

THE RURAL MUNICIPALITY OF STE. ANNE

October 26, 2016

Minutes of the regular meeting of the Rural Municipality of Ste. Anne held at the Municipal Office in the RM of Ste. Anne on October 26, 2016.

Reeve Art Bergmann called the meeting to order at 6:30 pm with the following members of Council present: Renald Courcelles, Jake Reimer, Roger Massicotte and Randy Eros. Also present were CAO Jennifer Blatz and Assistant CAO Nadine Vielfaure.

Councillors Paul Saindon and Kevin Lansard were absent.

ADOPTION OF AGENDA

518-16 Courcelles - Reimer

BE IT RESOLVED that the agenda for the regular meeting of October 26, 2016 be adopted as circulated and amended.

Carried.

MINUTES

519-16 Massicotte - Reimer

BE IT RESOLVED that the minutes of the regular meeting held on October 12, 2016 be adopted as circulated.

Carried.

FINANCE

Cheque Listing

520-16 Eros - Reimer

BE IT RESOLVED that the following cheques, numbered 20161122 – 20161194 (inclusive), in the amount of \$99,730.87, be approved for payment.

Carried.

Councillor Kevin Lansard arrived at 6:44 pm.

CONSENT AGENDA

521-16 Courcelles - Reimer

BE IT RESOLVED that the consent agenda consisting of 14 items be adopted as circulated.

Carried.

UNFINISHED BUSINESS

SRRCD Appointments

522-16 Reimer - Lansard

BE IT RESOLVED that the following individuals be appointed to represent Council on the Board of the Seine-Rat River Conservation District for a 1-year term ending October 31, 2017:

- Sub-District 7, Manning Canal – Councillor Jake Reimer;
- Sub-District 8, Upper Seine River – Councillor Randy Eros;
- Sub-District 9, Lower Seine River – Reeve Art Bergmann;
- Municipal Representative – Averil Griffith and Richard Hay.

Carried.

S/D F#4175-16-7685 (Fitzgerald)

523-16 Courcelles - Eros

WHEREAS the Municipality did receive a request to subdivide, as identified by File #4175-16-7685, in Pt. SW ¼ 11-8-7E, to subdivide an approx. 81 acre parcel to create 2 additional approx. 5 acre parcels, leaving the Residual Parcel at approx. 71 acres, in an area zoned "NE" Natural Environment;

BE IT RESOLVED that the application for approval to subdivide, as identified by File #4175-16-7685, be hereby approved on the following conditions:

- a) That the applicant obtain a Legal Plan, as prescribed by the Community and Regional Planning Branch, and a Building Location Certificate prepared by a Manitoba Land Surveyor, to determine the site widths, site areas and location of all buildings and structures including on-site wastewater management system(s) on the affected land in relation to the proposed property lines;
- b) That the applicant obtain any necessary variations;
- c) That, under Manitoba Quarry Minerals Regulations 65/92, a Development Agreement be entered into with the applicant/developer, to be registered as a caveat on the title, to restrict rural residence building location to a minimum of 150 meters away from any potential gravel mining activities;
- d) That all costs associated with the registration of the Development Agreement be borne by the applicant/developer; and
- e) That a contribution fee of \$1,500.00 per parcel created be paid to the Municipality for municipal purposes.

Carried.

NEW BUSINESS

RM of Ste. Anne re: Permit Applications – Tabled until after Hearings.

HEARING(s)

524-16 Courcelles - Eros

BE IT RESOLVED that a Public Hearing be called to order at 7:00 pm for the following applications:

1. **CU #12-16 (Enfant-Jesus Heritage Site Corp.)**
Conditional Use Order (CU) #12-16 to allow for a cemetery on Proposed Lot 6 of Subdivision File #4175-15-7576 on property identified as Lot 11 Plan 47650, Pt. SW ¼ 18-8-8E, in an area zoned "R" Residential.
2. **VO #17-16 (Enfant-Jesus Heritage Site Corp.)**
Variation Order (VO) #17-16 to vary the following minimum setback requirements for existing structures on Proposed Lots as a condition of Subdivision File #4175-15-7576 approval, on property identified as Lot 11 Plan 47650, Pt. SW ¼ 18-8-8E, in an area zoned "R" Residential:
 - a) Proposed Lot 4 (School Property):
 - Front Yard from 100 feet to approx. 29.75 feet for school;
 - b) Proposed Lot 5 (Church Property):
 - Site Area from 2 acres to approx. 1.06 acres and Rear Yard from 25 feet to approx. 20.95 feet both for the church;
 - c) Proposed Lot 6 (Cemetery Property):
 - Site Width from 200 feet to approx. 92.5 feet and Front, Sides and Rear Yard from 25, 10 and 25 feet respectively to 0ft; and
 - d) Proposed Lot 7 (Dwelling Property):
 - West Side Yard from 10 feet to approx. 6.15 feet for the most westerly garage.
3. **VO #19-16 (Fehr)**
Variation Order (VO) #19-16 to vary Table IV-1: Permitted/Conditional Accessory Uses for the subject property to allow for a Bed & Breakfast as a permitted accessory use on property identified as Lot 6 Plan 20376, Pt. SW ¼ 16-7-7E, in an area zoned "RR5" Rural Residential 5.

