



THE RURAL MUNICIPALITY OF VICTORIA BEACH
#303-960 PORTAGE AVENUE - WINNIPEG, MANITOBA
REGULAR COUNCIL MEETING - TUESDAY, MARCH 1, 2011 - 1:00 P.M

Present: Councillors Boyd, McKibbin, McMorris, Morrison
Reeve Farrell

Call To Order

Minutes

Res. #2011/49 – Morrison/McMorris

That the minutes of the regular council meeting of February 15, 2011 be accepted, as circulated.

Carried

Reeve Farrell noted that the Municipality had sought a legal opinion relating to Shoreline Protection Structures along Sunset Boulevard and requested that the CAO outline the Municipality's position on the matter. The main points noted included:

- Plan 1755 registered at Land Titles early 1900s
- Sunset Boulevard was part of the plan of survey and registered as a road and titled to His Majesty the King (crown land)
- Although Sunset Boulevard has been used as a footpath for many decades it has never been closed and remains legally registered as a municipal road
- The Municipality has limited jurisdiction over the road and, based on the legal opinion it has received, does not have the authority to permit structures on the road
- On private land – municipality does not presently have any jurisdiction (municipal By-Law) to regulate structures designed to prevent erosion (such as rip-rap)

Rezoning Hearing By-law No. 1531 (D. & E. Allwright)

Notice of the Rezoning Hearing was mailed to all adjacent property owners as required under The Planning Act. The Notice was also advertised in the Winnipeg Free Press per the requirements of the Act. The property is presently zoned SRR (Seasonal Resort Reserve District) and the owners have applied to rezone the land to GC (General Commercial District).

Mr. and Mrs. Allwright presented their proposal to Council. Matters discussed included:

- Several business operations already exist along PTH59
- Very few properties presently zoned general commercial
- Construction business grew quickly - realized relocation was necessary – believe PTH59 is an appropriate location for a business venture
- Would like to build a storage garage (approx. 2400 square feet with possible office space added in the future)
- No commercial construction activity to take place on site – it will be a storage location only.
- Noise concerns: traffic – 10-15 vehicles (pick up trucks) on the road in the summer time. Probably come and go once a day in the summer. No saws/hammers running.

Written objections were received from the following individuals:

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| P. Griffith-Olson | L. Thomas |
| T. Griffith | W.O. Griffith |
| L. & D. Ateah | |

In addition to the written objections, a verbal presentation was made by C. Ateah expressing concern with the broad scope of the General Commercial zoning. Comments included the following:

- What type of commercial activity are owners contemplating?
- GC zoning presently restricts permitted uses – proposed activity (storage building) does not appear to be a permitted or conditional use.
- Recommendation to consult with Planning – table the decision to proceed with 2nd reading
- If council proceeds it should limit use of property to general contractor activities. Limit type of outside storage, etc. as well.

Council agreed to delay its decision re: 2nd reading of By-Law until it further explored / considered the concerns presented.

Rezoning Hearing concluded.

Delegation – Stuart Juzda – Arthur Shoreline Project Proposal

Mr. Juzda was present to discuss the proposal. Highlights of his presentation included:

- Assumed RM had jurisdiction & Sunset was municipal land
- If municipality does not have authority over this land who does? Province of Manitoba?
- Specific proposal – if it goes forward as such it will have an impact on the beach and what is in front of it.
- Liability concerns – cause & effect

Delegation – Sally Lawler, Margaret Richardson and Brian Hodgson – Shoreline Protection King Edward / Alexandra

Highlights of the discussion included:

- Legal opinion re: conflict of interest
- Does RM's position re: rip-rap also apply to "super sandbags"
- Jurisdiction – provincial department responsible for crown lands (Conservation)
- Presented 3 photos to Council - Kind Edward point was grassy - revetments came into being - green area in front disappeared
- Possibility MB Hydro will undertake some shoreline erosion pilot projects.
- Sand replenishment - whose jurisdiction
- Proposal: sand replenishment and geotextile bags in the water to break the waves
- Council should be leaders - ensure the process is followed, respect and utilize SETC, use property owners' expertise, lobby environmental groups and experts, provide public input as promised, continue to seek legal advice, etc.

