

## **RURAL MUNICIPALITY OF VANSCOY NO. 345**

*Minutes of the Regular Meeting of Council for the Rural Municipality of Vanscoy No. 345 held in  
the RM of Vanscoy Council Chambers, #300 Main Street  
Vanscoy, Saskatchewan  
Thursday August 12, 2021*

Reeve: Leonard Junop  
Councillors

Division 1: James Harvey  
Division 2: Don Rayburn  
Division 3: Jeff Kielo

Division 4: Orest Michalowski  
Division 5: Liana Larson  
Division 6: **\*\*Daryl Jorgenson\*\***

Administrator Jill Palichuk  
Assistant Administrator Heather Fantie

Reeve Leonard Junop called the meeting to order at 9:00am C.S.T.

### **Agenda**

249/2021 Rayburn: That the agenda be accepted as presented.

*Carried*

### **Minutes**

250/2021 Kielo: That the minutes of the Regular Meeting of Council held on Thursday July 8, 2021 be approved as presented.

*Carried*

*Councillor Jorgenson joined the meeting 9:01am*

### **Statement of Financial Activities**

251/2021 Michalowski: That the Statement of Financial Activities for the month of July 2021 be accepted as presented.

*Carried*

### **Accounts**

252/2021 Harvey: That cheques #9798 to #9857, online utility payments, and Direct Deposit Payroll Transactions for July 12, 2021, July 27, 2021, and August 9 2021 totaling \$370,671.28 be approved for payment, and that the Listing of Accounts for Approval be annexed hereto and form a part of these minutes.

*Carried*

### **Monthly Bank Reconciliations**

253/2021 Michalowski: That the Bank Reconciliations for the month of July 2021 be approved as presented.

*Carried*

### **Administrator Resignation**

254/2021 Kielo: That Council accept with regret the resignation of Administrator Jill Palichuk, with Ms. Palichuk's last day of employment being December 31, 2021, but Ms. Palichuk's last day in the office being Friday December 10, 2021.

*Carried*

*Chad Watson & Jamal Abbasi - Urban Systems  
joined the meeting via teleconference 10:00 am  
To present the June Planning & Development Report*

### **Application for Agricultural Residential Subdivision – SW 34-34-09 W3 - Currie**

255/2021 Junop: That the application of Gordon and Donna Currie to rezone from A - Agricultural to AR - Agricultural Residential and to subdivide a 2.32 ha (5.73 acre) parcel from SW 34-34-09-W3 shown as Proposed Parcel A on the Plan of Proposed Subdivision prepared by Meridian Surveys Ltd. dated May 19, 2021 be APPROVED subject to:

- i. The applicant being responsible for all costs of the subdivision and rezoning; and
- ii. Bylaw 14-2021 receiving ministerial approval by the Ministry of Government Relations.

*Carried*

**Bylaw No. 14-2021 - Zoning Bylaw Amendment – 1<sup>st</sup> Reading**

256/2021 Michalowski: That Bylaw No. 14-2021, being a Bylaw to amend the R.M. of Vanscoy Zoning Bylaw, (Bylaw No. 3/18), Proposed Parcel A, located on SW 34-34-09 W3 from A-Agricultural District to AR – Agricultural Residential District be introduced and read a first time.

*Carried*

**Public Hearing - Bylaw No. 14-2021**

257/2021 Kielo: That Public Notice be given that the Council of the Rural Municipality of Vanscoy No. 345 intends to review and make a decision on proposed Bylaw No. 14-2021, being a Bylaw to amend Bylaw No. 03/18 known as the Zoning Bylaw, on Thursday, September 9<sup>th</sup> at 10:30am CST.

