

RURAL MUNICIPALITY OF BROKENHEAD
JULY 27, 2021 - REGULAR MEETING 7:00 PM
MINUTES

Members Present:	Reeve Councillor	Brad Saluk Sean Michaels Bruce Modrzejewski Luke Ingeberg Jack Kowalchuk
	CAO Executive Asst.	Sue Sutherland, CMMA Kerry Bialek, CMMA
Regrets:	Youth Member	Aaron Linke

1. Calling the meeting to Order

1.1 Resolution to call the meeting to order

238-21 MICHAELS-INGEBERG

BE IT RESOLVED THAT this meeting of Council is called to order, the time being 7:00 p.m.

Carried

2. Adopt Agenda/Adopt and Confirm Minutes

2.1 Resolution to adopt the agenda

239-21 MODRZEJEWSKI-KOWALCHUK

BE IT RESOLVED THAT the agenda is adopted as circulated.

Carried

2.2 Resolution to adopt the minutes of July 13th, 2021 Regular Meeting

240-21 KOWALCHUK-INGEBERG

WHEREAS copies of the minutes of the Regular meeting of July 13th, 2021 have been circulated to each member of Council, and;

THEREFORE BE IT RESOLVED THAT Council waive the reading of these minutes and said minutes be adopted, as circulated.

Carried

2.3 Resolution to adopt the minutes of July 13th, 2021 Committee of the Whole Meeting

241-21 MICHAELS-MODRZEJEWSKI

WHEREAS copies of the minutes of the Committee of the Whole meeting of July 13th, 2021 have been circulated to each member of Council, and;

THEREFORE BE IT RESOLVED THAT Council waive the reading of these minutes and said minutes be adopted, as circulated.

Carried

3. Delegations and Public Hearings

3.1 Public Hearing – By-Law No. 2227-21 – Rezoning Lot 2 Block 8 Plan 2248 in NW ¼ Section 2-13-6EPM and Lot 7 Plan 18898 in NE ¼ Section 2-13-6EPM

242-21 MODRZEJEWSKI-INGEBERG

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead opens this Public Hearing, the time being 7:02 p.m., to receive representations, ask questions or register an objection from any person(s) who wish to make them in respect to By-Law No. 2227-21, a by-law to rezone Lot 2 Block 8 Plan 2248 and Lot 7 Plan 18898 in Section 2-13-6EPM from “AL” Limited Agriculture Zone to “R” Residential Zone.

Carried

Chief Administrative Officer Sue Sutherland summarized the procedure for applying for rezoning of a property, including circulation to residents and Provincial agencies. The circulation buffer for this rezoning was increased to 600 metres for surrounding residents, encompassing an area north of PTH #44. Agencies returned their comments with very few concerns.

Speaking in favour of the application were the developers Ryan Hunter, Alex Lentowich and Marie Hunter. Their purpose of rezoning is to bring the zoning in alignment with the 2010 Development Plan. Lot 3 Plan 37284 has already been rezoned to “R” Residential and now they wish to rezone Lot 2 Block 8 Plan 2248 and Lot 7 Plan 18898 to be the same. Marie Hunter made a presentation about the future plans for these two lots and the process required to bring them to fruition. The developers listened to the concerned residents of Henryville and have implemented many of their ideas in their plans. A conceptual plan was presented showing housing lots, streets and parks.

Mrs. Vallerie Doell spoke in objection to the application with her primary concern being the effect that this new development could have on water supply for the existing residents. Mr. John Doell said their well was dug 200 feet deep, but that the water went down 20 feet because of the municipal water and sewer system.

Reeve Brad Saluk assured the audience that the water treatment plant is being upgraded to keep water secure for everyone. Ratepayers will never have to pay for the lagoon again. Developers who subdivide pay a Capital Development Fee of \$5,600.00 per new lot created to pay for water and sewer or lagoon improvements.

Mr. Troy Gobeil attended the meeting to express his concern regarding the new increase in population density located on the south side of PTH #44. There are no amenities there at the time, which may attract children to run across the highway to the nearest store. Another concern is would the new residents be gaining from amenities such as the Tyndall Splash Pad, that they have never donated to? Again, a portion of the Capital Development Fees will be portioned toward Recreation and Culture. The last concern was with the speed limit on PTH #44 and pedestrian traffic. Would Manitoba Infrastructure lower the speed limit? Sue Sutherland stated that a traffic study could be a condition of subdivision when the time comes.

