

RURAL MUNICIPALITY OF MACDONALD

Sanford Manitoba

MINUTES OF THE MEETING OF COUNCIL OF DECEMBER 22, 2009

A regular meeting of the Council of The Rural Municipality of Macdonald was held in the Council Chambers at Sanford, Manitoba on Tuesday, December 22, 2009, commencing at 9:00 a.m. In attendance were: Reeve R. Burns and Councillors D. Dobrowolski, G. Lavallee, B. Rex, R. Kirouac, C. Bisson, B. Erb and W. T. Raine, CAO.

493/09 Agenda

D. Dobrowolski: G. Lavallee: BE IT RESOLVED: THAT the meeting agenda for December 22, 2009 prepared by the Reeve and Chief Administrative Officer be hereby approved subject to the following additions:

1. Caveat No. 1346796 – W $\frac{1}{2}$ NE 23-9-2E
2. TransCanada Pipeline – pipeline lowering
3. Manitoba Floodway Authority – Glenlea Drain

Carried.

494/09 Minutes

G. Lavallee: D. Dobrowolski: WHEREAS a copy of the minutes has been provided to each member of Council;

THEREFORE, BE IT RESOLVED: THAT the Council of The Rural Municipality of Macdonald waive the reading of the minutes of the meeting of December 1, 2009;

AND THAT the minutes be adopted.

Carried.

495/09 Accounts

B. Erb: R. Kirouac: BE IT RESOLVED: THAT accounts numbered 20092198 to 20092330 dated December 22, 2009 totalling \$487,356.94 be approved and paid.

Carried.

496/09 Special Services

B. Rex: G. Lavallee: BE IT RESOLVED: THAT travel allowances and other services and expenses allowed under By-Law No. 30/08 be paid to members of council as shown in affidavit of members.

Carried.

497/09 Special Services Claim

R. Kirouac: C. Bisson: WHEREAS Government Services, Section 2.1(d) of the Rural Municipality of Macdonald Policy Manual requires the approval of Council for Special Services claims for services performed in the previous quarter;

THEREFORE, BE IT RESOLVED: THAT the Special Services claim of R. Morse dated December 8, 2009 BE APPROVED for payment.

Carried.

498/09 By-Law No. 24/09 – Council Indemnity & Travel Allowance

C. Bisson: R. Kirouac: BE IT RESOLVED: THAT By-Law No. 24/09 authorizing under the provisions of Section 124 of The Municipal Act the payment of indemnities, allowances and expenses as follows:

1. THAT a monthly compensation be paid to the Reeve for discharge of duties of Council and attendance at meetings of Council, in the amount of \$900.38 as an indemnity and \$450.19 as a non accountable allowance effective January 1, 2010;
2. THAT a monthly compensation be paid to the Councillors for discharge of duties of Council and attendance at meetings of Council, in the amount of \$750.32 as an indemnity and \$375.16 as a non accountable allowance effective January 1, 2010;
3. THAT compensation of \$53.33 as an indemnity and \$26.67 as a non accountable allowance for a half day; or \$106.67 as an indemnity and \$53.33 as a non accountable allowance for a whole day be paid to any member of Council for attendance at meetings of the Committees of Council or other Boards established by Council;
4. THAT compensation of \$53.33 as an indemnity and \$26.67 as a non accountable allowance for a half day; or \$106.67 as an indemnity and \$53.33 as a non accountable allowance for a whole day be paid to any member of Council incident to the travelling to, attendance at, and returning from any meeting of any Organization that in the opinion of the Council is in the interest of the municipality to belong;
5. THAT an allowance be paid to the members of Council for each hour actually and necessarily spent in the performance of such duties, work or service as is required or authorized under resolution to be performed at the rate of \$13.90 as an indemnity and \$6.95 as a non accountable allowance per hour effective January 1, 2010 to a maximum of 8 hours per day;
6. THAT a travel allowance be paid to the members of Council for attending meetings, each way from place of residence in the municipality to the place of meeting and return to residence, to be allowed only once for each meeting;
AND THAT travel expenses necessarily incurred in the performance of such duties be paid the sum equivalent to the rate per kilometre established by the Province of Manitoba for a privately owned vehicle;
7. THAT the Health and Dental Benefits Program be paid by the municipality, beginning the month following the election;
8. That this by-law supersedes any other by-laws setting rates of pay for the members of the Council of the Rural Municipality of Macdonald.

