

THE RURAL MUNICIPALITY OF STE. ANNE

November 30, 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 November 30, 2016.

Reeve Art Bergmann called the meeting to order at 6:28 pm with the following members of Council present: Renald Courcelles, Kevin Lansard, Roger Massicotte and Randy Eros. Also present were CAO Jennifer Blatz and Assistant CAO Nadine Vielfaure.

Councillors Jake Reimer and Paul Saindon were absent.

ADOPTION OF AGENDA

572-16 Courcelles - Massicotte

BE IT RESOLVED that the agenda for the regular meeting of November 30, 2016 be adopted as circulated and amended.

Carried.

MINUTES

573-16 Courcelles - Lansard

BE IT RESOLVED that the minutes of the regular meeting held on November 9, 2016 be adopted as circulated and amended.

Carried.

FINANCE

Cheque Listing

574-16 Massicotte - Lansard

BE IT RESOLVED that the following cheques, numbered 20161261 – 20161328 (inclusive), in the amount of \$3,326,542.28, be approved for payment.

Carried.

CONSENT AGENDA

Sponsorship Request

575-16 Lansard - Eros

BE IT RESOLVED that Council hereby supports the Ste. Anne Atom C 2016 Season with a full page sponsorship in the amount of \$50.00.

Carried.

Councillor Paul Saindon arrived at 6:34 pm.

576-16 Courcelles - Lansard

BE IT RESOLVED that the consent agenda consisting of 21 items be adopted as circulated.

Carried.

UNFINISHED BUSINESS

Indigenous & Municipal Relations re: Subdivision File #4175-16-7739 – Tabled.

VO #20-16 (Entreprises Louis Balcaen Inc.)

577-16 Courcelles - Saindon

WHEREAS a Public Hearing was held on November 9, 2016 for Variation Order (VO) #20-16 to vary the minimum front yard setback from 125 feet to approx. 30 feet for four grain bins and a proposed 12,000 square foot grain shed, on property identified as Pt. SW ¼ 1-7-7E, in an area zoned Pt. "A" Agriculture and Pt. "A/EP" Agriculture/Environmentally Protected;

BE IT RESOLVED that VO #20-16 be hereby approved on the following conditions:

- a) That the front yard setback only be varied from the required 125 feet to 30 feet for the grain bins and approx. 42.4 feet for the proposed grain shed; and
- b) That all other necessary Municipal, Provincial and Federal permits are obtained and adhered to.

Carried.

Permit #149-16

578-16 Courcelles - Saindon

BE IT RESOLVED that Permit #149-16 be hereby approved as presented to Council, subject to all of the terms and conditions of Variation Order #20-16, approving Resolution #577-16.

Carried.

S/D F#4175-16-7745 (R&M Holdings Ltd.)**579-16 Courcelles - Lansard**

WHEREAS the Municipality did receive a request, as identified by File #4175-16-7745, on property identified as Pt. NW and SW ¼'s 3-7-7E, to subdivide and consolidate portions of 2 parcels, approximately 140 acres of land held under CT No. 2298725 and approximately 65 acres of land held under CT #2298738, to create 2 additional parcels, Proposed Lot 1 being approx. 100 acres (agricultural-use), Proposed Lot 2 and 3 being approx. 10 acres (rural residential-use) and consolidating the 2 Residual Lots to create an approx. 81 acre parcel (agricultural-use), in an area zoned "RM" Rural Mixed;

BE IT RESOLVED that the application for approval to subdivide, identified by File #4175-16-7745, is 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; and
- c) That a contribution fee of \$1,500.00 per parcel created be paid to the Municipality for municipal purposes.

Carried.

NEW BUSINESS**Permits****580-16 Lansard - Eros**

BE IT RESOLVED that Permit #155-16 be hereby approved as presented to Council.

Carried.

