

# *Rural Municipality of Macdonald*

**Sanford**

**Manitoba**

---

## **MINUTES OF THE MEETING OF COUNCIL OF NOVEMBER 8, 2011**

A regular meeting of the Council of The Rural Municipality of Macdonald was held in the Council Chambers at Sanford, Manitoba on Tuesday, November 8, 2011, commencing at 9:00 a.m. In attendance were: Reeve R. Burns and Councillors D. Dobrowolski, R. Turski, B. Feller, P. Pfrimmer, R. Morse, C. Bisson, B. Erb and W. T. Raine, CAO.

### **475/11 Agenda**

D. Dobrowolski: R. Turski: BE IT RESOLVED: THAT the meeting agenda for November 8, 2011 prepared by the Reeve and Chief Administrative Officer be hereby approved subject to the following additions:

1. Landmark Planning & Design Inc. – Curwood Ateah
2. November 29, 2011 Special Council meeting

Carried.

### **476/11 Minutes**

B. Feller: R. Morse: 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 regular meeting of October 25, 2011; AND THAT the minutes be adopted.

Carried.

### **477/11 Accounts**

B. Erb: P. Pfrimmer: BE IT RESOLVED: THAT accounts numbered 20112062 to 20112159 dated November 8, 2011 totalling \$156,390.02 be approved and paid.

Carried.

### **478/11 Special Services**

C. Bisson: P. Pfrimmer: BE IT RESOLVED: THAT travel allowances and other services and expenses allowed under By-Law No. 3/11 be paid to members of council as shown in affidavit of members.

Carried.

### **479/11 Financial Statement**

B. Erb: P. Pfrimmer: BE IT RESOLVED: THAT the financial statement for the month ended October 31, 2011 be received.

Carried.

### **Landmark Planning & Design Inc.**

Curwood Ateah, with Landmark Planning & Design Inc., attended the meeting to discuss the concept plans that he is updating for the municipality and how that information can be used to consider development projections, assess impacts on infrastructure, financing options to fund infrastructure and other requirements associated with residential and industrial development.

**Drainage – 10 Kara Cove, La Salle**

Terry Brown of 10 Kara Cove attended the meeting to discuss his concerns with drainage from adjoining properties to his in La Salle.

**480/11 Meeting Recess**

B. Erb: C. Bisson: BE IT RESOLVED: THAT the meeting of Council be hereby recessed for the purpose of holding a Public Hearing in the matter of:

10:30 a.m. – Variation Nos. 72/11, 73/11 & 74/11 and Conditional Use 75/11 –  
Ray & Rae Cormier, Pt SE 34-8-2E

10:30 a.m. – Variation No. 76/11 – Robert Desrosiers (C. Ryan – owner), 23-3-1528

10:30 a.m. – Conditional Use 77/11 – PolyWest Ltd (Manaltex Leasing Inc. – owner)  
Pcl A-7859 in pt NE 36-9-1E

10:30 a.m. – Conditional Use 78/11 – James Richardson International Ltd.,  
Lot 1-37257 in NW 11-7-2W

AND to reconvene at the conclusion of the Public Hearing.

Carried.

**481/11 Variation No. 76/11 – R. Desrosiers, 23-3-1528, Sanford**

B. Feller: R. Morse: WHEREAS the “RG” Residential General Zone of the Rural Municipality of Macdonald Zoning By-Law, as amended, provides that the minimum side yard for the main building is 15 feet;

THEREFORE, BE IT RESOLVED: THAT Variation No. 76/11 of Robert Desrosiers (Clement Ryan – property owner) affecting

Lot 23 Block 3 Plan 1528 (23 Main Street) Sanford

BE APPROVED to allow southeasterly and northwesterly side yards of 5 feet each to allow the location of a single family dwelling on an existing 50’ x 120’ vacant lot.

Carried.

