



**Council Meeting Minutes**  
**August 23, 2023 - 09:00 AM**

Regular Meeting of Council held in the Council Chambers of the Rural Municipality of Ste. Anne at 395 Traverse Road on August 23, 2023.

**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.

**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

**ADOPTION OF AGENDA**

2023-396

Councillor Normandeau

Councillor Waczko

BE IT RESOLVED THAT the agenda for the August 23, 2023, regular meeting be adopted as circulated and amended to add:

14.11 - RFP Procedures

17.1 - In Camera - Matters of Security

**CARRIED**

**ADOPTION OF MINUTES**

2023-397

Councillor Eros

Councillor Ingles

BE IT RESOLVED THAT the July 26, 2023, regular meeting minutes be adopted as circulated.

**CARRIED**

## **FINANCE**

### **Cheque Listing**

2023-398

Councillor Normandeau

Councillor Eros

BE IT RESOLVED THAT the following EFT payments & cheques numbered #20230956 – #20231108 (inclusive) in the amount of \$886,761.82 be approved for payment.

**CARRIED**

### **Financial Statements**

2023-399

Councillor Normandeau

Councillor Eros

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

**CARRIED**

### **Tax Penalty Request for Refund**

2023-400

Councillor Eros

Councillor Waczko

WHEREAS a written request has been received from the owner of Roll #137103.000 to reverse penalties imposed on this tax account due to outstanding supplemental taxes;

BE IT RESOLVED THAT Council deny this request.

**CARRIED**

### **Appointment of Auditor for 2023 Financial Year**

2023-401

Councillor Eros

Councillor Ingles

WHEREAS Section 184(1) of *The Municipal Act* requires Council to appoint an auditor by August 31<sup>st</sup> of each year;

AND WHEREAS Council's Resolution #2019-517 appointed Exchange Group as the Municipal Auditor from 2020 to 2025 inclusively;

BE IT RESOLVED that Council confirm that Exchange Group be appointed to audit the 2023 Financial Statements for the RM of Ste. Anne.

**CARRIED**

## **MUNICIPAL DELEGATE REPORTS**

**Richer Rodeo & Parade** - August 11, 12, & 13, 2023

**Northeast Red Watershed District Meeting** - Councillor Brad Ingles

Tabled to the next Committee of the Whole meeting.

**UNFINISHED BUSINESS** – None.

**NOTICE OF MOTION / PETITIONS** – None.

## COMMITTEE MINUTES AND MATTERS

### Committee of the Whole Meeting - August 15, 2023

2023-402

Councillor Ingles

Councillor Stolwyk

BE IT RESOLVED THAT the August 15, 2023, Committee of the Whole meeting minutes be adopted as circulated.

**CARRIED**

### Subdivision File #4175-22-8609 - Tschritter - Request to Waive Requirements

2023-403

Councillor Eros

Councillor Stolwyk

WHEREAS Council granted conditional approval to Subdivision File #4175-22-8609 on July 13, 2022, by Resolution #2022-337;

AND WHEREAS Council's conditions for this subdivision in the LUD of Richer, creating 11 new residential lots, included requirements for infrastructure (roads, drainage, pathways, street lighting, utilities, etc.) to be installed in accordance with the updated Municipal Service Standards, including the extension of Dallas Drive connecting onto Marquee Lane;

AND WHEREAS the Developer is requesting that the RM of Ste. Anne:

- assume partial cost of building all roads
- waive the requirement to build the road northward to provide for future connectivity
- not require the public reserve lands for the creation of a new public park
- not require the swales identified in the drainage plan created by the Developer's Engineers
- not require the pathway to be built

AND WHEREAS the LUD of Richer Committee briefly discussed this matter during their July 5, 2023, meeting and through their resolution #LUD-2023-71 recommended that Council uphold the requirements, but recommend a certain amount of financial compensation be given to the Developer for costs incurred to build the portion of Dallas Drive, and associated drains, outside of the Developer's owned lands;