S/D F#4175-16-7749 (Klassen)**581-16 Eros - Lansard**

WHEREAS the Municipality did receive a request, as identified by File #4175-16-7749, on property identified as Pt. SW ¼ 27-8-7E, to subdivide an approx. 40 acre parcel held under CT #2691661 to create 1 additional approx. 5 acre parcel for residential use, leaving the Residual Parcel at approx. 35 acres, in an area zoned "RR5" Rural Residential 5;

BE IT RESOLVED that the application for approval to subdivide, identified by File #4175-16-7749, is 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, including the site width for the Residual Parcel; and
- c) That a contribution fee of \$1,500.00 per parcel created be paid to the Municipality for municipal purposes.

Carried.

S/D F#4175-16-7765 (Unger)**582-16 Massicotte - Eros**

WHEREAS the Municipality did receive a request, as identified by File #4175-16-7765, on property identified as Pt. SW ¼ 30-8-6E, to subdivide an approx. 7.88 acre parcel from property held under CT #1301724 for rural residential-use and consolidate the approx. 64 acre Residual parcel with an approx. 71.81 acre parcel held under CT #1712679 to create an approx. 135.81 acre parcel for agricultural use, in an area zoned "A" Agriculture;

BE IT RESOLVED that the application for approval to subdivide, identified by File #4175-16-7765, is 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, including any mutual separation distances for siting livestock operations near a single-family residence; and
- c) That a contribution fee of \$1,500.00 per parcel created be paid to the Municipality for municipal purposes.

Carried.

HEARING(s)

583-16 Courcelles - Lansard

BE IT RESOLVED that a Public Hearing be called to order at 6:59 pm for the following applications:

1. **VO #21-16 (Staples)**

Variation Order (VO) #21-16 to vary Table VI-4 of amended Zoning By-Law #10-2010 to include permitted accessory use category "J" (Rail Car Storage Container) as an accessory use class to a single family dwelling for the subject property, on property identified as Pt. NW ¼ 16-8-8E, Lot 2 Plan 9344, in an area zoned "R" Residential.

2. **VO #22-16 (Penner)**

Variation Order (VO) #22-16 to vary the minimum site area requirement from 80 acres to approx. 4.66 acres for a proposed 42 Animal Unit Livestock (Poultry) Operation, on property identified as Pt. SE ¼ 19-8-6E, Lot 1 Plan 21374, in an area zoned "A" Agriculture.

3. **RO #01-16 (Rigby)**

Road Order (RO) #01-16 to name the MB Infrastructure-controlled service road north of PTH #1, from Road 38E to Road 46N, "Rigby Road".

4. **By-Law #09-2016 (Special Services Proposal - LUD of Richer Garbage Collection)**

By-Law #09-2016, being a Special Service Proposal for the collection of garbage in the Local Urban District of Richer for the years 2017 to 2026 inclusive, at a cost of \$16,434.60 for 2017 up to a maximum of \$21,500.00 by 2026, to replace By-Law #12-2007 which expires at the end of 2016.

Carried.

Variation Order #21-16 (Staples)

At 7:01 pm, the Reeve called to order the Public Hearing for Variation Order (VO) #21-16 to vary Table VI-4 of amended Zoning By-Law #10-2010 to include permitted accessory use category "J" (Rail Car Storage Container) as an accessory use class to a single family dwelling for the subject property, on property identified as Pt. NW ¼ 16-8-8E, Lot 2 Plan 9344, in an area zoned "R" Residential.

The CAO read the notice.

The applicant made a presentation in favour of the proposal.

The LUD of Richer Committee submitted a written presentation objecting to the proposal and recommending conditions should the application be approved.

Variation Order #22-16 (Penner)

At 7:07 pm, the Reeve called to order the Public Hearing for Variation Order (VO) #22-16 to vary the minimum site area requirement from 80 acres to approx. 4.66 acres for a proposed 42 Animal Unit Livestock (Poultry) Operation, on property identified as Pt. SE ¼ 19-8-6E, Lot 1 Plan 21374, in an area zoned "A" Agriculture.

The CAO read the notice.

The applicant made a presentation in favour of the proposal.

1 member of the public made a verbal presentation in favour of the proposal generally pertaining to his own personal interest in the matter.

