



Rural Municipality of East St. Paul
Meeting Minutes
March 8, 2022 - Regular Council Meeting - 05:30 PM

PRESENT:

Mayor Shelley Hart
Deputy Mayor Brian Duval
Councillor Carla Devlin
Councillor Orest Horechko
Councillor Charles Posthumus

IN ATTENDANCE:

Jennifer Rohl, A/Chief Administrative Officer
Suzanne Ward, A/Assistant Chief Administrative Officer
Dave Wardrop, Director of Infrastructure Services
Cara Nichols, Community Development Planner
Derek Eno, Red River Planning District
Femi Ojo, Red River Planning District

ABSENT:

Nil

- 1. CALL THE MEETING TO ORDER**
- 2. ADOPTION OF THE AGENDA - AMENDED**
- 2.1 RESOLUTION: Adoption of the Agenda**

2022-070

Councillor Horechko
Councillor Posthumus

BE IT RESOLVED THAT the agenda be amended as follows:

Move:

Item 12.0 Other Business - Zoning By-law Amendment No. 2021-14 (2nd Reading) to Item 4.0

Carried

- 3. ADOPTION OF THE MINUTES**
- 3.1 ~ February 22, 2022 Regular Planning Meeting**
- 3.1.1 RESOLUTION: Minutes - February 22/22**

2022-071

Councillor Devlin
Deputy Mayor Duval

BE IT RESOLVED THAT the Council Meeting Minutes of the February 22, 2022 regular planning meeting, be approved.

Carried

- 4. OTHER BUSINESS**
- 4.1 ~ Zoning By-Law Amendment No. 2021-14 (2nd & 3rd Reading)**
- 4.1.1**

2022-072

RESOLUTION: Zoning By-Law Amendment No. 2021-14 (2nd Reading)

Councillor Horechko
Deputy Mayor Duval

BE IT RESOLVED THAT By-law No. 2021-14, being a By-law of the Rural Municipality of East St. Paul to amend Zoning By-law 2009-04 be given 2nd reading with the condition that a Development Agreement to address items such as but not limited to: land use buffering between differing land uses in order to ensure compatibility, and, any site development or construction of infrastructure requirements;

AND BE IT FURTHER RESOLVED THAT subject to a further agreement including conditions based upon the type, density and interior site design to be provided by the Developer.

Defeated

2022-073

4.1.2 RESOLUTION: Zoning By-Law Amendment No. 2021-14

Councillor Posthumus
Councillor Devlin

WHEREAS the applicant has made application for a Zoning By-law amendment to include two (2) new zones in the Zoning By-Law (R1-25 and RM-60) and to re-zone the subject lands from "PR" Parks and Recreation zone and "RR5" Rural Residential 5 to "R1-25" Single Housing Dwelling zone; "RM-60" Multiple Housing 60 Dwelling zone and "CH" Commercial Highway zone;

AND WHEREAS Council has considered the application, the information received as part of the application process, and the Municipality's Zoning By-law requirements,

THEREFORE BE IT RESOLVED THAT the application is rejected as the application does not meet the requirements of the Planning Act and is rejected for the following reasons:

- The proposal is not compatible with the character of East St. Paul.
- There were strong objections presented at the public hearing.
- The application was missing critical information.
- The proposal is not consistent with the Development Plan.
- Lack of comments and information from Manitoba Transportation and Infrastructure Highway design branch given the proximity and access to PR 59 and PR 101.
- The proposal is not harmonious with the surrounding area.

Carried

5. DELEGATIONS

6. PUBLIC HEARINGS

6.1 ~ File No. BL2021-15 & S21-2936

2022-074

6.1.1 RESOLUTION: Open PH for File No. BL2021-15

Councillor Horechko
Councillor Posthumus

BE IT RESOLVED THAT Council open the Public Hearing of Council for File No. BL2021-15 (South of Prairie Ridge Drive between Rebeck Road and Andrews Road).

