



Council Meeting Minutes
July 26, 2023 - 06:00 PM

Regular Meeting of Council held in the Council Chambers of the Rural Municipality of Ste. Anne at 395 Traverse Road on July 26, 2023.

CALL TO ORDER 6:00 PM

Reeve Richard Pelletier called the meeting to order at 6:00 pm, 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.

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:
Legislative Officer, Nadine Vielfaure
Development Officer, Hadiseh Bajelan

ADOPTION OF AGENDA

2023-366
Councillor Normandeau
Councillor Waczko
BE IT RESOLVED THAT the agenda for the July 26, 2023, regular meeting be adopted as amended and circulated.
CARRIED

ADOPTION OF MINUTES

2023-367
Councillor Normandeau
Councillor Stolwyk
BE IT RESOLVED THAT the June 28, 2023 and July 12, 2023, regular meeting minutes be adopted as circulated.
CARRIED

FINANCE

Cheque Listing

2023-368

Councillor Waczko

Councillor Ingles

BE IT RESOLVED THAT the following EFT payments & cheques numbered #20230878 – #20230955 (inclusive) in the amount of \$600,509.77 be approved for payment.

CARRIED

Grant Request

2023-369

Councillor Eros

Councillor Waczko

BE IT RESOLVED THAT the Grant request received from Janelle Jolicoeur for her attendance at the IPF Worlds Championships as a member of Team Canada competing in Powerlifting, be received as information.

CARRIED

Municipal Tour

2023-370

Councillor Ingles

Councillor Waczko

WHEREAS Council passed Resolution 2022-528, to organize a municipal tour for elected officials with mileage to be reimbursed to the vehicle owner;

AND WHEREAS it was anticipated that this would occur on a day of a regular meeting or committee of the whole;

AND WHEREAS this was planned and occurred on June 19th, 2023, outside of a regular meeting;

BE IT RESOLVED THAT Council approve all costs associated with the Municipal Tour.

CARRIED

Giroux Lighting Resolution Adjustment

2023-371

Councillor Eros

Councillor Normandeau

WHEREAS Resolution #2023-203 authorized a total payment of \$3,873.94, including taxes, for the installation of lights at the Giroux picnic shelter, based off quote #020-23-1 provided by JA Electric Inc., this being the net amount after applying a \$2,500 credit;

AND WHEREAS the RM has received a grant from Efficiency Manitoba for this project in the amount of \$3,125.00;

BE IT RESOLVED THAT Council authorize the \$5,958.88 plus taxes having been paid to JA Electric Inc., by cheque #20230923, as per quote #020-23-1 for the cost of the Giroux Lighting project.

CARRIED

MUNICIPAL DELEGATE REPORTS

Municipal Silica Sand Advisory Committee - July 19, 2023 Update - Deputy Reeve Randy Eros
Tabled to In Camera.

UNFINISHED BUSINESS – None.

NOTICE OF MOTION / PETITIONS – None.

COMMITTEE MINUTES AND MATTERS – None.

DELEGATION(S) – None.

HEARINGS - 6:30 PM

Tabled until the scheduled Hearing time.

DEPARTMENT MANAGER REPORTS

Richer Fire Department Report - May and June 2023

Received as information.

BY-LAWS

By-Law #2023-02 - Noise By-law - 1st Reading

2023-372

Councillor Eros

Councillor Ingles

BE IT RESOLVED THAT By-law 2023-02, being a by law to regulate unnecessary and harmful noise, be given first reading as presented with the following amendments:

- that a warning be given on the 1st contact when enforcing a noise complaint;
- that acceptable decibel levels be included;
- that clause 4.a (reference to speak, shout, sing) be removed; and
- that the reference to snow clearing prohibition be removed from clause 5.c).

CARRIED

HEARINGS – 6:30 PM

The Legislative Officer reviewed the procedures for Public Hearings and confirmed that the notification requirements of the Planning Act have been met for all Hearings on the July 26, 2023, Council Meeting Agenda.

