



Rural Municipality of East St. Paul

Meeting Minutes

May 23, 2023 - Planning Council Meeting - 05:30 PM

PRESENT:

Mayor Carla Devlin
Councillor Brian Imhoff
Councillor Orest Horechko
Councillor Brian Duval
Councillor Charles Posthumus

IN ATTENDANCE:

Suzanne Ward, Chief Administrative Officer
Dave Wardrop, Director of Infrastructure
Cara Nichols, Community Development Planner
Santan Singh, Red River Planning District
Michelle Steinhilber, Executive Assistant

ABSENT:

1. MEETING CALLED TO ORDER

2. ADOPTION OF THE AGENDA - AMENDED

2023-180

2.1 RESOLUTION: Adoption of the Agenda

Councillor Horechko
Deputy Mayor Duval

BE IT RESOLVED THAT the agenda be amended as presented,

Move:

Item 6.6 Variation Order 47, 2023 (4295 Henderson Hwy) to Item 6.1 under Public Hearings.

Carried

3. OTHER BUSINESS

4. CONFIRMATION OF MINUTES

4.1 ~ Minutes May 9, 2023

2023-181

4.2 RESOLUTION: Confirmation of the Minutes

Councillor Posthumus
Councillor Imhoff

BE IT RESOLVED THAT the Council Meeting Minutes of the May 9, 2023 regular Council meeting, be approved.

Carried

5. DELEGATIONS

5.1 ~ Bob Kefer RE: Subdivision S22-2982

Received as information.

6. PUBLIC HEARINGS

6.1 ~ Variation Order 47, 2023 (4295 Henderson Hwy)

2023-182

6.1.1 RESOLUTION: Open PH for VO 47, 2023 (4295 Henderson Hwy)

Deputy Mayor Duval
Councillor Horechko

BE IT RESOLVED THAT Council open the Public Hearing of Council for Variation Order 47, 2023 (4295 Henderson Hwy).

Carried

2023-183

6.1.2 RESOLUTION: Close PH for VO 47, 2023 (4295 Henderson Hwy)

Councillor Horechko
Councillor Posthumus

BE IT RESOLVED THAT Council close the Public Hearing of Council for Variation Order 47, 2023 (4295 Henderson Hwy).

Carried

2023-184

6.1.3 RESOLUTION: Variation Order 47, 2023 (4295 Henderson Hwy).

Councillor Horechko
Deputy Mayor Duval

BE IT RESOLVED THAT Variation Order 47, 2023 (4295 Henderson Hwy) be approved, subject to the following conditions:

1. This variance is limited to a reduced site width minimum of 111.2 ft for Lot 1, and a minimum of 26.18 ft for the residual lot. Any changes in use, additions, and/or replacement may require a new variance approval.
2. Applicant/owner obtains all the required approvals and permits from Manitoba Transportation and Infrastructure – Highways Design Branch.

Carried

6.2 ~ Subdivision S23-3000 (209 & 215 Foxgrove Ave)

2023-185

6.2.1 RESOLUTION: Open PH for S23-3000 (209 & 215 Foxgrove Ave)

Councillor Posthumus
Councillor Imhoff

BE IT RESOLVED THAT Council open the Public Hearing of Council for Subdivision S23-3000 (209 & 215 Foxgrove Ave).

Carried

2023-186

6.2.2 RESOLUTION: Close PH for S23-3000 (209 & 215 Foxgrove Ave)

Councillor Imhoff
Councillor Posthumus

BE IT RESOLVED THAT Council close the Public Hearing of Council for Subdivision S23-3000 (209 & 215 Foxgrove Ave).

Carried

2023-187

6.2.3 RESOLUTION: Subdivision S23-3000 (209 & 215 Foxgrove Ave)

Councillor Posthumus
Deputy Mayor Duval

BE IT RESOLVED THAT Subdivision S23-3000 (209 & 215 Foxgrove Avenue) be approved, subject to the following conditions:

1. Applicant / owner submits confirmation in writing from the Chief Administrative Officer of the municipality that:

a. taxes on the land to be subdivided for the current year, plus any arrears have been paid or arrangements satisfactory to Council have been made;

b. payment of any applicable development levies have been paid;

2. Applicant / owner submits confirmation from Manitoba Hydro that an Easement Agreement(s) has been entered into with Manitoba Hydro with respect to existing and / or future facilities associated with the subdivision and a Plan of Easement, as required by *The Real Property Act*, has been provided. Registration of this agreement will be included as a condition of the final Certificate of Approval.