BE READ THE FIRST TIME.

Carried.

499/09 Financial Statement

B. Erb: C. Bisson: BE IT RESOLVED: THAT the financial statement for the month ended November 30, 2009 be received.

Carried.

500/09 Gas Tax Reserve

G. Lavallee: D. Dobrowolski: WHEREAS Section 169(7) of the Municipal Act provides that no public notice or public hearing is required for an expenditure funded by a transfer from a specific purpose reserve unless the expenditure is for a purpose other than that for which the reserve fund was established;

AND WHEREAS the 2009 Financial Plan included a transfer of \$321,000.00 from the Gas Tax Reserve for purposes of funding the Oak Bluff Lagoon Expansion Project;

THEREFORE, BE IT RESOLVED: THAT the following additional withdrawals from the Gas Tax Reserve:

- a) \$11,080.32 for the Oak Bluff Lagoon Expansion Project; and
- b) \$20,150.00 for the Domain Sewer Collection System improvements

BE APPROVED.

Carried.

501/09 Interim Operating Budget

D. Dobrowolski: B. Rex: BE IT RESOLVED: THAT under the provisions of Section 163 of "The Municipal Act" an interim operating budget for the period January 1, 2010 until the adoption of the operating budget be approved as follows:

1. General Government Services	\$ 250,000.00
2. Protective Services	75,000.00
3. Transportation Services	525,000.00
4. Environmental Health Services	45,000.00
5. Public Health & Welfare Services	5,000.00
6. Environmental Development Services	15,000.00
7. Economic Development Services	25,000.00
8. Recreation & Cultural Services	65,000.00
9. Fiscal Services	200,000.00
10. Starbuck Sewer Utility	7,500.00
11. Sanford Sewer Utility	5,000.00
12. La Salle Sewer Utility	10,000.00
13. Oak Bluff Sewer Utility	5,000.00
14. Brunkild Sewer Utility	1,000.00
15. Domain Sewer Utility	1,000.00
16. Water Utility	775,000.00

Carried.

502/09 Tax Cancellation

C. Bisson: B. Erb: BE IT RESOLVED: THAT the Chief Administrative Officer be instructed to cancel taxes on the rolls as shown on a list dated December 31, 2009 to reflect various assessment changes recommended by the Provincial Assessment Branch and other various tax adjustments.

Carried.

503/09 Transfer of Accounts

B. Erb: R. Kirouac: WHEREAS Section 252(2) of "The Municipal Act" authorizes that fees and other charges respecting works, services and/or utilities may be collected by the municipality in the same manner as a tax may be collected or enforced;

THEREFORE, BE IT RESOLVED: THAT outstanding utility and sundry accounts as shown on a list dated December 31, 2009 be transferred to the 2009 tax roll to be collected in the same manner as arrears of taxes and that the required entries be made in the books of the corporation.

Carried.

504/09 Appoint Fire Chief

C. Bisson: B. Rex: BE IT RESOLVED: THAT Dwight Seymour be appointed Fire Chief of the Macdonald Volunteer Fire Department effective January 1, 2010.

Carried.

505/09 Caveat Discharge – pt SW & NW 5-9-1EPM

B. Rex: D. Dobrowolski: WHEREAS Caveat No. 1927251 in favour of the Rural Municipality of Macdonald is registered against the SW¹/₄ of Section 5-9-1EPM exc the Sly 1320 feet perp and NW¹/₄ of Section 5-9-1EPM exc the Nly 1320 feet perp in the name of David Van Wallegghem & Melody Van Wallegghem-Nichols as a condition of the approval of Conditional Use No. 5/94;

AND WHEREAS the owners have requested the discharge of Caveat No. 1927251 as the dairy barn and development was not pursued and Conditional Use Order No. 5/94 expired on October 31, 1995;

THEREFORE, BE IT RESOLVED: THAT the signing officers of the Rural Municipality of Macdonald be authorized to sign a Discharge of Caveat No. 1927251 affecting part of SW¹/₄ 5-9-1E & NW¹/₄ 5-9-1E, Certificate of Title Nos. 2414349 and 2405760.

Carried.