**482/11 Conditional Use No. 78/11 – James Richardson International Ltd.,  
1-37257, Brunkild**

C. Bisson: B. Erb: WHEREAS the “AG” Agricultural General Zone of the Rural Municipality of Macdonald Zoning By-Law, as amended, provides that Grain Elevators, including Sales & Storage may be considered as a conditional use;

THEREFORE, BE IT RESOLVED: THAT Conditional Use Order No. 78/11 of James Richardson International Ltd. affecting

Lot 1, Plan 37257 MLTO in NW 11-7-2W

BE APPROVED to allow for the further intensifying the Grain Elevator / Chemical Storage Warehouse / Bulk Fertilizer Use approved by Conditional Use Order No. 43/96 and No. 3/08 by adding a bulk seed storage and treating facility including four steel hopper bottom bins and a scale to provide storage for the sale and distribution of agricultural seed.

Carried.

**483/11 Variation No. 72/11 – R. & R. Cormier, SE 34-8-2E**

R. Turski: D. Dobrowolski: WHEREAS Subdivision Application No. 4146-07-4965 of Raymond & Rae Cormier was approved by the Council of the Rural Municipality of Macdonald at its meeting of June 23, 2009;

AND WHEREAS the “AR” Agricultural Restricted Zone of the Rural Municipality of Macdonald Zoning By-Law, as amended, provides for a minimum width requirement of 660 feet and a minimum site area of 80 acres;

THEREFORE, BE IT RESOLVED: THAT Variation No. 72/11 of Raymond & Rae Cormier affecting

Lot 1 as the same is shown on a Plan of Subdivision Deposit No. 817/2011 prepared by Stoffel Surveys, Land Surveying & Geomatics in part of SE 34-8-2E

BE APPROVED to allow a site area of 17.54 acres as a subdivision from an existing parcel of 61.37 acres.

Carried.

**484/11 Variation No. 73/11 – R. & R. Cormier, SE 34-8-2E**

R. Turski: D. Dobrowolski: WHEREAS Subdivision Application No. 4146-07-4965 of Raymond & Rae Cormier was approved by the Council of the Rural Municipality of Macdonald at its meeting of June 23, 2009;

AND WHEREAS the “AR” Agricultural Restricted Zone of the Rural Municipality of Macdonald Zoning By-Law, as amended, provides for a minimum width requirement of 660 feet and a minimum site area of 80 acres;

THEREFORE, BE IT RESOLVED: THAT Variation No. 73/11 of Raymond & Rae Cormier affecting

Lot 2 as the same is shown on a Plan of Subdivision Deposit No. 817/2011 prepared by Stoffel Surveys, Land Surveying & Geomatics in part of SE 34-8-2E

BE APPROVED to allow a site area of 3.91 acres and a site width of 507.08 feet to allow a subdivision from an existing parcel of 61.37 acres.

Carried.

**485/11 Variation No. 74/11 – R. & R. Cormier, SE 34-8-2E**

R. Turski: D. Dobrowolski: WHEREAS Subdivision Application No. 4146-07-4965 of Raymond & Rae Cormier was approved by the Council of the Rural Municipality of Macdonald at its meeting of June 23, 2009;

AND WHEREAS the “AR” Agricultural Restricted Zone of the Rural Municipality of Macdonald Zoning By-Law, as amended, provides for a minimum width requirement of 660 feet and a minimum site area of 80 acres;

THEREFORE, BE IT RESOLVED: THAT Variation No. 74/11 of Raymond & Rae Cormier affecting

Lot 3 as the same is shown on a Plan of Subdivision Deposit No. 817/2011 prepared by Stoffel Surveys, Land Surveying & Geomatics in part of SE 34-8-2E

BE APPROVED to allow a site area of 43.36 acres for a residual parcel as part of a subdivision of a 17.54 acre parcel and a 3.91 acre parcel from an existing parcel.

Carried.