Carried

2022-075

6.1.2 RESOLUTION: Open PH for File No. S21-2936

Councillor Devlin
Deputy Mayor Duval

BE IT RESOLVED THAT Council open the public hearing of council for File No. S21-2936 (South of Prairie Ridge Drive between Rebeck Road and Andrews Road).

Carried

2022-076

6.1.3 RESOLUTION: Close PH for File No. BL2021-15

Councillor Horechko
Councillor Posthumus

BE IT RESOLVED THAT Council close the public hearing of council for File No. BL2021-15 (South of Prairie Ridge Drive between Rebeck Road and Andrews Road).

Carried

2022-077

6.1.4 RESOLUTION: Close PH for File No. S21-2936

Councillor Devlin
Deputy Mayor Duval

BE IT RESOLVED THAT Council close the public hearing of council for File No. S21-2936 (South of Prairie Ridge Drive between Rebeck Road and Andrews Road).

Carried

2022-078

6.1.5 RESOLUTION: File No. S21-2936

Councillor Horechko
Deputy Mayor Duval

BE IT RESOLVED THAT S21-2936 (South of Prairie Ridge Drive between Rebeck Road and Andrews Road) be approved subject to the following condition(s):

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 drainage / lot grading plan to be prepared by a qualified engineer to the satisfaction of the municipality, and to ensure that the proposed properties do not drain into, or impede drainage from neighbouring properties;
- d. a Development Agreement has been entered into to address the following, but not limited to:

- development fees
- servicing
- drainage

2. Applicant / owner obtain variances for undersized lots.

3. Applicant / owner submits written confirmation to the RRPD 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. Contact Manitoba Hydro at HCSC@hydro.mb.ca, 12-360 Portage Ave., Winnipeg, MB R3C 0G8

4. Applicant / owner submits written confirmation to the RRPD from BellMTS that an Easement Agreement(s) has been entered into with BellMTS 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 BellMTS at Garry Dyck, Survey Coordinator, PO Box 6666 BW 100P, Winnipeg MB, R3C 3V6, Phone number 204 958-1768.

5. Applicant / owner submits written confirmation to the RRPD from MB Infrastructure (Highway Traffic Branch) that access permits have been obtained for proposed lots 15, 16 and 17. Contact forms.gov.mb.ca/highway-permits-application/index.html. "

6. Applicant / owner submits written confirmation to the RRPD from MB Infrastructure (Highway Traffic Branch) that land drainage is not an issue. A detailed drainage plan may be required. Contact Rob Crang (Technical Services Engineer) at 204 945-8955 or by email at Robert.crang@gov.mb.ca.

7. Applicant / owner submits written confirmation to the RRPD from MB Conservation and Climate that a development drainage plan engineering design and analysis has been completed to the satisfaction of MB Conservation and Climate, and, that the applicant has obtained all required approvals from the department. Contact Darren Nicklin (Senior Water Resource Officer), at 204 572-7265, or by email at Darren.Nicklin@gov.mb.ca.

Carried

7. BY-LAWS

7.1 ~ Zoning By-Law Amendment No. 2021-15 (2nd & 3rd Reading)

2022-079

7.1.1 RESOLUTION: Zoning By-Law Amendment No. 2021-15 (2nd Reading)

Councillor Posthumus
Deputy Mayor Duval

BE IT RESOLVED THAT By-law 2021-15 being a by-law of the RM of East St. Paul to amend Zoning By-law No. 2009-04, as amended be given 2nd reading.

Carried

2022-080

7.1.2 RESOLUTION: Zoning By-Law Amendment No. 2021-15 (3rd Reading)

Councillor Horechko
Councillor Posthumus

BE IT RESOLVED THAT By-law 2021-15 being a by-law of the RM of East St. Paul to amend Zoning By-law No. 2009-04, as amended be given 3rd reading.

