

Minutes of a Regular Meeting of Council held in the Council Chambers on Monday, July 14th, 2003 at 6:01p.m.

PRESENT: Councillors Brennan, Keryluk, Porter, Robinson, Quinn, and Wagner with Mayor Ian MacKenzie in the Chair.

ABSENT: None

MINUTES OF MEETING: 177/03 Moved by: Councillor Quinn
Seconded by: Councillor Wagner
RESOLVED THAT the minutes of the regular Council meeting held on June 23, 2003 at City Hall in Portage la Prairie be approved as circulated and amended in Resolution No. 163/03, item (c), by changing reference to Lots 33 and 34, Block 5, Plan 407 to Lots 34 and 35, Block 5, Plan 407.
Carried.

HEARINGS:

Request for Variation – Kevin Wallis – 407 Dufferin Avenue West

No one appeared at the hearing.

178/03 Moved by: Councillor Wagner
Seconded by: Councillor Robinson
RESOLVED THAT all persons wishing to present at the public hearing for the Request for Variation for Kevin Wallis have been heard and the public hearing now be closed.
Carried.

The applicant, Kevin Wallis, is applying for a variation to allow rear yard to be reduced from the required 7.5 meters to .97 meters, side yard reduced from the required 1.5 meters to 1.2 meters to allow for the construction of an attached garage. Side yard to be reduced from required 1.5 meters to .3 meters to allow for small side deck totally fenced.

This building is in an R1 – Single family dwelling district. This property is an existing non-conforming and is less than the minimum site required of 460 m. sq. The front yard is supposed to be 7.5 meters and the street side should be 4.5 meters. The homeowner will have a total of 8.37 meters from the front of the garage to the property line.

The application has been circulated to the various City Departments with no concerns being expressed.

Public notices are being sent to all property owners with a 100 meter radius.

Administratively, we have no concerns with the application as presented and as such, would recommend approval, with the condition stated below.

179/03 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Kevin Wallis to vary the rear yard to be reduced from the required 7.5 meters (25 feet) to .97 meters (3.17 feet), side yard reduced from the required 1.5 meters (5 feet) to 1.2 meters (4 feet). Side yard to be reduced from required 1.5 meters (5 feet) to .3 meters (1 foot) at the property known as 407 Dufferin Ave. W. which is legally described as Parcel 3, Plan 1358, PLTO in RL 62 of Portage la Prairie, with the following condition:

1. That the applicant provide a full set of plans to the Portage la Prairie Planning District prior to the permit being issued.

Carried.

Request for Variation – Douglas Henry – 6 Ireland Crescent

No one appeared at the hearing.

180/03 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT all persons wishing to present at the public hearing for the Request for Variation for Douglas Henry have been heard and the public hearing now be closed.
Carried.

The applicant, Douglas Henry, is applying for a variation to allow rear yard to be reduced from the required 7.5 meters to 4.5 meters to allow for deck and hot tub.

This building is in an R1 – Single family dwelling district.

The application has been circulated to the various City Departments with no concerns being expressed.

Public notices are being sent to all property owners with a 100 meter radius.

181/03 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Douglas Henry to vary the rear yard to be reduced from the required 7.5 meters (25 feet) to 4.5 meters (15 feet) at the property known as 6 Ireland Crescent which is legally described as Lot 44, Block 6, Plan 1721, PLTO in RL 90 to 94, Parish of Portage la Prairie.
Carried.

Request for Variation – Cyril
Gervais – 4 Crestview Place

No one appeared at the hearing.

182/03 Moved by: Councillor Wagner
Seconded by: Councillor Brennan
RESOLVED THAT all persons wishing to present at the public hearing for the Request for Variation for Cyril Gervais have been heard and the public hearing now be closed.
Carried.

The applicant, Cyril Gervais, is applying for a variation to allow rear yard to be reduced from the required 7.5 meters to 6 meters to fit house on lot and to reduce rear yard to 3.6 meters for attached deck.

This building is in an R1 – Single family dwelling district.

The application has been circulated to the various City Departments with no concerns being expressed.

Public notices are being sent to all property owners with a 100 meter radius.

