

Minutes of the Meeting of Council held in the Council Chambers of the City of Portage la Prairie on Monday, October 24, 2005 at 5:00 p.m.

PRESENT: Councillors Brennan, Keryluk, Quinn, Porter, Robinson and Wagner

ABSENT: Mayor MacKenzie

ADOPTION OF MINUTES 260/05 Moved by: Councillor Quinn
Seconded by: Councillor Wagner
RESOLVED THAT the Council Minutes of the October 11, 2005 Regular Meeting of Council be approved as circulated.
Carried.

DELEGATIONS: **Mr. Ian Gray – Central Plains Hockey – Trash for Cash**

Mr. Gray spoke on behalf of the Central Plains Hockey Association regarding their upcoming Trash for Cash Fundraiser this Saturday, October 29, 2005.

Miss. Susan Radstrom – Downtown Revitalization Project

Miss. Susan Radstrom presented the Downtown Revitalization Project. Downtown Business Representative Dave Omichinski spoke in support of the project. Chris Dyer, representing the Portage and District Chamber of Commerce also spoke in support of the project.

HEARINGS: Deferred to end of Meeting at 6:00 p.m.

CORRESPONDENCE The correspondence for this period was reviewed.

COMMITTEES:

Finance, Legislative & Property Committee: **The Finance, Legislative and Property Committee respectfully submits the following reports:**

Unpaid Water & Sewer & Solid Waste to Taxes – By-Law 05-8263 – 2nd & 3rd Reading

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

261/05 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT By-Law 05-8263 being a by-law to authorize unpaid water, sewer and solid waste charges be added to taxes be read a second time.
Carried.

AND FURTHER THAT By-law 05-8263 be read a third time, finally passed, signed and sealed.

Carried.

In Favour: Councillors Brennan, Porter, Quinn, Robinson, Keryluk, and Wagner.

Fees & Charges By-Law – By-Law 05-8286 – 1st Reading

The Fees & Charges By-Law pulls together all the fees collected by the various departments within the City, and is updated annually to reflect any changes. This new by-law is scheduled to become effective January 1, 2006.

For clarification, in this by-law, the clause, “GST Not Applicable Unless Otherwise Noted”, has been added to each schedule.

Proposed changes to the 2006 Fees and Charges By-Law include:

Public Safety – Schedule A

This year under Fire Inspection Services, File searches has been added at a cost of \$60.00.

Operations – Schedule B

All fees related to the disposal of solid waste at the solid waste disposal site are approved as set by the Portage la Prairie Regional Landfill Authority.

Cemetery fees have not changed. Fees for special services and equipment rental have increased, in general, in accordance with labour costs.

Economic and Community Development – Schedule C

A general 2.5% inflationary increase for most of the recreation fees and charges is proposed. In addition there are a variety of specific changes that are listed in the report. Management was requested to provide additional information on calculation for swimming lesson costs.

Finance Department – Schedule – D

There were no changes to this Schedule.

Planning District – Schedule - E

This Schedule has been deleted as the Planning District now has the authority to set their own fees and permits schedule.

- 262/05 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT Council of the City of Portage la Prairie approve the Fees and Charges schedules for the year 2006 by giving By-Law No. 05-8286 first reading.
Carried.

2005 Taxes
Added/Deletions

The assessors have provided additional lists of additions and deletions to the assessment roll (dated September 27 & 30, 2005) amounting to \$31,323.62 and \$6,922.44 respectively.

The additional tax revenue budgeted for 2005 was \$113,000 based on building permits issued in 2004. Including the first batch of additions approved in September, the total added taxes, net of the Food Development Centre grant, for 2005 is \$98,442.98 resulting in \$14,557.02 under the budget amount.

Included in the schedule is a list of taxes for cancellations. The total cancellation requests for 2005 amounts to \$21,770.49.

- 263/05 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT pursuant to Section 326 of The Municipal Act, the Council of the City of Portage la Prairie authorize the additional report for additions and deletions to the assessment rolls and realty taxes of the City of Portage la Prairie amounting to \$31,323.62 and \$6,922.44 respectively.
Carried.

Monthly Activity
Reports

Council reviewed the monthly activity reports.

Current Project Lists

Council reviewed the current project lists in camera.

Budget Meeting

The Council of the City of Portage la Prairie has set their budget meeting date for November 19, 2005.

