

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY,  
FEBRUARY 6, 2017 AT 7:00 PM IN THE COUNCIL CHAMBER, CIVIC  
ADMINISTRATION BUILDING, BRANDON, MANITOBA**

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PRESENT: Mayor Rick Chrest, Councillor Shawn Berry, Councillor Ron W. Brown, Councillor Jan Chaboyer, Councillor Kris Desjarlais, Councillor Jeff Fawcett, Councillor Jeff Harwood, Councillor John LoRegio, Councillor Glen Parker, Councillor Lonnie Patterson

ABSENT: Councillor Barry Cullen

ADOPTION OF AGENDA:

Patterson-Chaboyer  
908 That the Agenda for the Regular Meeting of City Council to be held on Monday, February 6, 2017 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Harwood-Chaboyer  
909 That the Minutes of the Regular Meeting of City Council, held on January 23, 2017 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

HEARING OF DELEGATIONS:

(A) PATRICK PULAK, DIRECTOR OF ENGINEERING - WATER TOWER  
STRUCTURAL ASSESSMENT

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Patrick Pulak, Director of Engineering, appeared before City Council to provide an overview of the recently conducted structural assessment of the Water Tower. Mr. Pulak provided an historical overview of the Water Tower and summarized the structural assessment report including key areas of maintenance to take place over the next four years. It was noted by Mr. Pulak that the Water Tower was in very good shape structurally, but the report had recommended the removing of a redundant overflow pipe, minor painting of corroded surfaces, and replacement of several diagonal braces.

Parker-Harwood  
910 That the presentation by Patrick Pulak, Director of Engineering, with respect to the Water Tower Structural Assessment be received. CARRIED.

Parker-LoRegio  
911 That the City of Brandon follow the recommended maintenance and repair schedule for the Brandon Water Tower as provided in the structural assessment performed by Stantec Consulting Ltd. with timing of same to be at the discretion of the Engineering Department. CARRIED.

PUBLIC HEARINGS:

Nil

COMMUNITY QUESTION PERIOD:

CONTRIBUTION TO ROADWAY EXTENSIONS

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Steve McMillan, Vice President of Planning Services for VBJ Developments Ltd. (VBJ), brought forward a question to City Council with respect to the application to subdivide 1955 - 34th Street. Mr. McMillan questioned why a condition had been included in the proposed development agreement, which would commit VBJ to future contributions to roadway extensions that were not currently part of the City of Brandon Road Area Network Development Plan.

His Worship the Mayor took Mr. McMillan's enquiry under advisement and noted that this matter would be discussed under the Order of General Business.,

COMMITTEE REPORTS:

(A) COMMITTEE OF THE WHOLE  
VERBAL

FEBRUARY 6, 2017

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Councillor Chaboyer disclosed that she had not attended the Committee of the Whole meeting due to a conflict of interest in the matter due to her employment with Brandon University and left the Council Chamber prior to any discussion.

The City Clerk advised that City Council had met in a Committee of the Whole Meeting closed to the public to consider a report from Planning, Property and Buildings with respect to a property matter whereby the following recommendation was made by Councillor Desjarlais and agreed upon by City Council sitting in Committee of the Whole.

Harwood-LoRegio

912 That the verbal report of the Committee of the Whole of City Council held February 6, 2017 with respect to a property matter be received. CARRIED.

Desjarlais-Parker

913 That the land located at 156 - 9th Street be reclassified from Potential Surplus Lands to Surplus Lands - Developable under the 2013 Land Inventory Listing;

and further, the land located at 129 - 11th Street be reclassified from Civic Lands - Fully Developed to Surplus Lands - Developable under the 2013 Land Inventory Listing;

and further, the sale of 156 - 9th Street (Lots 3/6, Block 60, Plan 2 BLTO) and 129 - 11th Street (Lots 25/30, Block 59, Plan 2 BLTO) to Brandon University for the sum of \$1.00 be approved, subject to the conditions outlined in the report from Planning, Property and Buildings dated February 3, 2017. CARRIED.

Following the vote on the above motions, Councillor Chaboyer re-entered the Council Chamber.