AND WHEREAS the Committee of the Whole has made recommendations regarding this matter with their Resolution #CotW-2023-37;

BE IT RESOLVED THAT Council:

1. Authorize the LUD to fund the costs of development of the portion of Dallas Drive which is outside the planned area.
2. Require the 2 acres of Public Reserve lands as originally approved OR require a 0.5 acre parcel of land for a public reserve (park) with the balance Cash to be paid in Lieu of the full 10%, as per Policy #03-ADMIN, on condition that the 0.5 acre public reserve abuts the proposed Bauman's Ridge roadway on lot 6.
3. Require the Developer to build the roads and pathways within the planned area at their cost and to Municipal Standards.
4. Require the portion of Bauman's Ridge going North to the adjacent property, to be developed.
5. Require an easement agreement on lots 5 and 6 to allow for a possible future turnaround at the northern end of this public road currently proposed to be named Bauman's Ridge.
  - a. the construction of a turnaround will not be required on condition that the driveways of lots 5 and 6 be off of the southern property line.
6. Alternate drainage designs will be considered by Council provided they satisfy Municipal Standards.

**CARRIED**

**Subdivision File #4175-19-8195 - Tilstone Road - Geotechnical Report**

2023-404

Councillor Ingles

Councillor Eros

WHEREAS Council required a Geotechnical Report to determine basement suitability and establish minimum elevations for future homes as a condition of the Development Agreement, rather than a condition of subdivision approval, on File #4175-19-8195 creating Tilstone Road and Lots 1-10, Plan 69956, in SW 5-7-7E;

AND WHEREAS a Geotechnical Report was submitted to the Municipality and reviewed by the Municipal Engineer who recommends Council adopt the recommendations contained therein;

AND WHEREAS the Committee of the Whole recommends approval through their Resolution #CotW-2023-41;

BE IT RESOLVED THAT Council adopt the recommendations included in this report, in keeping with the Municipal Engineer's recommendations, and establish that:

1. that only shallow foundations such as footings be allowed; and,
2. that the foundation and weeping tiles (if applicable) of any structure shall be no lower than 0.8 m or 31" below grade.

**CARRIED**

**Ste. Anne Hospital Golf Tournament**

2023-405

Councillor Ingles

Councillor Stolwyk

BE IT RESOLVED THAT Council authorize a donation, out of available promotional items, to the Ste. Anne Hospital Golf Tournament Fundraiser, up to an aggregate value of \$200, in accordance with Committee of the Whole resolution #CotW-2023-46.

**CARRIED**

**Land Acquisition**

2023-406

Councillor Ingles

Councillor Stolwyk

BE IT RESOLVED THAT Council authorize Administration to pursue the land purchase as per Committee of the Whole Resolution #CotW-2023-47.

**CARRIED**

**DEPARTMENT MANAGER REPORTS - None**

**Town of Ste Anne - Fire Department Reports**

Received as information.

**Richer Fire Department Report**

Received as information.

**BY-LAWS**

**Building By-law #09-2017 - Fee Schedule Revision**

2023-407

Councillor Stolwyk

Councillor Waczko

WHEREAS the Committee of the Whole recommends updates to the Building By-law #09-2017 Fee Schedule through their Resolution #CotW-2023-43;

BE IT RESOLVED THAT Council adopt the revised Building By-law #2017-09 Fee Schedule "A" as presented.

BE IT FURTHER RESOLVED THAT the new rates be effective on October 1, 2023;

BE IT FURTHER RESOLVED THAT applications made prior to October 1, 2023, have until

November 1, 2023, to be finalized and paid under the previous fee schedule, or they will be subject to the new fee schedule;

BE IT FURTHER RESOLVED THAT the Development Permit fees for those applications needing Council approval, shall come into effect upon the enactment of the Zoning By-law #2023-13.

