

Minutes of a Regular Meeting of Council held at City Hall in the City of Portage la Prairie on Monday, July 13, 2009 at 6:00 p.m.

**PRESENT:** Mayor Ken Brennan, Councillors: Bereza, Ferris, Keryluk, Shindle, Quinn, Wagner

**ABSENT:**

**ADOPTION OF MINUTES** 184/09 Moved by: Councillor Quinn  
Seconded by: Councillor Wagner  
RESOLVED THAT the Minutes of the Regular Meeting of Council held at City Hall on Monday, June 22, 2009 and the Minutes of the Special Meeting of Council held at City Hall on Friday, June 26, 2009 be approved as circulated.  
Carried.

**DELEGATIONS:**

1) Mr. Bill Knott asked about council's plans to include public involvement in 2010 Budget Deliberations. Mr. Knott also questioned the public involvement in the wording of By-Law 09-8432 3.7.8. Mayor Brennan and Councillor Quinn clarified this.

2) Mr. John Boehm asked Council questions about Nutrient Removal and its impact on City finances, and requested answers in three days. Mayor Brennan responded to Mr. Boehm to say that the City is corresponding with other levels of government and stated that the matter of Nutrient Removal is still being discussed; therefore responses to his questions would not be forthcoming in three days.

**HEARINGS:**

Variation PC 48-09 – Shindle, 45 Burns Bay /Lot 18, Block 2, Plan 1721, Parish of Portage la Prairie

Krista Shindle was available to answer questions.

185/09 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner  
RESOLVED THAT: The public hearing for Variation PC 48-09 – Shindle, 45 Burns Bay /Lot 18, Block 2, Plan 1721, Parish of Portage la Prairie, now be closed.  
Carried.

Councillor Shindle declared a conflict of interest and left Council Chambers at 6:20 p.m. Graham Shindle is her son.

The applicants, Krista and Graham Shindle, are applying for a variation order to allow the rear yard requirement of 7.5m to be reduced to 5.48m. The applicants wish to build a deck in the rear yard of a corner lot. 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 have been sent to all property owners within a 100 meter radius.

186/09 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner  
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Krista and Graham Shindle to vary the rear yard requirement of 7.5m to be reduced to 5.48m in order to build a deck at the property known as 45 Burns Bay which is legally described as Lot 18, Block 2, Plan 1721, Parish of Portage la Prairie.  
Carried.

Councillor Shindle returned to Council Chambers at 6:22 p.m.

Variation PC 41-09  
Murray, 138 Royal

Mr. Bill Knott appeared in objection to this variation. Mr. Knott felt that the size of the garage, which would be larger than the house, would not fit aesthetically in

Road South / Lot  
38, Block 16, Plan  
21428, Parish of  
Portage la Prairie

a residential neighbourhood. Mr. Knott also submitted a letter of objection.

- 187/09 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner  
RESOLVED THAT: The public hearing for Variation PC 41-09 –  
Murray, 138 Royal Road South /Lot 38, Block 16, Plan 21428, Parish of Portage  
la Prairie, now be closed.  
Carried.

The applicant, Eric Murray, is applying for a variation order to allow

- 1) side yard of a reverse corner lot to be reduced from the required 4.5m down to 2.134m;
- 2) to increase the maximum site area of an accessory building from 14% up to 17%

The applicant wishes to build a detached garage in the rear yard of a reverse corner lot.

- 188/09 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner  
RESOLVED THAT the Council of the City of Portage la Prairie approve the  
variation request of Eric Murray to vary
- 1) side yard of a reverse corner lot to be reduced from the required 4.5m down to 2.134m;
  - 2) to increase the maximum site area of an accessory building from 14% up to 17% at the property known as 138 Royal Road South which is legally described as Lot 38, Block 16, Plan 21428, Parish of Portage la Prairie.
- Carried.

Variation PC 50-  
09, Vanessa  
Borton, 11 Cadham  
Bay / Lot 28,  
Block 4, Plan  
35629, Parish of  
Portage la Prairie

No one appeared.

- 189/09 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner  
RESOLVED THAT: The public hearing for Variation PC 50-09, Vanessa  
Borton, 11 Cadham Bay / Lot 28, Block 4, Plan 35629, Parish of Portage la Prairie  
now be closed.  
Carried.

The applicant, Vanessa Borton, is applying for a variation order to allow the rear yard to be reduced from the required 7.5m to 4.452m.