*Carried*

**Application for Agricultural Residential Subdivision – NW 32-34-07 W3 – VJS Ag.**

258/2021 Harvey: That the application of VJS Ag Corp to rezone from A - Agricultural to AR - Agricultural Residential and to subdivide a 8.09 ha (20 acre) parcel from NW 32-34-07-W3 shown as Proposed Parcel A on the Plan of Proposed Subdivision prepared by Meridian Surveys Ltd. dated May 26, 2021 be APPROVED subject to:

- i. The applicant being responsible for all costs of the subdivision and rezoning; and
- ii. Bylaw 15-2021 receiving ministerial approval by the Ministry of Government Relations.

*Carried*

**Bylaw No. 15-2021 - Zoning Bylaw Amendment – 1<sup>st</sup> Reading**

259/2021 Larson: That Bylaw No. 15-2021, being a Bylaw to amend the R.M. of Vanscoy Zoning Bylaw, (Bylaw No. 3/18), Proposed Parcel A, located on NW 32-34-07 W3 from A-Agricultural District to AR – Agricultural Residential District be introduced and read a first time.

*Carried*

**Public Hearing - Bylaw No. 15-2021**

260/2021 Jorgenson: That Public Notice be given that the Council of the Rural Municipality of Vanscoy No. 345 intends to review and make decision on proposed Bylaw No. 15-2021, being a Bylaw to amend Bylaw No. 03/18 known as the Zoning Bylaw, on Thursday, September 9<sup>th</sup> at 10:30am CST.

*Carried*

**Discretionary Use Application–Garden Suite – Linklater  
(Lot 9, Block 1 Plan 101970536 Ext 0, SW 01-36-07-W3)**

261/2021 Michalowski: That Council acknowledge the notice of cancellation submitted by Michelle Linklater to cancel her application to move a secondary residence to be used as a garden suite onto Lot 9, Block 1, Plan 101970536 Ext 0, SW 01-36-07-W3 at this time

*Carried*

**Civic Addressing**

262/2021 Rayburn: That Council accept the quote submitted by Urban Systems to complete the Rural Civic Addressing Program for all residences and businesses within the RM of Vanscoy as quoted at a cost of \$30,000.00-\$40,000.00, and that the quote include named roads being identified and addressed as Range Road/TWP Road Numbers, and that this quote not include the purchase and installation of rural addressing signage.

*Carried*

**Suspend Meeting**

263/2021 Harvey: That we suspend the regular council meeting for the purpose of opening the Public Hearing Use Hearing.

*Carried*

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**Public Hearing for Proposed Bylaw No. 13-2021**

*Reeve Junop formally opened the Public Hearing at 10:3am to receive any comments and submissions regarding Proposed Bylaw 13-2021, being a Bylaw to amend Bylaw No. 03/18, known as The Zoning Bylaw.*

**Attendees from the Public:** Herman Michael, Graham Gagne, Coleen Gagne, Trish Grams, Mark Grams, & Earle Woodside

**Intent of Application:** The proposed Bylaw would amend the Zoning Bylaw No. 3/18 to accommodate the following changes:

- Special standards and regulations for garden suites will be added to the Zoning Bylaw.
- Garden suites will be added as discretionary use in the AR – Agricultural Residential, CR1 – Low Density Country Residential, and CR2 – Medium Density Country Residential Districts and development standards will be established for garden suites within these zoning

districts.

*Administrator Jill Palichuk presented the written report regarding the proposed Zoning Bylaw Amendments, as submitted by Development Officer Chad Watson*

**Public Comments:** No written or verbal comments or telephone calls from the public were received prior to the public hearing.

Attendee Herman Michael publically spoke in favour of the proposed Bylaw. Mr. Michael stated that even though there is no longer a pending application driving the need for the proposed Bylaw, Council should still implement the Bylaw, so there is provision for future applicants to be considered for garden suites in a more blanketed area of the RM. Herman feels this is important, as he sees the population aging, and more elder family care being required in the future.