CARRIED

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

2023-408

Councillor Waczko

Councillor Stolwyk

WHEREAS the Committee of the Whole reviewed and amended the draft By-law #2023-16 and recommends 1st reading be done through their Resolution #CotW-2023-38;

BE IT RESOLVED THAT By-Law #2023-16, being a by-law to prevent and control fires within the RM of Ste. Anne, be given first reading and be further amended to include references to the General Enforcement By-law's offense notification process.

CARRIED

**By-law #2023-17 - Obstructions on Municipal Property By-law - 2nd Reading**

2023-409

Councillor Ingles

Councillor Eros

WHEREAS Committee of the Whole Resolution #CotW-2023-44 recommends giving 2nd and 3rd Readings to By-law #2023-17;

BE IT RESOLVED THAT By-Law #2023-17, being the Obstructions on Municipal Property By-law, be given second reading as presented.

CARRIED

**By-law #2023-17 - Obstructions on Municipal Property By-law - 3rd Reading**

2023-410

Councillor Normandeau

Councillor Waczko

WHEREAS Committee of the Whole Resolution #CotW-2023-44 recommends giving 2nd and 3rd Readings to By-law #2023-17;

BE IT RESOLVED THAT By-Law #2023-17, being the Obstructions on Municipal Property 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 #2023-18 - Speed and School Zone By-law - 2nd Reading**

2023-411

Councillor Normandeau

Councillor Waczko

WHEREAS Committee of the Whole Resolution #CotW-2023-45 recommends Council give 2nd and 3rd Reading to By-law #2023-18 as presented with the new inclusion of Road 36N (Loewen Blvd) at 70 km/h;

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

CARRIED

**By-law #2023-18 - Speed and School Zone By-law - 3rd Reading**

2023-412

Councillor Ingles

Councillor Waczko

WHEREAS Committee of the Whole Resolution #CotW-2023-45 recommends Council give 2nd and 3rd Reading to By-law #2023-18 as presented with the new inclusion of Road 36N (Loewen Blvd) at 70 km/h;

BE IT RESOLVED THAT By-Law #2023-18, being the Speed and School Zone 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 #2023-15 - LUD of Richer Special Service Levy - 1st Reading**

2023-413

Councillor Ingles

Councillor Eros

WHEREAS The LUD of Richer Committee passed Resolution #LUD-2023-58, recommending Council to approve the Special Service Levy By-Law #2023-15, including Special Service Proposal #2023-15;

BE IT REVOLED THAT By-Law #2023-15, being a by-law to establish a Special Service Levy for curbside garbage collection in the LUD of Richer, be given first reading as presented

**CARRIED**

**NEW BUSINESS**

**SRRWD Expansion Proposal 2023-24**

2023-414

Councillor Eros

Councillor Waczko

WHEREAS Manitoba has prepared an expansion proposal for the Seine Rat Roseau Watershed District that supports watershed based management in Manitoba, and outlines the details of municipal participation in the Seine Rat Roseau Watershed District;

AND WHEREAS the RM of Ste. Anne has met with Manitoba regarding the expansion proposal for the Seine Rat Roseau Watershed District;

AND WHEREAS Council of the RM of Ste. Anne understands that the amendment to the Watershed Districts Regulation will include the final details of participation in the Seine Rat Roseau Watershed District;

BE IT RESOLVED THAT the RM of Ste. Anne supports the proposed area of the RM of Morris forming part of the Seine Rat Roseau Watershed District in accordance with The Watershed Districts Act and Regulation.

**CARRIED**

**Province of Manitoba - Bulletin #2023-17, 18, 19 & 20**

Received as information.

**Manitoba Municipal Administrators - Member Update - Statement Regarding Lawsuit Against Former CAO**

Received as information.

### **Adoption of Strategic Plan 2023**

Tabled to the next Committee of the Whole meeting.