**486/11 Conditional Use No. 75/11 – R. & R. Cormier, SE 34-8-2E**

R. Turski: D. Dobrowolski: WHEREAS the “AR” Agricultural Restricted Zone of the Rural Municipality of Macdonald Zoning By-Law, as amended, provides that Agricultural Specialized may be considered as a conditional use;

THEREFORE, BE IT RESOLVED: THAT Conditional Use Order No. 75/11 of Raymond & Rae Cormier affecting

Lot 1 as the same is shown on a Plan of Subdivision Deposit No. 817/2011 prepared by Stoffel Surveys, Land Surveying & Geomatics in part of SE 34-8-2E

BE APPROVED to allow the continuance and expansion the current strawberry u-pick operation on a parcel of 17.54 acres.

Carried.

**487/11            5836281 Manitoba Ltd. – Declaration of Building Restriction & Development Scheme**

R. Turski: R. Morse: BE IT RESOLVED: THAT the signing officers, on behalf of the Rural Municipality of Macdonald, be authorized to sign the consent to the registration at the Winnipeg Land Titles Office against Lots 1, 2, 3 and 4, Block 1 and Block 2, Plan 51898 of the Declaration of Building Restrictions and Development Scheme dated October 24, 2011 by 5836281 Manitoba Ltd.

Carried.

**488/11            Quotation No. 1-12 – 2012 Roadside Mowing**

B. Feller: D. Dobrowolski: BE IT RESOLVED: THAT the quotation of C & R Equipment (Man.) Ltd. be accepted for the 2012 Roadside Mowing at a cost of \$65.00/mile plus taxes.

Carried.

**489/11            Manitoba Hydro – Gas Line Work, Samborski Dr. & McGillivray Blvd.**

B. Erb: P. Pfrimmer: BE IT RESOLVED: THAT Manitoba Hydro Drawing CD 16746 WBS#P:18296 MER# 2011-00070 for the proposed natural gas line from existing 114.3mm PE crossing McGillivray Blvd., fuse and extend northeast on McGillivray Blvd. then east and south on Samborski Drive to service new commercial customers BE APPROVED subject to the following conditions:

1. Minimum 48 hours notice prior to construction;
2. Locating of municipal services prior to construction including repair of any damages and payment of related compensation;
3. The tunneling of all services across municipal road allowances;
4. All gas lines shall be a minimum of one metre below the ditch;
5. The restoration of all roads and drainage ditches including topsoil and reseeded to the satisfaction of the municipality;
6. The municipality will not be financially responsible for relocating any facilities of Manitoba Hydro if this becomes necessary for municipal planning or other reasons; and
7. The municipality is not liable for any damages, economic loss, legal costs or physical restoration;

AND THAT the Chief Administrative Officer be authorized to sign the said plan on behalf of the Rural Municipality of Macdonald.

Carried.

**490/11            Manitoba Hydro Plan – Oak Bluff Subdivision Phase 1**

B. Erb: P. Pfrimmer: BE IT RESOLVED: THAT Manitoba Hydro WBS #P18104 Network #529249 dated 2011-11-04 for the extension of URD service to 75 lots c/w 22 – 100W B.C. & 7 – 150W Cobra street lights in the Oak Bluff Subdivision Phase 1 BE APPROVED subject to the following conditions:

1. Minimum 48 hours notice prior to construction;
2. Locating of municipal services prior to construction including repair of any damages and payment of related compensation;
3. The tunneling of all services across municipal road allowances;
4. All cable shall be a minimum of one metre below the ditch;
5. The restoration of all roads and drainage ditches including topsoil and reseeded to the satisfaction of the municipality;
6. The municipality will not be financially responsible for relocating any facilities of Manitoba Hydro if this becomes necessary for municipal planning or other reasons; and
7. The municipality is not liable for any damages, economic loss, legal costs or physical restoration.

AND THAT the Chief Administrative Officer be authorized to sign the said Plan on behalf of the Rural Municipality of Macdonald.

Carried.

