor Jeff Fawcett

Councillor John LoRegio

Councillor Bruce Luebke

Councillor Glen Parker

NO. 7254 TO REZONE PART OF 1501 MORELAND AVENUE FROM DEVELOPMENT RESERVE TO RESIDENTIAL MOBILE/MODULAR HOME

Submitted for consideration was a report from the Planning & Building Department dated August 21, 2019 with respect to the above.

Fawcett-Parker

370 That By-law No. 7254 to rezone part of 1501 Moreland Avenue (Parcels 1/2, Plan 1694 BLTO) from Development Reserve (DR) to Residential Mobile/Modular Home (RMH) be read a first time. CARRIED.

GIVING OF NOTICE:

Nil

ADJOURN:

Berry-Chaboyer

That the meeting do now adjourn. (9:33 p.m.) CARRIED.

MAYOR

CITY CLERK