### **Cybersecurity Audit**

2023-415

Councillor Ingles

Councillor Stolwyk

WHEREAS Cyber-attacks and associated cyber threats have become more common and have targeted several Municipalities in Manitoba;

AND WHEREAS the AMM has partnered with Bloom Software Co. to offer Cybersecurity Audits to Municipal Members;

BE IT RESOLVED THAT Council authorize Administration to engage in a Cybersecurity Audit with Bloom Software Co. at an estimated cost of \$2,000, plus taxes.

BE IT FURTHER RESOLVED THAT as a result of a change in business name, Council authorize payment for the Cybersecurity Audit to be made to Blueshift Software Innovations Inc.

**CARRIED**

### **40E / 46N Frost Boil Repairs**

2023-416

Councillor Eros

Councillor Normandeau

WHEREAS, as part of the 2023 Financial Plan, Council approved Frost Boil repairs on Roads 40E and 46N to a total sum of \$10,000;

AND WHEREAS the extent of the work was greater than expected due to the condition of the two roads, leading to a project total cost of \$21,000.00;

BE IT RESOLVED THAT Council approve the project overage, with the extra amount to come from the Public Works operating budget.

**CARRIED**

### **Manitoba Southeast Commerce Group Golf Tournament**

See Resolution #2023-436 below.

### **Intermunicipal Meeting**

2023-417

Councillor Eros

Councillor Waczko

WHEREAS Members of Council attended an intermunicipal meeting with the Town of Ste. Anne on July 12th, 2023;

BE IT RESOLVED THAT Council authorize all associated costs in relation to the July 12th, 2023, intermunicipal meeting.

**CARRIED**

### **Employee Professional Membership**

2023-418

Councillor Ingles

Councillor Stolwyk

WHEREAS The Manitoba Professional Planners Institute is an organization that provides ongoing learning opportunities, planning resources and professional accreditation to those working in the planning field;

AND WHEREAS full Registered Professional Planner Membership would allow for access to planning specific training and resources that would be available to the Development team with the Municipality.

BE IT RESOLVED THAT Council approve the annual Registered Professional Planner membership to the Manitoba Professional Planner Institute, including all associated fees not to exceed \$500, for the Municipal Development Officer.

**CARRIED**

**Gravel Work**

2023-419

Councillor Eros

Councillor Stolwyk

BE IT RESOLVED THAT Council authorize an additional maximum of \$7,000.00 to complete gravel work required as part of the Highway #1E Service Road asphaltting project in the LUD of Richer to be funded out of the At Large Gas Tax Reserve.

**CARRIED**

**Asset Acquisition Procedures**

Administration to investigate.

At 9:59 am, Development Officer Hadiseh Bajelan joined the meeting.

**PLANNING & DEVELOPMENT**

**Development Permit #88-23 - Home Industry: Waste Management (Vehicle Storage and Repair) 36121 Road 39E**

2023-420

Councillor Ingles

Councillor Waczko

BE IT RESOLVED THAT Council approve Development Permit #88-23 for a Home Industry, to build a shop to accommodate the parking and light maintenance of 7 trucks used in the Waste Management Operation "GMD Waste Management", located at 36121 Road 39E, NW 3-7-7E, in an area zoned Rural Mixed, as described in the submitted letter of intent and on the following conditions:

1. The operation/shop must adhere to all Zoning By-law Policies, including those specifically applicable to a Home Industry.
2. That a designated truck route, approved by the Municipality, be required.
3. That any damages due to contractor use on the designated route on municipal roads be repaired at the expense of the applicant/owner.
4. That no vehicles used for business purposes be parked on the municipal road allowance at any time.
5. Compliance with all non-truck routes and weight restrictions is mandatory at all times.
6. The total number of trucks kept on the premises must not exceed 9.
7. The number of employees engaged in the operation must not exceed 5 personnel.
8. Maintenance activities such as truck servicing, oil changes, or any actions impacting the environment and generating noise must be conducted within the confines of the shop.
9. Any maintenance tasks generating noise should only occur indoors between the hours of 9 AM to 6 PM.
10. The applicant is required to obtain a Building Permit for the construction of the shop.
11. That there be no waste and/or recycling materials stored onsite or in the vehicles for more than 24 hours;
12. That the vehicles used for business purposes be stored out of public view at all times.