506/09 Request for Information – Building Blue Prints

R. Kirouac: C. Bisson: WHEREAS Section 263(2) of the Municipal Act provides that Council may authorize access to other records not provided for in Section 263(1) of the Act;

AND WHEREAS a request for certain information in regards to Building Permit No. 3/03 has been received;

THEREFORE, BE IT RESOLVED: THAT the Chief Administrative Officer be authorized to provide a copy of the building blue prints to the owners of lot 25-3-24911.

Carried.

507/09 Local Improvement Plan – La Salle Multi-Purpose Centre

R. Kirouac: G. Lavallee: BE IT RESOLVED: THAT the Chief Administrative Officer be authorized to proceed with public notice of hearing in regards to the proposed Local Improvement Plan – La Salle Multi-Purpose Recreation and Fitness Centre Project.

Carried.

508/09 Public Reserve Dedication Reserve

WHEREAS Le Centre Communautaire de La Salle Community Centre Inc. is proposing the construction of a Multi-Purpose Recreation and Fitness Centre;

THEREFORE, BE IT RESOLVED: THAT the withdrawal of a maximum of \$50,000.00 from the Public Reserve Dedication Reserve BE APPROVED as a matching contribution towards architectural and/or engineering services related to the proposed Multi-Purpose Recreation and Fitness Centre.

Carried.

509/09 Caveat Discharge – pt W¹/₂ NE 23-9-2E

B. Erb: C. Bisson: WHEREAS Caveat No. 1346796 in favour of the Rural Municipality of Macdonald is registered against the W¹/₂ of the NE 23-9-2EPM exc. Plan 6788 in the name of Vince Zettler as a condition of Conditional Use No. 9/90 on March 26, 1990;

AND WHEREAS the development of the landscaping business did not proceed and Conditional Use Order No. 9/90 has expired;

THEREFORE, BE IT RESOLVED: THAT the signing officers of the Rural Municipality of Macdonald be authorized to sign a Discharge of Caveat No. 1346796 affecting the W¹/₂ of the NE 23-9-2EPM exc. Plan 6788, Certificate of Title No. 2354486.

Carried.

Entrance Road to Kingswood West

Gerry Jennings from 26 Medinah Drive attended the meeting with other landowners from the Kingswood West area requesting that Council give serious consideration to the paving of the entrance road to the Kingswood West area from P.R. No. 247 to the intersection of Kingsway Crescent and Medinah Drive. When they purchased their lots, that portion of street was paved and as a result of the heavy construction traffic since the development of new lots in the area, the paved surface was destroyed and replaced with a granular driving surface. Residents of the area are of the opinion that the loss of the paved roadway has impacted the value of their homes and their request does not represent the installation of new pavement but rather the replacement of what was previously a paved street.

510/09 Meeting Recess

D. Dobrowolski: G. Lavallee: BE IT RESOLVED: THAT the meeting of Council be hereby recessed for the purpose of holding a Public Hearing in the matter of:

- 11:00 a.m. – Variation No. 65/09 – Mike Bast (Verhoeven Farms Inc.), NW 25-8-2E
- 11:00 a.m. – Conditional Use 66/09 – 5767173 Manitoba Ltd. (J. Balazovic), NE 34-9-1
- 11:00 a.m. – Conditional Use 67/09 – Zirino's Auto, Truck & Trailer Service, 2 & 6-6867
- 11:00 a.m. – Variation No. 68/09 & Variation 69/09 – Andre Lafond, SE 17-8-2E
- 11:00 a.m. – Variation No. 70/09 – Jennifer Last, 2-35317

AND to reconvene at the conclusion of the Public Hearing.

Carried.

511/09 Subdivision Application – H. & M. Enns, SE 17-8-2E

D. Dobrowolski: B. Rex: WHEREAS Henry & Martha Enns have made application to Community Planning Services for a subdivision on SE 17-8-2E;

AND WHEREAS the requirements of the "AG" Agricultural General Zone of the Rural Municipality of Macdonald Zoning By-Law as amended provides for a minimum site area of 80 acres and a minimum site width of 660 feet;

THEREFORE, BE IT RESOLVED: THAT Subdivision Application No. 4146-09-5204 affecting

SE 17-8-2E

BE APPROVED subject to the following conditions:

1. Approval of a variation order for the proposed parcel and residual parcel;
2. The applicant will be responsible for all municipal survey costs associated with the Survey Monument Restoration Program; and
3. Payment of the Capital Levy under By-Law No. 3/04.

