

Minutes of a Regular Meeting of Council held in the Council Chambers of City Hall on May 29, 2001 at 6:06 p.m.

PRESENT: Councillors Allen, Brennan, Hamilton, Porter Quinn & Tenzsen with Mayor Ian MacKenzie in the Chair.

ABSENT: None

ADOPTION OF MINUTES: 115/01 Moved by: Councillor Quinn
Seconded by: Councillor Allen
RESOLVED THAT the Minutes of the Regular Meeting of Council held in the Council Chambers of City Hall on May 14th, 2001 be approved as circulated.
Carried.

HEARINGS: Variation – John Boychuk

Councillor Quinn declared a conflict of interest and left the room.

Letters of objection were read into record from the following businesses:

H&A Sub – Ms. Elizabeth Khan expressed her concerns regarding the reduction in parking requirements from the required 7 parking stalls to 0 stalls as well as the reduction in rear yard from 6 meters to 0 meters.

Flanders Real Estate: Mr. Henry H. Sahrman expressed his concern on behalf of Gendis Inc. regarding their concern of unauthorized parking by customers shopping at the subject property.

Casablanca Ladies Wear: Ms. Fran Quinn and Ms. D.E. Patsack expressed their concern regarding the reduction in parking requirements from the required 7 parking stalls to 0 stalls as well as the reduction in rear yard from 6 meters to 0 meters.

William Glesby Holdings Ltd.: Ms. Margaret Johnson expressed her concerns of parking problems on behalf of the tenants of their building located at 32 Tupper Street North. She enclosed Mr. John Chapman's concerns and they were read in open Council.

The following people appeared in person in favour of the variance:

John Boychuk

Mr. Boychuk addressed Council and stated that there would not be a parking issue as his business has a low traffic volume. He also stated that there would be minimal garbage as the furniture is re-wrapped when sold, therefore there is no requirement for a garbage bin. He stated that there are two parking meters in front of his business which would be sufficient parking.

Dan Maxwell

Mr. Maxwell addressed his concerns to Council about the development of the downtown area of Portage la Prairie. He stated that buildings downtown should be allowed to go to the lot line.

Diane Boychuk

Mrs. Boychuk appeared before Council in favour of the variance. She stated that Curves Business in the mall is very busy and creates a lot of congestion while the proposed new furniture store would not have an impact in parking.

The following people appeared in person to voice their objections to the Variance:

Sandy Watson – Total Travel

Ms. Watson expressed her objection to the variance stating that the lot in front of Total Travel is always full and often not from customers at her place of business.

Fran Quinn – Casablanca Ladies Wear

Ms. Quinn expressed her objection to the variance. She stated that there is a problem with customers from businesses adjacent to the mall parking at the mall and by allowing a new business with no parking would only make the situation worse.

Councillor Quinn returned to the meeting.

Variation – Eugenie Johnston

No one appeared and no objections were made.

Zoning By-Law Amendment – By-Law 01-8090

No one appeared and no objections were made.

DELEGATIONS:

Ms. Carrie-Ann Lander, Youth Drop In Coordinator
Design A Logo Contest for the Teen Warehouse

Carrie-Ann Lander appeared before Council and presented the Design-A-Logo award to Ms. Leisha Miller. Carrie-Ann also informed the Council of the upcoming events of the Teen Drop-In Centre. Mayor MacKenzie congratulated Ms. Miller on a job well done.

CORRESPONDENCE:

The correspondence for this period was reviewed.

COMMITTEE REPORTS:

**Finance, Legislative &
Property Committee**

Your Worship, your Finance, Legislative and Property Committee respectfully submits the following reports:

Unpaid Water & Sewer to
Taxes for April 2001 – By-
Law No. 01-8097 – 2nd & 3rd
Reading
June/Shirley

This is part of the normal monthly procedure to allow unpaid water & sewer accounts to be added to taxes.

116/01

Moved by: Councillor Quinn
Seconded by: Councillor Hamilton

RESOLVED THAT By-Law 01-8097 being a by-law to authorize unpaid water and sewer be added to taxes be read a second time.