**CARRIED**

**RM of Tache Zoning By-law #2017-10**

Received as information.

**Conditional Use #06-23 - Johann & Marianne Reger - Development Agreement**

2023-421

Councillor Waczko

Councillor Stolwyk

WHEREAS Council approved Conditional Use #06-23 for a Home Occupation, being a car dealership, on condition that a Development Agreement be entered into establishing terms and conditions regarding this operation;

AND WHEREAS administration and the Developer have agreed to the draft terms and conditions

as presented to Council;

BE IT RESOLVED THAT Council authorize the Reeve and CAO to ratify the Development Agreement with Johann and Marianne Reger as it pertains to Conditional Use #06-23.

**CARRIED**

**Subdivision File #4175-21-8389 - Dunn - Development Agreement Approval**

2023-422

Councillor Eros

Councillor Ingles

WHEREAS Council approved Subdivision File #4175-21-8389 on condition that a Development Agreement be entered into;

AND WHEREAS administration and the Developer have agreed to the draft terms and conditions as presented to Council;

BE IT RESOLVED THAT Council authorize the Reeve and CAO to ratify the Development Agreement as presented as it pertains to Subdivision File #4175-21-8389.

**CARRIED**

**CONSENT AGENDA**

2023-423

Councillor Ingles

Councillor Stolwyk

BE IT RESOLVED THAT the consent agenda consisting of the following 8 items be adopted as circulated:

- AMM - Various Correspondence

- FCM - Various Correspondence

- West Nile Virus Logs

- Manitoba Association of Watersheds

- Manitoba Emergency Management Organization

- Environment and Climate Change Canada

- Multi-Material Stewardship Manitoba

- Climate West

**CARRIED**

Council recessed from 10:09 am to 10:30 am.

**DELEGATION(S)**

At 10:30 am, Marcel Jodoin, of Smith Neufeld Jodoin LLP, joined the meeting with Jeff Bell, hydrogeological engineer with Friesen Drillers, to discuss the requirement for a Geotechnical report for subdivision file #4175-21-8534 with Council and request Council accept the submitted hydrogeological report.

Council tabled this request to the next Committee of the Whole meeting.

At 10:57 am, Council recessed for 3 minutes.

**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 August 23, 2023, Council Meeting Agenda.

**IN HEARING - VO#12-23 - Laurin - Polydome shelter**

2023-424

Councillor Normandeau

Councillor Ingles

BE IT RESOLVED THAT Council recess this regular meeting and go into public hearing at 11:05 am, for Variation Order #12-23 to vary the following bulk requirements for the existing Polydome shelter under proposed Building Permit application #87-23:

- a) minimum east side yard requirement from 25 feet to 14 feet;
- b) minimum rear yard requirement from 25 feet to 8 feet.

at 38147 Dawson Road (PR207), Lot 5 Block 1 Plan 14650, NE 16-8-7E, in an area zoned General Development.

**CARRIED**

Comments from the Provincial Department of Manitoba Transportation and Infrastructure were received.

No presentations from members of the public were received.

**OUT OF HEARING - VO#12-23 - Laurin - Polydome shelter**

2023-425

Councillor Ingles

Councillor Stolwyk

BE IT RESOLVED THAT the Hearing for Variation Order #12-23 be closed at 11:07 am, and that this meeting reconvene into regular session.

**CARRIED**

**IN HEARING -CU #09-23 - VO #13-23 - Deane Harrison - Rail car storage container**

2023-426

Councillor Normandeau

Councillor Eros

BE IT RESOLVED THAT Council recess this regular meeting and go into public hearing at 11:08 am, for Conditional Use Order #09-23 to permit a "Rail Car Storage Container" to be moved onto the site, and Variation Order #13-23 to vary the minimum site area requirement from 10 acres to 6.82 acres to allow a "Rail Car Storage Container" on site, at NE 15-8-7E, in an area zoned Rural Residential.