Carried.

512/09 Variation No. 68/09 – A. Lafond (H. & M. Enns), SE 17-8-2E

D. Dobrowolski: B. Rex: WHEREAS Subdivision Application No. 4146-09-5204 of Henry & Martha Enns was approved by the Council of the Rural Municipality of Macdonald at its meeting of today's date;

AND WHEREAS the "AG" Agricultural General Zone of the Rural Municipality of Macdonald Zoning By-Law, as amended, provides for a minimum site area of 80 acres, and a minimum site width of 660 feet;

THEREFORE, BE IT RESOLVED: THAT Variation No. 68/09 affecting

Southerly 360 feet lying East of Plan 16424 WLTO in SE 17-8-2 EPM,
(44 008 Road 8E)

BE APPROVED to allow a site of 1.78 acres with a site width of 155 feet for the subdivision of a parcel to maintain the existing single family dwelling and yard site.

Carried.

513/09 Variation No. 69/09 – A. Lafond (H. & M. Enns), SE 17-8-2E

D. Dobrowolski: G. Lavallee: WHEREAS Subdivision Application No. 4146-09-5204 of Henry & Martha Enns was approved by the Council of the Rural Municipality of Macdonald at its meeting of today's date;

AND WHEREAS the "AG" Agricultural General Zone of the Rural Municipality of Macdonald Zoning By-Law, as amended, provides for a minimum site area of 80 acres;

THEREFORE, BE IT RESOLVED: THAT Variation No. 69/09 affecting

Legal Subdivision 1 and 8 of 17-8-2EPM except out of both legal subdivision Water Control Works Plan 16424 WLTO; except the Southerly 360 feet lying East of Plan 16424 WLTO in SE 17-8-2EPM

BE APPROVED to allow a site of 74.71 acres for the residual parcel after a single lot subdivision of the existing single family dwelling and yard site.

Carried.

514/09 Variation No. 65/09 – M. Bast (Verhoeven Farms Inc.), NW 25-8-2E

G. Lavallee: D. Dobrowolski: WHEREAS the General Provisions of the Rural Municipality of Macdonald Zoning By-Law, as amended, provides in Part 3 that a detached accessory building or structure shall not be located closer than ten feet to any main building or structure, clear of all projections;

THEREFORE, BE IT RESOLVED: THAT Variation No. 65/09 of Mike Bast (Verhoeven Farms Inc. - property owner) affecting

Part of NW 25-8-2 EPM (11 106 Road 47NE)

BE APPROVED to allow a minimum separation distance of 7.75 feet between the recently constructed single family dwelling and the existing detached garage to retain the existing detached garage on the property.

Carried.

515/09 Variation No. 70/09 – J. Last, 2-35317, Oak Bluff

B. Erb: R. Kirouac: WHEREAS the "CG" Commercial General Zone of the Rural Municipality of Macdonald Zoning By-Law, as amended, provides that the minimum front yard setback adjacent to a Provincial Highway is 125 feet and the minimum side yard setback is 10 feet;

THEREFORE, BE IT RESOLVED: THAT Variation No. 70/09 of Jennifer Last affecting

Lot 2, Plan 35317 (40 PTH #3)

BE APPROVED to allow a front yard of 45 feet and a westerly side yard of 4.5 to allow for the construction of a 1,000 square foot dining area addition to the existing drive-in restaurant.

Carried.

Olympic Torch Relay – January 7, 2010

Susanne Moore, Recreation Director, attended the meeting to provide details in regards to the proposed Olympic torch run scheduled for January 7, 2010. The relay will begin in the community of Oak Bluff, then on to Sanford and Brunkild. Various methods of advertising the event are in place throughout the municipality and surrounding communities.

Manager of Public Works

Grant Baker, Manager of Public Works, attended the meeting to discuss his 2009 annual report and to report on repairs to the vandalized excavators; the purchase of additional recycling bins for the Sanford Landfill site; repairs to the municipal shop as a result of hail damage earlier this year; and various tenders to consider in 2010.

