

**MINUTES OF THE REGULAR MEETING OF CITY COUNCIL HELD ON MONDAY, NOVEMBER 1, 2021  
AT 7:00 PM IN THE COUNCIL CHAMBER, CIVIC ADMINISTRATION BUILDING, BRANDON,  
MANITOBA**

---

PRESENT: Mayor Rick Chrest In The Chair, 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: Councillor Shawn Berry

ADOPTION OF AGENDA:

Luebke-Frangi  
1220 That the Agenda for the regular meeting of City Council to be held on Monday, November 1, 2021 be adopted as presented. CARRIED.

CONFIRMATION OF MINUTES:

Cameron-Cullen  
1221 That the Minutes of the Regular Meeting of City Council held Monday, October 18, 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:

Nil

COMMUNICATIONS & PETITIONS:

Nil

COMMITTEE REPORTS:

(A) KEYSTONE CENTRE VERBAL NOVEMBER 1, 2021

---

Councillor Luebke provided a verbal report from the meeting of the Keystone Centre held on October 28, 2021. He noted the increase in events at the Keystone Centre, and COVID protocols that require all attendees to be fully immunized. He also provided updates on the financial situation of the Keystone.

Councillor Luebke indicated that anyone interested in sitting on the Keystone Centre Board of Directors should submit their application by November 12, 2021, and that more information could be obtained by contacting the CEO/GM, Jeff Schumacher. He reported that the Keystone Centre's Annual General Meeting was scheduled for Thursday, January 13, 2022.

Luebke-Parker

1222 That the report of the Keystone Centre be received. CARRIED.

ENQUIRIES:

(246) CONDITIONAL ASSESSMENT OF UNDERGROUND UTILITIES

---

Councillor Cullen enquired as to when the inspections of the underground utilities would be completed and the results shared with City Council and the public.

At the request of His Worship the Mayor, the City Manager replied that Engineering Services had contracted out the clean out, inspection and condition assessment of the waste water and land drainage pipes, noting that this year's inspection would capture an additional 10% of the City's full network. He stated that the field work should be completed in November, with the analysis and assessment report projected to be completed in Spring 2022 and a general overview report presented in early summer.

(247) CLEAN-UP OF DEAD TREES NEAR 1ST AND 18TH STREETS

---

Councillor Parker advised that he had received complaints with respect to the unsightly dead trees due to flooding along the river near both 1st Street and 18th Street and enquired who was responsible for the clean-up of same.

At the request of His Worship the Mayor, the City Manager replied that these locations were not city-owned property. He noted that while the dead and decaying trees may be seem unsightly, they provided several significant ecological benefits such as root stability, decreased rate of erosion, habitat for different wildlife species, and provided nutrients to the soil and wildlife. If the City was to remove all dead trees along the riverbank, it would create an imbalance in the ecosystem. However, the City, in partnership with other organizations, could plant trees to expedite new growth.

(248) UPDATE ON INTERSECTION OF #110 EASTERN ACCESS HIGHWAY AND RICHMOND AVENUE EAST

---

Councillor Chaboyer requested an update on the safety recommendations and actions planned for the intersection at 110 Eastern Access Highway and Richmond Avenue East, near the Maple Leaf Plant.

At the request of His Worship the Mayor, the City Manager responded that both roadways were under Provincial jurisdiction, however, the City continued to work closely with Manitoba Infrastructure for a timely resolution, with recommended actions of the safety audit be undertaken immediately. Funding has been identified in the 2022/2023 Capital Infrastructure Program for safety improvements at this intersection. Recommended actions included improved or enhanced rubble strips along Highway 110, improved effectiveness for advance warning of the stop conditions on Highway 110, and posted speed reductions prior to both intersections be implemented.

(249) UPDATE ON CONSTRUCTION OF INTERSECTION AT 9TH STREET AND RICHMOND AVENUE

---

Councillor Chaboyer asked to receive an update on the closure of 9th Street and Richmond Avenue intersection.

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

(250) UPDATE ON CONSTRUCTION GOING ON AT 26TH STREET AND WILLOWDALE AVENUE AND 26TH STREET AND PARK AVENUE

---

Councillor Berry requested an update on the construction taking place at 26th Street and Willowdale Avenue and Brandon Avenue. He enquired when the paving would be completed and the intersection be open for traffic in all directions.

At the request of His Worship the Mayor, the City Manager responded that paving was beginning today, November 1, 2021, with completion expected tomorrow, which would allow the intersection to fully reopen. He noted that there would be some partial lane closures required to complete the concrete work planned for this year and traffic signals were scheduled for installation prior to seasonal shut down.

