

**THE RURAL MUNICIPALITY OF STE. ANNE**

**May 28, 2014**

Minutes of the regular meeting of the Rural Municipality of Ste. Anne held at the Municipal Office in the RM of Ste. Anne on May 28, 2014.

Reeve Art Bergmann called the meeting to order at 6:36 pm with the following members of Council present: Councillors Renald Courcelles, Jake Reimer, Paul Saindon and Roger Massicotte. Also present was the CAO Jennifer Blatz and the Administrative Assistant Tiana Bohemier.

Councillors Daniel Brunel and Laurie Evans were absent.

**ADOPTION OF AGENDA**

**265-14 Courcelles - Reimer**

BE IT RESOLVED that the agenda for the regular meeting of May 28, 2014 be accepted as circulated and amended.

**Carried.**

**MINUTES**

**266-14 Massicotte - Saindon**

BE IT RESOLVED that the minutes of the regular meeting, held on May 14, 2014, be adopted as circulated.

**Carried.**

**FINANCE**

**Cheque Listing**

**267-14 Saindon - Reimer**

BE IT RESOLVED that the following cheques, numbered 20140441 and 20140470-20140526 (inclusive), in the amount of \$54,407.18, be approved for payment.

**Carried.**

**CONSENT AGENDA**

**268-14 Courcelles - Massicotte**

BE IT RESOLVED that the consent agenda consisting of 9 items be adopted as circulated.

**Carried.**

**Eastman Mutual Aid re: NDP Government Funding for Fire Fighting Equipment – CAO to respond.**

**UNFINISHED BUSINESS**

**RM/TSA Fire Agrmt.**

**269-14 Courcelles - Massicotte**

WHEREAS the 2014-2018 revised Town/RM of Ste. Anne Fire Agreement has been thoroughly reviewed and both parties have indicated that no additional modifications are required;

BE IT RESOLVED that Council hereby accepts and approves the above mentioned Agreement and authorizes the Reeve and CAO to sign and execute the document.

**Carried.**

**CN Railway Crossing Closure – Waiting for response.**

**RM of Ste. Anne Municipal Office Landscaping/Cement Project – Tabled until the next meeting.**

**Manitoba Health, Healthy Living and Seniors WNV Planning/Cost-Sharing – Received as information.**

Councillor Daniel Brunel arrived at 7:04 pm.

**HEARING(S)**

Reeve Art Bergmann declared that the meeting recess to go into Hearing at 7:09 pm.

**VO #04-14 (Johnston/Pattyn)**

A Public Hearing was held for Variation Order (VO) #04-14 to vary the minimum front yard setback requirement from 125 feet to approx. 90 feet for the detached garage, authorized by approved Permit #35-14, on property identified as Roll #148815.000, RL 72-AN-3626, Lot 1 Plan 51788, in an area zoned "RM" Rural Mixed.

No written or verbal representations were made for or against this proposal. Reeve Art Bergmann asked if there were any questions. As there were none, Reeve Bergmann declared the hearing for VO #04-14 closed.

**VO #05-14 (Szabo/Bruck)**

A Public Hearing was held for Variation Order (VO) #05-14 to:

- a) Vary the minimum site width requirement from 300 feet to approx. 278 feet for a hobby farm, the minimum front yard setback requirement from 125 feet to approx. 76 feet for the existing house and the minimum west side setback requirement from 25 feet to approx. 10 feet for the existing barn on proposed Lot 3; and to
- b) Vary the minimum site area from 5 acres to approx. 2 acres and the minimum site width requirement from 200 feet to approx. 139 feet for proposed Lot 4;

on property identified as Roll #97800.000, RL 74-AN-3626, in an area zoned Pt. "RM" Rural Mixed and Pt. "RR" Rural Residential, to satisfy the conditions of Subdivision File #4175-13-7301 approval.

No written or verbal representations were made for or against this proposal. Reeve Art Bergmann asked if there were any questions. As there were none, Reeve Bergmann declared the hearing for VO #05-14 closed.

