

THE MUNICIPAL BOARD OF MANITOBA

1144-363 Broadway ▪ Winnipeg, Manitoba ▪ R3C 3N9

July 6, 2023

Honourable Andrew Smith
Minister of Municipal Relations
Room 317 - Legislative Building
450 Broadway
Winnipeg MB R3C 0V8

Dear Minister:

In accordance with Section 106 of *The Municipal Board Act*, I am pleased to submit the Annual Report of The Municipal Board for the year ending December 31, 2022.

Yours Respectfully,



Diane Stasiuk
Vice-Chair

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MESSAGE FROM THE EXECUTIVE

On behalf of The Municipal Board, we are pleased to present the 2022 Annual Report for the year ending December 31, 2022.

The Municipal Board is established under and operates in accordance with *The Municipal Board Act*. Section 106(1) of the *Act* requires the Board, on or before March 1 in each year, to transmit to the Minister a report for the year ending December 31 of the previous year.

In addition to the Chair and Vice-Chair, the number of Board members at large as of December 31, 2022 is 18. The Board's duties and responsibilities are assigned to it under 17 different Acts of the Legislature. For your ease of reference, a consolidated summary of the Board's 2022 activities is located on page 8. The main areas of the Board's jurisdiction include planning appeals and referrals under *The Planning Act* and *City of Winnipeg Charter* as well as Assessment Appeals under *The Municipal Assessment Act*, the bulk of which are assessments of properties in The City of Winnipeg.

In 2022, the Board experienced significant operational challenges following the October 29, 2021, amendments to *The Planning Act* and *City of Winnipeg Charter*. The amendments expanded the Board's mandate to hear new planning appeal and referral matters, including for properties in the City of Winnipeg. The amendments also include rigorous timelines for the Board to complete a planning hearing and then make either a decision and order, or a report and recommendation. To help meet these deadlines, the Board conducted an internal review of its planning protocols to see where improvements could be made. The Board looks forward to the implementation of new planning rules and procedures which will help guide and streamline planning processes to improve service delivery to stakeholders.

This past year, the Board also saw an increase in Borrowing By-laws under *The Municipal Act*. Board Members also participated in Assessment Appeal case management and mediation conferences, resulting in the successful resolution of hundreds of assessment appeals. In addition to assessment appeals and planning matters, the Board adjudicated a number of contested hearings on various other types of matters, including water rights appeals, ward boundaries, and capital financing applications.

As a quasi-judicial tribunal, the Board is governed by the laws of natural justice that require, among other things, the fair and equal treatment of all parties. The Board ensures that it provides service to municipalities and the public at-large in a fair, transparent and professional manner through consistent review of, and updates to, its policies and procedures, its commitment to providing all documents in both official languages, and responding to all public enquiries in a timely and efficient manner.

In response to the ongoing COVID-19 pandemic, the Board continued to make operational adjustments, conducting a number of matters through tele-conferencing and virtual platforms. Though not without challenges, the Board carried out its demanding workload while maintaining high level service, quality and transparency in its processes and decision-making.

In closing, we wish to thank Board Members, staff, government departments, municipalities and the members of the public for supporting the Board's journey of continuous improvement.

Diane Stasiuk, Vice-Chair
Erin Wills, Secretary/Chief Administrative Officer

MESSAGE DE L'ÉQUIPE DE DIRECTION

Au nom de la Commission municipale, nous avons l'honneur de vous présenter le rapport annuel 2022 pour l'exercice se terminant le 31 décembre 2022.

La Commission municipale est établie et exerce ses activités en vertu de la Loi sur la Commission municipale. Le paragraphe 106(1) de la Loi exige que la Commission transmette au plus tard le 1^{er} mars de chaque année au ministre responsable un rapport sur l'exercice terminé le 31 décembre de l'année précédente.

Outre le président et le vice-président, le conseil d'administration comptait 18 membres au 31 décembre 2022. Les fonctions et responsabilités de la Commission lui sont conférées par 17 lois adoptées par l'Assemblée législative. À des fins de référence, vous trouverez en page 8 de ce rapport un sommaire consolidé des activités entreprises par la Commission en 2022. Les principaux domaines de compétence de la Commission comprennent les appels et les renvois en matière d'aménagement en vertu de la Loi sur l'aménagement du territoire et de la *Charte de la Ville de Winnipeg* ainsi que les appels en matière d'évaluation en vertu de la Loi sur l'évaluation municipale, dont la majeure partie visent des évaluations de propriétés sur le territoire de la Ville de Winnipeg.

