

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, OCTOBER 4, 2021 AT 7:00 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA**

**PRESENT:** Mayor Rick Chrest In The Chair, Councillor Shawn Berry, Councillor Shaun Cameron, Councillor Jan Chaboyer, Councillor Barry Cullen, Councillor Kris Desjarlais, Councillor Jeff Fawcett, Councillor Sunday Frangi, Councillor Bruce Luebke, Councillor Glen Parker

**ABSENT:** Nil

**ADOPTION OF AGENDA:**

**Cullen-Luebke**  
1190 That the Agenda for the regular meeting of City Council to be held on Monday, October 4, 2021 be adopted as presented. CARRIED.

**CONFIRMATION OF MINUTES:**

**Chaboyer-Cameron**  
1191 That the Minutes of the Regular Meeting of City Council held Monday, September 20, 2021 be taken as read and so adopted, all statutory requirements having been fulfilled. CARRIED.

**Cameron-Frangi**  
1192 That the Minutes of the Special Meeting of City Council held Monday, September 27, 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



Luebke-Desjarlais

1194 That the report of the Keystone Centre and the Brandon Urban Aboriginal Peoples' Council be received. CARRIED.

ENQUIRIES:

(231) UPDATE ON THE BRANDON DOWNTOWN DEVELOPMENT CORPORATION

Councillor Luebke requested an update on the Brandon Downtown Development Corporation, inclusive of what was accomplished in 2021 and planned for 2022.

At the request of His Worship the Mayor, the City Manager responded that a formal presentation to City Council, inclusive of 2021 accomplishments and 2022 proposed plans, would be provided by year-end.

(232) TRAFFIC CONCERNS - INTERSECTION OF FREDERICK STREET AND COLLEGE AVENUE EAST

Councillor Parker advised that concerns had been raised with respect to the speed of traffic and visibility issues at the intersection of Frederick Street and College Avenue. He enquired if this issue could be investigated and potential solutions sought.

At the request of His Worship the Mayor, the City Manager responded that, upon inspection of the area, it was determined that a yield sign was needed at this intersection and same would be installed by the end of the week.

(233) CONSTRUCTION BARRICADES AT 25TH STREET AND VICTORIA AVENUE

Councillor Cameron noted that while the construction work appeared to be completed, the barricades remained in place at the intersection of 25th Street and Victoria Avenue. He enquired when the barricades were expected to be removed and the asphalt completed at that intersection.

At the request of His Worship the Mayor, the City Manager responded that the watermain work had not been completed due to a shortage of materials. Mr. Bowles advised that the materials were expected to arrive within the week with the barricades to be removed and the repairs completed as soon as possible upon receipt of same. He confirmed that local businesses and residents were to be kept updated on the scheduled repairs.

(234) CONSTRUCTION UPDATE - 26TH STREET AND WILLOWDALE CRESCENT/BRANDON AVENUE

---

Councillor Berry enquired as to the expected timeline for completion of the construction at 26th Street and Willowdale Crescent/Brandon Avenue.

At the request of His Worship the Mayor, the City Manager responded that the northbound lanes of 26th Street were re-opened to traffic, however work continued in the southbound lanes. He noted that intermittent, short-term closures to finish the watermain and concrete work were expected for the next few weeks. He confirmed that the work on 26th Street and the intersection itself were expected to be completed this year with the work on Willowdale Crescent planned for Spring 2022.

(235) CONSTRUCTION UPDATE - 26TH STREET AND MARYLAND AVENUE

---

Councillor Berry requested an update on the construction underway at 26th Street and Maryland Avenue.

At the request of His Worship the Mayor, the City Manager responded that the watermain and sewer installation at 26th Street and Maryland Avenue was to be completed this week with the road repairs scheduled for completion next week.

(236) ROAD REPAIRS TO MARQUIS DRIVE

---

Councillor Berry noted that Marquis Drive had suffered significant damage from all the heavy trucks and equipment accessing the developments in the area. He enquired if permanent repairs, inclusive of milling and paving, were planned for the near future.

At the request of His Worship the Mayor, the City Manager responded that significant repairs were planned for Marquis Drive in 2022. He confirmed that a detailed cost estimate for repairs to both Marquis Drive and Marquis Crescent was to be submitted to City Council as part of the 2022 Budget discussions.

(237) PRE-BUDGET PRESENTATION FROM FIRE AND EMERGENCY SERVICES DEPARTMENT

---

Councillor Berry enquired if a pre-budget presentation from the Fire & Emergency Services Department outlining operations and potential challenges could be provided to City Council ahead of the 2022 City of Brandon Budget Deliberations.