Further to this issue Councillor Frangi requested an update as to when the barricades at 26th Street and Park Avenue would be removed.

At the request of His Worship the Mayor, the General Manager of Development Services responded that the barricades at 26th Street and Park Avenue were connected to the construction project on 26th Street and Willowdale Avenue. As previously noted, paving was to be completed by November 2, 2021 and all barricades at these intersections would be removed to allow for traffic.

#### ANNOUNCEMENTS:

##### RETURN OF MUSICAL SHOW TO THE WESTERN MANITOBA CENTENNIAL AUDITORIUM (WMCA) - MECCA PRODUCTIONS "ALL TOGETHER NOW"

Councillor Cameron announced the return of a musical show to the WMCA after a 20 month shut down due to the COVID-19 pandemic. He advised that the show, All Together Now, was presented by Mecca Productions and featured songs from iconic musicals. Councillor Cameron noted that proof of vaccination would be required, children under the age of 11 must be accompanied by a fully vaccinated adult and face masks must be worn in all areas of the building, inclusive of the concert hall seats. He noted that further information was available on the website at [www.wmca.ca](http://www.wmca.ca) or by calling (204) 728-9510.

##### CONGRATULATIONS TO PATRICK LEASK - ABORIGINAL SPORT CIRCLE NATIONAL INDIGENOUS COACHING AWARD

Councillor Luebke congratulated Patrick Leask of Brandon who was one of the winners of the Aboriginal Sports Circle's 2021 National Indigenous Coaching Awards. Councillor Luebke noted that Patrick was a leader and a mentor for young Indigenous athletes in Brandon and had hosted softball clinics at various First Nations in the surrounding area.

GENERAL BUSINESS:

(A) AMENDMENT TO DEVELOPMENT AGREEMENT FOR 2210 MARYLAND AVENUE

City Council considered a report from the Planning and Buildings Department dated October 15, 2021 with respect to the above.

Luebke-Frangi

1223 That Council Resolution No. 1200 relating to the conditions of a development agreement for 2210 Maryland Avenue adopted at the October 4, 2021 meeting of City Council be amended by deleting clause "i" in its entirety and substituting therefor the following:

"i. The Developer agrees that development charges at rezoning and subdivision as per clause 14(a) of The Development Charges By-law are due prior to the issuance of a development or building permit in accordance with the current fee schedule at the time of application. Additional development charges as per clause 14(b) of the Development Charges By-law will be charged against any future buildings and will be applied at the time of issuance of a building permit." CARRIED.

(B) QUOTATION - WINDOW COVERINGS FOR COUNCILLORS' MEETING ROOM

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

Chaboyer-Frangi

1224 That the bid submitted by Infinity Blinds for the supply and installation of window coverings in the Councillors' Meeting Room, as per the Quotation and Specifications at a cost of \$7,092.43 (net of GST) be approved. CARRIED.

(C) APPLICATION TO SUBDIVIDE 1910 BELL AVENUE

Submitted for consideration was a report from the Legislative Services Department dated October 21, 2021 with respect to the above.

Fawcett-Cullen

1225 That the application to subdivide a portion of 1910 Bell Avenue (Lot 6, Plan 66744 BLTO) to create thirty-one (31) lots and public roads in the Residential Low Density (RLD) zone be approved subject to the owner or successor:

1. 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;
2. 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, BellMTS, and Westman Communication Group, and registering the easement agreement along with the easement plan, if required, in series with the plan of subdivision; and
3. Entering into a development agreement with the City of Brandon, to be registered in series with the subdivision, with the following conditions:
  - a. The Developer agrees to construct 31 residential units and public right-of-ways as per the proposed site plan 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. The Developer agrees to legally open, extend and construct the new public right-of-way of Outback Drive and Onyx Cove as proposed on the plan of subdivision and to extend all below and above ground municipal services for the right of way. 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;
  - c. The Developer agrees all proposed 15.0m wide street right-of-ways proposed under this subdivision will be signed as no parking on both sides of the street;
  - d. The Developer agrees to construct a secondary emergency access to the Lands by way of Bell Avenue in accordance with Brandon Fire and Emergency Services Street Development / Access Road Policy. The Developer will be required to submit design drawings as prepared by a professional engineer with such design is subject to review and acceptance by the City Engineer;
  - e. The Developer agrees to provide confirmation that there is sufficient capacity in the downstream land drainage system network to accept additional proposed drainage prior to the acceptance of the engineered drawings;