516/09 Reports

G. Lavallee: D. Dobrowolski: BE IT RESOLVED: THAT the following reports be received as information:

- a) Annual Year End Report of the Public Works Manager, Dec. 10/09
- b) Report of the Public Works Manager, Dec. 17/09
- c) Report of the Emergency Services Committee meeting, Dec. 11/09
- d) Report of the Sanford Subdivision Committee meeting, Dec. 9/09
- e) Report of the La Salle Subdivision Committee meeting, Dec. 9/09
- f) Report of the Oak Bluff Subdivision Committee meeting, Dec. 15/09
- g) Report of the Macdonald-Headingley Recreation District meeting, Dec. 2/09
- h) Minutes of the Association of Rural Municipalities Capital Region meeting, Dec. 3/09
- i) Building Permit Comparative Data Report, Jan. 1 – Nov. 30/09
- j) Minutes of the Macdonald-Ritchot Planning District meeting, Dec. 21/09

Carried.

517/09 Correspondence

R. Kirouac: C. Bisson: BE IT RESOLVED: THAT the following correspondence be received as information:

- a) E. Gilroy, CEO, Manitoba Floodway Authority, Nov. 23/09 – Fall 2009 Manitoba Floodway Authority newsletter: “*More Protection, More Opportunities*”
- b) K. Barlishen, P.Eng., Senior Approvals Engineer, Manitoba Water Stewardship, Nov. 25/09 – RM of Macdonald Regional Water System – Request for an Extension to the Water System Assessment Submission Date
- c) J. H. Dixon, Monk Goodwin LLP, Nov. 26/09 – By-Law No. 17/09: Development Agreement
- d) Manitoba Product Stewardship Corporation, Dec/09 Bulletin
- e) D. Prud’Homme, Prairie By-Law Enforcement Ltd. – Report for month of November 2009
- f) Manitoba Centre for Health Policy, Dec/09
- g) Workers Compensation Board of Manitoba, Dec/09
- h) Manitoba Hydro, Nov/09 – Insights
- i) 27th Annual Red River Basin Land & Water International Summit Conference, Jan. 19-21/10, Grand Forks
- j) K. Doucette, Executive Director, Food Matters Manitoba, Dec. 1/09 – Invite to a learning discussion: *Growing a Manitoba Local Food Economy*, Jan. 14/10, Winnipeg
- k) Manitoba Municipal Administrators’ Association Seminar: Leadership in Safety Excellence Course, Jan. 22/09, Winnipeg
- l) Manitoba Municipal Administrators’ Association Seminar: Administration/Finance Development Program, March 24-26/09, Onanole
- m) A. Mitchell, C.G.A., Secretary-Treasurer, Red River Valley School Division, Dec. 1/09 – Notice of Public Hearing and Map of Existing & Proposed Ward Boundaries
- n) T. Toews, Sanford Meadowbrook Villas, Dec. 1/09 – Water Testing Service
- o) Copy of letter to D. Kaila, 5515239 Manitoba Ltd. from I. Murrell, Secretary, The Highway Traffic Board, Dec. 1/09 – Highway Traffic Board Hearing, Nov. 24/09, Winnipeg
- p) F. May, CAO, R.M. of Ritchot, Dec. 3/09 – Notice of Termination of Agreement to Provide Building Inspection Services to RM of Macdonald
- q) S. Zilkie, Office Manager, Community Futures Triple R Corporation, Dec. 4/09 – December & January Video Seminars
- r) V. Gilhen, Dec. 4/09 – Contractors use of La Salle streets
- s) Manitoba Local Government, Dec. 8/09 – 2009 City of Winnipeg Nuisance Mosquito Larviciding
- t) S. Russell, MALA, CSLA. President, McGowan Russell Group Inc., Dec. 9/09 – Meeting Summary: E½ SE¼ 34-9-2E
- u) Association of Manitoba Municipalities, Dec. 14/09 – News Bulletin
- v) J. Waldner, Administrative Assistant, Genivar, Dec. 10/09 – Call for Proposals RM of Macdonald, Water Treatment Equipment Supply
- w) R. Meisters, P.Eng., Regional Construction Engineer, Manitoba Infrastructure & Transportation – Request for Grant-in-Aid Funding 2010/2011
- x) J. Robles, Animal Welfare Program Coordinator, Manitoba Agriculture, Food & Rural Initiative, Dec. 9/09 – Humane Inspection Program
- y) Canada Post – Notice of Rate increases, Jan. 11/10
- z) D. Belbin, Events Coordinator, Association of Manitoba Municipalities, Dec. 10/09 – AMM Education Session, Feb. 5/10
- aa) L. Nesbitt, Head, Policy & Legislation, Manitoba Local Government, Dec. 10/09 – The Municipal Act Procedures Manual updates
- bb) R.L. Spencer, Director of Recovery, Manitoba Infrastructure & Transportation, Dec. 10/09 – 2008 May Drainage Restoration Submission
- cc) M. Cudmore, Manager of Tourism & Special Projects, City of Portage la Prairie, Dec. 11/09 – Torch Relay Celebration
- dd) C. L. Jones, Fire Commissioner, Dec. 11/09 – Local Assistant ID cards
- ee) J. Schulz, Dec. 11/09 – Increase in Disposal Fees