Conditional Use #12-16 (Enfant-Jesus Heritage Site Corp.)

The Reeve called to order at 7:01 pm the Public Hearing for Conditional Use Order (CU) #12-16 to allow for a cemetery on Proposed Lot 6 of Subdivision File #4175-15-7576 on property identified as Lot 11 Plan 47650, Pt. SW ¼ 18-8-8E, in an area zoned "R" Residential.

The CAO read the notice.

Yvonne Fontaine-Godard made a presentation on behalf of the applicant in favour of the proposal.

No members of the public made presentations in objection to the proposal.

No members of the public made presentations in favour of the proposal.

The LUD Of Richer Committee submitted their Resolution #124-16 expressing no concerns regarding the proposal, on certain provisions regarding the location of the graves on the subject property.

Variation Order #17-16 (Enfant-Jesus Heritage Site Corp.)

The Reeve called to order at 7:05 pm the Public Hearing for Variation Order (VO) #17-16 to vary the following minimum setback requirements for existing structures on Proposed Lots as a condition of Subdivision File #4175-15-7576 approval, on property identified as Lot 11 Plan 47650, Pt. SW ¼ 18-8-8E, in an area zoned "R" Residential:

- a) Proposed Lot 4 (School Property):
 - Front Yard from 100 feet to approx. 29.75 feet for school;
- b) Proposed Lot 5 (Church Property):
 - Site Area from 2 acres to approx. 1.06 acres and Rear Yard from 25 feet to approx. 20.95 feet both for the church;
- c) Proposed Lot 6 (Cemetery Property):
 - Site Width from 200 feet to approx. 92.5 feet and Front, Sides and Rear Yard from 25, 10 and 25 feet respectively to 0ft; and
- d) Proposed Lot 7 (Dwelling Property):
 - West Side Yard from 10 feet to approx. 6.15 feet for the most westerly garage.

The CAO read the notice.

Yvonne Fontaine-Godard made a presentation on behalf of the applicant in favour of the proposal.

No members of the public made presentations in objection to the proposal.

No members of the public made presentations in favour of the proposal.

The LUD Of Richer Committee submitted their Resolution #124-16 expressing no concerns regarding the proposal.

Variation Order #19-16 (Fehr)

The Reeve called to order at 7:09 pm the Public Hearing for Variation Order (VO) #19-16 to vary Table IV-1: Permitted/Conditional Accessory Uses for the subject property to allow for a Bed & Breakfast as a permitted accessory use on property identified as Lot 6 Plan 20376, Pt. SW ¼ 16-7-7E, in an area zoned "RR5" Rural Residential 5.

The CAO read the notice.

The applicant made a presentation in favour of the proposal.

No members of the public made presentations in objection to the proposal.

1 member of the public made a verbal presentation in favour of the proposal.

HEARING ADJOURNMENT

525-16 Lansard - Reimer

BE IT RESOLVED that this Public Hearing be adjourned at 7:14 pm.

Carried.

Council recessed for 7 minutes at 7:14 pm.

NEW BUSINESS (cont'd)

Permits

526-16 Courcelles - Reimer

BE IT RESOLVED that Permit #'s 150 & 152-16 be hereby approved as presented to Council, including all of the conditions of the Plan Review, if applicable.

Carried.

Permit #153-16

527-16 Lansard - Courcelles

BE IT RESOLVED that Permit #153-16 be hereby approved as presented to Council, subject to all of the requirements of the Plan Review, and on the following conditions:

- a) That the top of the basement floor of the proposed structure be built no more than 3 feet below grade level;
- 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 #154-16

528-16 Lansard - Massicotte

BE IT RESOLVED that Permit #154-16 be hereby approved as presented to Council, subject to all of the requirements of the Plan Review, and on the following conditions:

- a) That the top of the crawlspace floor of the proposed structure be built no more than 2 feet below grade level;
- 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.

HEARING DECISION(s)

CU #12-16 (Enfant-Jesus Heritage Site Corp.)