There were no other comments

Reeve Junop closed this Public Hearing at 10:35am

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## **Discretionary Use Hearing – Intensive Livestock Operation – Eaglewood Holdings**

Reeve Leonard Junop formally opened the Discretionary Use Hearing at 10:35am C.S.T. *to receive any comments and submissions regarding the application of Eaglewood Holdings Ltd. to operate a 150-200 Animal Unit dairy (ILO) on SE 32-36-09 W3 Ext. 51.*

**Attendees from the Public:** Herman Michael, Graham Gagne, Coleen Gagne, Trish Grams, Mark Grams, Earle Woodside

**Intent of Application:** The applicant has submitted an application to operate an ILO consisting of a dairy barn with 150-200 animal units on SE 32-36-09-W3. ILOs are a discretionary use in the Agricultural District.

*Administrator Jill Palichuk presented the written report regarding this application to rezone, as submitted by Development Officer Chad Watson*

**Public Comments:** Twenty Public Notices were sent out to property owners within a 1.6 km radius of the affected parcel, three comment forms were returned expressing no concerns and endorsing the application, one written response was received having concerns, and two telephone inquiries were received at the municipal office requesting more information. The Town of Asquith falls within the required setback for an ILO to an Urban Municipality. The applicant has provided a letter from the Town with a resolution of Town Council stating "That a letter be sent authorizing the building of a new dairy barn located less than one mile from Town limits at SE 32 36 9 West of the 3rd." The applicant also submitted a document with signatures of ten nearby property owners stating they have no objections to the ILO Application. One of the signatures on that document was the landowner who later submitted documentation expressing concerns over the application.

Expressed Concerns include:

- Unwillingness to sign a co-existence agreement and have the agreement registered to title. The applicant feels the agreement would negatively affect their property.
- Feels the application would negatively affect his family, the environment, property value, and potentially increase personal property taxes.
- Feels the ILO would be too close to personal property

Attendee Mark Grams – Stated he and his wife were one of the nearby property owners who initially signed the applicant's document in favour of the ILO application but later had concerns. Mr. Grams stated information came after they signed the document stating they had no concerns that due to the close proximity of their residence a separation agreement between themselves and the ILO would be required and registered to their title. Mr. Grams would like to see the separation distance interpretation changed to reflect the distance from a residence to the ILO enclosure, (barns and containment area) and not the ILO property line. However, if no change is made to the ILO Separation Distance Bylaw wording, he recommends the ILO operator subdivide the location of the ILO so that the 300 metre setback distance can be obtained without the requirement of a co-existence agreement. The Grams biggest concern is having something

registered to their title. Mr. Grams expressed he has no adverse concerns with currently operating ILO. They currently have no environmental concerns. Mr. Grams questioned whether the ILO would affect their assessed value and property taxes to which it was stated by Administrator Palichuk that it would not.

Attendee Graham Gagne stated that he and his wife share the same concerns as previously identified by the Grams, and have no concern with the proposed ILO, but do not want to enter into a co-existence agreement that would be registered to their property title. He would also like to see the ILO setback distance interpretation clarified to be from the neighboring residence site to the enclosure, and barn area of the ILO and not the property line.

Attendee Earle Woodside stated their family currently has no plans to expand the ILO over 300 AU anytime in the near future as the facility is not being constructed for an operation over 300 Animal Units.

The Gagne and Grams stated they would be willing to sign a basic acknowledgement agreement of the ILO's existence, if it was not registered to their property titles. They feel that should their property's sell in the future, the acknowledgment of nearby ILO's or other agriculture operations in the rural community should be the buyers responsibility to investigate and be aware of.

Reeve Junop closed this Discretionary Use Hearing at 11:06am

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### **Reconvene Meeting**

264/2021 Harvey: That the Regular Meeting of Council now Reconvene.

*Carried*

### **Zoning Bylaw Amendment – Intensive Livestock Operation Setback Distances**

265/2021 Jorgenson: That Council direct the Administrator and the Development Officer to prepare a Bylaw to amend Bylaw No. 3/18 known as the Zoning Bylaw to clearly define the separation distances required between an Intensive Livestock Operation (ILO) and other developments identified within the Bylaw be measured from the barn, enclosure, and active area of the ILO and not the property line, to the location of the residence, well, or other development as identified on the setback requirement table on a nearby parcel.