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

Carried

7.2 ~ Zoning By-Law Amendment No. 2022-02 (1st Reading)

2022-081

7.2.1 RESOLUTION: Zoning By-Law Amendment 2022-02 (1st Reading)

Deputy Mayor Duval
Councillor Horechko

BE IT RESOLVED THAT By-law 2022-02 being a by-law of the RM of East St. Paul to amend Zoning By-law No. 2009-04, as amended be given 1st reading.

Y

Carried

7.3 ~ Traffic By-Law No. 2022-03 (1st Reading)

2022-082

7.3.1 RESOLUTION: Traffic By-Law 2022-03 (1st Reading)

Councillor Posthumus
Councillor Horechko

BE IT RESOLVED THAT By-law No. 2022-03 being a by-law of the Rural Municipality of East St. Paul for the Regulation of Traffic, Parking and the Use of Streets, Roads and Sidewalks, also known as the "The Rural Municipality of East St. Paul Traffic By-Law" be given 1st reading.

Carried

8. POLICIES

9. FINANCES

9.1 ~ Schedule of Accounts

2022-083

9.1.1 RESOLUTION: Schedule of Accounts

Councillor Posthumus
Deputy Mayor Duval

BE IT RESOLVED THAT the schedule of accounts dated March 8, 2022 amounting to \$880.00 be confirmed as paid.

Carried

9.2 ~ Schedule of Accounts (Paid Since Feb. 8/22)

2022-084

9.2.1 RESOLUTION: Schedule of Accounts (Paid Since Feb. 8/22)

Deputy Mayor Duval
Councillor Devlin

BE IT RESOLVED THAT the schedule of accounts Paid Since the February 8, 2022 meeting of Council amounting to \$978,733.68 be confirmed as paid.

Carried

9.3 ~ Payroll

2022-085

9.3.1 RESOLUTION: Payroll

Councillor Devlin
Councillor Posthumus

BE IT RESOLVED THAT the net payroll and Council indemnities for the RM of East St. Paul for February 8, 2022 to March 8, 2022 amounting to \$199,988.45 be approved.

Carried

9.4 ~ Tax Sale Agreement

2022-086

9.4.1 RESOLUTION: Tax Sale Agreement

Councillor Devlin

Deputy Mayor Duval

BE IT RESOLVED THAT Council approve the tax sale agreement for Roll #0001890.000 (85 Orkney Drive).

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

Carried

10. GENERAL BUSINESS

10.1 ADMINISTRATION

10.1.1 ~ Health and Benefits Plan Advisor

2022-087

10.1.1.1 RESOLUTION: Health and Benefits Plan Advisor

Councillor Horechko
Deputy Mayor Duval

BE IT RESOLVED THAT Council approve changing the Health and Benefits Plan Advisor from Granite Financial Group to RCS Insurance Consultants Inc.

Carried

10.1.2 ~ Account Status with Sunova Credit Union

2022-088

10.1.2.1 RESOLUTION: Account Status with Sunova Credit Union

Councillor Devlin
Deputy Mayor Duval

BE IT RESOLVED THAT Council approve the closure of the East St. Paul bank account with Sunova Credit Union and withdraw the balance of the account and move it to the CIBC bank accounts.

Carried

11. CORRESPONDENCE FOR INFORMATION

12. BUSINESS ARISING FROM DELEGATIONS

13. COUNCIL MEMBERS REPORTS

13.1 Ward 1 - Carla Devlin

Feb
9 Council meeting
15 GPC Meeting
22 Council Briefing - Scotties
24 Budget meeting # 1
25 Chair Trails Committee
28 Budget meeting # 2

March
1 Special Briefing Bill 37
8 Special Council Meeting

13.2 Ward 2 - Orest Horechko

February
14 - RRPD - Board Meeting
15 - GPC Meeting
16 - RRPD - Board Meeting
17 - COPP Meeting
22 - Council Briefing
22 - Council Meeting
24 - MARR Webinar

