

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON TUESDAY, APRIL 6, 2021 AT 7:00 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA**

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**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 Bruce Luebke, Councillor Glen Parker

**ABSENT:** Nil

It was noted that in accordance with Section 109 of Procedure By-law No. 6634, Councillor Brown participated in the meeting electronically.

**ADOPTION OF AGENDA:**

Cullen-Luebke  
1025 That the Agenda for the Regular Meeting of City Council to be held Tuesday, April 6, 2021 be adopted as presented. CARRIED.

**CONFIRMATION OF MINUTES:**

Cameron-Parker  
1026 That the Minutes of the Regular Meeting of City Council held on March 15, 2021 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) 2021 FINANCIAL PLAN

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City Council sat to hear representation on the City's 2021 Financial Plan.

Dean Hammond, City Treasurer, appeared before City Council and provided a power point overview of the 2021 Financial Plan. Items highlighted included a review of the proposed operating and capital expenditures, how these expenses were funded, and the services to be delivered. Mr. Hammond noted that the presentation and a copy of the 2021 Financial Plan were available for viewing on the City of Brandon's website at [www.brandon.ca](http://www.brandon.ca).

Mr. Hammond concluded by stating that tax inquiries could be directed to the Tax Department via email at [taxes@brandon.ca](mailto:taxes@brandon.ca) or by phone at 204-729-2228 or 204-729-2592.

Barry Cooper, Vice President of the Brandon Chamber of Commerce Board, presented comments on the 2021 Budget, citing concerns over the increased costs to provide Protective Services. He indicated the Brandon Chamber had formed a COVID-19 Recovery and Reopening Task Force and proposed working with the City of Brandon to prioritize the remaining COVID-19 grant funds to target business recovery.

It was noted that a written submission regarding the 2021 Financial Plan was received from Bill and Norma Edwards.

Parker-Cameron

1027

That the Public Hearing on the City of Brandon's 2021 Financial Plan be concluded.  
CARRIED.

(B) BY-LAW NO. 7270 - TO REZONE PROPERTY LOCATED AT 1230 - 18TH STREET NORTH

City Council sat to hear representation with respect to By-law No. 7270 to rezone property located at 1230 - 18th Street North.

Ryan Nickel, Director of Planning & Buildings provided an overview of the rezoning application at 1230 - 18th Street North. Mr. Nickel gave a synopsis of the proposed amendments to the rezoning application to enable the development of three single detached dwellings. Mr. Nickel reviewed the amended clauses in the original development agreement and confirmed that the proposal met City of Brandon development requirements.

Daniel Burns, representative of the developer, provided a presentation to City Council reviewing the reasons for the changes to the rezoning application.

Written submissions of opposition were received from Pam Skatch, Harold and Elizabeth Stewart, Jaye and Laurie Duffield, Susan Wilkinson, Lorraine and Robert Hargreaves.

Fawcett-Parker

- 1028 That the Public Hearing with respect to By-law No. 7270 to rezone property located at 1230 - 18th Street North be concluded. CARRIED.

Fawcett-Luebke

- 1029 That Administration be authorized to prepare a revised Development Agreement containing all conditions and requirements to protect the City's interests, and to amend the application for subdivision to reflect the amended zoning for the property located at 1230 - 18th Street North. CARRIED.

COMMUNICATIONS & PETITIONS:

Nil

COMMITTEE REPORTS:

Nil

ENQUIRIES:

(193) BACKLANE REPAIR/MAINTENANCE PROGRAM UPDATE

Councillor Cameron requested an update on the 2021 Backlane Repair/Maintenance Program and enquired if a gravel application could be considered on the east-west backlane from Brandon University to Sykes Boulevard between Rosser and Princess Avenues.

At the request of His Worship the Mayor, the Acting City Manager responded that a soft launch of the Program had begun with same to be in full swing once the weather warmed up. He confirmed that the above noted lane was part of the work plan for 2021; however, backlanes that were part of this year's dust control program were to be graded first followed by gravel and asphalt lanes. Mr. Hammond advised that the backlane maintenance map which allowed residents to see work completed this season was expected to be launched in early May.

(194) CLEAN-UP EFFORTS OF DRAINAGE CORRIDOR ALONG PACIFIC AVENUE BETWEEN 26TH AND 34TH STREETS - REMOVAL OF DEBRIS

Councillor Cameron thanked City of Brandon staff for the considerable work undertaken to clean up the drainage corridor along Pacific Avenue between 26th and 34th Streets. He noted that much of the debris that had been cleared out was left around and on the walking path and enquired when same was expected to be removed.