**CARRIED**

Comments from the Provincial Department of Manitoba Transportation and Infrastructure were received.

Lee Johnson made a written presentation providing comments regarding the proposal.

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

**OUT OF HEARING - CU #09-23 - VO #13-23 - Deane Harrison - Rail car storage container**

2023-427

Councillor Ingles

Councillor Stolwyk

BE IT RESOLVED THAT the Hearing for Conditional Use Order #09-23 and Variation Order #13-23 be closed at 11:12 am, and that this meeting reconvene into regular session.

**CARRIED**

**IN HEARING - SD # 4175-23-8815 - RO #01-23- Troy Barkman**

2023-428

Councillor Stolwyk

Councillor Normandeau

WHEREAS the Public Hearing for Subdivision File #4175-23-8815 and Road Order #01-23 held on July 26, 2023, was adjourned in order to allow for more information to be presented to Council;

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 11:12 am.

**CARRIED**

The applicant, Troy Barkman, made a further presentation in favour of the proposal.

Provincial Environment Officer Justin Paille was in attendance in order to answer any questions from member of Council and the public regarding onsite waste water management requirements under the Environment Act.

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

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

2023-429

Councillor Ingles

Councillor Waczko

BE IT RESOLVED THAT the Hearing for Road Order #01-23 and Subdivision File #4175-23-8815 be closed and that this meeting reconvene into regular session at 11:32 am.

**CARRIED**

**IN HEARING - CU #08-23 - Composting - Overton Environment Inc.**

2023-430

Councillor Eros

Councillor Normandeau

WHEREAS the Public Hearing for Conditional Use #08-23 held on July 26, 2023, was adjourned in order to allow for more information to be presented to Council;

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 11:32 am.

**CARRIED**

The applicant, Dale Overton of Overton Environmental Enterprises Inc., was not in attendance.

Provincial Environment Officer Justin Paille was in attendance in order to answer any questions from member of Council and the public regarding onsite Environment Act requirements

Further written communication from Dale Overton was presented.

Marcel Proteau added to their previous presentation in objection to the proposal.

Janet Blatz added to their previous presentation in objection to the proposal.

Andre Beaudry added to their previous presentation in objection to the proposal.

A summary of points for consideration prepared by Administration was presented.

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

**OUT OF HEARING - CU #08-23 - Composting - Overton**

2023-431

Councillor Eros

Councillor Normandeau

BE IT RESOLVED THAT the Hearing for Conditional Use #08-23 be closed and that this meeting reconvene into regular session at 12:02 pm.

**CARRIED**

Council recess for lunch from 12:03 pm, to 12:58 pm.

**Hearing Decision - VO#12-23 - Laurin - Polydome shelter**

2023-432

Councillor Eros

Councillor Ingles

WHEREAS a Public Hearing was held for Variation Order #12-23 to vary the following bulk requirements for the existing Polydome shelter under proposed Building Permit application #87-23:

- a) minimum east side yard requirement from 25 feet to 14 feet;
- b) minimum rear yard requirement from 25 feet to 8 feet.

BE IT RESOLVED THAT Council approve Variation Order #12-23 on condition that all of the requirements of proposed Permit #87-23 are met.