3. Applicant / owner submits confirmation from Shaw Communications Inc. that an Easement Agreement(s) has been entered into with Shaw Communications Inc. with respect to existing and / or future facilities associated with the subdivision.

Tabled

6.3 ~ Variation Order 46, 2023 (2071 Roseneath Ave)

2023-188

6.3.1 RESOLUTION: Open PH for VO 46, 2023 (2071 Roseneath Ave)

Deputy Mayor Duval
Councillor Imhoff

BE IT RESOLVED THAT Council open the Public Hearing of Council for Variation Order 46, 2023 (2071 Roseneath Ave).

Carried

2023-189

6.3.2 RESOLUTION: Close PH for VO 46, 2023 (2071 Roseneath Ave)

Deputy Mayor Duval
Councillor Imhoff

BE IT RESOLVED THAT Council close the Public Hearing of Council for Variation Order 46, 2023 (2071 Roseneath Ave).

Carried

2023-190

6.3.3 RESOLUTION: Variation Order 46, 2023 (2071 Roseneath Ave)

Deputy Mayor Duval
Councillor Posthumus

BE IT RESOLVED THAT Variation Order 46, 2023 (2071 Roseneath Avenue) be approved, subject to the following conditions:

1. This variance is limited to a side yard minimum of 10 ft, and a front yard minimum of 36 ft. Any changes in use, additions, and/or replacement may require a new variance approval.

2. Applicant/owner obtains required permits from the Red River Planning District (RRPD) and the Municipality.

Carried

6.4 ~ Conditional Use 11, 2023 (2290 Wenzel St)

2023-191

6.4.1 RESOLUTION: Open PH for CU 11, 2023 (2290 Wenzel St)

Councillor Imhoff
Deputy Mayor Duval

BE IT RESOLVED THAT Council open the Public Hearing of Council for Conditional Use 11, 2023 (2290 Wenzel St).

Carried

2023-192

6.4.2 RESOLUTION: Close PH for CU 11, 2023 (2290 Wenzel St)

Councillor Posthumus
Deputy Mayor Duval

BE IT RESOLVED THAT Council close the Public Hearing of Council for Conditional Use 11, 2023 (2290 Wenzel St).

Carried

2023-193

6.4.3 RESOLUTION: Conditional Use 11, 2023 (2290 Wenzel St)

Councillor Horechko
Deputy Mayor Duval

BE IT RESOLVED THAT Conditional Use 11, 2023 (2290 Wenzel St) be approved, subject to the following conditions:

1. That this conditional use is approved to allow for "Specialized Agriculture" (Market Garden) to operate as proposed. Any change to the intensity or use will require a new Conditional Use approval.
2. Applicant / owner obtains all required permits from the Red River Planning District and the RM of East St. Paul.
3. The Specialized Agricultural operation shall comply with Noise Nuisance By-law No. 2016-04.
4. That the maximum number of 10x10 crafting booths be limited to six (6).
5. The Market adheres to section 63.3 Performance Standards for Commercial Developments as follows:

All commercial developments:
a) Shall be designed to:
i) convey an image of cohesive appearance and architectural character;
ii) ensure that offices, reception and public use areas are easily identifiable and visible from the public roadway;
AND
b) Shall be constructed and finished with durable materials to maintain the initial appearance of the development throughout the life of the project.

Carried

6.5 ~ Variation Order 45, 2023 (47 Woodstone Drive)

2023-194

6.5.1 RESOLUTION: Open PH for VO 45, 2023 (47 Woodstone Dr)

Councillor Imhoff
Deputy Mayor Duval

BE IT RESOLVED THAT Council open the Public Hearing of Council for Variation Order 45, 2023 (47 Woodstone Dr).

Carried

2023-195

6.5.2 RESOLUTION: Close PH for VO 45, 2023 (47 Woodstone Dr)

Councillor Imhoff
Deputy Mayor Duval

BE IT RESOLVED THAT Council close the Public Hearing of Council for Variation Order 45, 2023 (47 Woodstone Drive).