**City Planning &
Economic
Development**

The City Planning and Economic Development Committee respectfully submits the following reports:

Encroachment
Agreement – Hi Way
Motel – 2010
Saskatchewan Avenue
West

The building, which is a single storey motel, located at 2010 Saskatchewan Ave. West and owned by Kyu Sang Yoon encroaches slightly onto 21st Street N.W. and an existing sign encroaches onto Saskatchewan Avenue West. The owner has requested the City to allow the encroachment to remain for the life of the building.

The west wall encroaches onto 21st Street as much as 0.2 feet. In addition an eave and trough 1.3 feet and window awning 2.1 feet project from the west wall resulting in a total encroachment of 2.3 feet. An existing sign encroaches onto Saskatchewan Avenue West 3.6 feet.

264/05 Moved by: Councillor Wagner
Seconded by: Councillor Quinn

RESOLVED THAT Council of the City of Portage la Prairie enter into an agreement with Kyu Sang Yoon to allow the building and sign located at 2010 Saskatchewan Avenue West legally described as Lot 5 and 6, Plan 20, PLTO in RL 56 Parish of Portage la Prairie excepting Road Plan No. 822 PLTO to encroach 2.3 feet onto 21st Street N.W. and 3.6 feet into Saskatchewan Ave. West.

Carried.

Encroachment
Agreement – Dale &
Laura Falk – 1609
Saskatchewan Avenue
West

The building, which is a single story steel building located at 1609 Saskatchewan Avenue West and owned by Aron Dale Falk and Helen Laura Falk encroaches slightly onto Saskatchewan Avenue West. The owner has requested the City to allow the encroachment to remain for the life of the building.

The eave on the north side of the building encroaches as much as 1.6 feet onto Saskatchewan Avenue West.

265/05 Moved by: Councillor Wagner
Seconded by: Councillor Quinn

RESOLVED THAT Council of the City of Portage la Prairie enter into an agreement with Aron Dale Falk and Helen Laura Falk to allow the eave on the building located at 1609 Saskatchewan Avenue West legally described as Lot 114, Plan 15, PLTO in RL 57 and 58 Parish of Portage la Prairie to encroach 1.6 feet onto Saskatchewan Ave. West.

Carried.

Monthly Activity
Reports

Council reviewed the monthly activity reports.

**Public Safety
Committee**

The Public Safety Committee respectfully submits the following report:

Monthly Activity
Reports

Council reviewed the monthly activity reports. Councillor Wagner noted that Crime Statistics are down significantly again for the month of September. He advised Council that current fire calls in the RM will be used for the new Fire Agreement with the RM of Portage la Prairie. He also requested statistics on the comparison from last year's stats of animals euthanized.

**Waterworks
Committee**

The Waterworks Committee respectfully submits the following reports:

Monthly Utility
Payment Plan – For
Information Only

The City will be offering a new payment option for utility customers to take effect in 2006.

Currently, utility customers may pay their quarterly bills at the counter, by

mail or by electronic means. They may also join the pre-authorized payment plan to have the funds automatically withdrawn from their account.

Another option is being offered to commence in 2006 – utility customers may sign up for the monthly payment plan whereby monthly withdrawals are made from their bank account for utility costs.

The sign up sheet is available on the city's website. The City already offers a similar monthly plan to pay property taxes and has found it very successful.

Monthly Activity
Reports

Council reviewed the monthly activity reports.

**Transportation
Committee**

The Transportation Committee respectfully submits the following reports:

Island of Lights –
Closure of Streets in
Island Park

This year we are proposing to close the identified roads for the following dates and times to the residents and the public as part of Year 6 and to provide greater security to the display pieces:

November 7, 2005 to November 17, 2005 - 10:00 p.m. to 6:00 a.m. daily

November 18, 2005 to January 20, 2006 - 5:30 p.m. to 6:00 a.m. daily

A letter to all Island Park residents will be sent notifying them of the closure once approved by Council.

266/05 Moved by: Councillor Keryluk
Seconded by: Councillor Porter

1. That Council advise the Island Park residents that the route for access to their properties will be Royal Road South, Pelechaty Drive, to Brandon Ave, and Massey Crescent for the following dates and times:

November 7, 2005 to November 17, 2005 - 10:00 p.m. to 6:00 a.m. daily

November 18, 2005 to January 20, 2006 - 5:30 p.m. to 6:00 a.m. daily

2. That International Drive, George Hill Drive and Brandon Avenue east from George Hill Drive to International Drive are hereby closed for the above-mentioned dates.