Subdivision #4175-21-8389 - Variation Order #09-23 - Dunn

2023-373

Councillor Eros

Councillor Ingles

BE IT RESOLVED THAT Council recess this regular meeting and go into public hearing for Variation Order #09-23 to vary the minimum site area requirements from 40 acres to 24.63 acres for the Residual Lot intended for Agriculture Use, as a condition of Subdivision File #4175-21-8389, at 38073 Dawson Road, RL 74-AN-3626, in an area zoned Rural Mixed & Rural Residential, at 6:36 pm.

CARRIED

The applicants, Robin and Le'Raine Dunn, were present but made no presentation.

Comments from the Department of Manitoba Transportation and Infrastructure were received expressing no concerns.

No presentations from members of the public were received.

OUT OF HEARING - SD #4175-21-8389 - VO #09-23 - Dunn

2023-374

Councillor Eros

Councillor Ingles

BE IT RESOLVED THAT the Hearing for Variation Order #09-23 be closed and that this meeting reconvene into regular session at 6:38 pm.

CARRIED

Subdivision #4175-22-8768 - Variation Order #10-23 - Plett

2023-375

Councillor Normandeau

Councillor Stolwyk

BE IT RESOLVED THAT Council recess this regular meeting and go into public hearing for Variation Order #10-23 to vary the following bulk requirements:

- Minimum site area from 80 acres to 38.05 acres;
- Minimum site width from 1000 feet to 373.605 feet

as a condition of Subdivision File #4175-22-8768, approving Resolution #2022-36, at 42152 Road 31E, NE 6-8-6E in an area zoned Agriculture, at 6:38 pm.

CARRIED

The applicants, Matthew and Tanya Plett, were not in attendance.

No presentations from members of the public were received.

OUT OF HEARING - SD #4175-22-8768 - VO #10-23 - Plett

2023-376

Councillor Eros

Councillor Normandeau

BE IT RESOLVED THAT the Hearing for Variation Order #10-23 be closed and that this meeting reconvene into regular session at 6:40 pm.

CARRIED

Variation Order #11-23 - Natural Proteins Inc

2023-377

Councillor Normandeau

Councillor Eros

BE IT RESOLVED THAT Council recess this regular meeting and go into public hearing for Variation Order #11-23 to vary the following bulk requirements to allow the temporary structure under Building Permit #54-23 to be used as an office:

- minimum front yard requirements for Agriculture activities from 125 feet to 100 feet;
- minimum side yard requirements for Agriculture activities from 25 feet to 12 feet

at 43019 PTH 12, SW 11-8-6E, in an area zoned Agriculture, at 6:40 pm.

CARRIED

The applicant, Ryan Dueck for Natural Protein Inc, made a presentation in favour of the proposal.

Comments from the Department of Manitoba Infrastructure and Transportation were received expressing no concerns other than compliance with their statutory requirements.

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

OUT OF HEARING - VO #11-23 - Natural Proteins Inc

2023-378

Councillor Normandeau

Councillor Waczko

BE IT RESOLVED THAT the Hearing for Variation Order #11-23 be closed and that this meeting reconvene into regular session at 6:43 pm.

CARRIED

Subdivision # 4175-23-8815 - Road Order #01-23 - Wery Lane - Troy Barkman

2023-379

Councillor Ingles

Councillor Stolwyk

BE IT RESOLVED THAT Council recess this regular meeting and go into public hearing for Road Order #01-23 and Subdivision File #4175-23-8815, proposing to create 17 residential lots (multi-units, duplexes, and single-units), 2 commercial lots, and 2 public reserve parcels, from the current 8.99-acre parcel held under CT #3194750/1, being Lot 5 Plan 47650, NW 16-8-8E, in an area zoned part Highway Commercial and part Residential in the Local Urban District of Richer; at 6:44 pm.

CARRIED

The applicants, Troy Barkman and Kathryn Huebner, made a presentation in favour of the proposal.