Road Order #01-16 (Rigby)

At 7:12 pm, the Reeve called to order the Public Hearing for Road Order (RO) #01-16 to name the MB Infrastructure-controlled service road north of PTH #1, from Road 38E to Road 46N, "Rigby Road".

The CAO read the notice.

No members of the public made any representations regarding the proposal.

By-Law #09-2016 (Special Services Proposal - LUD of Richer Garbage Collection)

At 7:14 pm, the Reeve called to order the Public Hearing for By-Law #09-2016, being a Special Service Proposal for the collection of garbage in the Local Urban District of Richer for the years 2017 to 2026 inclusive, at a cost of \$16,434.60 for 2017 up to a maximum of \$21,500.00 by 2026, to replace By-Law #12-2007 which expires at the end of 2016.

The CAO read the notice.

No members of the public made any representations regarding the proposal.

HEARING ADJOURNMENT

584-16 Saindon - Courcelles

BE IT RESOLVED that this Public Hearing be adjourned at 7:17 pm.

Carried.

HEARING DECISION(s)

VO #21-16 (Staples)**585-16 Saindon - Lansard**

WHEREAS a Public Hearing was held for Variation Order (VO) #21-16 to vary Table VI-4 of amended Zoning By-Law #10-2010 to include permitted accessory use category "J" (Rail Car Storage Container) as an accessory use class to a single family dwelling for the subject property, on property identified as Pt. NW ¼ 16-8-8E, Lot 2 Plan 9344, in an area zoned "R" Residential;

BE IT RESOLVED that VO #21-16 be hereby denied;

BE IT FURTHER RESOLVED that the applicant shall have until June 1, 2017 to remove the existing Rail Car Storage Container.

Carried.

VO #22-16 (Penner)**586-16 Massicotte - Eros**

WHEREAS a Public Hearing was held for Variation Order (VO) #22-16 to vary the minimum site area requirement from 80 acres to approx. 4.66 acres for a proposed 42 Animal Unit Livestock (Poultry) Operation, on property identified as Pt. SE ¼ 19-8-6E, Lot 1 Plan 21374, in an area zoned "A" Agriculture;

BE IT RESOLVED that VO #22-16 be hereby approved.

Carried.

RO #01-16 (Rigby)**587-16 Eros - Courcelles**

WHEREAS a Public Hearing was held for Road Order (RO) #01-16 to name the MB Infrastructure-controlled service road north of PTH #1, from Road 38E to Road 46N, "Rigby Road";

BE IT RESOLVED that RO #01-16 be hereby approved.

Carried.

Councillor Kevin Lansard left Council Chambers at 7:27 pm.

BY-LAW(s)

B/L #09-2016**1st Reading****588-16 Courcelles - Saindon**

BE IT RESOLVED that By-Law #09-2016, being a Special Service Proposal for the collection of garbage in the Local Urban District of Richer for the years 2017 to 2026 inclusive, at a cost of \$16,434.60 for 2017 up to a maximum of \$21,500.00 by 2026, to replace By-Law #12-2007 which expires at the end of 2016, be given first reading.

Carried.

Councillor Kevin Lansard returned to Council Chambers at 7:29 pm.

NEW BUSINESS (cont'd)

S/D F#4175-16-7767 (Foot)**589-16 Courcelles - Saindon**

WHEREAS the Municipality did receive a request, as identified by File #4175-16-7767, on property identified as Pt. NW ¼ 10-8-8E, Lot 3 Plan 53460, to subdivide an approx. 20 acre parcel held under CT #2715395 to create 1 additional approx. 5 acre parcel, leaving the Residual Parcel at approx. 15 acres, both parcels for rural residential use in an area zoned "NE" Natural Environment;

BE IT RESOLVED that the application for approval to subdivide, identified by File #4175-16-7767, is 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; and
- c) That a contribution fee of \$1,500.00 per parcel created be paid to the Municipality for municipal purposes.

Carried.