Applicant wishes to add on to an existing deck in the rear yard.

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

- 190/09 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner  
RESOLVED THAT the Council of the City of Portage la Prairie approve  
the variation request of Vanessa Borton to vary the rear yard to be reduced from  
the required 7.5m to 4.452m at the property known as 11 Cadham Bay which is  
legally described as Lot 28, Block 4, Plan 35629, Parish of Portage la Prairie.  
Carried.

Variation PC 51-09  
Westest / P.A.M.I.  
390 River Road /

Harvey Chorney, VP, P.A.M.I. was available to answer questions.

Lot 1, Plan 2049,  
PL 109, Parish of  
Portage la Prairie

- 191/09 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner  
RESOLVED THAT: The public hearing for Variation PC 51-09, Westest / P.A.M.I., 390 River Road / Lot 1, Plan 2049, PL 109, Parish of Portage la Prairie now be closed.  
Carried.

The applicant, Westest, is applying for a variation order to allow the maximum building height of an accessory building to exceed the height of the principal building. The accessory building to be 9.45m in height.  
A variation was previously requested and approved (PC 17-08) but has expired. Applicant is reapplying for the same request.  
This building is in an EI – Educational Institutional District.  
The application has been circulated to the various City Departments with no concerns being expressed.  
Public notices have been sent to all property owners within a 100 meter radius.

- 192/09 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner  
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Westest to vary the maximum building height of an accessory building to exceed the height of the principal building, the accessory building to be 9.45m in height, at the property known as 390 River Road which is legally described as Lot 1, Plan 2049, PL 109, Parish of Portage la Prairie.  
Carried.

**COMMITTEES:**  
**Finance,**  
**Legislative &**  
**Property**  
**Committee**

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

2008 Audited  
Financial  
Statements

The Municipal Act requires that the auditor's report including the audited financial statements be received by the municipality before June 30 of every year and be reviewed at the first regular meeting of the council after receiving the report. Included is the Federal Gas Tax Report in accordance with the Gas Tax funding agreement.

The audited statements reflect a 2008 year end surplus in the General Operating Fund of \$421,858 and a 2008 year end surplus of \$301,840 in the Utility Operating Fund as previously reported on March 9, 2009.

- 193/09 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT the Audited Financial Statements for the twelve months ended December 31, 2008 be adopted.  
Carried.

By-Law #09-8422  
Unpaid Water,  
Sewer, and Solid  
Waste to Taxes for  
May 2009 – 2<sup>nd</sup> &  
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.

- 194/09 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT By-law No. 09-8422 being a by-law unpaid water, sewer and solid waste charges be added to taxes be read a second time.  
Carried.

- 195/09 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT By-law No. 09-8422 being a by-law unpaid water, sewer and solid waste charges be added to taxes be read a third time, finally passed, signed, and sealed.  
Carried.  
In favour: Councillors Bereza, Ferris, Keryluk, Quinn, Shindle, Wagner and Mayor Brennan

By-Law #09-8423  
– Unpaid Water,  
Sewer And Solid  
Waste to Taxes For  
June 2009 – 1<sup>st</sup>  
Reading

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

- 196/09 Moved by: Councillor Quinn  
Seconded by: Councillor Shindle  
RESOLVED THAT By-Law No 09-8423 being a by-law to authorize unpaid water, sewer and solid waste charges be added to taxes be read a first time.  
Carried.

Monthly Activity  
Reports

Council reviewed the Monthly Activity Reports.

**City Planning &  
Economic  
Development**

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

Revised  
Application for  
Subdivision –  
Moffit – Lot 7 SP  
Plan 31796 RL  
119, Parish of  
Portage la Prairie

The applicants, Stephen and Sherry Moffit, had previously requested to subdivide a 1.53 acre lot (185.15' x 360') containing their existing residence, from their present holding of 5.75 acres. The 4.22 acre residual parcel was to be consolidated with the adjacent 9.05 acre parcel owned by Rossendale Holding Co. Ltd. (Title No. 2274043). However, Mr. and Mrs. Moffit now plan to put the 4.22 acre residual parcel up for sale.

- 197/09 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner  
RESOLVED THAT the Council of the City of Portage la Prairie approve the application for subdivision of Lot 7, SP Plan 31796, RL 119 in the Parish of Portage la Prairie into a 1.53 acre lot and a 4.22 acre lot on the conditions that the property is rezoned to "C3" Highway Commercial Zone, a 2-lot Plan of Subdivision is filed with the Portage la Prairie Land Titles Office, and that an easement for Manitoba Hydro is filed with Land Titles.  
Carried.

