



STE. ANNE MUNICIPALITY

Regular Council Meeting Minutes February 14, 2024 - 09:00 AM

Regular Meeting of Council held in the Council Chambers of the Rural Municipality of Ste. Anne at 395 Traverse Road, Ste. Anne, MB, on February 14, 2024.

CALL TO ORDER 9:00 AM

Reeve Richard Pelletier called the meeting to order at 9:00 am, by acknowledging that we are located on Treaty 1 Lands, the traditional lands of the Anishinaabe, Cree, Oji-Cree, Dakota, Dene and the birthplace of the Métis Nation.

A moment of silence was taken in light of the recent domestic violence incident that took the lives of 5 individuals in Carman, Manitoba.

ATTENDANCE

COUNCIL MEMBER	IN ATTENDANCE	ABSENT
RICHARD PELLETIER, REEVE	X	
SARAH NORMANDEAU, WARD 1		X
KYLE WACZKO, WARD 2	X	
PATRICK STOLWYK, WARD 3	X	
BRAD INGLES, WARD 4	X	
ROBERT SARRASIN, WARD 5	X	
RANDY EROS, WARD 6	X	

Also in attendance were:

Chief Administrative Officer, Mike McLennan
Legislative Officer, Nadine Vielfaure

At 9:01 am, Councillor Sarah Normandeau joined the meeting.

ADOPTION OF AGENDA

2024-43

Councillor Sarrasin

Councillor Waczko

BE IT RESOLVED THAT the agenda for the February 14, 2024, regular meeting be adopted as circulated and amended to add:

- a discussion regarding Deer Lane Development Plan Amendment By-law Rejection, and
- an In Camera Personnel Matter.

CARRIED

ADOPTION OF MINUTES

2024-44

Councillor Eros

Councillor Sarrasin

BE IT RESOLVED THAT the January 24, 2024, regular meeting minutes be adopted as circulated.

CARRIED

FINANCE

Cheque Listing

2024-45

Councillor Ingles

Councillor Waczko

BE IT RESOLVED THAT the following cheques & EFT payments numbered #20240124 - #20240232 (inclusive) in the amount of \$339,013.69 be approved for payment except for cheque #20240227 for Microage Manitoba.

CARRIED

Financial Statements

2024-46

Councillor Stolwyk

Councillor Waczko

BE IT RESOLVED THAT the Financial Statement for the period ending December 31, 2023, & January 31, 2024, be approved and adopted as presented.

CARRIED

MUNICIPAL DELEGATE REPORTS

AMM Delegation - January 25, 2024

RM of La Broquerie - Intermunicipal Meeting - January 30, 2024

Northeast Red Watershed District - Councillor Brad Ingles

Community Futures Triple R - Councillor Randy Eros

UNFINISHED BUSINESS – None.

NOTICE OF MOTION / PETITIONS – None.

Deer Lane Development Plan Amendment Rejection Discussion

Tabled to Delegation.

COMMITTEE MINUTES AND MATTERS

At 9:38 am, Councillor Randy Eros left the meeting.

Local Urban District of Richer Committee Meeting - February 7, 2024 Minutes

2024-47

Councillor Normandeau

Councillor Stolwyk

BE IT RESOLVED THAT the February 7, 2024, LUD of Richer Committee meeting minutes be received as presented.

CARRIED

2024 LUD Financial & Service Plans

2024-48

Councillor Normandeau

Councillor Stolwyk

WHEREAS the LUD of Richer Committee has recommended Council adopt their 2024 Financial and Service Plans with Resolution #LUD-2024-17;

BE IT RESOLVED THAT Council adopt the 2024 LUD of Richer Financial and Service Plans, pending final budget approvals;

BE IT FURTHER RESOLVED THAT Council agree to transfer all 2023 LUD Surplus amounts to the general LUD Reserve Fund, as outlined in the 2024 LUD Service Plan, pending the completion of the 2023 Financial Audit.

CARRIED

At 9:40 am, Councillor Randy Eros joined the meeting.

LUD/RFD Hall - Financial Request

2024-49

Councillor Ingles

Councillor Eros

WHEREAS it is anticipated that there will be a \$4,500 surplus from the insurance payout stemming from the LUD of Richer Hall damages, the structure now being renovated for use by the Richer Fire Department;

AND WHEREAS the LUD of Richer Committee has, with their Resolution #LUD-2024-18, requested this surplus, along with additional contributions from Council in recognition of the LUD's financial investment in the upgrade and maintenance of the building over the years, be placed in an LUD of Richer Economic Development Reserve Fund to be used for future land acquisition or construction of a community meeting place-like facility;

BE IT RESOLVED THAT Council agree to transfer all surplus insurance funds to an LUD of Richer Economic Development Reserve Fund in order to offset future capital initiatives such as land acquisition and/or construction of assets in the LUD for community and economic development purposes;

BE IT FURTHER RESOLVED THAT further LUD of Richer Economic Development Reserve Fund discussion be tabled to Budget deliberations.