At the request of His Worship the Mayor, the City Manager confirmed that a presentation regarding operations and challenges of service delivery for Brandon Fire & Emergency Services would be scheduled prior to the 2022 City of Brandon Budget Deliberations. Councillor Berry requested that an Informal Session with the Fire & Emergency Services Department be scheduled mid-November. His Worship the Mayor agreed to take Councillor Berry's request under advisement.

(238) EXPANSION FOR SHARPS DISPOSAL CONTAINERS

Councillor Berry enquired if the locations of sharps disposal containers could be expanded to include spots along certain walking paths in the Linden Lanes Ward.

At the request of His Worship the Mayor, the City Manager responded that the City of Brandon Safety & Health Department was coordinating a meeting with Public Health's Harm Reduction team for further insight into this issue, following which the information garnered would be shared with City Council. Mr. Bowles advised that in the interim, some containers were available and agreed to follow-up with Councillor Berry on the proposed locations for same.

(239) UPDATE ON 8TH STREET PEDESTRIAN BRIDGE FUNDING APPLICATION

Councillor Desjarlais requested an update on the status of the funding applications for the installation of a pedestrian bridge on 8th Street.

At the request of His Worship the Mayor, the City Manager responded that the Engineering Department continued to search for applicable funding grants for the installation of the 8th Street Pedestrian Bridge and agreed to keep City Council updated on this issue as new information became available.

(240) SPEED OF TRAINS ENTERING AND EXITING CITY LIMITS

Councillor Desjarlais advised that he had received a concern from a resident with respect to the speed of trains entering and exiting city limits. He enquired as to the speed limits for trains within the City of Brandon, and further, whose responsibility it was for monitoring same.

At the request of His Worship the Mayor, the City Manager responded that the speed limits on rail corridors were set by the railway as per Transport Canada Rail Safety Regulations with the current maximum speed being 90 km/h within city limits. Mr. Bowles confirmed that train speed limits were monitored by the CP Police and encouraged any residents with concerns to contact CP Rail directly.

## ANNOUNCEMENTS:

### LINDEN LANES WARD MEETING - OCTOBER 12, 2021

Councillor Berry announced that a Linden Lanes Ward meeting would take place on Tuesday, October 12, 2021 in the MNP Hall at the Keystone Centre starting at 6:30 p.m. He advised that all COVID-19 protocols would be in place with vaccination QR Codes and identification required at the door as well as masks to be worn at all times. Councillor Berry advised that agenda items included the Southwest Secondary Plan (Maryland Avenue expansion), Willowdale Crescent construction, and any other city and ward issues.

### DAY OF ACTION FOR MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Councillor Fawcett reminded everyone that October 4 was deemed the Day of Action for Missing and Murdered Indigenous Women and Girls. He announced that he had attended a ceremony in Dinsdale Park earlier in the day, following which many of the attendees participated in the Sisters in Spirit Walk from Stanley to Dinsdale Park. Councillor Fawcett stressed the importance of remembering the Indigenous Women and Girls who had never returned home to their loved ones.

### INTERPROVINCIAL ASSOCIATION ON NATIVE EMPLOYMENT (IANE) - CHAMPIONS OF INDIGENOUS EMPLOYMENT AWARDS

Councillor Desjarlais announced that the Interprovincial Association on Native Employment (IANE) held their annual Champions of Indigenous Employment awards on September 22, 2022. Councillor Desjarlais advised that a number of individuals and employers were presented with awards, including Mr. Barry French who was presented with a lifetime achievement award for all his work in the Indigenous community. He thanked all those involved with IANE Westman for everything they do for their community.

### CHANGE TO WINTER HOURS FOR EASTVIEW LANDFILL SITE

Councillor Cameron announced that the Eastview Landfill Site had changed to their winter hours of 8:00 a.m. - 4:45 p.m. Monday to Saturday and Statutory Holidays effective October 1, 2021.

### MANITOBA 150 CELEBRATIONS - CITY OF BRANDON

His Worship Mayor Chrest issued accolades to the City of Brandon Recreation Department who hosted a variety of activities recently in celebration of Manitoba 150.

He noted that most Manitoba 150 events planned for 2020 had to be held over until 2021 due to the COVID-19 Pandemic; however, he was pleased to see that staff had found a way to allow everyone to celebrate safely. Mayor Chrest stated that he was pleased to see this and other events beginning to take place safely in our city.

