

RURAL MUNICIPALITY OF HEADINGLEY

Minutes of the Regular Meeting of Council – December 8, 2009

The Regular Meeting of the Council of the Rural Municipality of Headingley was held at the Council Chambers, Tuesday, December 8, 2009.

Members Present

Reeve:	Wilfred R. Taillieu
Deputy Reeve:	Tammy Wood
Councillors:	Ian L. Ruth, Marly Mustard,
Chief Administrative Officer:	Chris Fulsher
Development Officer:	Ray Muller

Call to Order

Reeve Taillieu called the meeting to order at 7:00 p.m.

263/09 – Agenda

T. Wood; I. Ruth: RESOLVED THAT the meeting agenda for December 8, 2009, prepared by the Reeve and the Chief Administrative Officer be hereby approved.

Carried (4-0)

264/09 – Minutes

T. Wood; I. Ruth: WHEREAS copies of the minutes have been distributed to the members of Council;

THEREFORE BE IT RESOLVED THAT the minutes of the regular meeting of November 24, 2009, be adopted as circulated and corrected.

Carried (4-0)

265/09 – Accounts

I. Ruth; T. Wood: WHEREAS the accounts dated December 8, 2009 have been examined and found to be in order;

THEREFORE BE IT RESOLVED THAT accounts numbered 027000 to 027057 inclusive, Internet payments WEB119 to WEB128 inclusive, and direct deposits numbered DD788 to DD818 inclusive, in the total amount of \$902,341.53 be approved and paid.

Carried (4-0)

Schinkel Properties Inc. proposed 10 lot commercial subdivision

The application was tabled to the meeting of January 12, 2010 for a public hearing.

266/09 – Proposed Subdivision – Qualico – 5 Commercial lots south of PTH 1

I. Ruth; M. Mustard: WHEREAS Qualico Developments (Winnipeg) Ltd. has made application to subdivide 5 commercial lots from the present holding of 56.29 in RL 52 Parish of Headingley owned by Marilyn Curry;

AND WHEREAS the area is zoned as "AG" General Agricultural Zone;

THEREFORE, BE IT RESOLVED THAT Subdivision Application 4208-09-5228 of Qualico Developments (Winnipeg) Ltd. BE APPROVED subject to the following conditions:

- 1) Applicant rezoning the proposed lots to CHY Commercial Highway Zone.
- 2) Applicant entering into a development agreement with the municipality to provide for the installation of sewer & water services
- 3) File a plan of subdivision at WLTO
- 4) Easements are required for MTS and Hydro
- 5) Confirmation from MIT Technical Services Engineer regarding site drainage
- 6) Developer to pay Capital Lot Levy of \$2,000 per lot,
\$2,000 per 5 new lots = \$10,000
- 7) Developer to pay infrastructure fee of \$4,500 per lot;
5 lots X \$4,500 = \$22,500
- 8) Developer to pay Road Infrastructure Levy of \$2,000 per lot;
5 lots x \$2,000 = \$10,000
- 9) Developer to pay all outstanding taxes, if any

Carried (4-0)

267/09 – Application for Part 3 (Commercial Buildings) to Province

M. Mustard; I. Ruth: WHEREAS the Department of Labour for the Province of Manitoba has indicated its intention of enacting a regulation to provide for designation of municipalities and certification of building officials with respect to the administration of Part 3 of the Building Code;

AND WHEREAS Development Officer Ray Muller has the education and experience required to qualify for Provisional Certification as a Building Official with respect to Part 3 of the Building Code;

AND WHEREAS the administration of this section of the code would enable the municipality to exercise greater control over commercial development and would provide a higher level of service to commercial builders in the municipality;

THEREFORE BE IT RESOLVED THAT Council do hereby request the Minister of Labour to designate the RM of Headingley as the Authority Having Jurisdiction for permitting and inspecting Part 3 buildings.

Carried (4-0)

268/09 – Central Plains 2010 Visitor's Fun Guide

M. Mustard; I. Ruth: RESOLVED THAT Council do hereby authorize the sponsorship of the Headingley community page in the Central Plains 2010 Visitor's Fun Guide at a total cost of \$500.00 plus applicable taxes.

Carried (4-0)

269/09 – Purchase of New Photocopier

M. Mustard; T. Wood: WHEREAS a proposal has been received from Panasonic for the supply and installation of a Workio DP266 color copier in the amount of \$9,528.00;

AND WHEREAS administration recommends the purchase of same and the transfer of the old copier to the Headingley Municipal Library;

NOW THEREFORE BE IT RESOLVED THAT Council do hereby accept the quote from Panasonic and authorizes Administration to proceed with the purchase of the copier as quoted.