183/03 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Cyril Gervais to vary the rear yard to be reduced from the required 7.5 meters (25 feet) to 6 meters (20 feet) and to reduce rear yard to 3.6 meters (11 feet) at the property known as 4 Crestview Place which is legally described as Lot 12, Plan 2013, PLTO in Portage la Prairie, with the following condition:

1. That the applicant provide a full set of blueprints to the Portage la Prairie Planning District (with engineer stamp, if needed) prior to permit being issued.

Carried.

Request for Variation – Good
Shepard Parish – 1125
Saskatchewan Avenue East

184/03

No one appeared at the hearing.

Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT all persons wishing to present at the public hearing for the Request for Variation for Good Shepard Parish have been heard and the public hearing now be closed.
Carried.

The applicant, Good Shepherd Parish, is applying for a variation to allow sign requirement of 7.4 sq.m. to be enlarged to 9.64 sq. m.
Additional: Operations have indicated that the minimum ground clearance be varied from 2.4 meters to 0 meters.

This building is in an EI – Educational and Institutional district.

The application has been circulated to the various City Departments with no concerns being expressed.

Public notices are being sent to all property owners with a 100 meter radius.

185/03

Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Good Shepherd Parish to vary the sign requirement of 7.4 sq.m. to be enlarged to 9.64 sq. m. and the minimum ground clearance varied from 2.4 meters (8 feet) to 0 meters (0 feet) at the property known as 1125 Saskatchewan Ave. E. which is legally described as Lot 1, Plan 36017, PLTO in RL 69, Parish of Portage la Prairie, with the following condition:

1. The applicant ensures that the sign is situated 6 meters (20 feet) back from the front property line

Carried.

Request for Variation – Craig
& Karen Smith – 138 7th
Street N.E.

186/03

No one appeared at the hearing.

Moved by: Councillor Wagner
Seconded by: Councillor Brennan

RESOLVED THAT all persons wishing to present at the public hearing for the Request for Variation for Craig & Karen Smith have been heard and the public hearing now be closed.
Carried.

The applicant, Craig and Karen Smith, are applying for a variation to allow front yard to be reduced from the required 7.5 meters to 4.2 meters to allow for front porch.

This building is in an R1 – Single family dwelling district. The property is an existing non-conforming front yard is less than the required 7.5 meters and south side yard is less than the required 1.5 meters.

Surrounding properties have been viewed, with 50% of houses on the same side of the street being closer to the front property lines than the applicant. The variation request will place the addition in line with the said 50% of the surrounding houses.

The application has been circulated to the various City Departments with no concerns being expressed.

Public notices are being sent to all property owners with a 100 meter radius.

187/03 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Craig and Karen Smith to vary the front yard to be reduced from the required 7.5 meters (25 feet) to 4.2 meters (14 feet) at the property known as 138 7th St. N.E. which is legally described as Lot 11, Plan 71, PLTO in RL 68, Parish of Portage la Prairie, with the following condition:

The applicant is to provide a full set of plans (with engineer stamp, if needed) to the Portage la Prairie Planning District prior to permit being issued.
Carried.

DELEGATIONS:

None

CORRESPONDENCE:

The correspondence for this period was reviewed.

COMMITTEES:

Finance, Legislative & Property Committee:

Your Worship:
The Finance, Legislative & Property Committee respectfully submits the following report:

Unpaid Water & Sewer to Taxes for June, 2003 – By-Law 03-8180 – 1st Reading

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

Nettie

188/03 Moved by: Councillor Quinn
Seconded by: Councillor Robinson

RESOLVED THAT By-Law No. 03-8180 being a by-law to authorize unpaid water and sewer charges to be added to taxes be read a first time.
Carried.

Procedure By-Law Amendment – By-Law 03-8200 – 2nd & 3rd Reading

The City of Portage la Prairie formed a joint planning district with the Rural Municipality of Portage la Prairie. The new office of the Portage la Prairie Planning District is a separate entity that will be dealing with all planning matters. In order for the Development Officer and his Assistant to sign documents relating to planning matters, Council must provide the authority to do so.

Marg

189/03 Moved by: Councillor Quinn
Seconded by: Councillor Robinson

RESOLVED THAT By-Law No. 03-8200, a by-law to amend Organization and Procedure By-Law No. 03-8181 with regard to signing authorizations, be now amended in the last line of clause 4.2.5(h) by adding the words, “City of Portage la Prairie” before the words “planning related matters”, AND THAT By-Law No. 03-8200 be now read a second time.”
Carried.