The Province of Manitoba's department of Community and Regional Planning's Report to Council dated May 23, 2023, was provided to Council. Comments from various provincial departments were made including the following elements, among others:

- waste water management
- lot sizes
- road maintenance
- zoning requirements
- lack of emergency exit route
- drainage

Comments from the TC Energy (Pipeline) were received, expressing no concerns with this proposal and outlining the general requirements for all future development within the vicinity of TC infrastructure.

Local Urban District of Richer Committee Resolution #LUD-2023-69 recommends Council grant conditional approval, with those recommended conditions outlined for Council's consideration.

Municipal Staff also raised the fact that Therrien Drive is built to residential standards rather than commercial/industrial, and that there are known drainage issues.

Sherree Burr made a written presentation in objection of the proposal.

Susan Giesbrecht made a written presentation expressing concerns with the proposal.

No other members of the public made presentations regarding the proposal.

OUT OF HEARING - SD # 4175-23-8815 - RO #01-23 - Troy Barkman

2023-380

Councillor Eros

Councillor Normandeau

BE IT RESOLVED THAT the Hearing for public hearing for Road Order #01-23 and Subdivision File #4175-23-8815 be adjourned to August 23, 2023, at 11:00 am, and that this meeting reconvene into regular session at 7:00 pm.

CARRIED

Conditional Use #08-23 - Composting - Overton Environmental Inc.

2023-381

Councillor Normandeau

Councillor Eros

BE IT RESOLVED THAT Council recess this regular meeting and go into public hearing for Conditional Use #08-23 to allow for the intensification of the composting operation by the addition of "Fish-Processing-By-Product" as accepted materials further to the previous Conditional Use File #04-15. at 40003 Road 41E, SW/NW 25-7-7E in an area zoned Natural Environment, at 7:00 pm.

CARRIED

The applicant, Dale Overton of Overton Environmental Enterprises Inc., made a presentation in favour of the proposal.

Marcel and Nicole Proteau made a presentation in objection of the proposal.

Lorne Joyce made a presentation in objection of the proposal.

Andre Beaudry made a presentation in objection of the proposal.

Janet Blatz made a presentation expressing concerns regarding the proposal.

Dan Zarichny made a presentation in favour of the proposal.

Denis Pelletier made a presentation in objection of the proposal.

No other members of the public made presentations regarding the proposal.

OUT OF HEARING - CU #08-23 - Composting - Overton Environmental Inc.

2023-382

Councillor Normandeau

Councillor Ingles

BE IT RESOLVED THAT the Hearing for Conditional Use #08-23 be adjourned to the August 23, 2023, regular meeting of Council at 11:00 am, and that this meeting reconvene into regular session at 7:44 pm;

BE IT FURTHER RESOLVED THAT all non-authorized materials stop being accepted immediately, or the original Conditional Use approval of Council may be revoked for non-compliance.

CARRIED

At 7:46 pm, Councillor Brad Ingles left the meeting.

Hearing Decision - SD #4175-21-8389 - VO #09-23 - Dunn

2023-383

Councillor Normandeau

Councillor Stolwyk

WHEREAS a Public Hearing was held for Variation Order #09-23 to vary the minimum site area requirements from 40 acres to 24.63 acres for the Residual Lot intended for Agriculture Use, as a condition of Subdivision File #4175-21-8389, approving Resolution #2023-11.

BE IT RESOLVED THAT Council approve Variation Order #09-23.

CARRIED

At 7:48 pm, Councillor Brad Ingles joined the meeting.

Hearing Decision - SD #4175-22-8768 - VO #10-23 - Plett

2023-384

Councillor Normandeau

Councillor Eros

WHEREAS a Public Hearing was held for Variation Order #10-23 to vary the following bulk requirements as a condition of Subdivision File #4175-22-8768, approving Resolution #2023-36 for the Residual Lot:

- a) Minimum site area from 80 acres to 38.05 acres
- b) Minimum site width from 1000 feet to 373.605 feet;

BE IT RESOLVED THAT Council approve Variation Order #10-23.