En 2022, la Commission a été confrontée à des défis considérables au plan opérationnel à la suite des modifications apportées le 29 octobre 2021 à la Loi sur l'aménagement du territoire et à la Charte de la Ville de Winnipeg. Les modifications ont eu pour effet d'élargir le mandat de la Commission pour entendre de nouveaux types de causes en matière d'appels et de renvois, notamment en ce qui concerne les propriétés sur le territoire de la Ville de Winnipeg. Les modifications prévoient également des délais rigoureux pour la Commission lorsqu'elle tient une audience de planification, puis rend une décision et une ordonnance, ou produit un rapport et une recommandation. Pour satisfaire à ces nouveaux délais, la Commission a procédé à un examen interne de ses protocoles d'appel en matière d'aménagement pour déterminer les améliorations à apporter. La Commission se réjouit à l'idée de mettre en œuvre de nouvelles règles et procédures d'aménagement qui aideront à orienter et à rationaliser les processus d'aménagement afin d'améliorer la prestation des services aux parties intéressées.

Au cours de la dernière année, la Commission a également constaté une augmentation des règlements administratifs sur les emprunts en vertu de la Loi sur les municipalités. Les membres de la Commission ont également participé à des conférences de gestion de cas d'appel d'évaluation et de médiation, ce qui a permis de régler des centaines d'appels d'évaluation. En plus des appels en matière d'évaluation et d'aménagement, la Commission a statué sur plusieurs causes contestées portant sur divers types d'enjeux, notamment des appels relatifs aux droits d'utilisation de l'eau, les limites des quartiers et des demandes de financement d'immobilisations.

En tant que tribunal quasi judiciaire, la Commission est régie par les règles de justice

naturelle, qui exigent, entre autres choses, le traitement juste et équitable de toutes les parties. Afin d'offrir ses services aux municipalités et au grand public d'une manière équitable, transparente et professionnelle, la Commission examine régulièrement, à des fins de mise à jour, ses politiques et procédures ainsi que son engagement à fournir tous les documents dans les deux langues officielles. Elle veille également à répondre aux questions du grand public dans les meilleurs délais et le plus efficacement possible.

En réponse à la pandémie de COVID-19 qui sévit, la Commission a continué d'apporter des ajustements opérationnels en pilotant un certain nombre de dossiers au moyen de téléconférences et de plateformes virtuelles. Malgré les défis, la Commission s'est acquittée de sa lourde charge de travail tout en maintenant un service de haut niveau, ainsi qu'un degré élevé de qualité et de transparence dans ses processus et sa prise de décisions.

Pour finir, nous souhaitons remercier les membres et le personnel de la Commission ainsi que les ministères, les municipalités et le grand public pour le soutien qu'ils offrent à la Commission dans son objectif d'amélioration constante.

