



Rural Municipality of East St. Paul
Meeting Minutes
April 25, 2023 - Planning 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

2023-135

2.1 RESOLUTION: Adoption of the Agenda

Councillor Posthumus
Councillor Imhoff

BE IT RESOLVED THAT the agenda be amended as follows:
Move item 10.1 to item 5.2

Carried

3. OTHER BUSINESS

4. CONFIRMATION OF MINUTES

4.1 ~ April 11, 2023 Regular Council Meeting

2023-136

4.2 RESOLUTION: Confirmation of the Minutes

Deputy Mayor Duval
Councillor Horechko

BE IT RESOLVED THAT the Council Meeting Minutes of the April 11, 2023
regular Council Meeting be approved.

Carried

5. DELEGATIONS

5.1 ~ Gary Rebeck re: Subdivision No. S21-2936

5.2 Business Arising from Delegations

5.2.1 ~ Gary Rebeck re: Subdivision No. S21-2936

2023-137	<p>5.2.1.1 PROPOSED RESOLUTION: Gary Rebeck Subdivision No. S21-2936 Payment Installment</p> <p>Deputy Mayor Duval Councillor Horechko</p> <p>BE IT RESOLVED THAT the Development Agreement for Subdivision S21-2936 be amended to include a payment installment plan for the capital levy and development fees associated with the subdivision.</p> <p style="text-align: right;">Defeated</p>
	<p>6. PUBLIC HEARINGS</p>
	<p>6.1 ~ Variation Order 26, 2023 (685 Mowat Road)</p>
2023-138	<p>6.1.1 RESOLUTION: Open PH for VO 26, 2023 (685 Mowat Rd)</p> <p>Councillor Horechko Councillor Posthumus</p> <p>BE IT RESOLVED THAT Council open the Public Hearing of Council for Variation Order 26, 2023 (685 Mowat Rd).</p> <p style="text-align: right;">Carried</p>
2023-139	<p>6.1.2 RESOLUTION: Close PH for VO 26, 2023 (685 Mowat Rd)</p> <p>Councillor Posthumus Councillor Horechko</p> <p>BE IT RESOLVED THAT Council close the Public Hearing of council for Variation Order 26, 2023 (685 Mowat Rd).</p> <p style="text-align: right;">Carried</p>
2023-140	<p>6.1.3 RESOLUTION: Variation Order 26 (685 Mowat Rd)</p> <p>Councillor Horechko Councillor Posthumus</p> <p>BE IT RESOLVED THAT Variation Order 26, 2023 (685 Mowat Road) be approved, subject to the following conditions:</p> <ol style="list-style-type: none"> 1. This variance is limited to reduced front yard setback and location of the accessory structure in the front yard at a minimum of 35 feet. 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. <p style="text-align: right;">Carried</p>
	<p>6.2 ~ Variation Order 39 (81 Will's Way)</p>
2023-141	<p>6.2.1 RESOLUTION: Open PH for VO 39, 2023 (81 Will's Way)</p> <p>Councillor Horechko Deputy Mayor Duval</p> <p>BE IT RESOLVED THAT Council open the Public Hearing of Council for Variation Order 39, 2023 (81 Will's Way).</p> <p style="text-align: right;">Carried</p>

2023-142

6.2.2 RESOLUTION: Close PH for VO 39, 2023 (81 Will's Way)

Councillor Imhoff
Deputy Mayor Duval

BE IT RESOLVED THAT Council close the Public Hearing of Council for Variation Order 39, 2023 (81 Will's Way).

Carried

2023-143

6.2.3 RESOLUTION: Variation Order 39, 2023 (81 Will's Way)

Councillor Horechko
Councillor Posthumus

BE IT RESOLVED THAT Variation Order 39, 2023 (81 Will's Way) be approved, subject to the following conditions:

1. This variance is limited to reduced side yard as presented. 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.
3. That the Community Development Officer Planner contact Red River Planning District to request reimbursement for the variance application fee due to an internal oversight.

Carried

6.3 ~ Subdivision S23-2992 (2461 McGregor Farm Road)

2023-144

6.3.1 RESOLUTION: Open PH S23-2992 (2461 McGregor Farm Rd)

Councillor Imhoff
Deputy Mayor Duval

BE IT RESOLVED THAT Council open the Public Hearing of Council for Subdivision S23-2992 (2461 McGregor Farm Rd).

Carried

2023-145

6.3.2 RESOLUTION: Close PH for S23-2992 (2461 McGregor Farm Rd)

Councillor Horechko
Deputy Mayor Duval

BE IT RESOLVED THAT Council close the public hearing of council for Subdivision S23-2992 (2461 McGregor Farm Rd).