RESOLVED THAT By-Law 01-8097 be read a third time, finally passed, signed and sealed.
Carried.

In Favour: Councillors Allen, Brennan, Hamilton, Porter, Quinn, Tenzsen and Mayor MacKenzie.

Cancellation of Unissued
Authorized Debt
Nettie

When the City requires to finance a capital project through debentures, a by-law is required to authorize the estimated debt. To actually issue the debt, a second by-law is required when the capital project is complete and the actual debt amount is known.

The Municipal Board authorizes and tracks all debt authorized to be issued and all debt actually issued. The City was authorized \$10.2 million for the upgrade of the Wastewater Treatment Facility, however, it actually issued \$3.95 Million, leaving a balance of \$6.25 million of authorized debt dedicated to this project.

The project was completed and the outstanding amount of debt authorized is not required to that specific project. After first reading of

the by-law to cancel the unissued debt was given on February 27, 2001 it was presented to and approved by the Municipal Board. It is now ready for 2nd & 3rd Reading.

117/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton

RESOLVED THAT By-Law No. 01-8088 being a by-law to cancel unissued authorized debt, be given 2nd reading.

RESOLVED THAT By-Law No. 01-8088 be given 3rd reading, finally passed, signed and sealed.
Carried.

In Favour: Councillors Allen, Brennan, Hamilton, Porter, Quinn, Tenzsen and Mayor MacKenzie.

Business License By-Law
Nettie/Marg

Business license by-law 7625 provides for licensing and regulating certain businesses and trades pursuant to the Municipal Act. The by-law was adopted in 1994 but requires updating to address current issues.

The most significant changes to the by-law are:

- Wording has been changed in the by-law to exempt commercially taxed premises versus taxable business premises. This change will now exempt requirements for business licenses where a portion of a residence is commercially taxed for business purposes.
- To promote community spirit, non-profit organizations will no longer require licenses under this by-law for their fund raising initiatives, ie garage sales, hot dog sales.
- Businesses engaged exclusively in the wholesale of goods to other businesses are now exempt from requiring a business license. This means that businesses such as Coca-Cola, Westons Bread, etc. do not require a business license.
- There have been numerous complaints from business owners and pedestrians about transient traders. To improve regulation of this type of business within the City, it is proposed that the fee for business licenses for each transient trader be increased from \$250 to the maximum allowed under the Municipal Act Regulations, which is \$500.
- Automatic Vending Slot Machines – this section has been removed due to its difficulty and cost of enforcement. As well, vending machines are located on commercial property or institutions and these places do not require a business license.
- Christmas Trees – this section has also been removed since these businesses are either charitable and/or on commercial property.
- The Pawnbroker's section has been removed to form its own by-law. It does not pertain to business licenses.

At the May 14th Committee meeting, it was recommended by Council to further amend the Business License By-Law to apply the Business License Requirement to each individual Transient Trader. The By-Law has since been amended accordingly.

118/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton

RESOLVED THAT By-Law No. 01-8098 being a by-law to provide for licensing and regulating certain businesses and trades be read a first time.
Carried.

Pawnbroker's By-Law
Nettie/Marg

For many years, the License By-Law has contained a section on regulating pawnbrokers. The Business License By-Law has just been overhauled, and because the pawnbrokers operate from commercially taxed premises and do not require a business license, this section was deleted from the new by-law. In order to maintain the regulations for pawnbrokers, a separate by-law has been prepared under Section 232

of the Municipal Act. For a continuous legislation for pawnbrokers, this new by-law will require to receive readings at the same time as the new License By-Law.

- 119/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT By-Law No. 01-8099 being a by-law to provide for the regulating of Pawnbroker's pursuant to the provisions of the Municipal Act, be read a first time.
Carried.