GENERAL BUSINESS:

(A) APPOINTMENTS TO THE DOWNTOWN WELLNESS AND SAFETY TASK FORCE

Desjarlais-Luebke

1195 That the Terms of Reference for the Downtown Wellness and Safety Task Force be amended by deleting under MEMBERSHIP AND TERMS OF OFFICE the words: "ten (10) regular members" and substituting therefor the words: "twelve (12) regular members"; and deleting the words: "three (3) members-at-large" and substituting therefor the words: "five (5) members-at-large". CARRIED.

Desjarlais-Cameron

1196 That the following persons be appointed to the Downtown Wellness and Safety Task Force for a one year term to expire October 3, 2022 unless extended by a motion of City Council:

Councillor Jeff Fawcett - Brandon City Council  
Councillor Bruce Luebke - Brandon City Council  
Matthew Drew Kinsman - Member-at-Large  
Christopher Hees - Member-at-Large  
Joy Escalera - Member-at-Large  
Tim Silversides - Member-at-Large  
Sandy Smith - Member-at-Large  
James Chambers - Downtown Business Owner  
Matthew Scott Grills - Not-for-Profit Sector  
Jeanine Pelletier - Indigenous Community  
Cam Wirch - Commercial Property Owner/Developer

(B) APPLICATION TO SUBDIVIDE 2210 MARYLAND AVENUE

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

Berry-Cullen

1197

That the application to subdivide 2210 Maryland Avenue (Pt. SE 1/4 10-10-19 WPM) to create one (1) lot, a public road, and public reserve in the Educational and Institutional (EI), Parks and Recreation (PR) and Development Reserve (DR) zones, be approved subject to the following conditions:

1. The site being partially rezoned to the Educational & Institutional (EI) and Parks and Recreation (PR) zones; and
2. The plan of subdivision including the following dedications:
  - a. a public road dedication taking the northernmost 4.0m of the site, to be incorporated into the Maryland Avenue right-of-way; and
  - b. a public reserve dedication taking the westernmost 15.0m of the site; and
3. The owner or successor providing written confirmation to the City of Brandon Planning & Buildings Department that taxes for the property to be subdivided, for the current year plus any penalty, interest and arrears, have been paid in full or arrangements must be made satisfactory to Brandon City Council. CARRIED.

BY-LAWS:

NO. 7311

TO REZONE 2210 MARYLAND AVENUE FROM DEVELOPMENT RESERVE TO EDUCATIONAL INSTITUTIONAL AND COMMERCIAL GENERAL

---

Submitted for consideration was a report from Legislative Services dated September 22, 2021 with respect to the above.

Berry-Luebke

1198

That By-law No. 7311 to rezone a part of the property located at 2210 Maryland Avenue be amended as follows:

1. deleting in Section 1. the words "and CG Commercial General" and substituting therefor the following words ", PR Parks and Recreation and DR Development Reserve"; and
2. in Section 2. substituting "Map 2" to reflect the amendment to Section 1. CARRIED.

Berry-Luebke

1199 That the by-law as amended be read a second time. CARRIED.

Berry-Chaboyer

1200 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 with the following conditions:

- a. The Developer agrees to develop the site and construct an elementary school in general consistency with the attached site plan;
- b. The Developer agrees to dedicate 15m of land along the west property line for the entire length of the lands for the purposes of a multi-use trail connection and for future drainage network improvements. The land shall be dedicated as public reserve and identified on the Plan of Subdivision;
- c. The Developer agrees to develop the 15m public reserve land by constructing the multi-use trail, planting trees and laying sod. The design and landscaping of the public reserve is to be reviewed and accepted by the City Engineer prior to the issuance of a development permit;
- d. The Developer agrees to dedicate 4m of land along the north property line for the entire length of the lands for the purposes of a constructing a 1.8m sidewalk. The land shall be dedicated as right-of-way and identified on the Plan of Subdivision;
- e. The Developer agrees to construct the 1.8m sidewalk along the north property line for the entire length of lands. The design of all work proposed in the right-of-way is subject to review and acceptance of the City Engineer prior to the issuance of a development permit, and shall be performed as stated in the latest edition of the City of Brandon's Standard Construction Specifications;
- f. The Developer agrees to pay a contribution towards fourteen (14) 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;
- g. The Developer agrees to submit a Traffic Impact Study prior to the issuance of the development permit. Should the Traffic Impact Study recommend any required improvements necessary for the development of the school, an amendment to the development agreement will be required;

- h. The Developer agrees to construct a crosswalk on Maryland Avenue. Crosswalk enhancements shall include hardsurfaced approaches and culverts from the multi-use trail and sidewalk to roadways, rectangular rapid flashing beacons and required signage. The design of all work proposed in the right-of-way is subject to review and acceptance of the City Engineer prior to the issuance of a development permit, and shall be performed as stated in the latest edition of the City of Brandon's Standard Construction Specifications;
- i. The Developer acknowledges the site will be subject to development charges. Network Infrastructure charges of \$260,610.49 (2021 rate) are due upon the execution of the 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;
- j. 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; and
- k. The Developer will be responsible to submit either an Irrevocable Letter of Credit or a certified cheque totalling 15% of the Detailed Cost Estimate. Determination of the type of security will be determined upon receipt and acceptance of the detailed cost estimate. Submission of the security is required prior to the issuance of a development permit.