S/D F#4175-16-7723 (4907125 MB Ltd. c/o Deschambault)**590-16 Eros - Massicotte**

WHEREAS the Municipality did receive a request, as identified by File #4175-16-7723, on property identified as Pt. RL 69-AN-3626, Lot 2 Plan 47417, to subdivide an approx. 39.79 acre parcel held under CT #2300348 to create 1 additional approx. 4.5 acre parcel (Parcel A) for residential use, leaving the Residual Parcel at approx. 30.29 acres (Parcel B and C) for agricultural use, in an area zoned "RM" Rural Mixed;

BE IT RESOLVED that the application for approval to subdivide, identified by File #4175-16-7723, is 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 a Development Agreement be entered into with the applicant/developer pertaining to any future development of the subject property, to include the existing concept plan for Parcel C which includes 6 approx. 5-7 acre lots serviced by a public road identified as Parcel B as part of this Subdivision File #4175-16-7723, and that all conditions of the proposed subdivision be included in the Development Agreement to be registered as a caveat on the title;
- d) That an easement be registered as a caveat over Parcel B to allow for a public road as above-noted in Condition "c)" should future development occur on Parcel B;
- e) That the applicant/owner enter into a Right-of-Way Agreement/Declaration for the shared driveway onto Lilac Lane to access Parcels A and C to be registered as a caveat on the applicable titles;
- f) That no new access to Lilac Lane be created to service either Parcel B or C until further development occurs;
- g) That all costs are to be borne by the Developer; and
- h) That a contribution fee of \$1,500.00 per parcel created be paid to the Municipality for municipal purposes.

Carried.

Drainage Lic.**591-16 Eros - Lansard**

BE IT RESOLVED that a culvert be hereby approved to be installed in each of the accesses to properties identified as Pt. NW ¼ 28-8-7E, Civic Address 46119 Rd. 38E, and Pt. NE ¼ 29-8-7E, Civic Address 37096 Rd. 47N, and that the office staff be authorized to apply to MB Water Stewardship for a drainage licence at this location and that all costs associated with the drainage work and licence be authorized to be paid.

Defeated.

Drainage Lic.**592-16 Eros - Lansard**

BE IT RESOLVED that a culvert be hereby approved to be installed in the access to property identified as Pt. NE ¼ 29-8-7E, Civic Address 37096 Rd. 47N, and that the office staff be authorized to apply to MB Water Stewardship for a drainage licence at this location and that all costs associated with the drainage work and licence be authorized to be paid.

Carried.

IN CAMERA

593-16 Lansard - Eros

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

594-16 Courcelles - Saindon

BE IT RESOLVED that this meeting reconvene into regular session.

Carried.

Council recessed for 3 minutes at 7:57 pm.

DELEGATION(s)

8:00 pm Jon Funk attended the meeting to discuss his commercial garbage hauler's use of the City of Steinbach landfill.

The Chairman of the Personnel and Policy Committee made a motion on the following Resolution #595-16:

EA Merit Increase

595-16 Lansard – Courcelles

WHEREAS the RM of Ste. Anne Non-Union Staff Employee Benefits Policy states that upon successful completion and receipt of a graduation certificate from the Certificate of Manitoba Municipal Administration (CMMA) Program, an employee is entitled to a merit increase effective the month following graduation with the amount to be determined by the Municipality;

AND WHEREAS Executive Assistant Tiana Bohemier completed and received her graduation certificate from the CMMA program in April, 2016 and the Personnel Committee has made a recommendation to Council regarding the merit increase amount to acknowledge the same;

BE IT RESOLVED that Council hereby accepts the recommended merit increase for Executive Assistant Tiana Bohemier as submitted by the Personnel Committee and authorizes Administration to make the necessary adjustments to her payroll.

Carried.

Councillor Kevin Lansard left at 8:36 pm.

NEW BUSINESS (cont'd)

Auth. Attend.

596-16 Eros - Saindon

WHEREAS the Federation of Canadian Municipalities Annual Conference will be held from June 1 to 4, 2017 in Ottawa;

BE IT RESOLVED that members of Council to be determined at a later date and CAO Jennifer Blatz be authorized to attend, the associated hotel room and airfare costs, registration fees and all out-of-pocket expenses to be paid.

Carried.