**VO #06-14 (Goossen/Seine Side Farms Ltd.)**

A Public Hearing was held for Variation Order (VO) #06-14 to:

- a) Vary the minimum site width requirement from 1000 ft. to 723 feet and the minimum site area requirement from 80 acres to 15.47 acres for proposed Lot 1; to
- b) Vary the minimum site area requirement from 80 acres to 77.86 acres for proposed Lot 2; and to
- c) Vary the minimum site width requirement from 1000 ft. to 904 feet and the minimum site area requirement from 80 acres to 56.08 acres for proposed Lot 3;

on properties identified as Roll #'s 118400.000 and 118500.000, Pt. SW/SE ½ 28-8-6E, Lots 2 and 3 Plan 43211, in an area zoned "A" Agriculture, to satisfy the conditions of Subdivision File #4175-13-7272 approval.

No written or verbal representations were made for or against this proposal. Reeve Art Bergmann asked if there were any questions. As there were none, Reeve Bergmann declared the hearing for VO #06-14 closed.

**DELEGATION**

7:13 pm Ed Barkman made a presentation to Council regarding Phase 4 of the Arbey's Ridge Subdivision in Pt. SE ¼ 4-7-7E.

**HEARING**

Reeve Art Bergmann declared that the meeting recess to go into Hearings at 7:13 pm.

**HEARING****RD #02-14 (Arbey's Ridge Holdings Inc.)**

A Public Hearing was held for Road Opening (RD) #02-14 to create a new public road, to be an extension of the existing road named "Arbey Lane", in the fourth phase of conditionally approved multi-lot Subdivision File #4175-14-7358, on property identified by Roll #26400.000, Pt. SE ¼ 4-7-7E, in an area zoned "RR" Rural Residential.

No written or verbal representations were made for or against this proposal. Reeve Art Bergmann asked if there were any questions. As there were none, Reeve Bergmann declared the hearing for RD #02-14 closed.

**HEARING DECISION(s)****VO #04-14 (Johnston/Pattyn)****270-14 Brunel - Saindon**

WHEREAS a Public Hearing was held for Variation Order (VO) #04-14 to vary the minimum front yard setback requirement from 125 feet to approx. 90 feet for the detached garage, authorized by approved Permit #35-14, on property identified as Roll #148815.000, RL 72-AN-3626, Lot 1 Plan 51788, in an area zoned "RM" Rural Mixed;

BE IT RESOLVED that VO #04-14 be hereby approved.

**Carried.**

**VO #05-14 (Szabo/Bruck)****271-14 Brunel - Massicotte**

WHEREAS a Public Hearing was held for Variation Order (VO) #05-14 to:

- a) Vary the minimum site width requirement from 300 feet to approx. 278 feet for a hobby farm, the minimum front yard setback requirement from 125 feet to approx. 76 feet for the existing house and the minimum west side setback requirement from 25 feet to approx. 10 feet for the existing barn on proposed Lot 3; and to
- b) Vary the minimum site area from 5 acres to approx. 2 acres and the minimum site width requirement from 200 feet to approx. 139 feet for proposed Lot 4;

on property identified as Roll #97800.000, RL 74-AN-3626, in an area zoned Pt. "RM" Rural Mixed and Pt. "RR" Rural Residential, to satisfy the conditions of Subdivision File #4175-13-7301 approval;

BE IT RESOLVED that VO #05-14 be hereby approved.

**Carried.**

**VO #06-14 (Goossen/Seine Side Farms Ltd.)****272-14 Massicotte - Saindon**

WHEREAS a Public Hearing was held for Variation Order (VO) #06-14 to:

- a) Vary the minimum site width requirement from 1000 ft. to 723 feet and the minimum site area requirement from 80 acres to 15.47 acres for proposed Lot 1; to
- b) Vary the minimum site area requirement from 80 acres to 77.86 acres for proposed Lot 2; and to
- c) Vary the minimum site width requirement from 1000 ft. to 904 feet and the minimum site area requirement from 80 acres to 56.08 acres for proposed Lot 3;

on properties identified as Roll #'s 118400.000 and 118500.000, Pt. SW/SE ½ 8-8-6E, Lots 2 and 3 Plan 43211, in an area zoned "A" Agriculture, to satisfy the conditions of Subdivision File #4175-13-7272 approval;

BE IT RESOLVED that VO #06-14 be hereby approved.