CARRIED

LUD Pathway Lighting

Received as information.

DELEGATION(S)

Tabled until the scheduled Delegation time.

HEARINGS

Tabled until the scheduled Hearing time.

DEPARTMENT MANAGER REPORTS

Municipal Emergency Coordinator - Volunteer Update

Received as information.

BY-LAWS

By-law #2024-01 - Municipal Fire By-law - 2nd Reading

2024-50

Councillor Sarrasin

Councillor Normandeau

BE IT RESOLVED THAT By-Law #2024-01, being the Municipal Fire By-law, be given second reading.

CARRIED

By-law #2024-01 - Municipal Fire By-law - 3rd Reading

2024-51

Councillor Ingles

Councillor Normandeau

BE IT RESOLVED THAT By-Law #2024-01, being the Municipal Fire By-law, be given third and final reading.

COUNCIL MEMBER	IN FAVOUR	OPPOSED	ABSTAIN	ABSENT
RICHARD PELLETIER, REEVE	X			
SARAH NORMANDEAU, WARD 1	X			
KYLE WACZKO, WARD 2	X			
PATRICK STOLWYK, WARD 3	X			
BRAD INGLES, WARD 4	X			
ROBERT SARRASIN, WARD 5	X			
RANDY EROS, WARD 6	X			

CARRIED

By-law #2024-02 - Noise By-law - First Reading

2024-52

Councillor Normandeau

Councillor Waczko

WHEREAS the LUD of Richer Committee, with the support of Council's Resolution #2023-515, is desirous of prohibiting the use of Engine Retarder Brakes on provincial highways in the LUD of Richer's Boundaries and surrounding area;

AND WHEREAS provincial authorities require the inclusion of these prohibitions in the Municipal Noise By-law in order to approve the installation of signs and subsequent enforcement on roads under provincial jurisdiction;

BE IT RESOLVED THAT By-Law #2024-02, being the Municipal Noise By-law, be given first reading as presented, including provisions for Engine Retarder Brake prohibitions in the LUD of Richer area along Dawson Road, PR 302 and Hwy #1E;

BE IT FURTHER RESOLVED THAT the RM of Ste. Anne confirm that all costs for the purchase and installation of the 6 signs being requested, pertaining to Engine Retarder Brake prohibitions, will be borne entirely by the LUD of Richer's Budget.

CARRIED

By-law #2023-18 - Speed Limit and School Zone By-law - Revised Fine Schedule C

2024-53

Councillor Eros

Councillor Ingles

WHEREAS the Maximum fine that a Municipality may impose under Provincial Regulations is \$1,000 per incident;

BE IT RESOLVED THAT Council approved the revised Speed Fines Schedule 'C' to the municipal Speed Limit and School Zone By-law #2023-18, as presented, establishing the maximum fines at \$1,000 per incident.

CARRIED

By-law #2024-03 - Designating 3M Bilingual Municipality - First Reading

2024-54

Councillor Normandeau

Councillor Stolwyk

BE IT RESOLVED THAT By-Law #2024-03, being a by-law to officially designate the Municipality bilingual and adopt the Municipal Maturity Model for bilingualism, be given first reading.

CARRIED

At 10:12 am, Council recessed for 3 minutes.

At 10:15 am, Development Officer Hadiseh Bajelan joined the meeting.

DELEGATION(S)

At 10:15 am, Stephen Walker, Rayson Wong and Anna McKinnon with Manitoba Municipal Relations Community and Regional Planning Department, attended the meeting in order to discuss various the recent Municipal Development Plan Amendment By-law #2022-14 rejection. At 10:52 am, Council recessed from until 11:00 am.

HEARINGS - 11:00 am

The CAO reviewed the procedures for Public Hearings and confirmed that the notification requirements of the Planning Act have been met for all Hearings on the February 14, 2024, Council Meeting Agenda.

**Variation Order #02-24 - Utility Building - Valley Fiber
2024-55**

Councillor Sarrasin

Councillor Stolwyk

BE IT RESOLVED THAT Council recess this regular meeting at 11:01 am, and go into Public Hearing for Variation Order #02-24 at River Lot 74-AN-3626 in an area zoned Rural Residential Area, to vary the following bulk requirements required for a Utility Building used for Valley Fiber infrastructure:

1. Minimum site area from 2 acres to 0.48 acres;
2. Minimum site width from 200 feet to 165 feet;
3. Minimum front yard setback from 100 feet to 17 feet
4. Minimum east side yard setback from 25 feet to 19 feet.