At the request of His Worship the Mayor, the Acting City Manager responded that the area along the Pacific Avenue drainage ditch had been cleared in early March and would be monitored and cleared as necessary in the future. Mr. Hammond confirmed that the debris was to be cleared away as part of the Parks Department Spring Clean-up expected to begin April 8, 2021.

(195) DRAINAGE IMPROVEMENTS TO UNDERGROUND INFRASTRUCTURE ON CHERRY CRESCENT

Councillor Cameron advised that flooding during storms continued to be a problem for residents on Cherry Crescent and enquired if improvements to underground infrastructure as well as crowning of the road at the corner could be considered to assist with these drainage issues.

At the request of His Worship the Mayor, the Acting City Manager confirmed that this matter had been referred to the Public Works Department with a response to same to be provided in the near future.

(196) REQUEST FOR GARBAGE CONTAINERS ALONG 9TH STREET AND PATRICIA AVENUE TO 1ST STREET AND DOWN 1ST STREET TO MARYLAND AVENUE

Councillor Brown noted that dog waste bags were being dropped beside the walking path along 9th Street and Patricia Avenue to 1st Street and down 1st Street to Maryland Avenue and enquired if garbage containers could be placed along same.

At the request of His Worship the Mayor, the Acting City Manager responded that new bins were to be added along the walkway as soon as the required permits were received from the utility companies. Mr. Hammond advised that while the Sanitation Department focused on placing bins along the walkways only, additional bins were to be placed at some stops along this corridor by Brandon Transit in the near future.

(197) SAFE SIDEWALKS IN 1500 AND 1600 BLOCKS ON 9TH STRTEET

Councillor Brown advised that, due to the absence of safe sidewalks in the 1500 and 1600 Blocks of 9th Street, pedestrians were required to walk too close to traffic and this, combined with insufficient lighting in the area, posed serious safety concerns. He enquired if this issue could be addressed as soon as possible.

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

(198) IRRESPONSIBLE DOG OWNERS ON THE WALKING PATH NORTH OF ROSSER AVENUE EAST

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Councillor Parker advised that dog waste was becoming a problem on the walking path north of Rosser Avenue East from 1st Street to 10th Street East and enquired if this area could be monitored and the issue addressed as soon as possible.

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

ANNOUNCEMENTS:

FLOOD PROTECTION SUBSIDY PROGRAM

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Councillor Berry announced that applications were now being accepted for the 2021 Flood Protection Subsidy Program. He advised that funding was available for up to 75% of the total materials and installation costs up to a maximum of \$2,500 for the sump pump and pit and up to a maximum of \$1,500 for the backwater valve. He confirmed that applications must be received no later than December 31, 2021 with the work completed and paperwork submitted to the City of Brandon by January 15, 2022.

Councillor Berry noted that the applications were available on the website at [www.brandon.ca](http://www.brandon.ca) with further information available by contacting the City of Brandon Planning & Buildings Department.

DAYTIME FIRE PIT USAGE

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Councillor Berry announced that excessive smoke from fire pits burning during the day had caused problems in the Linden Lanes Ward over the long weekend. He encouraged residents to have consideration for their neighbours and only light their fire pits in the evening hours to ensure everyone was afforded the opportunity to open their windows and enjoy the fresh air throughout the day.

CLEAN-UP BEHIND BUSINESSES IN 1500 BLOCK OF PARK AVENUE

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Councillor Luebke thanked all City of Brandon staff for their hard work in cleaning up the area behind businesses in the 1500 Block of Park Avenue and along the railway tracks in the area. He stated that area business owners had expressed their appreciation for these efforts and requested same to be passed on to the workers.

INSTALLATION OF RECTANGULAR RAPID FLASHING BEACONS IN SOUTH-CENTRE WARD

Councillor Luebke announced that Rectangular Rapid Flashing Beacons were to be installed on 6th Street at either Hill, Brandon or Queens Avenue later this spring or early this summer with same expected to slow traffic and aid in the safety of pedestrians in the area.

MEADOWS-WAVERLY WARD BY-ELECTION

His Worship the Mayor announced that a Meadows-Waverly Ward By-Election would take place on May 5, 2021 with two candidates, Sunday Frangi and Gordon McRae, having put their names forward to run. His Worship advised that the Advance Poll would be held at City Hall on April 29, 2021 with other polling locations to be announced in the near future. He encouraged residents of Meadows-Waverly Ward 5 to get out and vote.