THAT By-Law No. 03-8200 be now read a third time, finally passed, signed and sealed.
Carried.

In Favor: Mayor MacKenzie, Councillors Brennan, Keryluk, Porter, Quinn, Robinson and Wager.

2003-2006 Strategic Plan

Council reviewed the 2003-2006 Strategic Plan in camera.

Dale

190/03 Moved by: Councillor Quinn
Seconded by: Councillor Robinson

RESOLVED THAT the 2003-2006 City of Portage la Prairie Strategic Plan be approved.
Carried.

City Planning & Economic

Your worship:

Development Committee

The City Planning & Economic Development Committee has nothing to report.

Public Safety Committee

Your worship:

The Public Safety Committee respectfully submits the following report:

Community Policing By-Law
Amendment – By-Law 03-
8201 – 2nd & 3rd Reading

By-Law No. 7809, a by-law to authorize the establishment of a Community Policing Committee, was passed on November 6, 1995. Since that time, certain changes have taken place and it is deemed advisable to amend the by-law to reflect current practices.

By-Law 03-8201 amending the Community Policing Committee By-Law was given first reading on June 23rd.

Marg

191/03

Moved by: Councillor Wagner

Seconded by: Councillor Quinn

RESOLVED THAT By-Law No. 03-8201 being a by-law to amend the Community Policing By-Law No. 7809, be now read a second time.

Carried.

THAT By-Law No. 03-8201 be now read a third time, finally passed, signed and sealed.

Carried.

In Favor: Mayor MacKenzie, Councillors Brennan, Keryluk, Porter, Quinn, Robinson, and Wagner.

Waterworks Committee

Your worship:

The Waterworks Committee respectfully submits the following report:

Massey Crescent Local
Improvement Plan –
Municipal Board Hearing

Council reviewed the Local Improvement Plan for information only.

Southport Aerospace Center
Inc. – Sewage – For
Information Only

Council discussed this report in camera.

Transportation Committee

Your worship:

The Transportation Committee respectfully submits the following report:

Odd Fellows Towers – Paving
Request

The Board of Director of Odd Fellows Inc. have submitted a request to Council to consider paving a portion of the lane behind Odd Fellows Towers, 151 Royal Road North.

The cost to pave the portion of lane adjacent to their property (260'x19') is approximately \$10,000.00. They have advised that local residents and businesses also use this lane to gain access to their properties. They have asked the City to pay for half of this project, reimbursing Odd Fellows in 2004 for the City's share so that Odd Fellows can proceed with the project this year.

Under the Municipal Act, the local improvement process is used for paving projects where there is a specific area that benefits from the project. The process involves sending notices and a proposed plan, with an estimated cost per benefiting tax payer

Kelly

192/03

Moved by: Councillor Keryluk

Seconded by: Councillor Robinson

RESOLVED THAT Council grant permission to Odd Fellows Towers to pave the portion of the back lane at the Odd Fellows Towers, Inc. with the City to pay half the cost; and

THAT the specifications for the paving be pre-approved by the City's Operation Department.

Defeated.

**Community Services
Committee**

Canada Day Celebrations in
Portage la Prairie, July 1, 2003
– For Information Only

2002 Citizen, Sports and
Arts/Cultural Volunteer
Awards – For Information
Only

DEFERRED BUSINESS:

NEW BUSINESS:

Water Rights License

Your worship:

The Community Services Committee respectfully submits the following report:

Council reviewed the Canada Day Celebrations in Portage la Prairie, July 1, 2003.

Council discussed this report in camera.

2002 Citizen of the Year – Mrs. Margaret Kitson
2002 Sportsperson of the Year – Mrs. Pam Tarr

None

The City of Portage la Prairie currently has a license to withdraw water from the Assiniboine River for municipal purposes (drinking water) in the amount of 0.249 cubic meters per second (or 21.5 million liters per day) maximum instantaneous flow rate, with the total quantity of water diverted in any one year not to exceed 7401.0 cubic decameters, or 20.3 million liters of water per day on a 365 day average.