Amendment to Fees &
Charges By-Law
Marg

On May 23, 2000, Council passed a resolution to amend Schedule D of the Fees & Charges By-Law to add a tax sale agreement administration fee of \$100. Somehow that amendment did not make it into the by-law. Therefore, when the current Fees & Charges By-Law was passed in December for 2001, the fee was again omitted.

- 120/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT Schedule D of the Fees & Charges By-Law No. 00-8078 be amended to read as follows:
"1 g) Tax Sale Agreement Administration Fee
\$100.00"
Carried.

Sale of City Land – Jim &
Aileen Solomon
Dean

The City of Portage la Prairie offered for sale via tender the property formerly called the Southside Community Club with a closing date of May 9, 2001. The tender was advertised in the local newspaper for five weeks.

The City received one tender for the property from Jim & Aileen Solomon for the amount of \$68,200.00 excluding the GST. The purchaser is self-assessing for the GST. A deposit of \$13,640.00 was received from the purchaser and all other conditions of the tender have been met.

As per the tender specifications, the closing date of the transaction shall be no later than September 7, 2001.

- 121/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT the Council of the City of Portage la Prairie authorize the sale of the property legally described as: Lot 10, Block 10, SS Plan 21428 PLTO in PL 64-68 in the City of Portage la Prairie. (4th Street SE) to Jim & Aileen Solomon for the total price of \$68,200 excluding GST and further that the purchaser be responsible for any and all associated costs relating to the sale and transfer of this property.
Carried.

New Pay Bands – CUPE
Agreement
Dale

Council reviewed a report entitled New Pay Bands in CUPE Agreement/Under Filling CUPE Positions in camera.

- 122/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
THAT the Mayor and City Manager be authorized to sign letters of understanding with CUPE 1002 to provide for:
 - The creation of pay grades 14 to 18, inclusive; and
 - To provide for reduced pay and a process for training for employees hired who don't meet the minimum qualifications for a positionCarried.

Monthly Activity Reports –
April, 2001 – For Information
Only

Council reviewed the monthly activity reports for April, 2001.

Current Projects List – For
Information Only

Council reviewed the Current Projects List in camera.

**City Planning & Economic
Development**

Your Worship, your City Planning and Economic Development
Committee respectfully submits the following reports:

Application for Variation –
John Boychuk
Dean

Councillor Quinn declared a Conflict of Interest and left the room.

The Applicant wishes to construct a building on this vacant lot to
house a furniture store which is a permitted use. The property is
located in a C1 – Central Commercial District (Core area).

The applicant has the approval of the owner of the property, Sonrisa
Inc. c/o Gerard Murray, to apply for this variation, as per the
Application for Variation. The application was circulated to various
City Departments with the following comments received:

- The rear yard should be retained at 6 meters (20 feet)
as the business would require room for staff parking,
garbage containers and off-street loading area.
- Sight lines for vehicles exiting the back lane and the
potential conflict with pedestrians and vehicles are a
concern. A vehicle must pull out across the sidewalk
in order to determine if there is adequate clearance to
proceed across the intersection. Part 3 (Clause 4,2)
requires a clear area formed by a triangle of 3 meter
sides at the corner of a lot.
- Lane maintenance (snow clearing) is more
problematic with buildings immediately on the lane.
- Parking in the area is already limited to on-street
parking, they could fit four parking stalls at the rear of
the building.
- The adjacent building encroaches 0.3 feet at the NW
corner of this lot
- The site area is about 5265 square feet. Maximum
coverage should be 4212 square feet. With a building
width of 43 feet, the length to get 80% coverage
would be 97.95 (say 98) feet. This would provide 20
feet at the rear for parking.
- For parallel parking, a total of 12 meters (39 feet) is
required, 6 meters for the parking stall and 6 meters
for the lane to back into. The lane here is only 4.87
meters (16 feet) in width.

Public notices were sent out to all property owners within a 100 (330
feet) meter radius.

Prior to the vote being called, Mayor MacKenzie requested that it be
recorded.