RM of Piney re: Hourly Contractor Work Policy – Tabled.

Municipal Snow Clearing

597-16 Courcelles - Eros

WHEREAS the Municipality has requested 3 quotations from various contractors but only received a single proposal for 2016/2017 snow clearing at the following locations:

- a) Municipal Office parking lot and shovelling the front and side entrance sidewalks;
- b) Various smaller locations throughout the RM of Ste. Anne, as follows:
 - i. Thurston/Deerfield Drive walking path;
 - ii. Municipal Lagoon gate area; and
 - iii. Recycling shed/mailbox area on the corner of Rds. 39E and 45N;

BE IT RESOLVED that Council hereby accepts the quotation as submitted by Pattyn Ventures LTD., in the amounts of \$315.00 total per clearing of all locations as shown above, plus GST, and authorizes payment for the same.

Carried.

RM of Ste. Anne Invoice #'s 20160282 & 20160283 – Administration to cancel.

MMAA re: Professional Development Finance Workshop – Received as information.

TransCan. Pipeline Maint.

598-16 Courcelles - Eros

WHEREAS TransCanada Pipelines Limited routinely conducts maintenance on the pipeline on their right-of-way and occasionally requests consent for temporary road use with vehicles and equipment;

BE IT RESOLVED that Council has no concerns for those acting on behalf of TransCanada Pipelines Ltd. to have access to municipal roads to complete pipeline maintenance on the TransCanada Pipelines Ltd. right-of-way on the condition that any consequential or special damages as determined by the Municipality are remediated to their original state.

Carried.

IN CAMERA**599-16 Saindon - Courcelles**

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****600-16 Courcelles - Eros**

BE IT RESOLVED that this meeting reconvene into regular session.

Carried.**B/L Enf Report****601-16 Courcelles - Eros**

BE IT RESOLVED that the detailed November 24, 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.**Mun. Solicitor****602-16 Eros - Courcelles**

BE IT RESOLVED that the CAO be authorized to engage Dowhan and Dowhan Law Corp. to respond to legal matter detailed in documentation dated November 28, 2016 and all associated costs to be paid.

Carried.**Municipal Emergency Coordinator****603-16 Saindon - Courcelles**

WHEREAS the Town and RM of Ste. Anne mutually share the services of emergency coordination, along with the Emergency Operations Centre;

AND WHEREAS Municipal Emergency Coordinator (MEC) Richard Maynard submitted his resignation effective June 30, 2016;

AND WHEREAS Protective Services Committee Chairman Randy Eros and CAO Jennifer Blatz were authorized with Resolution #541-16 to make all necessary arrangements to fill the position of MEC along with Town of Ste. Anne representatives, after which advertisements were posted and interviews were conducted for the position and a recommendation was submitted to Council;

BE IT RESOLVED that Council hereby appoints Marc Robichaud as Municipal Emergency Coordinator effective immediately, contingent on the Town of Ste. Anne passing a Resolution appointing the same, and the Reeve and CAO to sign a contract outlining all terms, conditions and remuneration of the contracted position.

Carried.**COMMITTEE REPORTS**

The Chairman of the Transportation Committee was absent.

The Chairman of the Personnel and Policy Committee was absent.

The Chairman of the Environmental Services Committee was absent.

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

NOTICE OF MOTION - None

ADJOURNMENT

604-16 Courcelles - Eros

BE IT RESOLVED that the regular meeting be adjourned at 9:42 pm.

Carried.

NEXT MEETING(s)

Day Council Meeting

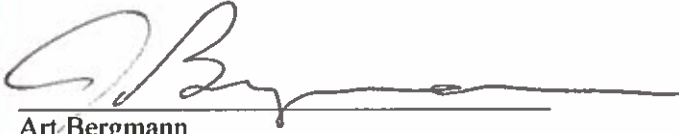
December 14, 2016 @ 9:00 am

Day Council Meeting

January 11, 2016 @ 9:00 am

2017 Planning Meeting

January 18, 2016 @ 9:00 am



Art Bergmann
Reeve
RM of Ste. Anne



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