**491/11 MTS Plan Approval – Oak Bluff Subdivision Phase 1**

B. Erb: P. Pfrimmer: BE IT RESOLVED: THAT MTS Communications Inc. Work Order No. 9083356 Drawing No. 5551-5552 for the proposal to bury cable for servicing of the new Oak Bluff Subdivision Phase 1 BE APPROVED subject to the following conditions:

1. Minimum 48 hours notice prior to construction;
2. Locating of municipal services prior to construction including repair of any damages and payment of related compensation;
3. The tunneling of all services across municipal road allowances;
4. All cable shall be a minimum of one metre below the ditch;
5. The restoration of all roads and drainage ditches including topsoil and reseeded to the satisfaction of the municipality;
6. Commencing from a date five years from the date of this approval and subject to the provision of a minimum of six months notice, the municipality will not be financially responsible for relocating any facilities of MTS Communications Inc. if this becomes necessary for municipal planning or other reasons;
7. Subject to cable locates provided by MTS Communications Inc. the municipality is not liable for any damages, economic loss, legal costs or physical restoration; and
8. Payment of a \$150.00 administration fee.

AND THAT the Chief Administrative Officer be authorized to sign the plan of the proposed installation on behalf of the Rural Municipality of Macdonald.

Carried.

**492/11 Manitoba Hydro – Gas Line Work, Oak Bluff Subdivision Phase 1**

C. Bisson: B. Erb: BE IT RESOLVED: THAT Manitoba Hydro Drawing CD 16688 WBS#P:18616 MER# 2011-00101 for the proposed natural gas component for multi party installation for the Oak Bluff Subdivision Phase 1 BE APPROVED subject to the following conditions:

1. Minimum 48 hours notice prior to construction;
2. Locating of municipal services prior to construction including repair of any damages and payment of related compensation;
3. The tunneling of all services across municipal road allowances;
4. All gas lines shall be a minimum of one metre below the ditch;
5. The restoration of all roads and drainage ditches including topsoil and reseeded to the satisfaction of the municipality;
6. The municipality will not be financially responsible for relocating any facilities of Manitoba Hydro if this becomes necessary for municipal planning or other reasons; and
7. The municipality is not liable for any damages, economic loss, legal costs or physical restoration;

AND THAT the Chief Administrative Officer be authorized to sign the said plan on behalf of the Rural Municipality of Macdonald.

Carried.

**493/11 Shaw – Oak Bluff Subdivision Phase 1**

B. Erb: C. Bisson: BE IT RESOLVED: THAT Shaw Drawing No. SW045174 for the installation of cable service in the Oak Bluff Subdivision Phase 1 BE APPROVED subject to the following conditions:

1. Minimum 48 hours notice prior to construction;
2. Locating of municipal services prior to construction including repair of any damages and payment of related compensation;

3. The tunneling of all services across municipal road allowances;
4. All cable shall be a minimum of one metre below the ditch;
5. The restoration of all roads and drainage ditches including topsoil and reseeding to the satisfaction of the municipality;
6. The municipality will not be financially responsible for relocating any facilities of Manitoba Hydro if this becomes necessary for municipal planning or other reasons; and
7. The municipality is not liable for any damages, economic loss, legal costs or physical restoration.

AND THAT the Chief Administrative Officer be authorized to sign the said Plan on behalf of the Rural Municipality of Macdonald.

Carried.

**494/11 Macdonald Public Recreation Commission**

B. Feller: R. Turski: WHEREAS By-Law No. 11/04 for the planning, establishing, and carrying out of a Public Recreation Program requires that by resolution of Council, not later than December 1<sup>st</sup> of each year six citizen representatives from the following communities: Brunkild, Domain, Oak Bluff, Sanford, Starbuck and La Salle, and three municipal councillors be appointed;

THEREFORE, BE IT RESOLVED: THAT Councillors B. Erb, B. Feller and P. Pfrimmer be appointed to the Macdonald Public Recreation Commission;

AND THAT Jennifer Magarrell, Dennis Mogg, Ken Boyd, Brenda Edwards (Alt.-Tammy Shirtliff), Kurt Bisson and Danny Anseeuw be appointed as Citizen Representatives.

Carried.