Carried

2023-146

6.3.3 RESOLUTION: S23-2992 (2461 McGregor Farm Rd)

Councillor Posthumus
Councillor Imhoff

BE IT RESOLVED THAT Subdivision S23-2992 (2461 McGregor Farm Rd) be approved subject to the following conditions:

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

2. payment of any applicable development levies have been paid;
3. a development agreement with the municipality has been entered into to address items including, but not necessarily limited to:
 1. the use of land and any existing or proposed building;
 2. Lot grading;
 3. Sewer and water;
 4. Waste removal;
 5. Drainage;
 6. fencing and landscaping;
 7. 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. Contact at HCSC@hydro.mb.ca, 12-360 Portage Ave., Winnipeg, MB R3C 0G8.
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. Please contact Dan Roberts, at email address: Dan.Roberts@gov.mb.ca or Ph.: 431-336-1301.
4. Applicant/owner obtains confirmation that they have address community mail requirements to the satisfaction of Canada Post. Please contact Paul Shymko at email address: paul.shymbki@canadapost.ca or Ph.: 204-228-3740.
5. Applicant/owner rezones the portion of land under proposed lot 1 to "CH" zone to be consistent with surrounding zoning.
6. Applicant/owner obtain the required variances for the undersized lot.

Tabled

6.4 ~ Zoning By-law Amendment No. 2023-03 (2018 Burton Avenue)

2023-147

6.4.1 RESOLUTION: Open PH for ZBA 2023-03 (2018 Burton Ave)

Councillor Horechko
Councillor Posthumus

BE IT RESOLVED THAT Council open the Public Hearing of Council for Zoning By-law Amendment No. 2023-03 (2018 Burton Avenue).

Carried

2023-148

6.4.2 RESOLUTION: Close PH for ZBA 2023-03 (2018 Burton Ave)

Councillor Imhoff
Deputy Mayor Duval

BE IT RESOLVED THAT Council close the public hearing of council for Zoning By-law Amendment 2023-03 (2018 Burton Ave).

Carried

6.5 ~ Variation Order 6, 2023 (2018 Burton Avenue)

2023-149

6.5.1 RESOLUTION: Open PH for VO 6, 2023 (2018 Burton Ave).

Councillor Horechko
Deputy Mayor Duval

BE IT RESOLVED THAT Council open the Public Hearing of Council for Variation Order 6, 2023 (2018 Burton Ave).

Carried

2023-150

6.5.2 RESOLUTION: Close PH for VO 6, 2023 (2018 Burton Ave)

Deputy Mayor Duval
Councillor Imhoff

BE IT RESOLVED THAT Council close the Public Hearing of council for Variation Order 6, 2023 (2018 Burton Avenue).

Carried

2023-151

6.5.3 RESOLUTION: Variation Order 6, 2023 (2018 Burton Ave)

Deputy Mayor Duval
Councillor Imhoff

BE IT RESOLVED THAT Variation 6, 2023 (2018 Burton Avenue) be approved subject to the following conditions:

1. This variance is limited to reduced site area and reduced site width of the proposed lots as presented. Any changes in use, additions, and/or replacement may require a new variance approval.
2. The approval of Zoning By-law Amendment No. 2023-03.

Carried

6.6 ~ Zoning By-law Amendment 2023-04 & S23-2988 (2021 Burton Avenue)

2023-152

6.6.1 RESOLUTION: Open PH for ZBA 2023-04 & S23-2988 (2021 Burton Ave)

Councillor Horechko
Councillor Posthumus

BE IT RESOLVED THAT Council open the Public Hearing of Council for Zoning By-law Amendment 2023-04 & S23-2988 (2021 Burton Ave).

Carried

2023-153

6.6.1.1 RESOLUTION: Close PH for ZBA 2023-04 & S23-2988

Deputy Mayor Duval
Councillor Imhoff

BE IT RESOLVED THAT Council close the Public Hearing of council for Zoning By-law Amendment 2023-04 and Subdivision S23-2988.

Carried

2023-154

6.6.2 RESOLUTION: Subdivision S23-2988 (2021 Burton Ave)

Deputy Mayor Duval
Councillor Posthumus

BE IT RESOLVED THAT Zoning By-law Amendment 2023-04 & Subdivision S23-

2988 be approved subject to the following conditions:

1. Applicant / owner submits confirmation in writing from the Chief Administrative Officer of the municipality that:
 1. 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;
 2. payment of any applicable development levies have been paid;
 3. a development agreement with the municipality has been entered into to address items including, but not necessarily limited to:
 1. the use of land and any existing or proposed building;
 2. fencing and landscaping;
 3. sewer and water,
 4. formal transfer of 2 sewer connections from 2018 Burton Avenue
 5. waste removal,
 6. snow clearing
 7. drainage,
 8. Any other standard the Municipality deems necessary.
2. Applicant/owner submits a written confirmation from Manitoba Environment, Climate and Parks – Water Stewardship Division that all the conditions listed in their correspondence on January 27, 2023 have been completed. Please contact: Dan Roberts, Water Resource Officer – PH: 431-336-1301
3. Applicant/owner rezones the subject property to "R1-8" by obtaining approval for ZBA 2023-04 from the RM of East St. Paul.
4. Applicant/owner obtains a variance for the site width of an undersized lot.