123/01 Moved by: Councillor Brennan
Seconded by: Councillor Allen
RESOLVED THAT the Council of the City of Portage la Prairie
approve the variation request of John Boychuk to vary:
-the rear yard from 6 meters (20 feet) to 0 meters.
-the parking requirement from 7 parking stalls to 0 parking stalls
-the site coverage from 80% to 100%
at the property known as 2 Saskatchewan Avenue West, which is
legally described as Lots 195 & 196, Plan 12, River Lot 64, Parish of
Portage la Prairie.
Carried.

In Favour: Councillors Allen, Brennan, Hamilton, Porter, Tenzsen
Opposed: Mayor MacKenzie

Councillor Quinn returned to the meeting.

Application for Variation –
Eugenie Johnston
Dean

The applicant, Mrs. Eugenie Johnston, is applying for a rear yard variation from the required 7.5 (25 ft) meters to 1.5 (5ft) meters.

Mrs. Johnston wishes to construct a garage and rear entry onto her dwelling. There are in effect two rear yards because of the shape of this property. With the addition that is being requested a rear yard of only five feet is created behind the garage addition.

This building is an R1 – Single family dwelling district. The application was circulated to various City Departments with no concerns being expressed. Public notices have also been sent out to property owners within 100 meters. No objections have been received to date.

124/01 Moved by: Councillor Brennan
Seconded by: Councillor Allen

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Eugenie Johnston at the property known as 420 Dufferin Avenue West which is legally described as Lot 3, Plan 30973, Parish Lot 62, Parish of Portage la Prairie to vary the rear yard from the required 7.5 (25 ft) meters to 1.5 (5ft) meters.
Carried

Re-zoning Amendment –
WPCF
Dean

The owner, the City of Portage la Prairie has applied to amend the City of Portage la Prairie Zoning By-Law No. 7680, to rezone the property adjacent to the current Waste Water Treatment Plant from UR – Urban Reserve to EI – Educational and Institutional in order to enable the City of Portage la Prairie to expand its current Waste Water Treatment Plant.

The application was circulated to various City Departments and the Province with no concerns being expressed. The application was also advertised in the Daily Graphic for two consecutive weeks and public notices were sent out to all owners of property within a 300 foot radius of the proposed development as per Section 45(2), (3), and (4) of the Planning Act.

First reading of this by-law was given on Monday, April 9th, 2001 to commence the process as defined in the Planning Act in considering this application.

125/01 Moved by: Councillor Brennan
Seconded by: Councillor Allen

RESOLVED THAT the Council of the City of Portage la Prairie approve the application to rezone the land described as: Parcel 1: all that portion of RL 108 which lies north of the northern limit of Norah Street as shown on a plan of special survey registered in the Portage la Prairie Land Titles Office as No. 435 and south of a straight line drawn easterly at right angles to the western limit of said Lot 108 through a point in the same distant southerly thereon 100 feet from the northwest corner of said Lot 108: Parcel 2: All of Norah Street in RL 108 Parish of Portage la Prairie, as shown on said plan of special survey No. 435: At Portage la Prairie and being Parcel 1: RL 117 Parish of Portage la Prairie exc all mines and minerals as set forth in Transfer 108936 PLTO Parcel 2: All those portions of RL 114, 115, 116, & 119, Plan 38412 PLTO secondly: all mines and minerals as set forth in Transfer 108936 PLTO from UR – Urban Reserve District to EI – Educational and Institutional for the purpose of expanding the current Waste Water Treatment Plant.

AND FURTHER THAT By-Law No. 01-8090 be read a second time.

AND FURTHER THAT By-Law No. 01-8090 be read a third time, finally passed, signed and sealed.
Carried.

In Favour: Councillors Allen, Brennan, Hamilton, Porter, Tenszen, Quinn and Mayor MacKenzie.

Planning District
Dale

At their joint meeting January, 2001, both Councils expressed an interest in the creation of a planning district.

The City and RM Councils have agreed to share net costs for the operation of the planning district on the basis of population, with the cost sharing formula to be reviewed by the planning district two years into its operation.