**Carried.**

**RD #02-14 (Arbey's Ridge Holdings Inc.)****273-14 Courcelles - Reimer**

WHEREAS a Public Hearing was held for Road Opening (RD) #02-14 to create a new public road, to be an extension of the existing road named "Arbey Lane", in the fourth phase of conditionally approved multi-lot Subdivision File #4175-14-7358, on property identified by Roll #26400.000, Pt. SE ¼ 4-7-7E, in an area zoned "RR" Rural Residential;

BE IT RESOLVED that RD #02-14 be hereby approved.

**Carried.**

**S/D F# 4175-14-7358 (Arbey's Ridge Holdings Inc.)****274-14 Courcelles - Brunel**

WHEREAS the Municipality has received a request to subdivide, as identified by File #4175-14-7358, in Pt. SE ¼ 4-7-7E, to further subdivide a 42 acre parcel into 6 approx. 2.25 acre parcels zoned "RR" Rural Residential, in an area zoned "RR" Rural Residential;

AND WHEREAS a Hearing was held for Road Opening (RD) #02-14 which was approved by Resolution #273-14, for the creation of a new Public Road for proposed Phase 4 Subdivision File #4175-14-7358;

BE IT RESOLVED that the application for approval to subdivide, identified by File #4175-14-7358, is hereby approved on the following conditions:

- a) That the applicant obtain a Legal Plan of Subdivision and/or a Building Location Certificate, prepared by a Manitoba Land Surveyor, to determine the site widths, site areas and location of all buildings and/or structures including on-site wastewater management system(s) on the affected land in relation to the proposed property lines;
- b) That the applicant obtains any necessary variations as a result of the Plan of Subdivision and/or a Building Location Certificate;
- c) That the applicant obtains all necessary site width variations for the proposed lots reducing the minimum site width from the required 200 feet in the "RR" zone to the measurements as determined by the Legal Plan of Subdivision;
- d) That a contribution of \$750.00 per parcel created be paid to the Municipality for municipal purposes;
- e) That a Development Agreement be entered into with the applicant/developer and that all conditions of the proposed subdivision and Road Opening be included in the Development Agreement to be registered as a caveat on the title; and
- f) That all costs associated with the registration of the Development Agreement be borne by the applicant/developer.

**Carried.**

## DELEGATION

7:28 pm Pat Stolwyk made a presentation to Council regarding future plans for the Richer Community Club Inc. and a request for funding to facilitate the plans over the next 10 years.

Council recessed for 14 minutes at 7:56 pm.

## NEW BUSINESS

**Permit #'s 45 to 46, 48 to 50 and 52 to 59-14****275-14 Saindon - Reimer**

BE IT RESOLVED that Permit #'s 45 to 46, 48 to 50 and 52 to 59-14 be hereby approved as presented to Council, as per amended Zoning By-Law No. 10-2010, subject to all municipal and provincial regulations and including the requirements of the Plan Review, where applicable.

**Carried.**

**Permit #44-14****276-14 Brunel - Reimer**

BE IT RESOLVED that Permit #44-14 be hereby approved as presented to Council, as per amended Zoning By-Law No. 10-2010, subject to all municipal and provincial regulations, including the requirements of the Plan Review, and on the following conditions:

- a) That the total excavation be no more than 3 feet; and
- b) That the Municipality is not responsible for any damages caused by flooding.

