

REGULAR COUNCIL MEETING

TUESDAY, APRIL 18, 2017 AT 7:00 PM

COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING

AGENDA

**RECOMMENDATIONS**

**Please note that all recommendations contained in this agenda have been put forward by members of City Council or the Administration for City Council's consideration and debate.**

1. Roll Call
2. Adoption of Agenda
3. Presentations

(A) DANIELLE HUBBARD - NATIONAL POETRY MONTH

Ms. Hubbard will present a poetry reading in recognition of National Poetry Month.

4. Confirmation of Minutes

REGULAR

APRIL 3, 2017

- [Minutes - April 3, 2017.pdf](#)

5. Hearing of Delegations

(A) PAUL ZIESMANN AND DREW COLLINS, BRANDON ENVIRONMENTAL COMMITTEE - TEAM UP TO CLEAN UP

That the presentation by Paul Ziesmann and Drew Collins of the Brandon Environmental Committee with respect to the Team Up to Clean Up event, be received.

- [Delegation Request - Paul Ziesmann and Drew Collins, Environmental Committee - Team Up to Clean Up.pdf](#)

(B) HAMID MUMIN AND HOPE SWITZER - PUSH FOR CHANGE

That the presentation by Hamid Mumin and Hope Switzer with respect to the Push for Change event, be received.

- [Delegation Request - Hamid Mumin and Hope Switzer - Push for Change.pdf](#)

6. Public Hearings

(A) VARIATION APPLICATION - 1430 - 1ST STREET NORTH (LEE CHOY LTD.)

---

That the Public Hearing for Variance Application V-02-17-B at 1430 - 1st Street North be concluded.

That the Variance Application V-02-17-B to expand a non-conforming use in the CAR Commercial Arterial Zone at 1430 – 1st Street North (Lots A, Block 2, Plan 45700) be approved whereby such approval is granted in accordance with the intent of the application (Attachment A), the attached letter of intent (Attachment C) and the attached site plan (Attachment B), subject to the following condition(s):

- (a) That the agreement be specific to the site plan submitted for the construction of three (3) mobile home units and any variation of the plan may require the Developer to obtain approval from Brandon City Council who may request additional public input and amendment to the agreement.
- (b) That no permanent and/or accessory structures will be located or constructed on the site. Such structures will include, however not be limited too, sheds, garages and additions. Further, by execution of this development agreement, the owner or successor undertakes to disclose the aforementioned to all potential mobile homeowners prior to entering into any legal agreement in which would bind ownership and/or rental agreement. Should an application for a building permit for any type of structure be made to Development Services, such application would not be accepted nor issued to the applicant.
- (c) That all garbage pick-up for the development will be along Glen Avenue as the City of Brandon Sanitation Department will not enter the site as the site design does not meet the minimum standard for a cul-de-sac turnaround as per City of Brandon specifications. All residents of the development will be required to bring their garbage bins out to the approved location and remove the bins from the right-of-way on the designated garbage day for the development. Further, the developer will be required to install a “No Parking” sign along the south side of Glen Avenue approximately 30 feet west of the approach to accommodate for the locating of all garbage bins.
- (d) That by executing this development agreement, the owner or successor assumes all liability and risk should a fire or emergency arise within the development and emergency services is unable to access the site by way of the proposed access off Glen Avenue as per the General Operating Guideline (GOG 107.10 Tactical Guideline) in which states emergency vehicles should not be placed or operate in a back lane.
- (e) To construct barrier curb bordering the internal roadway as per the accepted for construction site plan. Such barrier curb is required as access onto the Manitoba Hydro utility right-of-way located at the southerly end of the internal roadway is strictly prohibited.