ENQUIRIES:

Nil

ANNOUNCEMENTS:

GAIL MCDONALD, PRINCIPAL OF GEORGE FITTON SCHOOL - CANADA'S  
OUTSTANDING PRINCIPALS AWARD

Councillor Fawcett congratulated Gail McDonald, Principal of George Fitton School on being named one of Canada's Outstanding Principals of 2017 by the Learning Partnership. He noted that Mrs. McDonald was one of forty principals from across Canada who would receive this award at a ceremony to be held in Toronto, Ontario in late February 2017.

ASSINIBOINE WARD MEETING - FEBRUARY 16, 2017

Councillor Fawcett announced that an Assiniboine Ward Meeting would be held Thursday, February 16, 2017 at 5:30 p.m. at the Riverbank Discovery Centre. He advised that agenda items would include the spring forecast for the Assiniboine River, the Brandon Riverbank Master Plan, 18th Street and Braecrest Drive Intersection and any other city and ward issues.

HEART AND STROKE CAMPAIGN KICK-OFF

Councillor Chaboyer announced that she had been pleased to represent City Council at the Annual Heart & Stroke Foundation Campaign Kick-off held January 31, 2017 at the Brandon Shoppers Mall. She reminded everyone that February was Heart & Stroke month and encouraged them to participate in the upcoming fundraisers.

GENERAL BUSINESS:

(A) 2016 ENVIRONMENTAL UPDATE

City Council considered a report from the Environmental Initiatives Coordinator dated January 23, 2017 with respect to the above.

Patterson-Desjarlais

914 That the report of the Environmental Initiatives Section dated January 23, 2017, providing an update on environmental initiatives being addressed in Brandon be received as information. CARRIED.

(B) SOUTH BRANDON ANNEXATION

Considered was a report from Property, Planning and Buildings dated January 30, 2017 with respect to the above.

Fawcett-Berry

915 That Administration be directed to commence an annexation process with respect to the property located southwest of Patricia Avenue and 18th Street as shown on Attachment A-2 of the report from Property, Planning and Buildings dated January 30, 2017, in accordance with Section 35 of The Municipal Act and that details or proposed inter-municipal agreements come back to Council for consideration. CARRIED.

(C) APPLICATION TO SUBDIVIDE 1955 – 34TH STREET (BELLAFIELD DEVELOPMENT)

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It was noted that this item of business had been tabled at the January 23, 2017 meeting of City Council.

Submitted for consideration was a report from Planning, Property and Buildings dated February 2, 2017 with respect to the above.

Berry-Parker

916 That the motion with respect to the application to subdivide 1955 - 34th Street be taken from the table. CARRIED.

Berry-LoRegio

917 That the application to subdivide 1955-34th Street (Pt. SW1/4 10-10-19 WPM), Phase I, Stage II to create one lot and a public right-of-way (Chipperfield Drive) to establish a 76 unit bareland condominium development (Attachment B-2) be approved subject to the owner or successor:

- (1) submitting written confirmation to the City of Brandon Planning, Property and Buildings Department that the Brandon School Division has received a cash-in lieu contribution for school purposes.
- (2) submitting written confirmation to the City of Brandon Planning, Property and Buildings Department that arrangements have been made for a joint use easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro and Centra Gas Inc. and registering the easement agreement along with the easement plan, if required, in series with the plan subdivision.
- (3) entering into a development agreement with the City of Brandon subject to the following supplementary conditions:
  - (a) That the agreement be specific to the site plan (Attachment B-3) submitted for the construction of 76 bare land condominium 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) To provide written confirmation that necessary arrangements have been made for postal service and that the pick-up / drop off location of the community mail box has been determined between the Developer and Canada Post; to the approval of Canada Post. The location of the community mail box must be indicated on the design construction drawings submitted to the City Engineer for review. Such location is to be approved by the City Engineer prior to the issuance of any development and/or building permits. The Developer also agrees to design for an appropriately sized sidewalk section and/or concrete pad as per municipal and Canada Post Corporation Standards, to place the Community Mailbox on. The developer must contact Canada Post for concrete pad specifications. Any required curb depression for wheelchair access must have a 1.6m wide opening and no more than a 20-degree grade per site.