	<u>RM</u>	<u>City</u>
Population	6,627	13,077

There are one time provincial grants of up to \$40,000 available to assist newly created planning districts in revising and amalgamating development plans and zoning by-laws.

One of the general powers of a planning district under the Provincial Planning Act is to "promote public interest and participation in the planning and orderly development of the district". The intent is that a planning district would plan for developments throughout the region in an orderly, logical fashion.

126/01 Moved by: Councillor Brennan
Seconded by: Councillor Allen

RESOLVED THAT the Council of the City of Portage la Prairie hereby authorizes the City to join with the Rural Municipality of Portage la Prairie in the formation of a Planning District;

AND FURTHER THAT Planning District costs be shared based on population with the proviso that the planning district review cost allocation after two years of operation;

AND FURTHER THAT the City hereby authorizes the submission of a request to the Minister of Intergovernmental Affairs for the approval of this Planning District and for the provision of funding to assist in the development of a planning program for the Planning District.
Carried.

Central Plains Regional
Development Corporation
Membership
Dean

Since CPRDC is a membership based provincially funded regional development corporation, the City must pay a membership fee based on their population of 13,065 as established by the CPRDC.

The rate presented to the City by CPRDC is \$0.75 per capita with the total cost being \$9,798.75,

In return for our membership fee, the City will be able to attend Board meetings of the CPRDC and access database services as required, similar to any other member. We are also advised that in the event that the City required any significant services as a member, it would be on a fee for service basis.

The City and the RM have joint representation on the Tax Sharing committee and our membership into CPRDC will enhance and strengthen our ability to work together and develop regional based industrial attraction strategies that hopefully continue to produce results equal to the attraction of Simplot into our area

127/01 Moved by: Councillor Brennan
Seconded by: Councillor Allen

RESOLVED THAT the Mayor and Manager of Administration be authorized to sign the membership agreement between the City and Central Plains Regional Development Corporation with a total membership fee for the year 2001 being \$9798.75.
Carried.

Monthly Activity Reports –
For Information Only

Council reviewed the monthly activity reports for April, 2001.

Public Safety Committee

Your Worship, your Public Safety Committee respectfully submits the following report:

Community Policing
Committee Goals &
Objectives – For Information
Only
Dale

The Community Policing Committee (CPC) goals are to assist the community to be more responsible for public safety and to make citizens more aware of what they can do to make their community a safer place to live.

The CPC meet monthly to discuss issues of sharing responsibility for the safety of their community. Crime prevention and community policing share a common purpose – making the public safer and communities healthier.

Council reviewed the 2001 Goals & Objectives for the Year 2001

Monthly Activity Reports –
For Information Only

Council reviewed the monthly activity reports for April, 2001.

Waterworks Committee

Your Worship, your Waterworks Committee respectfully submits the following reports:

Monthly Activity Reports

Council reviewed the monthly activity reports for April, 2001.

Transportation Committee

Your Worship, your Transportation Committee respectfully submits the following reports:

6th Avenue Rail Crossings
Kelly B

CP Rail has requested the City consider installing stop signs on 6th Avenue at the rail spur crossing for improved safety. The rail crossing is presently marked with crossbucks in each direction. Train speeds across 6th Avenue is quite slow, however sight lines are not very good for either train engineers or automobile drivers.

CP Rail has indicated that there have been a few near collisions at this crossing in the past. Most of the vehicle traffic is light vehicle, presumably residents on their way to and from work in the industrial park. There is likely some heavy truck traffic, although 6th Avenue is not a truck route

128/01

Moved by: Councillor Tenzsen

Seconded by: Councillor Porter

RESOLVED THAT Council authorize the installation of stop signs in both directions on 6th Avenue East at the rail spur crossing and amend the Highway Traffic By-Law accordingly.
Carried.

Monthly Activity Reports -
For Information Only

Council reviewed the monthly activity reports for April, 2001.