Carried.

Household Hazardous
Waste Day

The Household Hazardous Waste Day was held on Saturday, September 10, 2005 from 10:00 am to 2:00 pm at the City Operations building. The event was a success, with the depot open and available to all residents of the City and Rural Municipality of Portage la Prairie. The purpose of this program is to divert household hazardous material from the landfill and dispose of it in a controlled manner.

There were a total **328Kg** of solid hazardous waste collected and a total of **13,440 liters** of liquid hazardous waste.

The Rural Municipality of Portage la Prairie will be contributing 50% of the direct local costs of the collection program. The Province of Manitoba subsidizes the transport and disposal of the material.

Mayor MacKenzie commented on a job well done by all the City Employees involved in the Hazardous Waste Day.

Central Plains Hockey

Members of the Central Plains 'Rink Rats' hockey team are planning a

Team Members
Fundraiser

“residential waste collection” fundraiser on Saturday, October 29 (tentative date). They plan to charge a small fee and solicit donations for the collection of residential waste. They will accept bags, cans, and large items such as furniture, with no limit. They will not accept hazardous waste nor items containing freon. The organizer has requested the City to waive tipping fees at the landfill.

Since the landfill is being operated as a Regional Landfill, and since the Portage Regional Landfill Authority charges the City for residential waste hauled by the collection contractor, waiving of fees would not be appropriate. It would be more appropriate for Council to pay the tipping fees on behalf of the fundraising group, if Council so chooses.

267/05 Moved by: Councillor Keryluk
Seconded by: Councillor Porter

RESOLVED That Council approve the payment of tipping fees for the material hauled to the landfill by the members of the Central Plains ‘Rink Rats’ hockey team, as part of the Trash for Cash fundraising event. Carried.

Monthly Activity
Reports

Council reviewed the monthly activity reports.

Drainage on
Saskatchewan Avenue

Drainage on Saskatchewan Avenue on the Northside of the Avenue near Cobbe’s Plumbing and Heating and surrounding area is being reviewed by Administration and will be brought forth to Council at a later date.

**Community Services
Committee**

The Community Services Committee respectfully submits the following report:

Monthly Activity
Reports

Council reviewed the monthly activity reports. Council outlined that pool attendance is up 800 patrons from last year at Splash Island.

**DEFERRED
BUSINESS:**

Prout Drive Access
Road

At the meeting of October 11, Council asked administration to investigate the feasibility of developing aesthetically appealing barriers/structures that would impede snowmobile and other related traffic along and adjacent to Garrioch Creek between Prout Drive and Brookside Crescent from Bridge Road to Henderson Drive.

As was noted at the meeting, snowmobiles have utilized the creek channel itself in the past. If the intent is to stop all snowmobile (and other) traffic along the entire Public Reserve corridor along the creek, significant measure would have to be taken.

In order to impede snowmobile traffic at Bridge Road, a fence would have to be constructed from the trees on the south side of the creek, west across the ditch on the east side of Bridge Road, north along the edge of Bridge Road and back through the ditch to the trees on the north side of the access trail which was recently cleared. A 3 meter wide gate, or removable and lockable posts, would have to be installed.

It would be nearly impossible to impede snowmobile traffic at the south end of this section of creek, at Henderson Drive, since there is a wide open green space at this end.

Towards the south end of this section of the creek, approximately 100 meters north of Henderson Drive, a gate could be installed on the northeast side of the creek crossing – a 30 foot wide public reserve (green space/walkway) and utility right-of-way which runs between Brookside Crescent and Prout Drive, with the creek passing through a culvert below. A fence or posts would have to be installed on the west side of the creek

crossing to stop snowmobiles from entering the creek.

There is also a secondary access to the creek from Prout Drive immediately to the west of the intersection of Prout Dr and Cadham Bay. Legal Plan 35629 describes this as a 10 foot wide “public walk”.

The creek and adjacent land was designated as green space as part of the 10% land space dedication in the development agreement and in the plan of subdivision for the area, for the use and enjoyment of all. The City does not generally restrict access to green space. That being said, however, all green space is not developed and made accessible by the City.

Council discussed this issue and decided not to proceed with barricades.

NEW BUSINESS: None

OLD BUSINESS: None

268/05 Moved by: Councillor Wagner
Seconded by: Councillor Porter
RESOLVED THAT Council recess until 6:00 p.m.
Carried.