**Carried.**

**Permit #47-14****277-14 Brunel - Saindon**

BE IT RESOLVED that Permit #47-14 be hereby approved as presented to Council, as per amended Zoning By-Law No. 10-2010, subject to all municipal and provincial regulations, including the requirements of the Plan Review, and on the following conditions:

- a) That the total excavation be no more than 2 feet;
- b) That the applicant receive confirmation from the Ward Councillor that the excavation has been done as per condition 'a)' after the forming for the foundation is complete and prior to proceeding with the pouring of the concrete for the foundation; and
- c) That the Municipality is not responsible for any damages caused by flooding.

**Carried.**

**Permit #51-14****278-14 Saindon - Reimer**

BE IT RESOLVED that Permit #51-14 be hereby approved as presented to Council, as per amended Zoning By-Law No. 10-2010, subject to all municipal and provincial regulations, including the requirements of the Plan Review, and on the following conditions:

- a) That the total excavation be no more than 2 feet; and
- b) That the Municipality is not responsible for any damages caused by flooding.

**Carried.**

**Richer School Request for Recycling Pickup – Tabled until the next meeting.**

**Tilstone Prairie Inc. Dev. Agmt.****279-14 Saindon - Courcelles**

WHEREAS the developer, Tilstone Prairie Inc., has met all of the conditions of the Development Agreement pertaining to Subdivision File #4175-2011-5288;

AND WHEREAS the Municipality has received a request, dated May 7, 2014, to discharge Caveat #4216097/1, associated with the above mentioned subdivision;

BE IT RESOLVED that the caveat associated with these lots be hereby authorized to be fully discharged and that any law firm requesting a caveat discharge for these properties be hereby authorized to prepare the necessary "Withdrawal of Caveat" for execution, at the law firm's expense, submitting the same to the Municipality for signature.

**Carried.**

**RM of La Broquerie****280-14 Courcelles - Saindon**

BE IT RESOLVED that Council has no objections to the RM of La Broquerie Rezoning By-Law No. 05-2014.

**Carried.**

**MTS Cable****281-14 Brunel - Courcelles**

BE IT RESOLVED that MTS Allstream Inc. be advised that Council has no objections to the installation of a new pedestal at 46035 Rd. 41E and plowing cable from that location for approx. 420 meters to 45199 Rd. 41E, to provide service to a new residence, conditional upon the following:

- a) That the cable be buried away from any culverts or crossings;
- b) That the cable be buried to a minimum depth of 42 inches;
- c) The Ward Councillor be contacted prior to any works being done; and
- d) The land shall be restored to its former state once the installation is completed.

Carried.

**LUD of Richer Minutes****282-14 Saindon - Massicotte**

BE IT RESOLVED that the minutes of the regular meeting of the LUD of Richer Committee, held on May 7, 2014, be adopted as circulated.

Carried.

**Southeastern MB Travel Ban****283-14 Courcelles - Massicotte**

WHEREAS the RM's of Piney, La Broquerie, Stuartburn and Ste. Anne have serious concerns pertaining to difficulties with the implementation of travel bans in southeastern Manitoba during dry seasons, for the purpose of preventing wildfires from threatening property, homes and the safety of residents and wildlife;

BE IT RESOLVED that the Reeve be authorized to sign a letter drafted on behalf of all above mentioned Municipalities pertaining to the concerns over the issuance of travel bans, to be sent to the Minister of Conservation.

Carried.

**S/D Mail-out (Perrin)****284-14 Courcelles - Brunel**

WHEREAS the Municipality has received a request to subdivide property located in Pt. NW ¼ 32-8-7E and identified by Subdivision File #4175-14-7381;

BE IT RESOLVED that the mail-out be prepared as per Resolution #263-08 and #320-12.

Carried.

**S/D Mail-out (Perrin)****285-14 Brunel - Courcelles**

WHEREAS the Municipality has received a request to subdivide property located in Pt. NE/SE ½ 31-8-7E and identified by Subdivision File #4175-14-7382;

BE IT RESOLVED that the mail-out be prepared as per Resolution #263-08 and #320-12.

Carried.

