

REGULAR COUNCIL MEETING

MONDAY, AUGUST 10, 2020 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

JULY 13, 2020

- [Minutes - July 13, 2020.pdf](#)

5. Hearing of Presentations
6. Community Comments/Feedback
7. Hearing of Delegations
8. Public Hearing
9. Communications & Petitions

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.

10. Committee Reports

11. Enquiries
12. Announcements
13. General Business

(A) CITY OF BRANDON ANTENNA SYSTEMS UPDATE

That City Council update the Antenna Systems Protocol to better facilitate an expedited review process for Antenna System siting proposals and to better serve the interests of the City of Brandon.

- [Antenna System Update.pdf](#)

(B) REQUEST FOR FUNDING ASSISTANCE - MANITOBA WATER SERVICES BOARD CORE INFRASTRUCTURE FUND

That the City of Brandon apply to the Manitoba Water Services Board (MWSB) for technical and financial assistance with respect to the following projects; Water Distribution Model Rebuild, and New Watermain - 1st Street between Maryland Avenue and Portola Drive.

- [MB Water Services Board Core Infrastructure Fund.pdf](#)

(C) APPLICATION TO SUBDIVIDE - 1640 SYCAMORE DRIVE

That application 4500-20-704 to subdivide 1640 Sycamore Drive (Parcel A, Plan 1547 BLTO) be approved subject to the owner or successor submitting written confirmation to the City of Brandon Planning & Buildings Department that arrangements have been made for a joint use easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro and BellMTS, and registering the easement agreement along with the easement plan, if required, in series with the plan of subdivision.

- [Subdivision 1640 Sycamore Drive.pdf](#)

(D) AMENDMENT OF THE DEVELOPMENT AGREEMENT FOR 1901 AND 1955 34TH STREET
(BELLAFIELD HOLDINGS LTD.)

That development agreement condition 1(a) of subdivision conditional approval 4500-20--701 at 1901 & 1055 34th Street (Attachment A) to create seventy five (75) lots and public roads in the Residential Single Detached (RSD) and Parks and Recreation (PR) zones be amended by removing Clause 6(a) of the Development Agreement in its entirety and replace with the following:

“Developer is required to oversize land drainage infrastructure and retention areas as outlined in the Southwest Brandon Secondary Plan. In accordance with the Secondary Plan, Oversized Infrastructure & Developer Reimbursement Parameter, and Standard Operating Procedure, the applicant is entitled to the following estimated reimbursements: Engineering Design \$226,435, Supply and Installation of Materials \$1,509,565, and Loss of Developable Land \$975,000. The estimated reimbursement values will be finalized (total recovery costs) upon the City accepting the actual unit prices, design and construction costs and record drawings for oversizing benefit. The developer will be entitled to receive payment by the City in accordance with the Parameter and Standard Operating Procedure, and no earlier than the issuance of a Construction Completion Certificate.”

And that Administration be authorized to amend the Development Agreement containing all conditions and requirements to protect the City’s interests in accordance with any procedures, policies, by-laws and Acts.

- [Amendment of Development Agreement Bellafield.pdf](#)

14. By-Laws

NO. 7271 TO REZONE PROPERTY LOCATED AT 400 -17TH STREET FROM OPEN SPACE TO
COMMERCIAL ARTERIAL ZONE
2ND & 3RD READINGS

That By-law No. 7271 to rezone 400 - 17th Street North (Lots 1/16, Block 2, Plan 325 BLTO) from Open Space (OS) to Commercial Arterial (CAR) zone be read a second time.

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

- [By-law 7271 Rezone 400 17th Street N.pdf](#)

NO. 7275 TO REZONE PROPERTY LOCATED AT 1504 - 10TH STREET FROM RESIDENTIAL LOW DENSITY TO RESIDENTIAL MODERATE DENSITY ZONE
2ND READING

That By-law No. 7275 to rezone a property at 1504 - 10th Street (Lots 1/3, Block 1, Plan 289 BLTO) from Residential Low Density (RLD) zone to Residential Moderate Density (RMD) zone, be read a second time.

And further, that third reading of this by-law be held in abeyance pending the owner or successor entering into a development agreement with the City of Brandon subject to the following conditions:

1. The Developer agrees to construct a 6-unit residential building in general consistency with the attached site and elevation plans.
2. The Developer agrees to remove and relocate the Hydro service located within the property to the streetlight pole.
3. The Developer agrees to remove the existing access to the property on 10th Street and restore the ditch and boulevard with sod.
4. The Developer agrees to contribute \$5,452.84 for Network Infrastructure Development Charges (in the Emerging Area) as per the 2020 Fee Schedule. This calculation is based on the submitted site plan and the total net area being developed. This contribution is due in full upon execution of the development agreement.
5. The Developer agrees to contribute \$372.71 for cash in lieu of land dedication of public reserve. This contribution is due in full upon execution of the development agreement.
6. The Developer agrees to contribute \$1,215.00 to the Brandon School Division for cash in lieu purposes. Payment is to be made to the Brandon School Division with proof of payment submitted to the City of Brandon.
7. The Developer agrees to submit an Irrevocable Letter of Credit totaling 15% of the Detailed Cost Estimate.