**Community Services
Committee**

Your Worship, your Community Services Committee respectfully submits the following reports:

New Pre-Intake Orientation
for Social Assistance – For
Information Only
Dean

Effective April 1, 2001 the Social Services Division of Economic and Community Development introduced a new system for individuals requesting social assistance from the City to complete.

Before the rescheduling of an appointment, each individual that is requesting assistance is required to attend a pre-intake orientation session on a Tuesday at 9:00 a.m. at City Hall. During this hour-long session, the Social Services Coordinator presents the municipal assistance program to potential applicants and outlines their obligations to the City in regards to employment expectations as well as related information concerning the City's social assistance program in general.

Once each individual has completed the pre-intake session with the City, they are then required to attend an employment workshop at the Portage Learning Centre on Wednesdays at 9:00 a.m.

This new procedure has made applicants and recipients more aware of their obligations to the City of Portage la Prairie as well as our statutory obligations to our clients.

Canada Day Increase Request
Dean

The expansion of Canada Day budget will allow the City of Portage la Prairie to provide more entertainers to enhance the existing program offered.

This year's Canada Day Celebration's objective is to attract residents and visitors to Island Park to participate in family activities for the entire day until the fireworks in the evening. This has created a need for more entertainment and therefore more promotions, honorariums, mileage costs, and an increase of the nationalistic souvenirs given to participants in order to create a more festive celebration. With the expansion of the program of activities to occur, we expect a significant increase in participation.

Canada Day is not only an opportunity to pay homage to our country's founding date, but also provides an opportunity to attract tourists into our City to attend this special event in the natural and beautiful setting of Island Park.

We believe this type of expanded family program, whereby planned events have been organized and effectively marketed within our community and area, will not only increase our growing sense of community spirit and pride, but will allow us to more properly pay tribute to the real purpose of the day.

129/01

Moved by: Councillor Allen

Seconded by: Councillor Tenzsen

RESOLVED THAT the Council of the City of Portage la Prairie authorize Administration to expend up to an additional \$2,300 over the 2001 budget to enhance the Canada Day Celebrations.
Carried.

Monthly Activity Reports –
For Information Only

Council reviewed the monthly activity reports for April, 2001.

DEFERRED BUSINESS:

None

OLD BUSINESS:

None

NEW BUSINESS:

Outdoor Pool
Dean

Councillor Allen read a press release regarding the details of the new outdoor leisure aquatic facility. She stated that lessons and public swim would be held at Southport Community Aquaplex throughout July and August 2001 since the Lion's Pool is no longer feasible to be opened for another year due to the high cost of repair and maintenance. Councillor Allen also added that Administration has been directed to investigate the possibility of having a shuttle bus to the Southport pool.

Councillor Quinn added that the City of Portage made an error in communicating the details of the Pool situation to the citizens of Portage la Prairie and apologized on behalf of Council. He further stated that he was outraged by the Editorials that had appeared in the Daily Graphic regarding this issue.

Ms. Rose Nelissen appeared before Council to address her concerns with the closing of Lion's Pool.

Mayor MacKenzie assured Ms. Nelissen that the Council would do everything in their power to ensure that the outdoor pool in Island Park is operational for the 2002 Summer Season.

Fees & Charges By-Law
Amended
Marg

The Business License By-Law has just been reviewed and updated. Schedule D to the Fees and Charges By-Law must now be amended to reflect the various license fees referred to in the Business License By-Law. Because the License By-Law refers to the Fees and Charges By-Law for rates, this amending by-law must be read at the same meeting to have the rates in effect when the License By-Law is passed.

130/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT By-Law 01-8102 be given first reading to amend Schedule D of the Fees & Charges By-Law 01-8102 as follows:

11. Business Licenses	
Resident Business License Fee	\$100.00
Regional Business License Fee	150.00
Non-Resident Business License Fee	250.00
Transient Trader License Fee	500.00
Reproduction of Business License	25.00

Carried.

ADJOURNMENT

Moved by: Councillor
Seconded by: Councillor
RESOLVED THAT the Council Meeting be adjourned at _____
p.m.
Carried

Mayor

Manager of Administration