

REGULAR COUNCIL MEETING

MONDAY, JULY 15, 2019 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. Recognitions
4. Confirmation of Minutes

REGULAR

JUNE 17, 2019

- [Minutes - June 17, 2019.pdf](#)

SPECIAL

JUNE 26, 2019

- [Special Meeting Minutes - June 26, 2019 - Affordable Housing Proposal.pdf](#)

SPECIAL

JULY 9, 2019

- [Minutes - Special Meeting -July 9, 2019 - Land Sale.pdf](#)

5. Hearing of Presentations

(A) ANDREA POCHINCO – ESSENTIALLY KNEADED MOBILE MASSAGE THERAPY

That the presentation by Andrea Pochinco with respect to Essentially Kneaded Mobile Massage Therapy be received.

- [Presentation Request - Andrea Pochinco - Essentially Kneaded Massage Therapy.pdf](#)

(B) DEAN ARNILL, WESTERN ASPHALT PRODUCTS - AMENDMENT TO DEVELOPMENT AGREEMENT FOR LIMESTONE ROAD

That the presentation by Dean Arnill of Western Asphalt Products with respect to an amendment to the Development Agreement for Limestone Road be received.

- [Presentation Request - Dean Arnill - Western Asphalt - Amendment to Development Agreement for Limestone Road.pdf](#)

6. Community Comments/Feedback

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.

7. Hearing of Delegations

(A) RON DRAKE – ASSESSMENT ISSUES

That the presentation by Ron Drake with respect to assessment issues be received.

- [Delegation Request - Ron Drake.pdf](#)

(B) JENNA BARDARSON - BAN ON SINGLE USE PLASTIC BAGS

That the presentation by Jenna Bardarson with respect to a ban on single use plastic bags in the City of Brandon be received.

- [Delegation Request - Jenna Bardarson - Plastic Bag Ban Petition.pdf](#)

8. Public Hearings

9. Communications & Petitions

10. Committee Reports

(A) AUDIT AND FINANCE COMMITTEE VERBAL JULY 15, 2019

(B) KEYSTONE CENTRE VERBAL JULY 15, 2019

11. Enquiries
12. Announcements
13. General Business

(A) TRANSIENT BUSINESS LICENSE – MOBILE MASSAGE THERAPY

That the application of Essentially Kneaded to operate a mobile massage therapy business be approved.

- [Transient Business License Application - Mobile Massage Therapy.pdf](#)

(B) MANAGEMENT AND RESTORATION OF 201 - 17TH STREET EAST (ASSINIBOINE FOOD FOREST)

That the Conservation Agreement with Manitoba Habitat Heritage Corporation remain in effect on lands located at 500 & 900 River Avenue and 575 & 685 Alexander Street North and 201 17th Street East whereby:

- 1) The Assiniboine Food Forest Inc. (AFFI) continue working with the City of Brandon and the Manitoba Habitat Heritage Corporation (MHHC) to prepare a plan for the area in compliance with the intent of the Conservation Agreement; and
- 2) That AFFI utilize the Conservation Agreement Land Use Permit Process through the City of Brandon to complete projects in compliance with the plan.

- [Management and Restoration of 201 - 17th Street East - Assiniboine Food Forest.pdf](#)

(C) DEVELOPMENT AGREEMENT AMENDMENT - LIMESTONE ROAD

That the City of Brandon amend the development agreement registered on 14, 20, 26, and 38 Limestone Road (Lots 1/2, Block 2, Plan 38009 BLTO, Lot 4, Plan 33862 BLTO, and Lot 3, Plan 34294 BLTO) to the original conditions as set out in the report to City Council from Planning & Building dated April 29, 2019.

- [Development Agreement Amendment - Limestone Road.pdf](#)

(D) PROPOSAL – LAND MOBILE RADIO NETWORK SYSTEM

That the proposal from Prairie Mobile Communications for a Land Mobile Radio Network System in the amount of \$302,466.46 (net of GST) be accepted.

- [Proposal - Land Mobile Radio Network \(LMRN\) System.pdf](#)

(E) TENDER – CONTRACT H – BRANDON TRANSIT BUS STOP ACCESSIBILITY UPGRADES

That the bid from Premier Commercial Builders Ltd. to carry out 2019 Contract H – Brandon Transit Bus Stop Accessibility Upgrades as per tender and specifications at a cost of \$299,997.00 (net of GST) be accepted.