**CARRIED**

**Hearing Decision - CU #09-23 - VO #13-23 - Deane Harrison - Rail car storage container**

2023-433

Councillor Eros

Councillor Ingles

WHEREAS a Public Hearing was held for Conditional Use Order #09-23 to permit a "Rail Car Storage Container" to be moved onto the site, and Variation Order #12-23 to vary the minimum site area requirement from 10 acres to 6.82 acres to accommodate said container;

BE IT RESOLVED THAT Council approves Conditional Use Order #09-23 and Variation Order #13-23, on condition that a Development Agreement be entered into addressing the following:

1. The applicant is required to initiate the physical construction of a permanent dwelling within 12 months from the date of issuance of this approval.
2. That the container is intended for temporary use until the developer constructs the main building. After that, it can serve as a permanent accessory structure provided this is otherwise compliant with municipal requirements.
3. The designated location for the container must be within the rear yard of the permanent building.
4. That the exterior design of the container should be clean and compatible with the surrounding neighborhood and kept in good repair.
5. The container should comply with zoning by-law requirements, including site setback requirements.
6. The applicant is responsible for submitting all necessary development permit applications as required.
7. The storage of hazardous materials within the Rural Residential area using the container is strictly prohibited.
8. The container is approved only for storage purposes that are in compliance with the approved use. Any other uses require the applicant to apply for the appropriate development permit.
9. That proof of a shared driveway agreement, or other legal access provisions, be submitted to the Municipality.
10. The applicant is expected to adhere to all relevant federal and provincial regulations, including those established by Manitoba Transportation and Infrastructure.

**CARRIED**

**Hearing Decision - SD #4175-23-8815 - RO #01-23- Wery Lane - Tory Barkman**

2023-434

Councillor Eros

Councillor Ingles

WHEREAS a Public Hearing was held for Road Order #01-23 and Subdivision File #4175-23-8815 proposing to create 17 residential lots (multi-unit, duplex, and single-unit), 2 commercial lots, and 2 public reserve parcels, from an 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;

AND WHEREAS THE LUD of Richer Committee recommends Council grant conditional approval to this application;

BE IT RESOLVED that Council approve Subdivision File #4175-23-8815 on the following conditions:

1. That the developer provide a geotechnical report prepared by a geotechnical engineer including information on the soil stratigraphy, groundwater elevation, maximum recommended depth of excavation, soil strength, and recommendations on foundation design requirements and recommended construction methodology, for all newly created building lots, with test holes to be located where a future home can be generally expected to be placed;
2. That the developer provide an engineered road and drainage plan, including a pathway on one side of the proposed new roads, in accordance with Municipal Standards;
3. That an engineered plan, designed to allow sufficient onsite parking on each lot, and establishing a setback requirement suitable to allow for septic tank setbacks and future sewer connectivity be provided to the Municipality for review and approval, and be included in the Development Agreement;
4. That any required easements be provided to the Municipality in form of Easement Agreements;
5. That the property owner enter into a development agreement with the Municipality addressing the required geotechnical report requirements as well as the construction of municipal services (roads, drains, pathways, etc.), street lighting, and building restrictions on proposed lot 10 to enable future subdivision of the land when municipal services are available, fencing along the west property line, provisions for connections to future sewer systems, among others;
6. That the owner provide the Municipality with a plan to address the Emergency Access concerns raised in the Provincial Report to Council in accordance with Section 5 of the Subdivision Regulation. Said Plan to be reviewed and approved by the Municipality, and included in the Development Agreement;
7. That the required Zoning by-law amendment be obtained, rezoning proposed lots 1 and 19 from "HC" Highway Commercial Zone to "GC" General Commercial Zone;
8. That the developer provide a copy of the Plan of Subdivision, a Building Location Certificate, and the area of each lot in acres, prepared by a Manitoba Land Surveyor;
9. That Road Name "Wery Lane" be included on the Plan of Subdivision;
10. That the applicant obtain any necessary variations and pay the associated variation order fees;
11. That the subdivision administrative fee of \$1,100 be required in accordance with By-Law 07-2011;
12. That a lot levy of \$1,500.00 per parcel created be required for a total \$27,000.00
13. That \$2,041.40 be paid to the Municipality in lieu of public reserve or school lands, and the 2 Proposed lots be designated a public reserve for municipal greenspace, to be developed at a later date, in accordance with Section 136(1) of *The Planning Act* and Policy #03-ADMIN. Should design plans change, then the allocation between cash and lands may be revised, provided the 10% allocation for public reserve purposes is met under this Policy;
14. That a Right-of-Way Easement Agreement along the west boundary of proposed lot 10 be entered into in the event that a future pathway be built at that location.
15. That any engineered and/or legal document pertaining to this subdivision may be reviewed by the municipal engineer and/or lawyer; and
16. That all costs, including any legal and engineering costs incurred by the Municipality due to this subdivision, are to be borne by the applicant.