529-16 Courcelles - Eros

WHEREAS a Public Hearing was held for Conditional Use Order (CU) #12-16 to allow for a cemetery on Proposed Lot 6 of Subdivision File #4175-15-7576 on property identified as Lot 11 Plan 47650, Pt. SW ¼ 18-8-8E, in an area zoned "R" Residential;

BE IT RESOLVED that CU #12-16 be hereby approved.

Carried.

VO #17-16 (Enfant-Jesus Heritage Site Corp.)**530-16 Courcelles - Reimer**

WHEREAS a Public Hearing was held for Variation Order (VO) #17-16 to vary the following minimum setback requirements for existing structures on Proposed Lots as a condition of Subdivision File #4175-15-7576 approval, on property identified as Lot 11 Plan 47650, Pt. SW ¼ 18-8-8E, in an area zoned "R" Residential:

- a) Proposed Lot 4 (School Property):
 - Front Yard from 100 feet to approx. 29.75 feet for school;
- b) Proposed Lot 5 (Church Property):
 - Site Area from 2 acres to approx. 1.06 acres and Rear Yard from 25 feet to approx. 20.95 feet both for the church;
- c) Proposed Lot 6 (Cemetery Property):
 - Site Width from 200 feet to approx. 92.5 feet and Front, Sides and Rear Yard from 25, 10 and 25 feet respectively to 0ft; and
- d) Proposed Lot 7 (Dwelling Property):
 - West Side Yard from 10 feet to approx. 6.15 feet for the most westerly garage;

BE IT RESOLVED that VO #17-16 be hereby approved.

Carried.

VO #19-16 (Fehr)**531-16 Reimer - Eros**

WHEREAS a Public Hearing was held for Variation Order (VO) #19-16 to vary Table IV-1: Permitted/Conditional Accessory Uses for the subject property to allow for a Bed & Breakfast as a permitted accessory use on property identified as Lot 6 Plan 20376, Pt. SW ¼ 16-7-7E, in an area zoned "RR5" Rural Residential 5;

BE IT RESOLVED that VO #19-16 be hereby approved.

Carried.

NEW BUSINESS (cont'd)**Software Support****532-16 Lansard - Eros**

BE IT RESOLVED that Council hereby authorizes the Reeve and CAO to sign the MuniWare Software Support and Software License Agreements on an annual basis and all associated monthly fees to be paid.

Carried.

Indigenous & Municipal Affairs re: Statement of Assets & Interests – Received as information.

Drainage Lic.**533-16 Massicotte - Reimer**

WHEREAS the Municipality has received a request to apply for a licence to remove an existing property access and install a new culvert and access on each Secs. 32 and 33-8-6E by Forbes Bros. Ltd., relating to the Manitoba Hydro Bi-Pole III Project;

BE IT RESOLVED that the above mentioned work be hereby approved to be completed, that the office staff be authorized to apply to MB Water Stewardship for a drainage licence at the above-mentioned locations and that all costs associated with the drainage work and licence be authorized to be paid and invoiced back to Forbes Bros. Ltd.

Carried.

Sponsorship Request**534-16 Courcelles - Eros**

BE IT RESOLVED that Council hereby supports the Eastman Selects AAA Midgets 2016 Season, as requested by Blaire McGowan in a letter dated October, 2016, with a bronze sponsorship in the amount of \$250.00.

Carried.

MMAA re: Professional Development Course – Received as information.

Town of Ste. Anne re: Tree Planting Ceremony Invitation – CAO to respond.

Orlando Hiebert re: Retirement Announcement – CAO to respond.

Tilstone Prairie Dev. Agmt.**535-16 Reimer - Courcelles**

WHEREAS the Developer, Tilstone Prairie Inc., has met all of the conditions of the Development Agreement pertaining to Subdivision File #4175-11-5288, Lots 1 to 4 on Blocks 1 & 2 of Plan 52781, regarding road construction;

AND WHEREAS the Municipality has received a request, dated October 13, 2016, that the RM of Ste. Anne take over the portion of Tall Grass Road which services Phase 1 of the Tilstone Prairie Subdivision, located on property identified as Pt. SW ¼ 5-7-7E;

BE IT RESOLVED that Council hereby agrees to take over the maintenance of the mentioned portion of Tall Grass Road, that all caveats associated with these lots are 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, submitting the same to the Municipality for signature;

BE IT FURTHER RESOLVED that the Construction Completion Certificate for the Public Road is hereby authorized to be released to the Developer.

Carried.

Council recessed for 16 minutes at 7:52 pm.