CARRIED

The applicant, Josh Okello on behalf of Valley Fiber, made a presentation in favour of the proposal.

No presentations were received from members of the public regarding the proposal.

**OUT OF HEARING - VO#02-24 - Utility Building - Valley Fiber
2024-56**

Councillor Ingles

Councillor Sarrasin

BE IT RESOLVED THAT the Hearing for Variation Order #02-24 be closed and that this meeting reconvene into regular session at 11:08 am.

CARRIED

**Conditional Use #02-24 - Detached 2nd Dwelling unit - Tidor Sawatzky
2024-57**

Councillor Sarrasin

Councillor Normandeau

BE IT RESOLVED THAT Council recess this regular meeting and go into public hearing for Conditional Use #02-24 to allow for a detached secondary suite at 45058 Road 48E, Lot 3 Plan 16825, SE 24-8-8E, in an area zoned Agriculture Mixed-Use Area, at 11:08 am.

CARRIED

Comments from TC Energy (Pipeline) were received. TC Energy has expressed no concerns with this project as proposed.

Comments from Environment Officer Justin Paillé were received. Environmental Compliance and Enforcement Branch has expressed no concerns with this project as proposed if the proposal is to have a new detached secondary suite that will have its own onsite wastewater management system.

The applicant, Tidor Sawatzky, was not in attendance.

No presentations were received from members of the public regarding the proposal.

OUT OF HEARING - CU#02-24 - Detached 2nd Dwelling Unit - Tidor Sawatzky

2024-58

Councillor Sarrasin

Councillor Stolwyk

BE IT RESOLVED THAT the Hearing for Conditional Use #02-24 be closed and that this meeting reconvene into regular session at 11:10 am.

CARRIED

Conditional Use #01-24 & Variation Order #01-24 - Campground - Atiyolil

2024-59

Councillor Normandeau

Councillor Stolwyk

BE IT RESOLVED THAT Council recess this regular meeting and go into public hearing for Conditional Use #01-24 to allow for an existing seasonal campground and Variation Order #01-24 to vary the minimum site area requirement from 10 acres to 0.96 acres, at 45063 Dawson Road, Lot 1 Block 1 Plan 16836, NW 15-8-8E, in an area zoned Rural Natural Area, at 11:11 am.

CARRIED

The applicant, Marc Atiyolil, made a presentation in favour of the proposal.

Comments from Environment Officer Justin Paillé were received, indicating that there is no concern about the application; and any future onsite wastewater management systems must comply with the Onsite Wastewater Management Systems Regulation. Onsite wastewater management systems would be restricted to holding tanks only on this property.

Comments from TC Energy Oliver Prcic were received, indicating no concerns about the proposed application. However, some requirements mentioned in their letter require written approval from TC Energy and the pipeline.

Comments from Fire Chief Chris Wilkins were received, indicating that there is no concern about the application.

Comments from RM of Ste. Anne's Operations Manager Kevin Medeiros were received, indicating that there may be concerns with the access to the property.

No presentations were received from members of the public regarding the proposal.

OUT OF HEARING - CU#01-24 & VO#01-24 - Campground - Atiyolil

2024-60

Councillor Sarrasin

Councillor Stolwyk

BE IT RESOLVED THAT the Hearing for Conditional Use #01-24 and Variation Order #01-24 be closed and that this meeting reconvene into regular session at 11:23 am.

CARRIED

Conditional Use #03-24 - Home Industry - Cole Manning

2024-61

Councillor Sarrasin

Councillor Stolwyk

BE IT RESOLVED THAT Council recess this regular meeting and go into public hearing for Conditional Use #03-24 to establish a "Home Industry" use, namely manufacturing prefabricating exterior walls, and storage of associated equipment at 115 Country Roots Lane; Lot 2 Plan 63167, NE 13-8-7E in an area zoned Rural Residential Area, at 11:24 am.

CARRIED

The applicant, Cole Manning, made a presentation in favour of the proposal.

The comments from the Operations Manager, Kevin Medeiros, have been received, indicating potential concerns about Dawson Road being a No Truck Route.

Kim Bouwman and Warner Main submitted a letter in objection of the proposal.
Charity Bedry submitted a letter in objection of the proposal.
Jerry and Eleanor Struth submitted a letter in objection of the proposal.
Devron and Chrystal Parisian submitted a letter in objection of the proposal.
Rheal Allard submitted a letter in objection of the proposal.
Curtis and Lori Smith submitted a letter in objection of the proposal.