GENERAL BUSINESS:

(A) COMMEMORATIVE NAMING OF BROOKWOOD AREA PARK

City Council considered a report from the Parks and Recreation Department dated December 22, 2020 with respect to the above.

Berry-Cameron

1030 That the new park located in the Brookwood area, at the corner of Plateau Drive and Goldenrod Drive be named "Olivia the Brave Park". CARRIED.

(B) 2021 FINANCIAL PLAN

Considered was a report from the Director of Finance dated February 5, 2021 with respect to the above.

Fawcett-Parker

1031 That the 2021 Financial Plan of The City of Brandon dated April 6, 2021, as set out in the form approved by the Minister of Municipal Relations, a copy of which is attached to the report of the Director of Finance dated April 6, 2021, be so adopted;

and further, that the operating and capital estimates outlined in said plan be incorporated in and form part of the 2021 Tax Levy By-law.

(C) LAND TRANSACTION POLICY

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Submitted for consideration was a report from the Planning and Buildings Department dated March 8, 2021 with respect to the above.

Fawcett-Cullen

1032 That the Land Transaction Policy & Procedure dated April 6, 2021 attached to the report of the Director of Planning & Buildings be adopted whereby the Land Transaction Policy dated September 5, 2012 be hereby repealed. CARRIED.

(D) AFFORDABLE HOUSING GRANT - 701 ROSSER AVENUE

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Considered was a report from the Director of Economic Development dated December 18, 2020 with respect to the above.

Desjarlais-Berry

1033 That the City of Brandon provide an annual tax off-setting grant to Westman Youth for Christ equal to 50% of the general municipal portion of the annual taxes for the affordable residential units created at 701 Rosser Avenue for years 11-20, once project construction is complete. CARRIED.

(E) TENDER - SPORTSPLEX POOL MAIN DRAIN REPAIRS

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Submitted for consideration was a report from the Director of Parks & Recreation dated March 29, 2021 with respect to the above.

Fawcett-Luebke

1034 That the bid from CW2 Construction and Design LTD, to complete the Sportsplex Pool Main Drain Repairs, as per tender and specifications, for a total bid price of \$308,853.00 be approved;

and further that the total estimated cost be expended from the Sportsplex Reserve. CARRIED.

(F) APPOINTMENT TO THE AGE FRIENDLY COMMITTEE

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City Council considered a report from the Legislative Services Department dated March 22, 2021 with respect to the above.

Chaboyer-Cameron

1035 That the following citizen appointment be and is hereby appointed to the Age Friendly Committee for an interim term of office beginning April 7, 2021 and expiring December 31, 2021:

Ryan Sturgeon. CARRIED.

(G) APPOINTMENT TO THE BRANDON DOWNTOWN DEVELOPMENT CORPORATION

Submitted for consideration was a report from the Legislative Services Department dated March 29, 2021 with respect to the above.

Desjarlais-Cameron

1036 That the following citizens be appointed to the Brandon Downtown Development Corporation for terms of office to begin April 1, 2021 and end March 31, 2024:

Drew Caldwell  
Jay Buizer. CARRIED.

Desjarlais-Chaboyer

1037 That the following citizen be appointed to the Brandon Downtown Development Corporation for an interim term of office to begin June 23, 2021 and end March 31, 2023:

Ron Shaluk. CARRIED.

BY-LAWS:

NO. 7270 TO REZONE PROPERTY LOCATED AT 1230-18TH STREET NORTH FROM RESIDENTIAL LARGE LOT TO RESIDENTIAL LOW DENSITY

City Council considered a report from the Legislative Services Department dated March 9, 2021 with respect to the above.

Fawcett-Luebke

1038 That By-law No. 7270 - to rezone property located at 1230 - 18th Street North be amended as follows:

1. deleting in Section 1. the words: "RLD Residential Low Density"; and
  2. in Section 2, substituting "Map 2" to reflect the amendment to Section 1.
- CARRIED.



Fawcett-Luebke

1039

That third reading of By-law No. 7270 be held in abeyance pending the owner or successor entering into a development agreement with the City of Brandon with the following conditions:

1. The Developer agrees to construct three bare land condominium units, a common element and public right-of-way in general consistency with the attached site plan;
2. The Developer agrees legally open and construct the shared access adjacent to 18<sup>th</sup> Street North for the entire length of the proposed development and as such extend a public water main to service the proposed development. The access and right-of-way shall be 7.3 meters in width and designed to conform to the Brandon Fire and Emergency regulations, City of Brandon Sanitation requirements, the latest edition of the City of Brandon Standard Construction Specifications and Manitoba Infrastructure permit conditions. All costs associated with the construction of the access and water main shall be at the sole cost of the Developer;
3. The Developer agrees to maintain, at all times, unimpeded and open access to the properties to the south for the property owners of those properties, City of Brandon sanitation vehicles and City of Brandon Fire and Emergency vehicles during construction of the public right-of-way;
4. The Developer agrees to contribute to the Brandon School Division cash in lieu of land dedication in the amount specified by the Brandon School Division. The Developer agrees to submit proof of payment to the City of Brandon prior to the issuance of any development and/or building permits;
5. The Developer agrees 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;
6. The Developers agrees to contribute \$27,863.29 in development charges for network infrastructure. Payment of such contribution is due upon the execution of development agreement in accordance with Schedule B-3 of the Development Charges By-law. Additional development charges will be charged against any future buildings and will be applied at the time of issuance of a building permit;
7. The Developer agrees to contribute \$1,871.20 for a cash-in-lieu of land dedication for public reserve purposes. Payment of such contribution is due upon the execution of development agreement;

8. The Developer agrees to apply and receive approval by way of a permit from Manitoba Infrastructure for all work in the 18th Street North provincial right-of-way.
9. The Developer agrees to enter into a blanket Easement agreement, over the entire common element, for drainage with the City of Brandon. The drainage Easement Agreement will be registered in series with the Plan of Condominium and Plan of Public Road Opening;
10. The Developer agrees to enter into a Private Sewer Agreement with the City of Brandon for the Low Pressure Sewer System, up to and including the connection to a public manhole. The Private Sewer Agreement will be registered in series with the Plan of Condominium and Plan of Public Road Opening;
11. The Developer agrees to provide evidence of Easement Agreements with Manitoba Hydro, MTS Inc., and Westman Communications Group, being entered into and registered against title of the Lands, prior to the issuance of any development and/or building permits;
12. The Developer agrees to submit a Detailed Cost Estimate for all work to be completed within the City's right-of-way. The detailed cost estimate is to be reviewed and acceptance by the City Engineer, prior to the City executing the development agreement; and
13. The Developer agrees to submit an Irrevocable Letter of Credit totaling 15% of the accepted detailed cost estimate, prior to the City executing the development agreement;

and further, 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, bylaws and Acts. CARRIED.

NO. 7299 TO IMPOSE AND LEVY PROPERTY TAXES FOR 2021

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City Council considered a report from the Director of Finance dated February 5, 2021 with respect to the above.

Fawcett-Parker

1040 That By-law No. 7299 to impose and levy property taxes for the fiscal year 2021 be read a first time. CARRIED.

NO. 7300 TO AMEND BY-LAW NO. 7273 – TAX INCREMENT FINANCING PROGRAM FOR 3409 VICTORIA AVENUE

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Mayor Chrest declared a conflict of interest in this matter due to his personal business being situated next to the property in question, and left the Council Chamber without further discussion.

Submitted for consideration was a report from the Director of Economic Development dated March 15, 2021 with respect to the above.

Cullen-Cameron

1041 That By-law No. 7300, to amend By-law No. 7273 - TIF Program for 3409 Victoria Avenue, to relocate clauses to provide clarity to the terms and conditions of the tax increment financing program for 3409 Victoria Avenue be read a first time. CARRIED.

Following the vote on the above motion, Mayor Chrest re-entered the Council Chamber.

NO. 7301 TO REZONE PROPERTY DESCRIBED AS LOT 1, BLOCK 48496 LOCATED EAST OF LARK STREET AND WEST OF 301 GLEN AVENUE FROM PARKS AND RECREATION TO RESIDENTIAL MOBILE/MODULAR HOME

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Considered was a report from the Planning and Buildings Department dated March 12, 2021 with respect to the above.

Fawcett-Chaboyer

1042 That By-law No. 7301 to rezone property located at Lot 1 Plan 48496 BLTO from Parks and Recreation (PR) to Residential Mobile/Modular Home (RMH) be read a first time. CARRIED.

GIVING OF NOTICE:

(A) CODE OF CONDUCT FOR CITIZEN APPOINTEES TO COUNCIL ESTABLISHED BOARDS, COMMISSIONS AND COMMITTEES

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In accordance with Rule 60 of Procedure By-law No. 6634, Councillor Luebke gave notice of his intent to introduce at the May 3, 2021 regular meeting of Council, a motion to adopt a Code of Conduct for citizen appointees to Council established boards, commission and committees.

ADJOURN:

Berry-Chaboyer

That the meeting do now adjourn (9:49 p.m.) CARRIED.

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MAYOR

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CITY CLERK