IN CAMERA**536-16 Courcelles - Lansard**

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**537-16 Courcelles - Reimer**

BE IT RESOLVED that this meeting reconvene into regular session.

Carried.

B/L Enf Report**538-16 Courcelles - Reimer**

BE IT RESOLVED that the detailed October 20, 2016 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.

Added/Canc. Taxes**539-16 Lansard - Eros**

WHEREAS the Steinbach Assessment Branch had presented 2 lists of added and cancelled taxes for the years 2015 and 2016, dated October 6, 2016, affecting properties in the Municipality;

BE IT RESOLVED that Council accepts the recommendations of the Steinbach Assessment Branch, including any adjustments made by Administration, and authorizes the preparation of the necessary Supplemental Tax Notices.

Carried.

Non-Household Garbage Disposal**540-16 Eros - Lansard**

WHEREAS a letter was sent to the owner/operator of the Garbage Removal Home Occupation approved under Development Permit #04-14, Resolution #38-14, indicating that the Municipality had information suggesting that significantly large loads of waste (including non-household) were being disposed of at the City of Steinbach landfill under the RM of Ste. Anne's Agreement with the City which, under Resolution #601-10, states that the Municipality will only pay for regular household waste;

AND WHEREAS the owner of the above-described property was advised that should the disposal of non-household waste continue under the Agreement with the City of Steinbach, the RM of Ste. Anne would no longer pay for any waste disposal fees for the individual and that any disposal fees which are found to be in violation of the RM of Ste. Anne/City of Steinbach Landfill Agreement would be invoiced back to the owner in full;

AND WHEREAS the Municipality has been notified that the above-described abuse of the City of Steinbach/RM of Ste. Anne Landfill Agreement has continued since the letter was written;

(cont'd on Page 6)

(cont'd from Page 5)

BE IT RESOLVED that the above-described owner/operator have all privileges of waste disposal under the City of Steinbach/RM of Ste. Anne Landfill Agreement revoked, that any disposal fees which are found to be in violation of the Agreement be invoiced back in full and added to the Tax Roll if left unpaid for more than 3 months from the invoice date and that the City of Steinbach Landfill be instructed not to accept waste from the owner/operator under the Agreement.

Carried.

Town/RM of Ste. Anne MEC

541-16 Lansard – Eros

WHEREAS the RM of Ste. Anne, Town of Ste. Anne and Municipal Emergency Coordinator have an Agreement for the provision of Emergency Coordination services and the Municipal Emergency Coordinator Richard Maynard submitted his resignation effective June 30, 2016;

BE IT RESOLVED that Council hereby authorizes the members of the Protective Services Committee and the CAO, in conjunction with those appointed by the Town of Ste. Anne, to make all necessary arrangements to fill the position of Municipal Emergency Coordinator, all associated costs to be paid and 50% of the same to be invoiced to the Town of Ste. Anne.

Carried.

RM of Reynolds Intermunicipal Agmts.

542-16 Courcelles – Lansard

WHEREAS the RMs of Reynolds and Ste. Anne have an Agreement regarding the provision of firefighting services to the RM of Reynolds by the Richer Fire Department and also share a portion of Road 48E which requires regular maintenance;

AND WHEREAS the RM of Ste. Anne requested in an email, dated August 18, 2016, to meet with the RM of Reynolds to discuss the particulars of the RM of Ste. Anne/Reynolds Fire Agreement, as well as the road maintenance of Road 48E, to which the RM of Ste. Anne has received no confirmation of the same;

BE IT RESOLVED that the RM of Ste. Anne officially requests to the RM of Reynolds Council to arrange a meeting as soon as possible to discuss the RM of Ste. Anne/Reynolds Fire Agreement, as well as the road maintenance of Road 48E.

Carried.

COMMITTEE REPORTS

The Chairman of the Transportation Committee reported on the following:

- Additional work to Townline Rd./Loewen Blvd. is being discussed with the RM of La Broquerie
- Asphaltting will be completed on Dawson and Paradise Road by next week, weather permitting

The Chairman of the Personnel and Policy Committee had nothing to report.

The Chairman of the Environmental Services Committee had nothing to report.

The Chairman of the Protective Services Committee had nothing to report.

ADJOURNMENT

543-16 Courcelles - Massicotte

BE IT RESOLVED that the regular meeting be adjourned at 9:33 pm.

Carried.

NEXT MEETING(s)

Day Council Meeting	November 9, 2016 @ 9:00 am
Board of Revision Hearing	November 16, 2016 @ 9:00 am
Evening Council Meeting	November 30, 2016 @ 6:30 pm

Art Bergmann
Reeve
RM of Ste. Anne

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