- ff) Federation of Canadian Municipalities, Dec. 14/09 – Municipal Marketplace: *A collaborative approach to snow removal*
- gg) A. L. Dyker, Dyker Law Office, Dec. 14/09 – V. Zettler, Sale of W½ NE 23-9-2E
- hh) P. Tines, Dec. 14/09 – Request for Access to RM records
- ii) Federation of Canadian Municipalities, Dec. 14/09 – Members Advisory: *Request for Proposals to host the 2011 FCM Sustainable Communities Conference & Trade Show*
- jj) C. Hoepfner, MP for Portage-Lisgar, Dec. 15/09 – Media Release: *Ignatieff's Liberals Gut Conservative Crime Bill*
- kk) R. Michalenko, Manitoba Land Surveyor, Barnes & Duncan, Dec. 16/09 – Survey Monument Restoration Notice, E½ 21-9-1W
- ll) K. Le, P.Eng., Project Engineer, Manitoba Infrastructure & Transportation, Dec. 15/09 – Resolution for PTH 2 / 100 Project
- mm) Copy of email from P. Sunderland, Senior Project Manager, Stantec, to Mike Matview, Genivar, Dec. 14/09 – Street condition update, La Salle
- nn) Federation of Canadian Municipalities, Dec. 15/09 – FCM's Sustainable Communities Conference, Feb. 10-12/10, Ottawa
- oo) Federation of Canadian Municipalities, Dec. 16/09 – Members Advisory: *Request for Proposals to host the 2016 FCM Annual Conference & Municipal Expo™*
- pp) K. Enns, Business Development Specialist, Red River GO Team, Manitoba Agriculture, Food & Rural Initiatives, Dec. 17/09 – Rural Business Transition (Succession) workshops, Jan. 27/10
- qq) Copy of letter to C. Leach, Manager, Community Planning Services, from R. Gibbons, Secretary, The Municipal Board, Dec. 9/09 – Subdivision Appeal, NW 22-9-1W
- rr) Seine River School Division: *Via The Seine*, Dec/09
- ss) J. Moore, N-49 Brokerage Ltd., Dec. 21/09 – Recycling tipping fee
- tt) V. & R. Klassen, Dec. 18/09 – Proposed drainage improvements east of sections 8, 17 & 20-9-1E

Carried.

518/09 Manitoba Municipal Administrators' Association Education

B. Erb: C. Bisson: BE IT RESOLVED: THAT G. Gusdal, Asst. CAO/Mgr of Admin. be authorized to attend the Manitoba Municipal Administrators' Association Administration/Finance Development Program, March 24-26, 2010 in Onanole; AND THAT expenses be paid.

Carried.

519/09 Conditional Use No. 66/09 – 5767173 Manitoba Ltd., NE 34-9-1EPM

B. Erb: C. Bisson: WHEREAS the "AG" Agricultural General Zone of the Rural Municipality of Macdonald Zoning By-Law, as amended, provides that "Public Stables", "Schools" and "Recreational Area and Facilities" may be considered as a conditional use;

THEREFORE, BE IT RESOLVED: THAT Conditional Use Order No. 66/09 of 5767173 Manitoba Ltd. (John Balazovic – property owner) affecting
NE 34-9-1EPM

BE APPROVED to allow the establishment of a multiple use combined business on this site consisting of a public stable capable of holding up to 58 horses; a riding school complete with classrooms and indoor & outdoor riding areas; viewing/gallery areas for the indoor riding arenas; tack room including retail sale of riding and grooming accessories; and a staff dwelling subject to the following conditions:

1. A maximum of 58 horses;
2. The keeping of horses and horse related activities are limited to the limits of the property;
3. The manure composting activity must be conducted within a completely enclosed building;
4. The approval of a detailed site plan; and

5. The completion and approval of a development agreement to be registered by caveat under the provisions of Section 151 of the Planning Act.