*Carried*

### **Discretionary Use Application–Intensive Livestock Operation – Eaglewood Holdings SE 32-36-09 W3**

266/2021 Jorgenson: That the application of Eaglewood Holdings Ltd. to operate an intensive livestock operation consisting of a 150-200 animal unit dairy on SE 32-36-09-W3 Ext 51 be approved subject to:

- i. The applicant being responsible for all costs associated with the discretionary use application process;
- ii. The applicant annually submitting the location of the lands to be used for the spreading of manure from the ILO;
- iii. The applicant providing the results of their yearly water testing to the R.M.

*Carried*

### **Bylaw No. 13-2021 - Zoning Bylaw Amendment 2<sup>nd</sup> Reading**

267/2021 Michalowski: That Bylaw No. 13-2021, being a Bylaw to amend the R.M. of Vanscoy Zoning Bylaw, (Bylaw No. 3/18), to allow for garden suites as discretionary uses in all A-Agriculture, AR – Agriculture Residential, CR1, Country Residential 1 & CR2 Country Residential 2 Zoning Districts where parcel sizes are over 2 acres, be given second reading.

*Carried*

### **Bylaw No. 13-2021 - Zoning Bylaw Amendment 3<sup>rd</sup> Reading & Adoption**

268/2021 Rayburn: That Bylaw No. 13-2021, being a Bylaw to amend the R.M. of Vanscoy Zoning Bylaw, (Bylaw No. 3/18), to allow for garden suites as discretionary uses in all A-Agriculture, AR – Agriculture Residential, CR1, Country Residential 1 & CR2 Country Residential 2 Zoning Districts where parcel sizes are over 2 acres, be given 3rd Reading and adopted at this meeting.

*Carried*

### **Planning & Development Report**

269/2021 Larson: That the Planning & Development Report be accepted as presented.

*Carried*

**Range Road 3072 Construction – Excel Excavating Quote**

270/2021 Harvey: That Council accept the quote submitted by Excel Excavating (Bud Abel) to construct approximately ¾ Mile of Road Build Up on Range Road 3072 South from Hwy #14, at a cost of \$187,500.00 plus GST, and that this project not require tendering as the quote is below the North-West Trade Partnership Agreement tendering threshold.

*Carried*

**Delisle Health Council – Proposed Population Levy Adjustment**

271/2021 Michalowski: That as a result of the RM of Vanscoy Municipal Boundary being wholly located within the Delisle Health Council boundary, Council accept the proposal by the Delisle & District Health Council to implement a three year phased in policy for the RM of Vanscoy to pay a per population levy on 100% of the RM's population to the Delisle Health Council, and that this population adjustment be approved with the recommendation that the Delisle Health Council lower their overall per capita levy to all participating municipalities once the RM of Vanscoy is contributing on 100% of the RM population.

*Carried*

**Order to Remedy- Block/Parcel A Plan No. 102210253 NE 13-34-08 W3**

272/2021 Rayburn: That following the August 15, 2021 extension date regarding the Order to Remedy for unauthorized development and use of property located on Blk/Par A Plan No 102210253 Extension 0 (NE 13-34-08 W3,) resulting in contravention of the RM of Vanscoy No. 345 Zoning Bylaw, (Bylaw No. 3-18), the RM Administrator in the Capacity of Development Officer accompanied by a Municipal Police Officer complete a property inspection coordinated with the property owner, and report back to Council with findings during the September Council Meeting for decision on further enforcement action or an additional remedy extension if required.