243-21 KOWALCHUK-MICHAELS

WHEREAS the Council of the Rural Municipality of Brokenhead has heard all those in attendance that wished to make representation in regards to By-Law 2227-21, a by-law to rezone Lot 2 Block 8 Plan 2248 and Lot 7 Plan 18898 in Section 2-13-6EPM from “AL” Limited Agriculture Zone to “R” Residential Zone;

AND WHEREAS there was 1 person in attendance who registered an objection;

THEREFORE BE IT RESOLVED THAT Council of the Rural Municipality of Brokenhead closes this Public Hearing, the time being 7:36 p.m.

Carried

3.2 Variation Order V-377-21 – Lot 5, Plan 53891 in NE ¼ Section 11-13-6EPM

244-21 INGEBERG-KOWALCHUK

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead suspends the regular meeting of Council and opens this Variation Hearing to hear File No. V-377-21, the time being 7:37 p.m.

Carried

Chief Administrative Officer Sue Sutherland reviewed the application for Variation File No. V-377-21 on Lot 5 Plan 53891 in Tyndall. The applicants are requesting variation to allow a fence 3.5 feet high measuring the first 35 feet from the corner of the lot, with the remainder of the fence moving toward the back of the lot being 6 feet high.

Mr. Glen Dudeck spoke in favour of the application explaining it is for privacy. He had already applied to Manitoba Infrastructure as it falls within the Pierson Drive control area and was granted permission.

No one was in attendance to speak against the variation.

245-21 MICHAELS-INGEBERG

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead do hereby close this Variation Hearing, the time being 7:43 p.m. and return to regular meeting of Council.

Carried

246-21 INGEBERG-KOWALCHUK

WHEREAS the Rural Municipality of Brokenhead Zoning By-Law 1688, as amended; Section 4.3.7, Table VII – ‘R3’ Multiple Family Residential Zone requires that fences and hedges located on the street side of a reversed corner site shall not exceed a height of 3.5 feet, unless set back a distances of 15 feet in which case said height shall not exceed 6 feet;

AND WHEREAS Glen and Karen Dudeck have made application for variation to permit a setback of 1 foot from the property line to construct a 6 foot wooden picket fence along the street side of a corner site, and;

THEREFORE BE IT RESOLVED THAT Application for Variation Order No. V-377-21 for Glen and Karen Dudeck is hereby approved.

Carried

4. Financial Reports/Payment of Accounts

Nil

5. By-Laws

5.1 By-Law No. 2227-21 – Rezoning of Lot 2 Block 8 Plan 2248 and Lot 7 Plan 18898 in Section 2-13-6EPM – 2nd & 3rd Readings

247-21 KOWALCHUK-MODRZEJEWSKI

BE IT RESOLVED THAT Council gives second reading to By-Law No. 2227-21, being a By-Law of the Rural Municipality of Brokenhead to rezone Lot 2 Block 8 Plan 2248 and Lot 7 Plan 18898 from ‘AL’ Limited Agriculture Zone to ‘R’ Residential Zone.

Carried

248-21 INGEBERG-MICHAELS

BE IT RESOLVED THAT Council gives third reading to By-Law No. 2227-21, being a By-Law of the Rural Municipality of Brokenhead to rezone Lot 2

Block 8 Plan 2248 and Lot 7 Plan 18898 from ‘AL’ Limited Agriculture Zone to ‘R’ Residential Zone.

Councillor	Yes	No	Abstain	Reason
Modrzejewski, Bruce	X			
Michaels, Sean	X			
Ingeberg, Luke	X			
Kowalchuk, Jack	X			
Saluk, Brad	X			

Carried

5.2 By-Law No. 2229-21 – Road Renaming By-Law – 2nd & 3rd Reading

249-21 INGEBERG-MICHAELS
BE IT RESOLVED THAT Council gives second reading to By-Law No. 2229-21, being a By-Law of the Rural Municipality of Brokenhead to rename a road.

Carried

250-21 KOWALCHUK-INGEBERG
BE IT RESOLVED THAT Council gives third reading to By-Law No. 2229-21, being a By-Law of the Rural Municipality of Brokenhead to rename a road.