**495/11 Council Meeting – Dates**

B. Erb: C. Bisson: BE IT RESOLVED: THAT the special meeting of Council scheduled for November 29 be changed from a 3:00 p.m. start to a 9:00 a.m. start.

Carried.

**Councillor Pfrimmer**

Paul Pfrimmer retired from the meeting at 12:05 p.m.

**Manager of Public Works**

Grant Baker, Manager of Public Works, attended the meeting to report on the final drainage works and leveling of spoil piles completed; preliminary work on the 2012 drainage program; the 2012 roadside mowing contract; preparation for winter works; maintenance work at both the Sanford & Starbuck landfill sites; operation of the municipal lagoon sites; septic tank pumping tender; snow removal by contractors; low pressure sewer inspections at Starbuck and Domain; road machine rentals and gravel hauling analysis.

The Road Machine Rentals for the period October 9 – 23, 2011 charged to the accounts and other users at the established rate are as follows:

Description	Total Hours
Road Maintenance	342.5
Drainage	892.5
Disposal Sites	4.0
Fire Department	15.0
Roadside Mowing	98.0
Starbuck Sewer	8.5
Parks & Playgrounds	9.0
<b>TOTAL</b>	<b>1369.5</b>

**496/11 Reports**

R. Turski: B. Feller: BE IT RESOLVED: THAT the following reports be received as information:

- a) Report of the Manager of Public Works, Nov. 3/11
- b) Report of the Rural Drainage Committee meeting, Nov. 1/11
- c) Report of the Finance Committee meeting, Nov. 7/11

Carried.

**497/11 Correspondence**

R. Morse: D. Dobrowolski: BE IT RESOLVED: THAT the following correspondence be received as information:

- a) R. Meisters, P.Eng., Construction Engineer, Manitoba Infrastructure & Transportation, Oct. 18/11 – 2011-2012 Grant-in-Aid Ministerial Order
- b) Manitoba Municipal Administrators' Association, Oct. 21/11 – MMAA Conference: *Planning – Working with Your Surveyor*, Jan. 20/12, Winnipeg
- c) Federation of Canadian Municipalities, Oct. 21/11 – Communique FCM News – Week of Oct. 17 & 24
- d) Councillor B. Vrbanovic, President, Federation of Canadian Municipalities, Oct. 24/11 – The Bay of Fundy Needs Us!
- e) L. Baker, Manager, Client Service, Public Entities Programs, Western Financial Group, Oct. 24/11 – Arson Loss Prevention Bulletin
- f) J. Platt, Regional Manager, Manitoba Local Government, Oct. 26/11 – Proposed Subdivision Planning Report, R. Dutka, SW 31-9-2E
- g) J. Platt, Regional Manager, Manitoba Local Government, Oct. 26/11 – Proposed Subdivision Planning Report, H. Livingston, NW 17-9-1W
- h) J. Platt, Regional Manager, Manitoba Local Government, Oct. 26/11 – Proposed Subdivision Planning Report, R. & C. Cenerini, Pcl. A-11066
- i) Public Meeting - The Future of Brady Road Landfill, Oct. 27/11
- j) Regional Palliative Care Coordinators – Request for financial support for 7<sup>th</sup> Annual Camp Bridges, June 1-3/12
- k) Manitoba Centre for Health Policy, Oct/11 – *Obesity in Manitoba Adults*
- l) S. Mangin, Administrator, La Salle Redboine Conservation District, Oct. 24/11 – 2012-2013 Levy Rate
- m) B. Eckstein, Executive Director, Tire Stewardship Manitoba, Oct. 24/11 – Renewal of Municipal Scrap Tire Generator Certificate
- n) R. Engel, Chairperson, Finance & Operations Committee, Seine River, Oct. 26/11 – 2012-2013 Budget Consultation, Nov. 21/11, Lorette
- o) L. Yohe, Executive Director, Red River Basin Commission, Oct. 26/11 – Funding for the Red River Basin Commission for 2012
- p) R. Lemieux, Minister of Local Government, Oct. 26/11 – 2012 Manitoba Planning Excellence Awards Program
- q) L. Davidson, Assistant Deputy Minister of Manitoba Local Government, Oct. 26/11 – 2010 Audited Financial Statements
- r) J. Platt, Regional Manager, Manitoba Local Government, Nov. 1/11 – Proposed Subdivision Application, Maga Corp., Lot 1-49986, La Salle
- s) Copy of letter to G. Schrof from K. Nimchuk, Senior Access Management Analyst, Manitoba Infrastructure & Transportation, Nov. 1/11 – Proposed Access, NE 2-9-2W
- t) Federation of Canadian Municipalities Communique, Nov. 2/11 – FCM News – Week of Oct. 31
- u) D. Prud'Homme, Prairie By-Law Enforcement Ltd. – Month of October 2011
- v) Invite to Retirement Event – Gilles Vielfaure, Assessment Branch, Nov. 18/11, Portage la Prairie
- w) R. M. of Cartier – Notice of Public Hearing, Dec. 15/11, By-Law No. 1620-11 to adopt a new Zoning By-Law