Carried

2023-196

6.5.3 RESOLUTION: Variation Order 45, 2023 (47 Woodstone Drive)

Councillor Imhoff
Councillor Horechko

BE IT RESOLVED THAT Variation Order 45, 2023 (47 Woodstone Drive) be approved, subject to the following conditions:

1. This variance is limited to a minimum principal rear yard of 88 ft, a minimum accessory rear yard of 38 ft, and a minimum pool rear yard of 33 ft. Any changes in use, additions, and / or replacement may require a new variance approval.
2. Applicant / owner obtains all required permits from the Red River Planning District and the RM of East St. Paul.
3. Applicant/owner provides a written confirmation from Public Works Department that the flooding concerns have been addressed.

Carried

6.6 ~ Variation Order 43, 2023 (2113 Burton Ave)

2023-197

6.6.1 RESOLUTION: Open PH for VO 43, 2023 (2113 Burton Ave)

BE IT RESOLVED THAT Council open the Public Hearing of Council for Variation Order 43, 2023 (2113 Burton Ave).

2023-198

6.6.2 RESOLUTION: Close PH for VO 43, 2023 (2113 Burton Ave)

Deputy Mayor Duval
Councillor Imhoff

BE IT RESOLVED THAT Council close the Public Hearing of Council for Variation Order 43, 2023 (2113 Burton Ave).

Carried

2023-199

6.6.3 RESOLUTION: Variation Order 43, 2023 (2113 Burton Ave)

Deputy Mayor Duval
Councillor Imhoff

BE IT RESOLVED THAT Variation 43, 2023 (2113 Burton Avenue) be approved, subject to the following conditions:

1. This variance is limited to what is proposed within this application. Any changes in use, additions, and / or replacement may require a new variance approval.
2. Applicant / owner obtains all required permits from the Red River Planning District and the RM of East St. Paul.

Carried

7. BY-LAWS

7.1 ~ Mitigation & Preparedness Program Reserve Fund By-law 2023-08

2023-200

7.1.1 RESOLUTION: Mitigation & Preparedness Program Reserve Fund By-law 2023-08 (2nd Reading)

Councillor Horechko
Councillor Posthumus

BE IT RESOLVED THAT By-law No. 2023-08, being a By-law of the Rural Municipality of East St. Paul to establish a Reserve Fund for the Mitigation and Preparedness Program be given 2nd reading

Carried

2023-201

7.1.2 RESOLUTION: Mitigation & Preparedness Program Reserve Fund By-law 2023-08 (3rd Reading)

Councillor Imhoff
Deputy Mayor Duval

BE IT RESOLVED THAT By-law No. 2023-08, being a By-law of the Rural Municipality of East St. Paul to establish a Reserve Fund for the Mitigation and Preparedness Program be given 3rd reading.

AND BE IT FURTHER RESOLVED THAT the Mayor and Chief Administrative Officer be authorized to sign the by-law on behalf of the municipality.

Name	Yes	No	Abstained	Absent
Mayor Devlin	✓			
Deputy Mayor Duval	✓			
Councillor Horechko	✓			
Councillor Imhoff	✓			
Councillor Posthumus	✓			

Carried

8. POLICIES

8.1 ~ Street Naming Policy PLA-112

2023-202

8.1.1 RESOLUTION: Street Naming - Pilgrims Point Veteran Sign

Councillor Posthumus
Deputy Mayor Duval

BE IT RESOLVED THAT Council approve the addition of Pilgrims Point to the list of approved street names as per Policy PLA-112.

Carried

9. GENERAL BUSINESS

9.1 ~ PLANNING

9.1.1 Subdivision S23-2992 (2461 McGregor Farm Rd)

2023-203

9.1.2 RESOLUTION: Subdivision S23-2992 (2461 McGregor Farm Rd)

Councillor Posthumus
Councillor Imhoff

BE IT RESOLVED THAT Subdivision S23-2992 be approved, subject to the

following conditions:

1. Applicant / owner submits confirmation in writing from the Chief Administrative Officer of the municipality that:
 - a. taxes on the land to be subdivided for the current year, plus any arrears have been paid or arrangements satisfactory to Council have been made;
 - b. payment of any applicable development levies have been paid;
 - c. a development agreement with the municipality has been entered into to address items including, but not necessarily limited to:
 - i. The use of land and any existing or proposed building;
 - ii. Lot grading;
 - iii. Sewer and water;
 - iv. Waste removal;
 - v. Drainage;
 - vi. Fencing and landscaping;
 - vii. Any other standard the Municipality deems necessary.
2. Applicant / owner submits written confirmation to the RRPD from Manitoba Hydro Inc. that an Easement Agreement(s) has been entered into with Manitoba Hydro with respect to existing and / or future facilities associated with the subdivision and a Plan of Easement, as required by The Real Property Act, has been provided. Registration of this agreement will be included as a condition of the final Certificate of Approval.
3. Applicant/owner provides a written confirmation from Environment and Climate – Water Stewardship Division (Drainage Section) that their concerns noted in correspondence dated February 14, 2023 have been addressed.
4. Applicant/owner obtains confirmation that they have address community mail requirements to the satisfaction of Canada Post.
5. Applicant/owner obtain the required variances for the undersized lot.