Carried

6.7 ~ Variation Order 7, 2023 (2021 Burton Avenue)

2023-155

6.7.1 RESOLUTION: Open PH VO 7, 2023

Councillor Imhoff
Deputy Mayor Duval

BE IT RESOLVED THAT Council open the Public Hearing of Council for Variation Order 7, 2023 (2021 Burton Ave).

Carried

2023-156

6.7.2 RESOLUTION: Close PH for VO 7, 2023 (2021 Burton Ave)

Deputy Mayor Duval
Councillor Posthumus

BE IT RESOLVED THAT Council close the Public Hearing of council for Variation Order 7, 2023 (2021 Burton Ave).

Carried

2023-157

6.7.3 RESOLUTION: Variation Order 7, 2023 (2021 Burton Ave)

Councillor Imhoff
Deputy Mayor Duval

BE IT RESOLVED THAT Variation Order 7, 2023 (2021 Burton Avenue) be approved subject to the following conditions:

1. This variance is limited to reduced side yard as proposed in this application. Any changes in use, additions, and/or replacement may require a new variance approval.
2. The approval of Zoning By-law Amendment No. 2023-04.

Carried

7. BY-LAWS

7.1 ~ Zoning By-law Amendment No. 2023-03 (2nd & 3rd Readings)

2023-158

7.1.1 RESOLUTION: Zoning By-law Amendment No. 2023-03 (2nd Reading)

Councillor Horechko
Councillor Posthumus

BE IT RESOLVED THAT By-law No. 2023-03, being a by-law of the RM of East St. Paul to amend the RM of East St. Paul Zoning By-law 2009-04, be given 2nd reading.

Carried

2023-159

7.1.2 RESOLUTION: Zoning By-law Amendment No. 2023-03 (3rd Reading)

Councillor Imhoff
Deputy Mayor Duval

BE IT RESOLVED THAT By-law No. 2023-03, being a by-law of the RM of East St. Paul to amend the RM of East St. Paul Zoning By-law 2009-04, 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

7.2 ~ Zoning By-law Amendment No. 2023-04 (2nd & 3rd Readings)

2023-160

7.2.1 RESOLUTION: Zoning By-law Amendment No. 2023-04 (2nd Reading)

Deputy Mayor Duval
Councillor Posthumus

BE IT RESOLVED THAT By-law No.2023-04, being a By-law of the Rural Municipality of East St. Paul to amend the RM of East St. Paul Zoning By-law 2009-04, be given 2nd reading.

Carried

2023-161

7.2.2 RESOLUTION: Zoning By-law Amendment No. 2023-04 (3rd Reading)

Councillor Horechko
Deputy Mayor Duval

BE IT RESOLVED THAT By-law No.2023-04, being a By-law of the Rural Municipality of East St. Paul to amend the RM of East St. Paul Zoning By-law

2009-04, 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

9. GENERAL BUSINESS

9.1 OPERATIONS

9.1.1 ~ Fuel Storage Tanks

2023-162

9.1.2 RESOLUTION: Fuel Storage Tanks

Councillor Horechko
Councillor Imhoff

BE IT RESOLVED THAT Council approve the replacement and upgrade of the fuel storage tanks by Petro Tech Petroleum Services for a total cost of \$73,907.25 (plus applicable taxes).

Carried

10. CORRESPONDENCE FOR INFORMATION

11. IN CAMERA

12. ADJOURNMENT

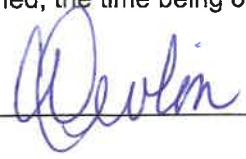
2023-163

12.1 RESOLUTION: Adjournment

Councillor Posthumus
Councillor Imhoff

BE IT RESOLVED THAT the meeting be adjourned, the time being 8:07 pm.

Carried



Carla Devlin
Mayor



Suzanne Ward
Chief Administrative Officer

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[illegible]

[illegible]

Variation Order 39, 2023

April 25, 2023

5:30 pm

IN SUPPORT

[illegible][illegible][illegible]

Subdivision S23-2992, 2023
2461 McGregor Farm Rd

April 25, 2023
5:30 pm

PRINT NAME	ADDRESS	PHONE
MONIQUE REMPEL		
BERNIE REMPEL		
Abe Rempel		

[illegible][illegible]

(Zoom)

[illegible]

[illegible]

[illegible]

[illegible]

Zoning By-law Amendment 2023-04 & Subdivision S23-2988

April 25, 2023

5:30 pm

ZOOM

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Variation Order 7, 2023
2021 Burton Avenue
 April 25, 2023
 5:30 pm

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PUBLIC HEARING SIGN-IN SHEET

Variation Order 7, 2023
2021 Burton Avenue

April 25, 2023

5:30 pm

ZOOM

IN SUPPORT

[illegible]

IN OPPOSITION

[illegible]

FOR INFORMATION

[illegible]