Hearings: 269/05 Moved by: Councillor Wagner
Seconded by: Councillor Keryluk
RESOLVED THAT Council reconvene at 6:00 p.m. for the Hearings.
Carried.

Variation – Brian & Irene Jane

Mr. Brian Jane spoke in support of the variation request.

270/05 Moved by: Councillor Wagner
Seconded by: Councillor Porter
RESOLVED THAT the Public Hearing for the Variation request of Brian & Irene Jane now be closed.
Carried.

The applicant, Brian Jane, is applying for a variation order to allow the increase of an existing non-conforming use. The applicant wishes to build an 18 ft x 26 ft addition onto the back of an existing single family dwelling. This building is in a C2 – Central Commercial Highway Zoning District.

Public notices have been sent to all property owners within a 100 meter radius.

271/05 Moved by: Councillor Wagner
Seconded by: Councillor Porter
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Brian Jane to vary the size of an existing non-conforming use at the property known as 1775 Saskatchewan Ave W which is legally described as Lots 74/75, Plan 15, Parish of Portage la Prairie.
Carried.

Tim Moore – Rezoning – 2nd & 3rd Reading

Mr. Tim Moore spoke in support of the rezoning.

272/05 Moved by: Councillor Wagner
Seconded by: Councillor Quinn

RESOLVED THAT the Public Hearing for the second and third reading of By-law 05-8287 for the Rezoning of Mr. Tim Moore now be closed.

Carried.

The property in question, westerly 47 feet of Lots 191/193, Plan 73, Parish of Portage la Prairie, 220 5th Ave N.W. is presently zoned C3 – Highway Commercial. The applicant, Tim Moore, wishes to rezone this property to R1 – Single Family Dwelling District.

The City of Portage la Prairie Development Plan Policy lists this area as R – Residential.

The application has been advertised in the Daily Graphic for two consecutive weeks, circulated to the Province and public notices have been sent to all owners of property within a 100 meter radius of the proposed development as per Section 42 (2), (3) and (4) of the Planning Act.

First Reading of this By-Law was given on September 12, 2005 to commence the process as defined in the Planning Act in considering this application.

As of this writing, we have not received any written objections to the proposed re-zoning scheme.

273/05 Moved by: Councillor Wagner
Seconded by: Councillor Quinn

RESOLVED THAT the Council of the City of Portage la Prairie approve the application to rezone the land legally described as: westerly 47 feet of Lots 191/193, Plan 73, Parish of Portage la Prairie from C3 – Highway Commercial to R1 – Single Family Dwelling District.

THAT By-Law No. 05-8287 be read a second time.
Carried.

THAT By-Law No. 05-8287 be read a third time, finally passed, signed and sealed.
Carried.

In Favour: Councillors Brennan, Porter, Quinn, Wagner, Keryluk and Robinson.

Variation – Richard & Sandra Chapallez

Richard Chapallez spoke in support of the variation.

274/05 Moved by: Councillor Wagner
Seconded by: Councillor Porter

RESOLVED THAT the Public Hearing for the variation request of Richard and Sandra Chapallez now be closed.
Carried.

The applicant, Richard Chappellaz, is applying for a variation order to allow

- 1) Corner side yard requirement of 3.6m to be reduced to .91m (north side);
- 2) Required corner setback of 3m to be reduced to .61m (west side)

The applicant would like to replace an existing garage with a larger garage and keep it in approximately the same location.

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

The application has been circulated to the various City Departments with one concern being expressed regarding sight lines.

Upon a site visit, it was noted that the building should not create site line problems from Royal Road. It may possibly affect sight lines from rear lane. Three out of eight different properties, within 2 blocks that have back lanes, also have garages/sheds closer to rear lane and side yard than permitted. Public notices have been sent to all property owners within a 100 meter radius.

275/05 Moved by: Councillor Wagner
Seconded by: Councillor Quinn

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Richard Chappellaz to vary the

- 1) Corner side yard requirement of 3.6m to be reduced to .91m (north side);
- 2) Required corner setback of 3m to be reduced to .61m (west side)

at the property known as 651 Royal Road North which is legally described as Lots 926/927, Plan 66, Parish of Portage la Prairie.
Carried.

ADJOURNMENT:

There being no further business to discuss, the meeting adjourned at 6:10 p.m.

Manager of Administration

Mayor