- [Tender - 2019 Contract H - Brandon Transit Bus Stop Accessibility Upgrades.pdf](#)

14. By-Laws

NO. 7234 TO REZONE 2605 AND 2611 ROSSER AVENUE FROM RESIDENTIAL LOW DENSITY TO RESIDENTIAL MODERATE DENSITY
3RD READING

That By-law No. 7234 to rezone 2605 and 2611 Rosser Avenue (Lots 1 and 2, Block 82, Plan 15 BLTO and Parcels B and C, Plan 54708 BLTO) from Residential Low Density (RLD) Zone to Residential Moderate Density (RMD) Zone be read a third and final time.

- [By-law No. 7234 - rezone 2205 and 2611 Rosser Ave.pdf](#)

NO. 7235 TO REZONE 2222 CURRIE BOULEVARD FROM RESIDENTIAL MOBILE HOME TO COMMERCIAL ARTERIAL
3RD READING

That By-law No. 7235 to rezone property located at 2222 Currie Boulevard (Lots 1 to 8 both inclusive, Block 4, Plan 118 BLTO) from Residential Mobile/Modular Home (RMH) Zone to Commercial Arterial (CAR) Zone be read a third and final time.

- [By-law No 7235 - rezone 2222 Currie Boulevard.pdf](#)

NO. 7238 TO ADOPT THE DOWNTOWN BRANDON SECONDARY PLAN
AMENDMENT, 2ND & 3RD READINGS

That Schedule A of By-law No. 7238, to adopt the Downtown Brandon Secondary Plan and repeal By-law No. 7010, be amended by:

1. adding in subsection 4.2.6 (a) the word: "shelters," immediately prior to the word: "benches";
2. deleting in subsection 4.3.2 (b) the words: "in the medium to long term (3-10 years)";
3. adding in subsection 4.3.2 (e) the words: "The City should" immediately prior to the word: "complete";
4. deleting in subsection 4.3.2 (f) the word: "may" and substituting therefor the word: "should";
5. adding in subsection 4.3.2 (g) the words: "The City should" immediately prior to the word: "construct";
6. adding in subsection 4.4.2 (c) the word: "improvement" immediately prior to the word: "organization" and the words: "to support the needs of existing businesses" immediately prior to the words: "with a focus on marketing the downtown";
7. adding in subsection 4.4.3 (a) the sentence: "work collaboratively with the Brandon Downtown Development Corporation to ensure incentive programs continually meet intended goals that support the downtown vision.";
8. adding subsection 5.2.3 (e): "New pedestrian-scale and character lighting should expand throughout the Downtown Plan Area, especially along Pacific Avenue and in the CB Character Area (e.g. 10th Street between Rosser and Pacific Avenue).";
9. deleting subsection 5.3.4 (c) in its entirety;
10. deleting in subsection 5.3.5 (d) the words: "Neon signs and backlit box signs should not be allowed".

That By-law No. 7238, as amended, be read a second time.

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

- [By-law No. 7238 - Downtown Brandon Secondary Plan.pdf](#)

NO. 7239 TO AMEND ZONING BY-LAW NO. 7124 – UPDATE TO REGULATIONS AND STANDARDS
AND REMOVAL OF HUB ZONE
2ND & 3RD READINGS

That By-law No. 7239 to amend Zoning By-law No. 7124 to incorporate downtown zoning updates be read a second time.

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

- [By-law No. 7239 - amend Zoning By-law No. 7124 - Downtown Zoning Updates.pdf](#)

NO. 7241 TO REZONE PART OF 2211 PORTOLA DRIVE FROM RESIDENTIAL LOW DENSITY AND
PARKS & RECREATION TO RESIDENTIAL MODERATE DENSITY
2ND READING

That By-law No. 7241 to rezone property at 2211 Portola Drive (Block 7, Plan 56250 BLTO) from Residential Low Density (RLD) and Parks and Recreation (PR) to Residential Moderate Density(RMD) be read a second time;

And further, that third reading of this by-law be held in abeyance pending the objectors to the by-law be given notice, pursuant to Section 76(3) of The Planning Act, of their right to file a further objection, and the applicant entering into a Development Agreement subject to the following conditions:

1. The Developer agrees under current domestic sewer conditions, development is restricted to a peak discharge of 3.12L/s. Any development planned for the site in excess must be phased and may be permitted only after construction of a new domestic sewer lift station at 1st Street/Patricia Avenue intersection.
2. The Developer agrees prior to establishing a pond outlet to provide mitigation for the difference between a 25-year event runoff and a 100-year event runoff.
3. The Developer agrees to submit a phasing plan to address servicing capacity requirements.
4. The Developer agrees to comply with the conditions associated with Phase 6 as per the Development Agreement dated June 18, 2014.
5. The Developer agrees to contribute \$600.00 per dwelling unit for contribution for the existing 1st Street lift station. Payment is due prior to the issuance of a building permit for each building.