Delegation – Mark Tooley and Gregg Hanson – Shoreline Protection King Edward / Alexandra

Mr. Hanson was present to discuss the "group's" sandbag proposal. Highlights of the discussion included:

- Disappointed with turn of events. Sandbags are going to be delivered all around MB and the only place we can't put them is on Sunset Boulevard.
- "Group" has cooperated with process – upset with recent development
- Consulted many experts
- Committed to finding an appropriate solution.

Delegation – Helen Forrest – Shoreline Protection Projects

Ms. Forrest was present to discuss concerns relating to shoreline protection works along the beach.

Highlights of the discussion included:

- Understands road is not closed – should still have some control
- Sunset Boulevard is used as a path and should be maintained
- RM’s position re: unauthorized work at Arthur

Delegation – Jim Conly and Reid Anderson – Arthur Shoreline Project Proposal

Mr. Conly and Mr. Anderson were present to discuss their group’s proposal. Highlights of the discussion included:

- Cottages are dangerously close to the bank
- Adequate protection is necessary
- Owners must be able to protect their properties – insurance concerns
- Jurisdictional issue does not address owners’ immediate concerns
- Require access to privately owned land from the Lake side
- Assurance that owners will be allowed to work on their own properties
- Provincial involvement is required in this matter

Res. #2011/50 – McKibbin/Boyd

That the List of Accounts (cheques No. 21709 to No. 21743) amounting to \$51,914.89 be approved for payment. Carried

Res. #2011/51– McMorris/Morrison

That the R. M. of Victoria Beach council agree to hold the 2012 Board of Revision on October 18, 2011 at 1:00 p.m. Carried

Res. #2011/52 – McKibbin/Boyd

That the R. M. of Victoria Beach council authorize the purchase of a used Kenmore washer and dryer from Mark MacPherson at a cost of \$500.00. Carried

Items Discussed: 2011 Budget Committee Meeting Date / Use of Building – RMVB Fire Department Practice / 2011 Lease Rates – VB Store, Moonlight Inn / Overland Flooding and Dyke Concerns / Allard Library Board Representation / Age Friendly Manitoba

Correspondence

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| S. Forcese | Re: Shoreline Protection Project |
| A. Stelmack | Shoreline Protection Project |
| K. William | Shoreline Protection Project |
| C. Borger | Shoreline Protection Project |
| P. Ingram | Shoreline Protection Project |

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| B. Taylor | Shoreline Protection Project |
| B. Leslie | Shoreline Protection Project |
| M. King | Shoreline Protection Project |
| D. & W. Ritchie | Shoreline Protection Project |
| J. Engbrecht | Shoreline Protection Project |
| D. & A. Guest | Shoreline Protection Project |
| H. Hesse | Shoreline Protection Project |
| L. & G. Borger | Shoreline Protection Project |
| B. & C. McInnes | Shoreline Protection Project |
| N. Sarchuk | Shoreline Protection Project |
| P. Stelmack | Shoreline Protection Project |
| B. & M. Duff | Shoreline Protection Project |
| H. Forrest | Shoreline Protection Project |
| N. Torrie | Shoreline Protection Project |
| M. Isbister | Shoreline Protection Project |
| M. Campbell | Shoreline Protection Project |
| R. Smith | Shoreline Protection Project |
| L. Krahn | Shoreline Protection Project |
| D. & D. Cottrell | Shoreline Protection Project |
| T. James | Shoreline Protection Project |
| J. & M. Gow | Shoreline Protection Project |
| P. Sudermann | Shoreline Protection Project |
| G. Karr | Shoreline Protection Project |
| R. Riess | Shoreline Protection Project |
| D. & I. Plant | Shoreline Protection Project |
| B. Rayter | Shoreline Protection Project |
| P. & L. Murray | Shoreline Protection Project |
| B. Irving | Shoreline Protection Project |
| G. Lees | Shoreline Protection Project |
| D. Hurst | Shoreline Protection Project |
| K. & G. Paul | Shoreline Protection Project |
| K. Zeglinski | Shoreline Protection Project |
| B. Hansford | Shoreline Protection Project |
| B. Sudermann | Shoreline Protection Project |
| R. Smith | Shoreline Protection Project |