- (c) To remit a one-time monetary contribution, to the supply, installation, general maintenance and warranty of twelve (12) trees to be located on the City's right-of-way. The amount of payment for such trees will be calculated at the time of execution of this development agreement and based upon the City's tree contract pricing for the current year. Payment in full will be required prior to the issuance of any development and/or building permit.
- (d) To contribute \$1,800.00 per unit for 76 units as proposed to be developed as per Phase 1, Stage 2 totaling \$137,349.00. This contribution will be held in a Reserve Account and applied to sanitary sewer upgrades required for the downstream domestic sewer.
- (e) To contribute \$796.00 per unit for 126 units as per Phase 1, Stage 1.a & Stage 1.b and Phase 1, Stage 2 totaling \$100,296.00. This contribution will be held in a Reserve Account and applied towards the extension of Maryland Avenue from 26th Street to 34th Street. This contribution is taken as per requirements of Phase 1, Stage 2 as well as retroactively from Phase 1, Stage 1a. & b. as per the agreement between the City of Brandon and the Developer.
- (f) To legally open, extend and construct the public right-of-way commonly known as Chipperfield Drive and as such extend all below and above ground municipal services. The Developer will be required to submit design drawings as prepared by a professional engineer; such design is subject to review and acceptance by the City Engineer.
- (g) To construct a temporary turnaround at the dead end extension of Chipperfield Drive. Such turnaround must be designed according to TAC Standards and Brandon Fire and Emergency Services requirements. Such turnaround will be required to exist until such time as the public right-of-way is extended.
- (h) The Developer will be required to submit a Site Servicing Plan to the City Engineer indicating how the Developer wishes to service the condominium development. The Site Servicing Plan will be subject to review and acceptance by the City Engineer. Should the Developer wish to service the site by way of private services, the Developer will be required to enter into a Private Sewer and Water Agreement with the City of Brandon.
- (i) That should any servicing within the condominium development be held privately by the condominium corporation, the Developer acknowledges and agrees that those above and below ground improvements are the sole responsibility of the condominium corporation. The Developer also agrees to have City owned water metres installed in a location approved by the City Engineer.
- (j) That should any private hydrants be installed on private property, that all costs associated with the general maintenance and up keep are the sole responsibility of the condominium corporation. The Developer further agrees that only City employees and those people with written authorization from the City Engineer, will operate said hydrant(s).

- (k) That should the Developer propose to jointly drain any residential lots, the Developer will be required to provide evidence of all joint drainage easements registered on the property.
- (l) That should the Developer wish to drain the west side of the development by way of split drainage to the rear of the lots, the Developer will be required to amend the existing drainage easement registered on affected titles of Phase 1, Stage 1.
- (m) To provide evidence of receipt of a License to Construct Water Control Works with Manitoba Conservation and Water Stewardship for Phase 1, Stage 2. The Developer is to provide cumulative runoff calculations for the entire development as per the required drainage plan.
- (n) 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.
- (o) 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. CARRIED AS AMENDED.

AMENDMENT

Berry-LoRegio

918 That the above motion be amended by deleting Clause 3. (e) in its entirety and substituting the following therefor:

- "3. (e) To contribute \$384.00 per unit for 126 units as per Phase 1, Stage 1.a, Stage 1.b and Phase 1, Stage 2 totaling \$48,384.00. This contribution will be held in a Reserve Account and applied towards the upgrade of Maryland Avenue from 26th Street to Marquis Drive. This contribution is taken as per requirements of Phase 1, Stage 2 as well as retroactively from Phase 1, Stage 1a. & b. as per the agreement between the City of Brandon and the Developer." CARRIED.

BY-LAWS:

NO. 7149 TO REZONE PART OF 1955 – 34TH STREET FROM AG AGRICULTURAL GENERAL ZONE TO RLD RESIDENTIAL LOW DENSITY ZONE

It was noted that this by-law had received second reading at the January 23, 2017 meeting of City Council.

Berry-Harwood

919 That By-law No. 7149 to rezone 1955-34th Street (Pt. SW1/4 10-10-19 WPM) from AG Agricultural General Zone to RLD Residential Low Density Zone 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. 7149 third reading.

FOR

Mayor Rick Chrest  
Councillor Shawn Berry  
Councillor Ron W. Brown  
Councillor Jan Chaboyer  
Councillor Kris Desjarlais  
Councillor Jeff Fawcett  
Councillor Jeff Harwood  
Councillor John LoRegio  
Councillor Glen Parker  
Councillor Lonnie Patterson

AGAINST

Nil

GIVING OF NOTICE:

Nil

ADJOURN:

Berry-Chaboyer

That the meeting do now adjourn (8:14 p.m.) CARRIED.

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MAYOR

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CITY CLERK