Carried.

**498/11      Adjourn**

B. Erb: C. Bisson: BE IT RESOLVED: THAT this meeting do now adjourn. Time: 2:35 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  
NOVEMBER 8, 2011**

Minutes of proceedings of Public Hearings held in the Council Chambers of the Rural Municipality of Macdonald at Sanford, Manitoba on Tuesday, November 8, 2011 in regards to:

- 10:30 a.m. - Variation No. 72/11, 73/11, 74/11 & Conditional Use No. 75/11  
Ray & Rae Cormier, Pt. SE 34-8-2E
- 10:30 a.m. - Variation No. 76/11 – Robert Desrosiers, 23-3-1528, Sanford
- 10:30 a.m. - Conditional Use No. 77/11 – PolyWest Ltd., Pt. NE 36-9-1E
- 10:30 a.m. - Conditional Use No. 78/11 – James Richardson International Ltd.,  
Lot 1-37257, Pt. NW 11-7-2W

**Attendance:**

Reeve R. Burns and Councillors D. Dobrowolski, R. Turski, B. Feller, P. Pfrimmer, R. Morse, 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 No. 77/11 – Polywest Ltd. (Manaltex Leasing Inc.), Pt. NE 36-9-1E**

Chris Thompson, Product & Asset Manager and David Stern, Executive VP with Polywest Ltd. attended in support of their application to locate a business including an office/warehouse facility, a fenced storage area for their liquid handling products which include polyethylene and fiberglass tanks, pumps, hoses, fittings and fertilizer application equipment.

Carol Anseeuw attended concerned with traffic associated with the proposed operation and the impact that the operation could have on the value of their property located just east of the site.

**Variation No. 76/11 – R. Desrosiers, (C. Ryan – owner), 23-3-1528, Sanford**

Robert Desrosiers attended in support of his application to vary the minimum 15 foot side yard requirement in the “RG” Residential General Zone to a 5 yard side yard on both sides of an existing vacant 50 foot lot located at 23 Main Street in Sanford.

Nicole Beausoleil from 21 Main Street attended concerned with the possible impact of a reduced side yard on trees that she has along the side of her home adjacent to the vacant lot.

**Conditional Use No. 78/11 – James Richardson International Ltd., Pt. NW 11-7-2W**

Steven Pauls, Director of Operations, with James Richardson International Ltd., attended in support of their application to locate additional bulk seed storage and a treatment facility for the sale and distribution of agricultural seed.

**Variation No. 72/11, 73/11, 74/11 & Conditional Use 75/11 – R. & R. Cormier, 34-8-2E**

Henry Epp representing 3105113 Manitoba Ltd. attended as the owner of property located north of the parcel of land that Raymond & Rae Cormier were proposing to subdivide. A portion of their land is located on the south side of the La Salle River and separated from the balance of their title. That small portion was being sold to Cormier to be consolidated with their land as part of the proposed subdivision.