**2014 Beaver Trapper Fee****286-14 Courcelles - Brunel**

BE IT RESOLVED that the 2014 Municipal rate for trapping beavers be set at \$50.00 per beaver.

Carried.

2014 RM of Ste. Anne Council and Staff Christmas Banquet – Tabled until the next meeting.

**RM of Tache****287-14 Courcelles - Massicotte**

BE IT RESOLVED that Council has no objections to the RM of Tache By-Law No. 10-2014, being a Secondary Plan for the Village of Lorette.

Carried.

**RM of Tache****288-14 Courcelles - Reimer**

WHEREAS the RM of Tache Mayor William Danylchuk passed away on May 27, 2014;

BE IT RESOLVED that the RM of Ste. Anne express its sincerest condolences to the RM of Tache Council, Staff and the family of William Danylchuk for their loss.

Carried.

**RM of Hanover****289-14 Saindon - Reimer**

BE IT RESOLVED that Council has no objections to the RM of Hanover By-Law No. 2350-14, being an amendment to The Hanover Zoning By-Law No. 2171, as amended.

Carried.

**S/D F# 4175-14-7327 (Bauman/Golding)****290-14 Courcelles - Saindon**

WHEREAS the Municipality has received a request to subdivide, as identified by File #4175-14-7327, in Pt. SE ¼ 17-8-8E, to subdivide the approx. 23.77 acre parcel to create one additional approx. 2 acre parcel, in an area zoned "AL" Agriculture Limited;

BE IT RESOLVED that the application for approval to subdivide, identified by File #4175-14-7327, is hereby approved on the following conditions:

- a) That the applicant obtain a Legal Plan of Subdivision and/or a Building Location Certificate, prepared by a Manitoba Land Surveyor, to determine the location of all buildings and/or structures including on-site wastewater management system(s) on the affected land in relation to the proposed property lines;
- b) That the applicant obtains any necessary variations as a result of the Plan of Subdivision and/or a Building Location Certificate;
- c) That a joint access agreement be prepared for the affected properties by the applicant and is registered as a caveat on each resulting title;
- d) That the cost of the preparation and registration of the joint access agreement is to be borne by the developer;
- e) That the applicant obtain any necessary permits from MB Infrastructure and Transportation (MIT);
- f) That the applicant submit a concept plan, to the satisfaction of Council, which facilitates future subdivision of the property; and
- g) That a contribution of \$750.00 per parcel created be paid to the Municipality for municipal purposes.

**Carried.**

Council recessed for 3 minutes at 9:04 pm.

**S/D F# 4175-14-7367 (Faucher)****291-14 Courcelles - Saindon**

WHEREAS the Municipality has received a request to subdivide, as identified by File #4175-14-7367, in Pt. SW ¼ 11-8-7E, to subdivide the approx. 80 acre parcel to create two additional approx. 5 acre hobby farm parcels, in an area zoned "NE" Natural Environment;

BE IT RESOLVED that the application for approval to subdivide, identified by File #4175-14-7367, is hereby approved on the following conditions:

- a) That the applicant obtain a Legal Plan of Subdivision and/or a Building Location Certificate, prepared by a Manitoba Land Surveyor, to determine the location of all buildings and/or structures including on-site wastewater management system(s) on the affected land in relation to the proposed property lines;
- b) That the applicant obtains any necessary variations as a result of the Plan of Subdivision and/or a Building Location Certificate;
- c) That the applicant satisfy all concerns and objections of Manitoba Agriculture, Food and Rural Development and Manitoba Mines and Mineral Resources regarding this application prior to the satisfaction of any other condition of this approval; and
- d) That a contribution of \$750.00 per parcel created be paid to the Municipality for municipal purposes.

**Carried.**

**Animal By-Law Exemption Application #01-14 – Tabled until the next meeting.**

**Subdivision File #4175-14-7373 Application (Cleland) – Tabled until the next meeting.**

**Prov. Beaver Pgrm.****292-14 Courcelles - Massicotte**

WHEREAS the Province of Manitoba has announced the new Growing Assurance – Farmland Beaver Damage Control Program to provide funds for implementing appropriate methods of controlling nuisance beavers which cause problems such as excess moisture or flooding on agricultural land;

BE IT RESOLVED that the CAO be hereby authorized to apply for the above mentioned program and, if approved, facilitate the program for the Municipality.