The Manitoba Conservation Water Branch has offered to renew the License under the following terms: 0.44 cubic meters per second (or 38 million liters per day) maximum instantaneous flow rate, with the total quantity of water diverted in any one year not to exceed 8948.94 cubic decameters, or 24.5 million liters of water per day on a 365 day average. The term of the License is 20 years.

The upgraded water treatment plant has been designed to withdraw 38 million liters per day in order to achieve the rated treated water capacity of 34 MI/d to meet anticipated maximum day demands. If the City withdrew 38 million liters of water from the River every day, this would equate to 13,870 cubic decameters per year. It is highly unlikely that the City would withdraw this much water continuously. The two major industries only run about 310 to 330 days per year. The annual average long term treated water demand is likely to be in the 20 to 25 MI/d range, which will require up to 28 MI/d withdrawal of water from the River. 28MI/d equates to 10200 cubic decameters per year, which is slightly over the proposed License limit.

In 2002, the City withdrew 4838 cubic decameters of water from the River for the year. Simplot is expected to add up to 3000 cubic decameters per year once their second phase expansion is complete, but will more likely be around the 2000 cubic decameters per year. With the anticipated Simplot expansion in 5 to 10 years, the development of the regional water system, and increases in the City demands, the total volume of water required could approach the rated design requirements of the plant on many days, but that would not necessarily translate into exceeding 8948.94 cubic decameters in one year.

The City could apply for an increased annual allocation now or wait until demands begin to rise significantly.

Kelly

193/03

Moved by: Councillor Robinson
Seconded by: Councillor Keryluk

RESOLVED THAT Council authorize the Mayor and Manager of Administration to sign the Water Rights License as proposed by Manitoba Conservation.

Carried.

OLD BUSINESS:

Water & Sewer Service to
Massey Crescent – Local
Improvement Plan – By-Law
03-8182 – 2nd & 3rd Reading

On March 10, 2003 the City of Portage la Prairie Council gave first reading to the local improvement plan to supply water and sewer services to the residents of Massey Crescent. This plan called for the servicing of 9 lots. Two undeveloped lots owned currently by Mr. and Mrs. Julie would not be serviced as they are currently being consolidated with another lot and there is an agreement in process to prohibit the servicing and/or subdividing of these lots.

Massey Crescent residents were each notified of the costs (\$13,868.90 per lot or \$2,020.50 per year per lot if financed over 10 years) and were given an opportunity to object up to the March 10 Council Meeting. There were two taxpayers who objected to the plan. The Municipal Board was called to hold a public hearing on June 11, 2003.

The Municipal Board has approved the local improvement plan subject to proof of consolidation of Julie's lots. The order is enclosed with the by-law. Mr. and Mrs. Julie's lawyer is aware of this condition and steps are being taken to complete this as soon as possible to commence the project.

Nettie

194/03

Moved by: Councillor Robinson
Seconded by: Councillor Keryluk

RESOLVED THAT the Local Improvement Plan By-Law No. 03-8182 to provide water and sewer services to Massey Crescent be read a second time.
Carried.

THAT By-Law No. 03-8182 be given 3rd and final reading, finally passed, signed and sealed.
Carried.

In Favor: Mayor MacKenzie, Councillors Brennan, Keryluk, Porter, Quinn, Robinson and Wagner.

Water & Sewer Service to
Massey Crescent – Local
Improvement Plan – Julie's
Agreement

The Local Improvement Plan to provide water and sewer services to Massey Crescent residents was approved by the Municipal Board with the condition that Julie's lots follow through with their consolidation plans.

Mr. and Mrs. Joseph Julie currently own 4 lots on Massey Crescent. The local improvement plan calls for 2 connections to their lots as they are currently in the process of consolidating the lots from 4 to 2.

In order to restrict the properties from future subdivision and maintain fairness and equity amongst those paying for the local improvement, an agreement is required to limit the number of water & sewer connections for Julie's lots.

Nettie

195/03

Moved by: Councillor Robinson
Seconded by: Councillor Keryluk

RESOLVED THAT the Mayor and Manager of Administration sign the Agreement between the City and Mr. and Mrs. Joseph Julie on the limitation of water and sewer connections.
Carried.

ADJOURNMENT:

The meeting be adjourned at 6:43 p.m.
Carried.

Mayor

Manager of Administration