CARRIED

Hearing Decision - VO #11 -23 & BP #54-23 - Natural Proteins Inc

2023-385

Councillor Normandeau

Councillor Stolwyk

WHEREAS a Public Hearing was held for Variation Order #11-23, which sought to vary the following bulk requirements to allow a temporary structure under Building Permit #54-23 to be used as an office, at 43019 PTH #12, SW 11-8-6E, in an area zoned Agriculture:

- minimum front yard requirements for Agriculture activities from 125 feet to 100 feet;
- minimum side yard requirements for Agriculture activities from 25 feet to 12 feet

BE IT RESOLVED THAT Council approves Variation Order #11-23;

BE IT FURTHER RESOLVED THAT Building Permit #54-23 be approved as presented to Council, subject to the following conditions:

1. That there be full compliance with all of the requirements municipal by-laws including the Building Code enforced by the City of Steinbach inspectors.
2. That the office hours of the temporary structure shall align with the regular work hours of the main facility;
3. That the temporary building shall be removed within 24 months from the date of this approval; and
4. That the number of employees/users within the building shall comply with safety regulations.

CARRIED

BY-LAWS *(Continued)*

By-law #2023-13 - Municipal Zoning By-law - 1st Reading

2023-386

Councillor Normandeau

Councillor Ingles

BE IT RESOLVED THAT By-Law #2023-13, being the Municipal Zoning By-law, be given first reading as presented and amended as follows:

- that backyard beekeeping have no minimum site area requirement, be limited to 1 hive in the designated settlement centers, be a "Permitted" use in all zones other than business district zones;
- that the campground definition be amended to read no more than 180 consecutive days rather than 120;
- that "Public Parks, Playgrounds, Gardens and Historical Sites" be allowed in the RIC zone as a Conditional Use;
- that the definition of Hotels and Motels, and Bed and Breakfast, each have statements indicating that "this does not include" the other definitions in the same fashion as currently worded for the Short-term Rental definition;
- that the statement "this does not apply to onsite farm use storage" be added to the definition of "Anhydrous Ammonia Facility"

BE IT FURTHER RESOLVED THAT a Special Meeting of Council be held in the Young at Heart's Club Hall in Richer in order to hold the Public Hearing required for this Zoning By-law Review, with the date and time to be confirmed by Administration, pending logistical requirements.

CARRIED

By-law #2023-16 - Fire By-law - 1st Reading

Tabled to the next Committee of the Whole meeting.

By-law #2023-17 - Obstructions on Municipal Property By-law - 1st Reading

2023-387

Councillor Ingles

Councillor Eros

BE IT RESOLVED THAT By-Law #2023-17, being a by-law for the prevention and management of obstructions on municipal property, be given first reading as presented and amended as follows

- that a warning be given on the first contact when enforcing a complaint under this by-law.

CARRIED

By-law #2023-18 - Speed and School Zone By-law - 1st Reading

2023-388

Councillor Normandeau

Councillor Waczko

BE IT RESOLVED THAT By-Law #2023-18, being the Speed Limit and School Zone By-Law, be given first reading as presented.

CARRIED

NEW BUSINESS

Rail Safety Week

2023-389

Councillor Eros

Councillor Ingles

WHEREAS *Rail Safety Week* is to be held across Canada from September 18 to 24, 2023;

AND WHEREAS, 232 railway crossing and trespassing incidents occurred in Canada in 2022, resulting in 66 avoidable fatalities and 43 avoidable serious injuries;

AND WHEREAS, educating and informing the public about rail safety (reminding the public that railway rights-of-way are private property, enhancing public awareness of the dangers associated with highway rail grade crossings, ensuring pedestrians and motorists are looking and listening while near railways, and obeying established traffic laws) will reduce the number of avoidable fatalities and injuries caused by incidents involving trains and citizens;

AND WHEREAS Operation Lifesaver is a public/private partnership whose aim is to work with the public, rail industry, governments, police services, media and others to raise rail safety awareness;

AND WHEREAS CN has requested Council adopt this resolution in support of its ongoing efforts to raise awareness, save lives and prevent injuries in communities, including our municipality;