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| J. Cherewick | Shoreline Protection Project |
| K. Zeglinski | Shoreline Protection Project |
| G. Chesnut | Shoreline Protection Project |
| D. & H. Bell | Shoreline Protection Project |
| C. Aldridge | Shoreline Protection Project |
| K. Edwards | Shoreline Protection Project |
| B. & D. Eyford | Shoreline Protection Project |
| S. Alkier | Shoreline Protection Project |
| F. Woolison | Shoreline Protection Project |
| R. Anderson | Shoreline Protection Project |
| T. Rathwell | Shoreline Protection Project |
| P. Garagan | Shoreline Protection Project |
| G. Cameron | Shoreline Protection Project |
| F. Buffi | Shoreline Protection Project |
| D. Fewer & L. Sarchuk | Shoreline Protection Project |
| G. Loader | Shoreline Protection Project |
| C. Isbister | Shoreline Protection Project |
| I. Heiman | Shoreline Protection Project |
| D. Warkentin | Shoreline Protection Project |
| T. Richardson Mason | Shoreline Protection Project |
| A. Hanson | Shoreline Protection Project |
| J. Quinton | Shoreline Protection Project |
| B. Irving | Shoreline Protection Project |
| G. Friesen | Shoreline Protection Project |
| S. Lawler | King Edward/Alexandra – Sandbag Proposal |
| SETC | Arthur Shoreline Protection Project |
| SETC | King Edward/Alexandra Protection Project |
| MB Local Government – Assessment | 2012 Board of Revision / 2011 Statutory Levy |
| R. Isaak | Arthur Shoreline Protection Project |
| Allard Regional Library | Board Representation |
| R. M. of Alexander | Allard Library Board Representation / TB Landfill |
| B. Hodgson | Shoreline Protection |
| K. Zaparniuk | 2011 Employment |
| MB IAT – EMO | 2011 Flood Protection |
| MB Water Stewardship | 2010 Audit Report – VB & AB Water Systems |

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| J. Curwin | 2011 Employment |
| MB Local Government | Gas Tax Funding – 2010 Payment / Subsidy Program Flood Protection – Private Property/ Bridge Program |
| H. Auld | Bank Protection |
| J. Tardif / F. Conciatori | Subdivision-Road Hearing – Lot 6 Plan 19580 |
| Eastman Regional Development | Invitation – 2011 Membership |
| MB EMO | 2011 Flood Preparation |
| M. Omar – Seniors & Healthy Aging | Age-Friendly Events |
| Manitoba Historical Society | Digitizing Local History Publications |
| MB Industry, Energy & Mines | Rezoning By-Law #1531 |
| MB Hydro | Rezoning By-Law #1531 |
| MTS Communications | Rezoning By-Law #1531 |
| MB Agriculture | Rezoning By-Law #1531 |
| MB Water Stewardship | Rezoning By-Law #1531 |
| MB IAT | Rezoning By-Law #1531 |
| MB Conservation | Rezoning By-Law #1531 |
| P. Griffith-Olson | Rezoning By-Law #1531 |
| L. Thomas | Rezoning By-Law #1531 |
| T. Griffith | Rezoning By-Law #1531 |
| W. O. Griffith | Rezoning By-Law #1531 |
| L. & D. Ateah | Rezoning By-Law #1531 |
| Manitoba NetSet Ltd | Federal Broadband Rollout |

Res. #2011/53 – McKibbin/Boyd

That the meeting be adjourned; next regular council meeting to be held on Tuesday, March 15, 2011 at 1:00 p.m. Carried

Original Signed By

Tom Farrell – Reeve

R. J. Moreau – CAO