- 24 - Budget Meeting
- 28 - Budget Meeting

March

- 1 - Council Briefing (Bill 37)
- 1 - Council GPC Meeting
- 3 - ARM Meeting - Lorette
- 7 - Council Briefing
- 7 - Council Public Hearing
- 8 - Council Meeting
- 8 - Council Briefing (Personnel)

13.3 Ward 3 - Brian Duval

- Meeting with Scatliff re Birds Hill Road concept design.
- Briefing on RM infrastructure status/plans.
- Webinar on pending development proposal.
- Council Briefing re Scotties event in ESP.
- Two regular Council Meetings.
- Two meetings re 2022 Budget.
- Briefing from legal re interpretation of Bill 37.
- Mtg Association of Regional Municipalities.
- Public Hearing re Meadows Golf Course development.
- Governance and Priorities Meeting.

13.4 Ward 4 - Charles Posthumus

February

- 9 - Special Meeting Birds Hill Road design
- 11 - AMM Municipal Insurance Report
- 15 - GPC Meeting
- 22 - Council Briefing Scotties
- 24 - MARR Webinar
- 24 - Budget Meeting #1
- 25 - Trails Meeting
- 28 - Budget Meeting #2
- 28 - Red River Basin North Chapter
 - Minister Johnson Climate & Parks
 - Colin Flurting North East Water Shed

March

- 1 - Special Briefing Bill 37
- 1 - GPC Meeting
- 2 - Red River Basin Quarterly Meeting
- 3 - red River Basin Board Meeting virtual
- 3 - Manitoba Recreation Conference Virtual
 - Recreation Master Plan
 - Value of parks and green space
 - Checking the Trail Boom
- 3 - Association of Municipalities Meeting - Tache
- 7 - Council Briefing Developer
- 7 - Council Planning Public Hearing Meadows
- 8 - Council Briefing
- 8 - Council Meeting

13.5 Mayor - Shelley Hart

Due to COVID-19, Manitoba is currently in a code YELLOW classification in the province's pandemic response system. Per the Province of Manitoba "Public health indicators are stabilizing or improving and as of Tuesday, Feb. 15, the Manitoba chief provincial public health officer has set the pandemic response system to Yellow (Caution)."

Since my last Council report on February 8, 2022, I have been involved in a number of activities.

- February 9 – Council Briefing Re: Road design guidelines
- February 11 – RRPD special committee meeting

February 14 – RRPD special board meeting
February 15 – Council Briefing Re: Infrastructure
February 16 – RRPD special committee meeting
February 18 – chaired AMM Justice Committee meeting
February 22 – Council Briefing Re: Scotties
February 22 – chaired Council meeting
February 24 – Budget meeting
February 28 – Budget meeting
March 1 – Council Briefing Re: Bill 37
March 1 – chaired Governance & Priorities meeting
March 3 – Recreation Conference (via video)
March 7 – Council Briefing Re: Bill 37
March 7 – chaired special Council meeting
Over the past month, I have also spoken with a number of other individuals/groups to discuss business related opportunities and/or concerns for ESP.

14. IN CAMERA

2022-089

14.1 RESOLUTION: In Camera

Councillor Devlin
Councillor Posthumus

BE IT RESOLVED THAT Council now move In Camera as per Section 152(3) of The Municipal Act to discuss legal and personnel matters.

AND BE IT FURTHER RESOLVED THAT all matters discussed while In Camera are to remain confidential as per Section 83(1)(d) of The Municipal Act.

Carried

14.2 ~ Legal

14.3 ~ Personnel

2022-090

14.4 RESOLUTION: Out of Camera

Councillor Horechko
Councillor Posthumus

BE IT RESOLVED THAT Council now moves Out of Camera and resumes the Regular Meeting of Council.

Carried

15. ADJOURNMENT


2022-091

15.1 RESOLUTION: Adjournment

Councillor Devlin
Deputy Mayor Duval

BE IT RESOLVED THAT the meeting be adjourned, the time being 8:17 pm.

Carried



Shelley Hart
Mayor



Jennifer Rohl
Acting Chief Administrative Officer