*Carried*

**Deitsch Lane – Proposed Latecomers Agreement**

273/2021 Harvey: That Council authorize the Administrator to forward the proposed Latecomer's Agreement submitted by Julie & Trevor Deitsch for the Service Road constructed as part of their Subdivision approval for SW PT 31-34-06 W3 should it be utilized as access to other future subdivisions in this area, to the municipal legal counsel for review and comment.

*Carried*

*Recess for lunch 12:00pm -12:35pm*

*Sgt. Mochoruk – Vanscoy Police Force joined the meeting 12:40am  
to discuss municipal police enforcement matters*

**Close & Sale of Registered Road Allowance – Adjacent to East ½ 21-34-06 W3 – Kinzie**

274/2021 Harvey: That Council accept the request by Francis & Ellen Kinzie to purchase the Registered Road Allowance located East of East ½ 21-34-06 W3, at a cost of \$8,000.00 plus advertising, surveying, and title transfer fees associated with the transfer, and that the Administrator be directed to begin the process of this road allowance close and transfer.

*Carried*

**Request to Purchase Portion of Road Allowance - Grandora**

275/2021 Junop: That Council deny the request submitted by Earl Opheim to purchase the Southerly Portion of Municipal Road Allowance, known as Main Street in Grandora adjacent to the Railroad tracks, as this is not a portion of road allowance that Council feels should be closed and sold for development.

*Carried*

**Ratepayer Concern Parking Bylaw**

276/2021 Harvey: That Council deny the request to amend the municipal parking bylaw to restrict parking in municipal ditches, as most municipal ditch parking is temporary and not causing harm, and that should a vehicle be abandoned within the municipal right of way, or restrict road traffic flow, the municipal police have the authority to have it removed.

*Carried*

**Declaration of an Agricultural Disaster Area**

277/2021 Kielo: That the RM of Vanscoy No. 345 be declared an Agricultural Disaster Area due to drought, extreme heat, and strong winds during the 2021 Summer Growing Season.

*Carried*

*Lionel Hueser joined the meeting 1:10pm – 1:35pm  
To discuss traffic restrictions in the Industrial Subdivision located on NE 24-36-07 W3*

*Sgt. Mochoruk exited the meeting 1:35pm*

**VMAD EMO Coordinator Resignation**

278/2021 Jorgenson: That Council accept with regret the resignation of Desiree Bouvier from her position as the VMAD Regional EMO Coordinator effective July 16, 2021.

*Carried*

**Clubroot Officer Invoice**

279/2021 Harvey: That Council authorize payment of Invoice #3 submitted by Bearadise Bay Consulting/Stu Rasmussen for Clubroot Officer Hours accumulated from March 15<sup>th</sup> to July 31<sup>st</sup> totaling \$3,770.00 plus GST.

*Carried*

*Bob Keep & Mike Petty joined the meeting 2:00pm – 2:42pm  
To present road condition/composition concerns regarding Kinzie Road to Council*

*Sgt. Mochoruk rejoined the meeting 2:00pm-2:42pm*

**Date of Next Meeting**

280/2021 Junop: That the September Regular Council Meeting be held on Thursday, September 9, 2021 at the RM of Vanscoy Municipal Office Council Chambers commencing at 9:00 am CST.

*Carried*

*Foreman Loewen joined the meeting 3:00pm*

**Suncor Energy – Pipeline Coverage at Road Crossing**

281/2021 Harvey: That Council approve the request by Suncor Energy to install a concrete slab within the Road Surface of RR 3071 East of SE 02-35-07 W3, and raise the current grade of the road at the pipeline crossing location as the gap between the top of the pipe and the dirt road is below the allowable limit.

*Carried*

*Foreman Loewen exited the meeting at 3:26pm*

**Reports**

282/2021 Larson: That all other reports be accepted as submitted or as verbally presented.

*Carried*

**Correspondence**

283/2021 Michalowski: That all correspondence be accepted as presented and filed as received.

*Carried*

**Adjournment**

284/2021 Michalowski: That this meeting adjourned at 3:45pm.

*Carried*

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Reeve

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Administrator