**CARRIED**

**Hearing Decision - CU #08-23 - Composting - Overton Environment Inc.**

2023-435

Councillor Ingles

Councillor Stolwyk

WHEREAS Conditional Use File #04-15 was approved by Council Resolution #173-15 on April 8, 2015, on the following conditions:

1. That only the following materials shall be composted on the above mentioned property:
  - a) Dry and wet potato waste from J.R. Simplot;
  - b) Grass cuttings and green plant material;
  - c) Horse manure and straw from Assiniboia Downs;
  - d) Wood chips; and
  - e) Waste feeds from Master Feeds;

2. That all truck traffic resulting from the composting operation is to travel south of the property and along PR311 west; and
3. That the applicable Environment Act License be submitted to the Municipality upon issuance.

AND WHEREAS a Public Hearing was held 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 previously approved Conditional Use File #04-15, on a property located at 440003 Road 41E, SW/NW 25-7-7E, in an area zoned Natural Environment; BE IT RESOLVED THAT Council deny Conditional Use Order #08-23, being the intensification of the existing composting operation with the addition of fish heads as an accepted composting material.

**CARRIED**

At 1:50 pm, Development Officer Hadiseh Bajelan left the meeting.

#### **Southeast Commerce Group Golf Tournament**

2023-436

Councillor Eros

Councillor Stolwyk

WHEREAS the Southeast Commerce Group, of which the RM of Ste. Anne is not a member, will be hosting a golf tournament on September 21, 2023, at Oakwood Golf Course in the RM of Ste. Anne;

BE IT RESOLVED THAT the Municipality be authorized to register a team for this event at a cost of \$300, plus all associated costs as per policies.

**CARRIED**

#### **IN CAMERA**

2023-437

Councillor Waczko

Councillor Ingles

BE IT RESOLVED THAT Council recess in order to meet as a Committee of the Whole, In Camera, at 1:55 pm to discuss Personnel Matters, and By-law Enforcement Matters under Section 152(3) of *The Municipal Act*.

**CARRIED**

At 2:14 pm, Chief Administrative Officer Mike McLennan left the meeting during the discussions regarding his annual performance evaluation, returning to the meeting at 2:22 pm.

#### **OUT OF CAMERA**

2023-438

Councillor Ingles

Councillor Eros

BE IT RESOLVED THAT this meeting reconvene into regular session at 2:23 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 Professional Development**

2023-439

Councillor Eros

Councillor Ingles

BE IT RESOLVED THAT Council authorize the CAO to enter into an agreement with a municipal employee outlining the terms and conditions to allow for professional development, as discussed in camera.

**CARRIED**

**CAO Annual Performance Evaluation**

2023-440

Councillor Ingles

Councillor Stolwyk

BE IT RESOLVED THAT Council authorize Councillor Normandeau and Reeve Pelletier/Councillor Eros to conduct the annual performance review for the Chief Administrative Officer, including any associated costs.

**CARRIED**

**ADJOURNMENT**

2023-441

Councillor Waczko

Councillor Ingles

BE IT RESOLVED THAT this regular meeting be adjourned at 2:24 pm.

**CARRIED**

**NEXT MEETING(s)**

Regular Day Meeting

Regular Evening Meeting

September 13, 2023 @ 9:00 am

September 27, 2023 @ 6:00 pm

  
\_\_\_\_\_  
Richard Pelletier  
Reeve  
\_\_\_\_\_  
Mike McLennan  
Chief Administrative Officer