Application for  
Subdivision –  
Sareault, Lot 9, SP  
Plan 31796, River  
Lot 120, Parish of  
Portage la Prairie,  
City of Portage la  
Prairie

The applicant, Richard Sareault, wishes to subdivide his 3.55 acre holding into 3 lots of 1.32 acres, 0.72 acre, and 1.51 acres respectively for the purpose of selling his existing residence on the proposed 1.32 acre lot and retaining the other two proposed lots for future sale.

- 198/09 Moved by: Councillor Bereza  
Seconded by: Councillor Wagner  
RESOLVED THAT the Council of the City of Portage la Prairie approve the application for subdivision of a 3.55 acre lot into 3 lots, being 1.32 acre, 0.72 acre, and 1.51 acres, subject to the rezoning of this property to "C3" Highway Commercial Zone, a right-of-way agreement providing access to the proposed landlocked lot, and a Manitoba Hydro easement and plan of subdivision being filed with Portage Land Titles.  
Carried.

Monthly Activity  
Reports

Council reviewed the Monthly Activity Reports.

**Public Safety  
Committee**

The Public Safety Committee respectfully submits the following reports:

Monthly Activity  
Reports

Council reviewed the Monthly Activity Reports.

Policing Costs

A question was raised at Committee regarding prisoner costs. Inspector Jean Marc Nadeau responded to say that meal costs were charged to appropriate cost centres regarding residents and non-residents.

**Waterworks  
Committee**

The Waterworks Committee respectfully submits the following reports:

Monthly Activity  
Reports

Council reviewed the Monthly Activity Reports.

Power Outages

Councillor Bereza asked if the recent power outages affected the Water Treatment Plant and Water Pollution Control Facility. Councillor Keryluk responded that staff operated the plants manually and procedures were reviewed and evaluated.

**Transportation  
Committee**

The Transportation Committee respectfully submits the following reports:

Freedom of the  
City Parade –  
Temporary Road  
Closure

The 19<sup>th</sup> Portage Army Cadet Corps would like to hold a Freedom of the City parade on Saturday, October 3, 2009 in celebration of their 100<sup>th</sup> Anniversary. Similar to the event held in April of 1992, the cadet groups will march to City Hall for a special Freedom of the City document presentation and then march back to their starting point. The parade route is as follows:

The closure will affect the following streets:

Royal Road N – from Heritage Square Parking Lot to Lorne Avenue

Lorne Avenue from Royal Rd. N. to Tupper Street.

Tupper Street from Lorne to Saskatchewan Avenue

Saskatchewan Avenue – East Bound Lane from Tupper to 5<sup>th</sup> Street N.E.

Saskatchewan Avenue – West Bound Lane from 5<sup>th</sup> Street N.E. to 2<sup>nd</sup> Street N.E.

2<sup>nd</sup> Street N.E. from Saskatchewan Avenue to Prince Street.

Barricades have been requested for the closure of the streets. The Cadet Corps will be contacting the Heritage Square tenants to advise them of the event.

The day of the parade the City Operations Department will be putting up and taking down the barricades as well as setting up the detour for traffic. There will be some overtime costs associated with this event.

A letter was sent to Manitoba Infrastructure and Transportation requesting their permission to temporarily close the streets. They have given the City permission provided that the following conditions are met:

- RCMP assistance in closing streets.
- The City of Portage la Prairie will provide the appropriate signage for traffic control.
- If required, properly attired and trained flag persons will be provided by the City of Portage la Prairie to direct traffic.
- Local police forces and emergency services to be advised of the proposed closure by the City of Portage la Prairie.
- The City of Portage la Prairie shall indemnify the Department of Infrastructure and Transportation for any accidents/incidents arising as a result of the closure.
- The recommended minimum liability insurance coverage is \$2,000,000. The City of Portage la Prairie shall arrange for a clean up of the closed route prior to the reopening, if necessary.