- (f) To design and construct the northerly approach proposed at Glen Avenue. Such work shall conform to the latest edition of the City of Brandon, Standard Construction Specifications, the work shall be completed by a bonded contractor with the City of Brandon and the work shall be at the sole cost of the owner or successor;
- (g) That should any hydro poles, light standards or trees located in the City boulevard be relocated or removed at the time of site servicing, the responsibility and cost of same will be solely borne by the developer and as such, all restoration to the City boulevard resulting from the work shall conform to the latest edition of the City of Brandon, Standard Construction Specifications.
- (h) That the approval of this variance is granted as a long-term temporary measure and as such, will expire 30 years from the date as executed on the Variance Order granting approval by the Planning Commission. Upon expiry of the variance, the use of mobile homes in the Commercial Arterial Zone will no longer be permitted under the Zoning By-Law and therefore, the owner or successor will be required to remove the three (3) mobile homes located upon 1430 – 1st Street. Further, by execution of this development agreement, the owner or successor undertakes to disclose the aforementioned to all potential mobile homeowners prior to entering into any legal agreement in which would bind ownership and/or rental agreement. By failing to disclose such terms to all potential mobile homeowners, the owner or successor would be considered to be in default of this development agreement thereby rendering the variance approval void.

- [Public Hearing - Variance Application for 1430 - 1st Street North.pdf](#)

7. Community Question Period

The public is invited to come forward to the podium to ask questions on any item appearing on the agenda for this evening's meeting. A total of 15 minutes will be allowed for this question period.

8. Committee Reports

(A) BRANDON MUNICIPAL HERITAGE ADVISORY COMMITTEE  
VERBAL APRIL 18, 2017

---

(B) BRANDON GENERAL MUSEUM & ARCHIVES INC.  
VERBAL APRIL 18, 2017

---

9. Enquiries

10. Announcements

11. General Business

(A) SOUTH BRANDON PROPOSAL FOR ANNEXATION

---

That the proposal to annex lands from the Rural Municipality of Cornwallis attached to the report of the Chief Planner as "Attachment A", be submitted to The Municipal Board and that Administration initiate consultations in accordance with Section 71(1) of The Municipal Act.

- [South Brandon Proposal for Annexation.pdf](#)

(B) REQUEST FOR DISASTER FINANCIAL ASSISTANCE

---

WHEREAS the City of Brandon took measures to protect residents and business from the forecasted flood, and;

WHEREAS the Assiniboine River did exceed floodstage and caused some minor damage to recreational property;

NOW THEREFORE BE IT RESOLVED that Manitoba Emergency Measures Organization be requested to provide disaster financial assistance to the City of Brandon and its citizens.

- [Disaster Financial Assistance Spring Melt 2017.pdf](#)

12. By-Laws

NO. 7146 TO ESTABLISH A BRANDON HERITAGE CONSERVATION BY-LAW AND REPEAL BY-LAW NO. 6644  
2ND AND 3RD READINGS

---

That By-law No. 7146 to establish a Heritage Conservation By-law and repeal By-law No. 6644 be read a second time.

That the by-law be read a third and final time.

- [By-law No. 7146 - Heritage Conservation By-law.pdf](#)

NO. 7170 2017 TAX LEVY BY-LAW  
2ND AND 3RD READINGS

---

That By-law No. 7170 to impose and levy property taxes for the fiscal year 2017 be read a second time.

That the by-law be read a third and final time.

- [By-law No. 7170 - 2017 Tax Levy By-law.pdf](#)

NO. 7174 TO AMEND ORGANIZATIONAL BY-LAW NO. 6650 - MEMBERSHIP OF MUNICIPAL HERITAGE  
ADVISORY COMMITTEE  
2ND AND 3RD READINGS

---

That By-law No. 7174, to amend Organizational By-law No. 6650 with respect to the membership of the Brandon Municipal Heritage Committee, be read a second time.

That the by-law be read a third and final time.

- [By-law No. 7174 - Amend Organizational By-law No. 6650 - Municipal Heritage Advisory Committee.pdf](#)

13. Giving of Notice

14. Adjournment

*Original Signed By*  
*H. Ewasiuk*

---

H. Ewasiuk  
City Clerk