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. CARRIED.

NO. 7310

TO AMEND BY-LAW NO. 7080 SOUTHWEST BRANDON SECONDARY PLAN

---

Considered was a report from Legislative Services dated September 17, 2021 with respect to the above.

Berry-Cullen

1201 That By-law No. 7310 to amend the Southwest Secondary Plan By-law No. 7080 be amended by making the following changes to Schedule "A" thereto:

- 1. Adding the following immediately after Policy 6.4.3:

"6.4.4 Developers to the north of the existing Maryland Avenue right-of-way between Marquis Drive and 34th Street shall dedicate lands to establish a 20m wide right-of-way and 9m public reserve buffer in accordance with the Act. The right-of-way may be developed as a utility corridor and provides the opportunity to extend Maryland Avenue to 34th Street if warranted by future traffic volumes. CARRIED.

Berry-Cameron

1202 That the by-law, as amended, be read a second time. CARRIED.

Berry-Chaboyer

1203 That the by-law 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. 7310 third reading.

FOR

AGAINST

Mayor Rick Chrest

Nil

Councillor Shawn Berry

Councillor Shaun Cameron

Councillor Jan Chaboyer

Councillor Barry Cullen

Councillor Kris Desjarlais

Councillor Jeff Fawcett

Councillor Sunday Frangi

Councillor Bruce Luebke

Councillor Glen Parker

NO. 7315 TO AMEND BRANDON URBAN ABORIGINAL PEOPLES' COUNCIL BY-LAW NO. 6988 – MEMBERSHIP

---

City Council considered a report from the Legislative Services Department dated September 24, 2021 with respect to the above.

Fawcett-Frangi

1204 That By-law No. 7315 to amend Brandon Urban Aboriginal Peoples' Council By-law No. 6988 with respect to membership be read a first time. CARRIED.

NO. 7317 TO CLOSE AND CONVEY THE NORTH/SOUTH LANE LOCATED NORTH OF MAPLE AVENUE AND SOUTH OF PARKER BOULEVARD

---

It was noted that this by-law received first reading on September 7, 2021.

Desjarlais-Fawcett

1205 That By-law No. 7317 to close the north/south lane located north of Maple Avenue and south of Parker Boulevard and convey same to the City of Brandon, be read a second time. CARRIED.

Desjarlais-Chaboyer

1206 That the by-law 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. 7317 third reading.

FOR

Mayor Rick Chrest

Councillor Shawn Berry

Councillor Shaun Cameron

Councillor Jan Chaboyer

Councillor Barry Cullen

Councillor Kris Desjarlais

Councillor Jeff Fawcett

Councillor Sunday Frangi

Councillor Bruce Luebke

Councillor Glen Parker

AGAINST

Nil

NO. 7318

TO AMEND PARKING ENFORCEMENT BY-LAW NO. 7167 – PARKING VIOLATIONS

---

It was noted that this by-law received first reading on September 27, 2021.

Luebke-Parker

1207 That By-law No. 7318 to amend Parking Enforcement By-law No. 7167 to replace Schedule A - Parking Violations, be read a second time. CARRIED.

Luebke-Chaboyer

1208 That the by-law be read a third and final time. CARRIED.

In accordance with Section 130 of The Municipal Act, a recorded vote was taken on the motion to give By-law No. 7318 third reading.

FOR

Mayor Rick Chrest  
Councillor Shawn Berry  
Councillor Shaun Cameron  
Councillor Jan Chaboyer  
Councillor Barry Cullen  
Councillor Kris Desjarlais  
Councillor Jeff Fawcett  
Councillor Sunday Frangi  
Councillor Bruce Luebke  
Councillor Glen Parker

AGAINST

Nil

GIVING OF NOTICE:

Nil

ADJOURN:

Berry-Chaboyer

That the meeting do now adjourn (8:18 p.m.) CARRIED.

---

MAYOR

---

CITY CLERK