Carried

9.2 Subdivision Approvals & Variances Required for Undersized Lots (Tabled from 5/9/23 meeting)

2023-204

9.2.1 RESOLUTION: Subdivision Approvals & Variances Required for Undersized Lots

Councillor Posthumus
Councillor Horechko

WHEREAS when a subdivision of land is proposed with lots that do not meet the minimum Zoning By-law width and/or area requirement, a variance approval is required as a condition of subdivision approval.

AND WHEREAS both subdivision and variance applications are reviewed by the local municipal Council making this effectively a dual approval process, which is both redundant and inefficient.

AND WHEREAS the information provided to the province regarding the update to the Planning Act is clear that when a subdivision does not require a public hearing, any associated variances still require a public hearing.

THEREFORE BE IT RESOLVED that the Rural Municipality of East St. Paul requests the Province of Manitoba refine The Planning Act in order to make the subdivision approval process more efficient.

Carried

9.3 ~ ADMINISTRATION

9.3.1 Reserve Fund Amalgamation

2023-205

9.3.1.1 RESOLUTION: Reserve Fund Amalgamation Proposal

Councillor Horechko
Councillor Imhoff

BE IT RESOLVED THAT Council approve the amalgamation of existing reserve funds as outlined in Option 1 of the Request for Decision submitted by the Manager of Finance.

Carried

9.4 ~ OPERATIONS

9.4.1 2023 Road & Sidewalk Reconstruction Project - Bid Opportunity

2023-206

9.4.2 RESOLUTION: 2023 Road & Sidewalk Reconstruction Program - Bid Opportunity

Councillor Horechko
Councillor Posthumus

BE IT RESOLVED THAT the 2023 Road and Sidewalk Reconstruction Program be awarded to Maple Leaf Construction for the amount of \$876,230.00 (plus applicable taxes).

Carried

10. BUSINESS ARISING FROM DELEGATIONS

11. CORRESPONDENCE FOR INFORMATION

12. IN CAMERA

13. ADJOURNMENT

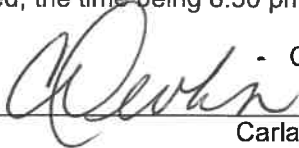
2023-207

13.1 RESOLUTION: Adjournment

Mayor Devlin
Councillor Imhoff

BE IT RESOLVED THAT the meeting be adjourned, the time being 8:50 pm.

- Carried



Carla Devlin
Mayor

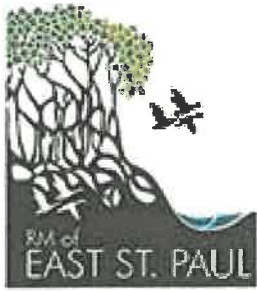


Suzanne Ward
Chief Administrative Officer



5:30 pm

[illegible]



PUBLIC HEARING SIGN-IN SHEET

Variation Order 46

2071 Roseneath Avenue

May 23, 2023

5:30 pm

IN SUPPORT

[illegible]

IN OPPOSITION

[illegible]

FOR INFORMATION

[illegible]



PUBLIC HEARING SIGN-IN SHEET

Conditional Use 11

2290 Wenzel St.

May 23, 2023

5:30 pm

IN SUPPORT

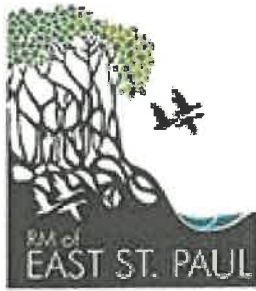
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IN OPPOSITION

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FOR INFORMATION

[illegible]



PUBLIC HEARING SIGN-IN SHEET

Conditional Use 11

2290 Wenzel St.

May 23, 2023

5:30 pm

ZOOM

IN SUPPORT

[illegible]

IN OPPOSITION

[illegible]

FOR INFORMATION

[illegible]



Variation 45

May 23, 2023

5:30 pm

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Variation 43

May 23, 2023

5:30 pm

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