Carried.

520/09 Adjourn

B. Rex: G. Lavallee: BE IT RESOLVED: THAT this meeting adjourn. Time: 4:15 p.m.

Carried.

THE RURAL MUNICIPALITY OF MACDONALD

Original Signed by

"R. Burns"

Reeve

"W. T. Raine"

Chief Administrative Officer

--- APPENDIX 1 ---

**RURAL MUNICIPALITY OF MACDONALD
PUBLIC HEARING
December 22, 2009**

Minutes of proceedings of Public Hearings held in the Council Chambers of the Rural Municipality of Macdonald at Sanford, Manitoba on Tuesday, December 22, 2009 in regards to:

- 11:00 a.m. – Variation No. 65/09 – Mike Bast (Verhoeven Farms), NW 25-8-2E
- 11:00 a.m. – Conditional Use 66/09 – 5767173 Manitoba Ltd. (J. Balazovic), NE 34-9-1
- 11:00 a.m. – Conditional Use 67/09 – Zirino's Auto, Truck & Trailer Service, 2 & 6-6867
- 11:00 a.m. – Variation No. 68/09 & Variation 69/09 – Andre Lafond, SE 17-8-2E
- 11:00 a.m. – Variation No. 70/09 – Jennifer Last, 2-35317

Attendance

Reeve R. Burns and Councillors D. Dobrowolski, G. Lavallee, B. Rex, R. Kirouac, C. Bisson, B. Erb and W. Tom Raine, Chief Administrative Officer.

Notice of hearing was given in accordance with the requirements of the Planning Act for all matters under consideration at this hearing.

Conditional Use 66/09 – 5767173 Manitoba Ltd. (J. Balazovic), NE 34-9-1E

Hugh Adams and Shawn Charriere, representing 5767173 Manitoba Ltd., attended to provide information in regards to their proposal to establish a public horse stable for up to 58 horses and a riding school complete with classrooms and indoor and outdoor riding areas including viewing/gallery areas. Other activities would include a tack room including the retail sale of riding and grooming accessories and a staff dwelling.

Allen Empey, Roland Kirchner and Jennifer Last spoke in favour of the proposed public stable. A letter in support of the development was received from Harold Froese.

A. Wolf attended concerned with the additional traffic that would be generated as a result of the public stable; the condition of La Verendrye Road to accept additional traffic; concerns with security in the area with additional people attracted to the area as a result of the development of the stable; and the potential negative impact on property values in the area.

Wilf Penner attended requesting clarification about whether there would be riding taking place outside of the improved area of the property and how existing agricultural activities in the area such as crop residue burning might impact the proposed stable.

A letter was received from concerned land owners in the area in regards to the development of commercial activities along La Verendrye Road; additional traffic; damage to the roads in the area; and security of their homes. The landowners included Cheryl and Terry Barsalou, Bill and Josie Lakie, Sharon and Ken Klassen and Jill Kendall.

Variation No. 65/09 – Mike Bast (Verhoeven Farms), NW 25-8-2E

No persons attended in regards to Variation No. 65/09 to vary the minimum separation distance of 10 feet between a main building and an accessory building to 4.5 feet.

Conditional Use 67/09 – Zirino's Auto, Truck & Trailer Service, 2 & 6-6867

Joe Zirino attended the meeting in support of their application to allow an automobile sales area as part of their existing auto, truck and trailer service centre.

Variation No. 68/09 & Variation 69/09 – Andre Lafond, SE 17-8-2E

No persons attended in regards to Variation No. 68/09 and 69/09 to vary the minimum site area of 80 acres and minimum site width of 660 feet in the “AG” Agricultural Zone to a site with an area of 1.78 acres and a site width of 150 feet and a parcel with a site area of 74.71 acres.

Variation No. 70/09 – Jennifer Last, 2-35317

Jennifer Last attended in support of an application to vary the minimum front yard requirement of 125 feet along a Provincial Road and minimum side yard requirement of 10 feet in the “CG” Commercial General Zone to a front yard of 45 feet and a side yard of 4.5 feet to allow the construction of an addition to an existing drive in restaurant.