199/09 Moved by: Councillor Wagner  
Seconded by: Councillor Ferris

RESOLVED THAT the Council of the City of Portage la Prairie approve the temporary closure of following city streets:

- Royal Road N – from Heritage Square Parking Lot to Lorne Avenue
  - Lorne Avenue from Royal Road North to Tupper Street
  - Tupper Street from Lorne to Saskatchewan Avenue
  - Saskatchewan Avenue – East Bound Lane from Tupper to 5<sup>th</sup> Street N.E.
  - Saskatchewan Avenue – West Bound Lane from 5<sup>th</sup> Street N.E. to 2<sup>nd</sup> Street N.E.
  - 2<sup>nd</sup> Street N.E. from Saskatchewan Avenue to Prince Street
- on Saturday, October 3, 2009 for the 100<sup>th</sup> Anniversary of the 19<sup>th</sup> Portage Army Cadet Corps to hold a Freedom of the City Parade.

AND THAT the City of Portage la Prairie provide the following:

- the appropriate signage for traffic control.
- notification to the Local police forces and emergency services of the proposed closure by the City of Portage la Prairie.
- indemnify the Department of Infrastructure and Transportation for any accidents/incidents arising as a result of the closure.

Carried.

On Street Parking  
on Queen Avenue

The Traffic By-Law authorizes City Council to make changes to the installation and location of traffic control signage and designation of streets within the City. A Council resolution is necessary to add or delete traffic control signage and change street designation.

Following the installation of a 3-way stop at the intersection of 9<sup>th</sup> St SE and Queen Avenue, the parking on Queen Avenue has been reviewed. There is currently no parking permitted on the first 160 feet (48.7m) on south side of Queen Ave, west of 9<sup>th</sup> St. SE, but parking is permitted on the remainder of Queen Ave to 5<sup>th</sup> St SE. Parking is permitted on the north side of Queen Ave on the first 160 feet (48.7m), west of 9<sup>th</sup> St SE, but not permitted on the remainder of Queen Ave to 5<sup>th</sup> St SE.

It is recommended to make the parking/no parking consistent for the entire length of Queen Avenue between 9<sup>th</sup> St SE and 5<sup>th</sup> St. SE. The least amount of change involves reversing the parking and restriction on the easterly end of Queen Avenue.

There are a few property owners on the north side of Queen Ave near 9<sup>th</sup> St that might object to eliminating the parking in front of their homes. There are two homes on the south side of Queen near 9<sup>th</sup> St SE where parking could be permitted, as is on the rest of the block to the west. Residents will be notified by letter following the Committee meeting of what is being proposed for consideration of Council.

Ms. Christina Overton attended Council regarding the changes on Queen Avenue. Council responded to concerns Ms. Overton has regarding this matter.

200/09 Moved by: Councillor Wagner  
Seconded by: Councillor Ferris

RESOLVED THAT Council authorize amendments to Schedule “D, No Parking Area” of the Traffic Bylaw.No. 01-8105 and the Traffic Sign Directory reference drawing that specifies the location of traffic control signage to provide for:

- 1) No parking on the north side of Queen Avenue from 5<sup>th</sup> St SE to 9<sup>th</sup> St SE.
- 2) Removal of the No Parking area currently on the south side of Queen Avenue from 9<sup>th</sup> St SE to a point 160 feet westerly.

Carried.

Monthly Activity

Council reviewed the Monthly Activity Reports.

- Reports
- Pedestrian  
Crosswalk Painting
- Councillor Keryluk stated his concerns regarding MIT having not painted crosswalk signs. Administration will look into this.
- Community Services Committee**
- The Community Services Committee respectfully submits the following reports:
- Monthly Activity Reports
- Council reviewed the Monthly Activity Reports.
- DEFERRED BUSINESS**
- None
- NEW BUSINESS**
- 2008 Community Volunteer Award Winners
- At the May 25, 2009 City Council meeting the nominees for the 2008 Community Volunteer Awards were reviewed and determined in camera. As the City's practice is to keep the names of those individuals receiving awards confidential until the awards are presented it is now necessary to authorize the awards publicly by resolution.
- 201/09 Moved by: Councillor Shindle  
Seconded by: Councillor Bereza  
RESOLVED THAT the Council of the City of Portage la Prairie award the 2008 Community Volunteer Awards to the following: Daisy Dowhy: Citizen of the Year; Roberta Christianson: Arts/Cultural Person of the Year; Eric Delong: Sports Person of the Year.  
Carried.
- OLD BUSINESS**
- ADJOURNMENT**
- There being no further business to discuss, Council adjourned at 7:00 p.m.

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Mayor

\_\_\_\_\_  
Manager of Administration