**Carried.**

**Mun. Rd. 43E Development Agreement – Received as information.**

**2014 CCCD / 13 & 13A Levy****293-14 Courcelles - Saindon**

BE IT RESOLVED that the payment of the 2014 CCCD levy, in the amount of \$5,149.10, and the 2014 Forestry Roads 13 & 13A/Salmon Lake Partnership Agreement contribution, in the amount of \$3,260.00, be hereby authorized.

**Carried.**

**Auth. Attend.****294-14 Brunel - Courcelles**

BE IT RESOLVED that Reeve Art Bergmann and Councillor Jake Reimer be hereby authorized to attend the El'Dad Ranch Community Barbeque to be held on June 22, 2014 at the El'Dad Ranch in the RM of Ste. Anne and that all out-of-pocket expenses to be reimbursed as per Council Indemnity By-Law.

**Carried.**

**MTS Cable****295-14 Saindon - Massicotte**

BE IT RESOLVED that MTS Allstream Inc. be advised that Council has no objections to the pushing of conduit from the existing MTS pedestal on PR 302 to the existing pedestal on the corner of PR 302 and Dawson Rd. E. and continuing to push conduit down Dawson Rd. E. to the proposed pedestal, to provide services to the Richer School, conditional upon the following:

- a) That the cable be buried away from any culverts or crossings;
- b) That the cable be buried to a minimum depth of 42 inches;
- c) The Ward Councillor and the LUD of Richer Committee be contacted prior to any works being done; and
- d) The land shall be restored to its former state once the installation is completed.

**Carried.**

**BY-LAW(s)**

**By-Law #9-2010 Outdoor Fire By-Law – Received as information.**

**By-Law #3-2009 Building By-Law – Received as information.**

**IN CAMERA****296-14 Saindon - Massicotte**

BE IT RESOLVED that this meeting recess to go in camera to further discuss matters in the preliminary stages of discussion, fire call reports, by-law enforcement, legal and/or personnel issues, and that all matters shall remain confidential until a report is made public.

**Carried.**

**OUT OF CAMERA****297-14 Saindon - Brunel**

BE IT RESOLVED that this meeting reconvene into regular session.

**Carried.**

**B/L Enf Report****298-14 Brunel - Courcelles**

BE IT RESOLVED that the detailed May 22, 2014 by-law enforcement report be accepted as submitted by By-Law Enforcement Officer David Buck;

BE IT FURTHER RESOLVED that the CAO be authorized to provide Council's instructions to the By-Law Enforcement Officer based on the by-law enforcement discussions.

**Carried.**

**Animal By-Law Exemption Application #02-14 – Tabled until the next meeting.**

**COMMITTEE REPORTS**

Chairman of the Transportation Committee had nothing to report.

Chairman of the Protective Services Committee had nothing to report.

Chairman of the Personnel and Policy Committee was absent.

ADJOURNMENT

**299-14 Saindon - Reimer**

BE IT RESOLVED that the regular meeting be adjourned at 10:08 pm.

**Carried.**

NEXT MEETING(s)

Day Council Meeting:

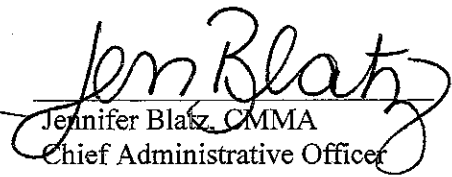
June 11, 2014 @ 9:00 am

Evening Council Meeting

June 25, 2014 @ 6:30 pm



Reeve Art Bergmann  
Reeve  
RM of Ste. Anne



Jennifer Blatz, CMMA  
Chief Administrative Officer  
RM of Ste. Anne