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

- [By-law 7275 Rezone 1504 10th Street.pdf](#)

NO. 7277 ROAD OPENING - 1ST STREET AND PACIFIC AVENUE
1ST READING

That By-Law No. 7277, to legally open the realigned intersection of Pacific Avenue and 1st Street (Pt. Lot 9, Lots 10-14, Pt. Lots 15-18, Block 69, Plan 2), be read a first time.

- [By-law 7277 Road Opening 1st and Pacific.pdf](#)

NO. 7278 TO REZONE PROPERTY LOCATED AT 135, 141, 143 AND 147 - 18TH STREET
FROM COMMERCIAL RESTRICTED TO DOWNTOWN MIXED USE ZONE
2ND READING

That By-law No. 7278 to rezone a property at 135, 141, 143 and 147 - 18th Street (part of Lots 1 and 11, and Lots 2/10, Block 52, Plan 2 BLTO) from Commercial Restricted (CR) zone to Downtown Mixed Use (DMU) zone, be read a second time.

And further, that third reading of this by-law be held in abeyance pending the owner or successor entering into a development agreement with the City of Brandon subject to the following conditions:

1. The Developer agrees to construct a mixed-use building in general consistency with the attached site and elevation plans.
2. The Developer agrees to contribute \$1,843.76 for cash in lieu of land dedication of public reserve. This contribution is due in full upon execution of the development agreement.
3. The Developer agrees to contribute \$6,277.50 to the Brandon School Division for cash in lieu purposes. Payment is to be made to the Brandon School Division with proof of payment submitted to the City of Brandon prior to the issuance of a development permit.
4. The Developer agrees to pay a contribution towards eleven (11) boulevard trees. 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 at the time of execution of the development agreement.
5. The Developer agrees to provide a landscaping plan prior to the issuance of a development permit showing the location of the eleven (11) boulevard trees in the boulevards of 18th Street, 17th Street and Princess Avenue. Tree species will be determined by the City of Brandon at the time of planting.

6. The Developer agrees to disconnect and remove any existing services to the properties that they will not be utilizing for the development. The Developer further agrees to restore the curb and boulevard with sod as per City of Brandon Standard Construction Specifications. All work performed in the right-of-way shall conform to the City of Brandon Standard Construction Specifications.

7. The Developer agrees that any servicing that is proposed to be constructed under the Stone Fence Heritage Site is to be directionally drilled and housed in a casing pipe.

8. The Developer agrees to remove any existing access to 17th Street that they will not be utilizing for the development as per the attached site plan. The Developer further agrees to restore the curb and boulevard with sod as per City of Brandon Standard Construction Specifications. All work performed in the right-of-way shall conform to the City of Brandon Standard Construction Specifications.

9. The Developer agrees to endeavour to enter into a Construction Conforming Agreement (CCA) with the property owners to the north (131 – 18th Street and 1712 Rosser Avenue) for shared access among the 3 properties. The CCA is to be registered on all affected titles prior to the issuance of a development permit. Should the Developer not be able to secure a CCA with all 3 parties, the Developer agrees to construct a commercial grade access, with a minimum width of 7.3m, to their property from 18th Street. The location and design of such access shall be approved by the City Engineer.

10. The Developer agrees to provide the same amount of on-site parking as required in the Zoning By-law for a non-downtown zoned site.

11. The Developer agrees to amend the existing Heritage Agreement registered on title to include the following amendments:

- Reduction of the easement along the easterly site line from 6.0m to 4.0m; and
- Addition of 2.2m easement along the south property line.
- The Heritage Agreement amendment is to be registered on title prior to the issuance of a development permit.

12. The Developer agrees to consolidate Certificate of Title Nos. 2695545/2, 2695548/2, 2695552/2 & 2695553/2 and to provide proof of consolidation prior to the issuance of a development permit.

13. The applicant will be responsible to submit a Detailed Cost Estimate, prepared by their Consulting Engineer for all work proposed within the right-of-way. The cost estimate is subject to review and approval by the City Engineer.

14. The applicant will be responsible to submit an Irrevocable Letter of Credit totaling 15% of the Detailed Cost Estimate.

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

- [By-law 7278 Rezone 135-147 18th Street.pdf](#)

NO. 7279 TO AMEND BUILDING SAFETY & PROPERTY STANDARDS BY-LAW NO. 6060
1ST READING

That By-law No. 7279, to amend Building Safety and Property Standards By-law No. 6060 to relocate clauses to the Community Standards By-law and updating content of the by-law be read a first time.

- [By-law 7279 Amend Building & Property Standards.pdf](#)

15. Giving of Notice

16. Adjournment

Original Signed By
H. Ewasiuk

H. Ewasiuk
City Clerk