6. The Developer agrees to pay a contribution towards eighteen (18) 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.
7. The Developer agrees prior to issuance of the building permit, to contribute \$202.50 per dwelling units to the Brandon School Division in lieu of land dedication.
8. The Developer agrees to construct a Public Reserve along 1st Street, including a multi-use trail and landscaping.
9. 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.
10. 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.
11. The Developer agrees to put in the sixty-foot buffer zone and work with the City to make the best use of the buffer zone.
12. The Developer agrees to develop the buffer on the West side of the property in the First Phase of the Development.

And further, that Administration be authorized to prepare a Development Agreement containing all conditions and requirements to protect the City's interest in accordance with any procedures, policies, by-laws and Acts.

- [By-law No. 7241 - to Rezone 2211 Portola Drive.pdf](#)

NO. 7246 TO REZONE 1837 PRINCESS AVENUE, PART OF 2003 PRINCESS AVENUE, PART OF THE EAST SIDE OF THE 200 AND 300 BLOCKS OF 21ST STREET, 2021 VICTORIA AVENUE, 2030 LOUISE AVENUE AND PART OF THE EAST SIDE OF 400 BLOCK OF 21ST STREET
1ST READING

That By-law No. 7246 to rezone the following properties be read a first time:

- 2026, 2030, and 2040 Princess Avenue, 2030 and 2039 Louise Avenue, and 223, 225, 227, 229, 233, 241, 251, 253, 257, 261, 325, 329, 335, 341, 343, 405, 413, 421, 427, 437, and 445 – 21st Street (Lots 20/38, Block 28, Lots 27/34, 38/40, and Sly 12.5' of Lot 37, Block 39, and

Lots 20/34, Block 44, all of Plan 15 BLTO) from Educational and Institutional (EI) to Residential Moderate Density (RMD)

- 1837 Princess Avenue (Lots 9/10, Block 25, Plan 15 BLTO) from Educational and Institutional (EI) to Residential Low Density (RLD)
- 2003 Princess Avenue (Lots 1/4, Block 23, Plan 15 BLTO) from Educational and Institutional (EI) and Residential Low Density (RLD) to Educational and Institutional (EI)
- 2021 Victoria Avenue (Lots 1/3, Block 44, Plan 15 BLTO) from Commercial Arterial (CAR) to Educational and Institutional (EI)
- [By-law No. 7246 - to rezone properties around Brandon University.pdf](#)

NO. 7247 TO REZONE PART OF 1910 BELL AVENUE AND 1910 HAMILTON AVENUE FROM DEVELOPMENT RESERVE AND AGRICULTURE TO COMMERCIAL ARTERIAL
1ST READING

That By-law No. 7247 to rezone a portion of 1910 Bell Avenue (Lot 72, Plan 48868 BLTO) from Development Reserve (DR) to Commercial Arterial (CAR) and a portion of 1910 Hamilton Avenue (Pt. NE 1/4 34-10-19 WPM) from Agricultural (A) to Commercial Arterial (CAR) be read a first time.

- [By-law No. 7247 - to Rezone part of 1910 Bell Avenue and 1910 Hamilton Avenue.pdf](#)

NO. 7248 TO AMEND ZONING BY-LAW NO. 7124 – PROVISIONS FOR AGGREGATE AREAS
1ST READING

That By-law No. 7248 to amend various provisions of Zoning By-law No. 7124 for clarity purposes be read a first time.

- [By-law No. 7248 - amend Zoning By-law No. 7124 - clarity of provisions for aggregate areas.pdf](#)

NO. 7249 TO AMEND FEE SCHEDULE BY-LAW NO. 7223 – SUBDIVISION LOT FEES
1ST READING

That By-law No. 7249, to amend Annual Schedule of Fees By-law No. 7223 with respect to Subdivision Lot Fees, be read a first time.

- [By-law No. 7249 - Amend Fee Schedule By-law No. 7223 - Subdivision Lots Fees.pdf](#)

15. Giving of Notice

16. Adjournment

Original Signed By
H. Ewasiuk

H. Ewasiuk
City Clerk