No other presentations were received from members of the public regarding the proposal.

OUT OF HEARING - CU#03-24 - Home Industry - Cole Manning

2024-62

Councillor Ingles

Councillor Normandeau

BE IT RESOLVED THAT the Hearing for Conditional Use #03-24 be 11:37 am.

CARRIED

Deer Lane Development Plan Amendment Rejection Discussion (Continued)

Administration to investigate.

HEARING DECISIONS

Hearing Decision - VO#02-24 - Utility Building - Valley Fiber

2024-63

Councillor Sarrasin

Councillor Eros

WHEREAS a Public Hearing was held for Variation Order #02-24 at River Lot 74-AN-3626 in an area zoned Rural Residential Area, to vary the following bulk requirements required for a utility building used for Valley Fiber infrastructure:

- Minimum site area from 2 acres to 0.48 acres;
- Minimum site width from 200 feet to 165 feet;
- Minimum front yard setback from 100 feet to 17 feet
- Minimum east side yard setback from 25 feet to 19 feet.

BE IT RESOLVED that Variation Order #02-24 be approved on the following conditions:

1. The applicant must obtain all required permits from the RM of Ste. Anne;
2. The applicant is responsible for obtaining all necessary permissions from federal and provincial authorities.

CARRIED

Hearing Decision - CU#02-24 - Detached 2nd Dwelling unit - Tidor Sawatzky

2024-64

Councillor Normandeau

Councillor Stolwyk

WHEREAS a Public Hearing was held for Conditional Use #02-24 to allow for a detached secondary suite at 45058 Road 48E; Lot 3 Plan 16825, SE 24-8-8E ;

BE IT RESOLVED that Conditional Use Order #02-24 be approved by following conditions:

1. The secondary suite must comply with the RM of Ste. Anne Zoning By-law.
2. The developer must obtain all required permits for the secondary suite.
3. The developer is responsible for meeting all federal and provincial regulatory requirements, including those for water and wastewater servicing.

CARRIED

Hearing Decision - CU#01-24 & VO#01-24 - Campground - Atiyolil

2024-65

Councillor Normandeau

Councillor Eros

WHEREAS a Public Hearing was held for Conditional Use #01-24 to allow for an existing seasonal campground, and Variation Order #01-24 to vary minimum site area requirement from 10 acres to 0.96 acres, at 45063 Dawson Road, Lot 1 Block 1 Plan 16836, NW 15-8-8E;

BE IT RESOLVED that Conditional Use Order #01-24 and Variation Order #01-24 be approved by following conditions:

1. That the applicant be required to enter into a development agreement covering the following items, among others, as required:
 - a) Service buildings or structures, including washrooms, shower buildings, offices, or stores;
 - b) General vehicle access routes;
 - c) Emergency and protective service vehicle access routes;
 - d) Emergency plan, including muster points, evacuation scenarios, etc.;
 - e) Parking (location, sizes, and number of stalls);
 - f) Pathways (if applicable);
 - g) Exterior site lighting;
 - h) Landscaping;
 - i) Sound and/or sight barriers or buffers (description or illustration);
 - j) Signage;
 - k) Water and wastewater servicing;
 - l) Site maintenance information (e.g., solid waste management, dust control, etc.);
 - m) Security information;
 - n) Duration, dates, and hours of operation;
 - o) Liability insurance information;
 - p) Garbage plan;
 - q) Number of employees;
 - r) payment of fees;
 - s) Site plan;
2. The property owners are responsible for full compliance with all requirements of the federal government, provincial government departments, including Manitoba Infrastructure and Transportation, TC Energy, MB Hydro, and any other authority having jurisdiction.
3. The property must comply with all Municipal requirements, including by-laws, policies, agreements, etc.
 - a) any intensification or change to the currently approved campground use must obtain all required pre-approvals.
 - b) all building(s) and/or structure(s) on the property must obtain all required pre-approvals.
 - c) failure to comply may result in previously obtained permissions being revoked.

BE IT FURTHER RESOLVED THAT, as this proposal is limited to Lot 1 Block 1 Plan 16836, any campground-related activities on any other lot would require new applications under the requirements of the Planning Act for that subject property.

CARRIED

Council recessed for lunch between noon and 1:00 pm, with all members of Council and staff returning at this time.

Hearing Decision - CU#03-24 - Home Industry - Cole Manning

2024-66

Councillor Ingles

Councillor Eros

WHEREAS a Public Hearing was held for Conditional Use #03-24 to establish a "Home Industry" use, namely manufacturing prefabricating exterior walls, and storage of associated equipment at 115 Country Roots Lane; Lot 2 Plan 63167, NE 13-8-7E;

BE IT RESOLVED that Conditional Use Order #03-24 be denied.