- f. The Developer agrees to pay a contribution towards boulevard trees. The amount of trees will be determined at the time of detailed design taking into consideration the City's Urban and Landscape Design Standards. Payment of such trees will be based upon the City's tree contract pricing for the current year;
- g. The Developer agrees that should any private lots be designed to convey shared drainage with the use of swales, easements are to be registered on all affected private lots. Such easements will be required to be registered in series with the Plan of Subdivision;
- h. Within one year of executing the development agreement or prior to application for the next subdivision/rezoning in the Oakridge Estates Neighbourhood Plan, whichever comes first, the developer agrees to submit an updated Neighbourhood Plan, including public reserve dedications for all of phase 2 (including the current stage) and all supporting servicing and traffic engineering studies for review by City administration and approval by City Council;
- i. 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;
- j. The Developer acknowledges the site will be subject to development charges. Network Infrastructure charges of \$101,359.26 (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;
- k. The Developer agrees, prior to the issuance of the subdivision certificate of approval, to contribute to the Brandon School Division in lieu of land dedication. Payment of receipt will be required prior to issuance of the subdivision certificate of approval;
- l. 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
- m. The Developer will be responsible to submit an Irrevocable Letter of Credit totaling 15% of the Detailed Cost Estimate. Submission of the Letter of Credit 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.

(D) APPLICATION TO MITIGATION AND PREPAREDNESS PROGRAM

---

City Council considered a report from the Director of Risk and Emergency Management dated October 27, 2021 with respect to the above.

Cameron-Frangi

1226 Whereas the Province of Manitoba Municipal Relations Mitigation and Preparedness Program allows municipalities with a DFA claim to use their claim deductible for mitigation of/preparedness for future disasters;

And Whereas, the City of Brandon was approved through the DFA program for the June 28 to July 5, 2020 severe weather event;

Therefore, be it resolved that the City of Brandon submit an application to the Mitigation and Preparedness Program for the Flood Protection Subsidy Program for 2022. CARRIED.

(E) TENDER - AIRPORT SNOW REMOVAL EQUIPMENT

---

Submitted for consideration was a report from the Transportation Services Department dated October 26, 2021 with respect to the above.

Fawcett-Parker

1227 That the highest scored submission from Airport Technologies Inc., for the purchase of snow removal equipment at a cost of \$470,629.87 (net of GST) be accepted;

and further that additional funds in the amount of \$30,379.87 be expended from the Airport Improvement Reserve. CARRIED.

BY-LAWS:

NO. 7296 TO REZONE PROPERTY LOCATED AT 1528 & 1534 PRINCESS AVENUE AND 211 – 16TH STREET FROM RESIDENTIAL LOW DENSITY AND COMMERCIAL GENERAL ZONES TO DOWNTOWN MIXED USE ZONE

---

Considered was a report from the Legislative Services Department dated September 1, 2021 with respect to the above.



Desjarlais-Luebke

1228 That By-law No. 7296 to rezone properties located at 1528 & 1534 Princess Avenue and 211 - 16th Street (Ely 80 feet of Lots 21 to 24 both inclusive and Lot 25 Exc the Sly 13 feet, Block 49, Plan 2 BLTO) from Residential Low Density (RLD) and Commercial General (CG) zones to Downtown Mixed Use (DMU) 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. 7296 third reading.

FOR

AGAINST

Mayor Rick Chrest

Nil

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. 7316

TO REZONE PROPERTY AT 1910 BELL AVENUE FROM RESIDENTIAL SINGLE DETACHED AND PARKS AND RECREATION ZONES TO RESIDENTIAL LOW DENSITY ZONE

City Council considered a report from the Legislative Services Department dated October 21, 2021 with respect to the above.

Fawcett-Frangi

1229 That By-law No. 7316 to rezone part of 1910 Bell Avenue (Lot 6, Plan 66744 BLTO) from Residential Single Detached (RSD) and Parks and Recreation (PR) zones to Residential Low Density (RLD) zone be read a second time. CARRIED.

Fawcett-Chaboyer

1230 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. 7316 third reading.

FOR

Mayor Rick Chrest  
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:

(A) AMENDMENTS TO NUISANCE BY-LAW NO. 5806

In accordance with Rule 60 of Procedure By-law No. 6634, Councillor Cameron gave notice of his intent to introduce at an upcoming regular meeting of City Council, amendments to Nuisance By-law No. 5806.

(B) SECURITY LIGHTING IN BACK LANES

In accordance with Rule 60 of Procedure By-law No. 6634, Councillor Frangi gave notice of his intent to introduce at an upcoming regular meeting of City Council, a motion with respect to security lighting in back lanes.

ADJOURN:

Parker-Chaboyer

That the meeting do now adjourn (7:59 p.m.) CARRIED.

---

MAYOR

---

CITY CLERK