Councillor	Yes	No	Abstain	Reason
Modrzejewski, Bruce	X			
Michaels, Sean	X			
Ingeberg, Luke	X			
Kowalchuk, Jack	X			
Saluk, Brad	X			

Carried

6. Unfinished Business

Nil

7. New Business

7.1 Family Health and Learning Centre

251-21 MICHAELS-KOWALCHUK
WHEREAS the Interlake-Eastern Regional Health Authority (IERHA) and Municipal Leaders throughout the IERHA region have identified the lack of a

Clinical Teaching Unit as a significant hurdle for providing sustainable healthcare in rural communities;

AND WHEREAS the Primary Care Development Group Incorporated (PCDG) has been created to develop and implement the proposed Family Health and Learning Centre to eliminate this hurdle for physician recruitment and includes specific strategies for developing a pipeline of Manitoba trained physicians to rural communities in the IERHA region;

THEREFORE BE IT RESOLVED THAT the Rural Municipality of Brokenhead supports the implementation of the proposed PCDG Family Health and Learning Centre and urges the Provincial Government to also support this project as a priority initiative.

Carried

7.2 Annexation of Property to Local Urban District of Tyndall-Garson

252-21 MODRZEJEWSKI-INGEBERG

WHEREAS an application for a Development Plan Amendment has been made by RTK Holding Limited for the property legally described under Certificate of Title 3110806 as Legal Subdivisions 5 and 6 in Section 10-13-6EPM Exc out of Legal Subdivision 5,

Firstly: Road Plan 18385 WLTO, and

Secondly: Plan 56062 WLTO

and Exc out of all the lands above described: All mines and minerals as set forth in Instrument B81038 WLTO and are registered owners of an undivided interest as joint tenants, in; all mines and minerals in, upon or under the following described land: the North half of the SW ¼ of said Section 10 as set forth in said Instrument B81038, and;

WHEREAS in accordance with the Brokenhead River Planning District Development Plan By-Law Policy 4.6.3 which states “the annexation or boundary expansion process must be initiated by council resolution to include the subject lands within the corporate boundary of the adjacent area, and;

THEREFORE BE IT RESOLVED THAT the property described under Certificate of Title 3110806 be annexed into the Local Urban District of Tyndall-Garson.

Carried

8. Correspondence/Reports

8.1 Agassiz Weed Control District – Minutes of June 7th, 2021 Meeting

8.2 Broken-Beau Historical Society – Minutes of November 5th, 2020, March 4th, 2021, May 10th, 2021 and June 3rd, 2021 Meetings

- 8.3 Garson Centennial Community Centre – Minutes of June 16th, 2021 Meeting
- 8.4 Brokenhead River Community Hall – Minutes of June 10th, 2021 Meeting
- 8.5 Town of Beausejour – Notice of Application for Conditional Use Order

253-21 MICHAELS-KOWALCHUK

BE IT RESOLVED THAT the Council of the Rural Municipality of Brokenhead accepts all Minutes, Miscellaneous Correspondence and Reports as presented.

Carried

9. In Camera

254-21 MODRZEJEWSKI-INGEBERG

BE IT RESOLVED THAT in accordance with Section 152(3) of *The Municipal Act*, Council of the Rural Municipality of Brokenhead do now move in-camera to discuss legal matters, the time being 8:30 p.m.;

AND FURTHER BE IT RESOLVED THAT in accordance with Section 83(1)(d) of *The Municipal Act*, any issues that are discussed are kept confidential until discussed at a Regular Meeting of Council.

Carried

255-21 KOWALCHUK-MICHAELS

BE IT RESOLVED THAT Council of the Rural Municipality of Brokenhead do now move out of camera, the time being 8:40 p.m., and resume the regular order of business.

Carried

10. Adjournment

- 10.1 Resolution to adjourn the meeting and schedule the next meeting

256-21 MICHAELS-INGEBERG

BE IT RESOLVED THAT this regular meeting of Council does now adjourn the time being 8:45 p.m., to meet again on August 10th, 2021 at 7:00 p.m. at Garson Centennial Community Centre.

Carried

Brad Saluk
Reeve

Sue Sutherland
Chief Administrative Officer