CARRIED

At 1:08 pm, Development Officer Hadiseh Bajelan left the meeting.

NEW BUSINESS

Manitoba Weed Supervisors Association - Municipal Issues Seminar

Received as information.

Restitution Payments - AMM Advocacy Requests - Update

Received as information.

Accessible Parking - AMM Advocacy Requests - Update

Administration directed to draft Parking By-law.

Maximum Imposable Municipal Fines - AMM Advocacy Request

2024-67

Councillor Ingles

Councillor Eros

WHEREAS Section 2 of the Municipal By-law Enforcement Regulation (M.R. 116/2016), being a Regulation of the Municipal By-law Enforcement Act, C.C.S.M.c.M245, states that the maximum administrative penalty that a municipality may impose for a designated by-law contravention is \$1,000;

AND WHEREAS the Municipal By-law Enforcement Regulation has been in effect since August 8, 2016, with no inflationary increases to this maximum allowable penalty;

AND WHEREAS the Consumer Price Index rose by 7.8% in 2022 in Manitoba, following years of increases ranging from 0.5% to 3.3% as per the Manitoba Bureau of Statistics;

AND WHEREAS By-laws established under the authority of the Provincial Offences Act are not restricted to this \$1,000 maximum fine for identical offenses;

AND WHEREAS Municipalities must bear the increasing cost of providing by-law enforcement services, at the expense of taxpayers at large when amounts cannot be fully recovered through fines;

BE IT RESOLVED THAT the Association of Manitoba Municipalities be requested to Lobby the Province of Manitoba to review the Municipal By-law Enforcement Regulation's Section 2 as it pertains to the maximum imposable fine imposed under the authority of the Municipal By-law Enforcement Act.

CARRIED

Province of Manitoba - Bulletin #2024-02 - Payment in Lieu of Taxes

Received as information.

PLANNING & DEVELOPMENT

RM of Hanover - Zoning By-Law Amendment - By-Law No. 2562-23

Received as information.

RM of Reynolds - Development Plan Amendment - By-Law No. 55/24

Received as information.

2023 Permit Statistics and Analysis

Received as information.

CONSENT AGENDA

2024-68

Councillor Normandeau

Councillor Waczko

BE IT RESOLVED THAT the consent agenda consisting of the following 10 items be adopted as circulated:

AMM - Various Correspondence

FCM - Various Correspondence

Environment and Climate Change Canada – Species at Risk Act Amendments – Invitation to Comment

Manitoba Giant Growers Association

Steinbach Online - Various Articles
MB EMO – RM of Ste. Anne – Map of DFA Claims from 2011 to 2022
Hudson's Bay Route Association – Membership Renewal and Annual Report
Richer Recreation Committee - Meeting Minutes
Richer Community Club - Meeting Minutes
Manitoba Good Roads Association – Newsletter – February 2024

CARRIED

IN CAMERA

2024-69

Councillor Normandeau

Councillor Stolwyk

BE IT RESOLVED THAT Council recess in order to meet as a Committee of the Whole, In Camera, at 1:18 pm, to discuss Personnel Matters, By-law Enforcement Matters, Legal Matters, and Matters in Preliminary Stages of Discussion under Section 152(3) of *The Municipal Act*.

CARRIED

At 1:19 pm, Legislative Officer Nadine Vielfaure left the meeting.

At 1:32 pm, Councillor Pat Stolwyk left the meeting.

OUT OF CAMERA

2024-70

Councillor Normandeau

Councillor Ingles

BE IT RESOLVED THAT this meeting reconvene into regular session at 2:05 pm, and that all information discussed In Camera be kept in confidence until the matter is discussed at a public meeting of Council or Committee.

CARRIED

Municipal Employee Retainer Agreements

2024-71

Councillor Eros

Councillor Normandeau

BE IT RESOLVED THAT Council authorize the Cost-of-Living Increase determined by Council as per the Employee Handbook, Section 16.5, be also applied to Municipal Employees on Retainer Agreements annually.

CARRIED

ADJOURNMENT

2024-72

Councillor Normandeau

Councillor Ingles

BE IT RESOLVED THAT this regular meeting be adjourned at 2:06 pm.

CARRIED

NEXT MEETING(s)

Regular Evening Meeting

Regular Day Meeting

February 28, 2024 @ 6:00 pm

March 13, 2024 @ 9:00 am



Richard Pelletier

Reeve



Mike McLennan

Chief Administrative Officer