BE IT RESOLVED THAT Council support and proclaim the week of September 18 -24, 2023, as Rail Safety Week

CARRIED

PLANNING & DEVELOPMENT

Interim Construction Completion Certificate

2023-390

Councillor Eros

Councillor Ingles

WHEREAS current subdivision policies, being the Development Agreement and Municipal Service Standards, prevent building permits from being issued until the Construction Completion Certificate has been issued;

AND WHEREAS the Construction Completion Certificate initiates the commencement of a 1 year warranty period where the Developer must still maintain the planned area and repair any defects, if any, prior to the RM taking over the maintenance and repairs;

AND WHEREAS the Construction Completion Certificate can only be issued once all required work has been completed to the satisfaction of the Municipality;

AND WHEREAS erosion control is one of the conditions required to be satisfied, a condition which can take years to be successfully completed;

AND WHEREAS vegetation growth should not hinder the ability of new homes to be built in these new subdivisions where every other condition has been satisfied;

BE IT RESOLVED THAT Council authorize the Municipal Team, being the Designated Officers and Municipal Engineers, to grant Interim Construction Completion Certificates that would enable the release of building permits, but not initiate the commencement of the 1 year warranty period;

BE IT FURTHER RESOLVED THAT this Interim Construction Completion Certificate Policy be consolidated with the Municipal Service Standards upon its next revision.

CARRIED

Conditional Use #02-23 - Roger & Monique Bellerive - Development Agreement

2023-391

Councillor Waczko

Councillor Ingles

WHEREAS Council gave Conditional Approval to Conditional Use #02-23 by Resolution #2023-212, subject to a Development Agreement being entered into;

AND WHEREAS Administration has drafted said Development Agreement in keeping with Resolution #2023-212 of Council, with the Developer having reviewed and signed this Agreement;

BE IT RESOLVED THAT Council authorize the Reeve and CAO to ratify the Development Agreement for Conditional Use #02-23;

CARRIED

CONSENT AGENDA

2023-392

Councillor Normandeau

Councillor Ingles

BE IT RESOLVED THAT the consent agenda consisting of the following 6 items be adopted as circulated:

AMM - Various Correspondence

FCM - Various Correspondence

Emergency Management Organization

West Nile Virus Logs

Richer Community Club - Meeting Minutes

Richer Recreation Committee Minutes

CARRIED

IN CAMERA

2023-393

Councillor Waczko

Councillor Normandeau

BE IT RESOLVED THAT Council recess in order to meet as a Committee of the Whole, In Camera, at 9:10 pm, to discuss By-law Enforcement Matters, and Matters in Preliminary Stages under Section 152(3) of *The Municipal Act*.

CARRIED

Development Officer Hadiseh Bajelan left the meeting at 9:11 pm.

OUT OF CAMERA

2023-394

Councillor Eros

Councillor Normandeau

BE IT RESOLVED THAT this meeting reconvene into regular session at 9:15 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

ADJOURNMENT

2023-395

Councillor Eros

Councillor Stolwyk

BE IT RESOLVED THAT this regular meeting be adjourned at 9:16 pm.

CARRIED

NEXT MEETING(s)

Regular Day Meeting

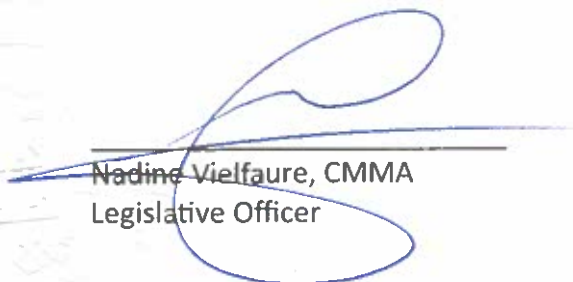
Regular Day Meeting

August 23, 2023 @ 9:00 am

September 13, 2023 @ 9:00 am



Richard Pelletier
Reeve



Nadine Vielfaure, CMMA
Legislative Officer