AND FURTHER THAT Council do hereby authorize the gifting of the old photocopier to the Headingley Municipal Library. Carried (4-0)

270/09 – Rental of old library building – Macdonald – Headingley Rec District

T. Wood; I. Ruth: WHEREAS Macdonald – Headingley Recreation District is seeking temporary office space to meet their needs while new office space is being constructed in Oakbluff;

AND WHEREAS the old Headingley Municipal Library will be available in January of 2010;

THEREFORE BE IT RESOLVED THAT Subject to the approval of the St James-Assiniboia School Division, Council do hereby offer rental of the old library at a price of \$400.00 plus GST per month plus utilities. Tenant to be responsible for any leasehold improvements required. Term of lease to be 1 year. Carried (4-0)

271/09 – Reports

I. Ruth; T. Wood: BE IT RESOLVED THAT the following reports be received as information:

Finance:	No report
Works and Operations:	No report
Utility:	Water reservoir flooded, repairs proceeding. Insurance claim by Cartier Regional Water Co-op
Library:	Final walk through & completion certificate issued; January 8 – 16 is moving plan, grand opening February 6
Recreation:	Santa Breakfast very successful, net profit of approximately \$4,200; Winter Carnival planning underway

Carried (4-0)

272/09 – Correspondence

T. Wood; I. Ruth: BE IT RESOLVED THAT the following correspondence be received as information:

- (a) MMP Architects: New library completion certificate
- (b) Stephen Kletke: Speed limit and street lighting on Lyons St
- (c) Headingley Chamber of Commerce: 2009 Financial Report and Activities Report

Carried (4-0)

Public Hearings

Notice was given that Council would sit at 7:30 p.m. on this date to hear representation from any person respecting:

Conditional Use Applications:

- (i) Conditional Use Application 6/09 (Adjourned from Nov 24): Jason Rohs – operate a water park and campground in an “AG” General Agricultural Zone

Zoning Amendments:

- (i) By-Law 13-2009: Rezone 5 Commercial Lots south of PTH 1 vicinity of Bridge Rd – Qualico Developments
- (ii) By-Law 11-2009: Rezone Breezy Bend 46 lot residential subdivision – Seekville Inc.

Variation Applications:

- (i) Variation Application 22/09: DeGraves Realty, RL 5 vicinity of Taillieu Road and Harte Trail – vary minimum site area from 40 acres to 26.92 acres

Conditional Use Application No. 6/09

Representations:

- In Support: Jason Rohs
- In Opposition: Terry Hashimoto

273/09 – Conditional Use Application No. 6/09

T. Wood; I. Ruth: RESOLVED THAT Conditional Use Order No 06-2009 regarding Parcel “D” Plan 10592 1925, and located on Caron Road Road in the RM of Headingley, (Rohs) be hereby approved subject to the following conditions:

1. Applicant entering into a Development Agreement with the municipality providing for the installation and construction of municipal services;
2. Applicant retaining a qualified engineer to conduct a traffic study to determine the impacts on the transportation system
3. Applicant retaining a qualified engineer to conduct an assessment of the existing municipal infrastructure to determine its capability of supporting the development proposed;
4. Applicant obtaining an approach permit from the authority having jurisdiction
5. Any structures within 250 feet of the Highways’ Right of Way will require approval from the Highways Traffic Board.
6. A drainage plan will be required.

Carried (3-0)

By-Law No. 13-2009

Representations:

- In Support: Eric Vogan, Qualico Developments
- In Opposition: None

274/09 – By-Law No. 13-2009

T. Wood; I. Ruth: RESOLVED THAT By-Law No 13-2009, to revise By-Law No 21/95 by rezoning Pt RL 52 & 53 (Qualico Developments Subdivision) from “AG” General Agricultural Zone to “CHY” Highway Commercial Zone, be read a second time.

Carried (4-0)

275/09 – By-Law No. 13-2009

M. Mustard; T. Wood: RESOLVED THAT By-Law No 13-2009, to revise By-Law No 21/95 by rezoning Pt RL 52 & 53 (Qualico Developments Subdivision) from “AG” General Agricultural Zone to “CHY” Highway Commercial Zone, be read a third time and finally passed.

Recorded vote under provisions of Section 137 of The Municipal Act

For the Motion

Reeve Taillieu
Deputy Reeve Wood
Councillor Mustard
Councillor Ruth

Against the Motion

Carried (4-0)

By-Law No. 11-2009

Representations:

In Support:

Warren Earl, representing developer
Andrew Sharf
Greg Martin
Derek & Lori Thorsteinson
John Kilbury
Greg Thoms
Helen Wojciulan
Jason Rohs
Cotsianis & Lesley Dimitrios
Lorne Campbell
Terry Hashimoto
Bruce & Gail Shaw

In Opposition: None

276/09 – By-Law No. 11-2009

T. Wood; I. Ruth: RESOLVED THAT By-Law No 11-09, to revise By-Law No 21/95 by creating an “RR-1E” Rural Residential Planned Unit Development Zone, be read a second time. (Carried 4-0)

Reeve Taillieu declared a personal interest in the next item and took leave of the meeting.

Variation Application No. 22/09

Representations:

In Support: None

In Opposition: None

277/09 – Variation Application No. 22/09

I. Ruth; M. Mustard: RESOLVED THAT Variation Application No 22/09 regarding RL 5, Parish of Headingley, (Degraives Subdivision), be hereby approved. (Carried 3-0)

Adjournment

Deputy Reeve Wood declared the meeting adjourned at 8:22 p.m.

RURAL MUNICIPALITY OF HEADINGLEY

Reeve

Chief Administrative Officer