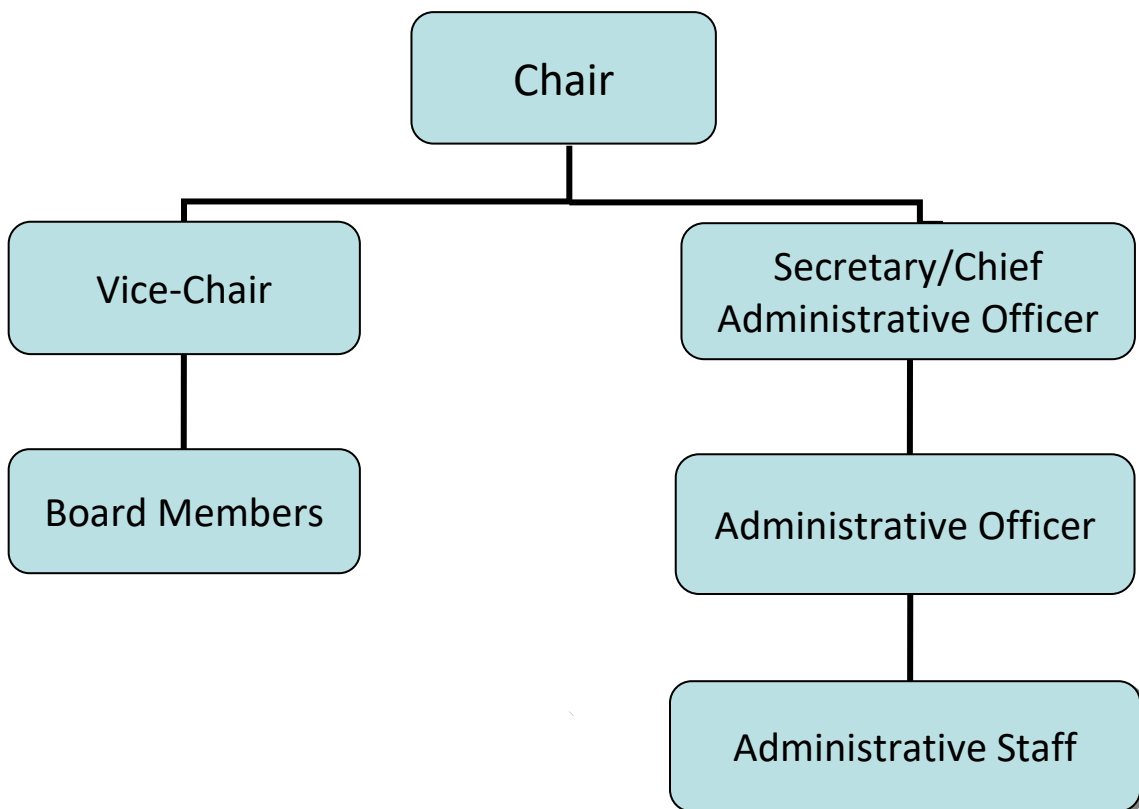
Diane Stasiuk, vice-présidente

Erin Wills, secrétaire et directrice générale de l'administration

THE MUNICIPAL BOARD - ORGANIZATION CHART

*Note Administrative staff support two other Tribunals (Land Value Appraisal Commission and Disaster Assistance Appeal Board).

2022



THE MUNICIPAL BOARD OF MANITOBA

ROLE

Section 15(2) of The Municipal Board Act states:

“The board shall sit at such times and places within the province as the chairman may designate; and it shall conduct its proceedings in such manner as may seem to it most convenient for the speedy and effectual dispatch of business”.

MISSION STATEMENT

To deal with matters that come before the Board in a fair, impartial and timely manner.

GOALS

- To process appeals, applications and referrals as expeditiously as possible.
- To conduct hearings in accordance with legislative procedures and natural justice for all parties involved.
- To render readable, reliable and quality decisions in a timely manner.
- To communicate with the general public on the role of the Board and the appeal process.
- To review and update Board policies and procedures to ensure service is provided in a timely manner and in accordance with the applicable legislation.
- To review and update administrative procedures.

THE MUNICIPAL BOARD OF MANITOBA

Jeff Bereza, Chair
Diane Stasiuk, Vice Chair

MEMBERS (2022)

Margaret Bonekamp, St. Georges	Nelson Karpa, Winnipeg
Rick Borotsik, Brandon	Brenda Loewen, Winnipeg
Hazel M Borys, Winnipeg	Steven Lupky, Winnipeg
Jason Delaurier, Swan River	Dan McInnis, Headingley
Doug Dobrowolski, Domain	John (Hugh) McMorrow, Winnipeg
Chris Fulsher, Hnausa	George Orle, K.C., Winnipeg
Chris Goertzen, Steinbach	Tom Raine, Winnipeg
Tammy Harper, Winnipeg	Frances Smee, Winnipeg
Shelley Hart, East St. Paul	Barry Todd, Winnipeg
Amit Kapoor, Winnipeg (revoked October 5, 2022)	

Erin Wills / Shelley Jensen*, Secretary/Chief Administrative Officer

ADMINISTRATIVE STAFF (2022)

Administrative Officer	Charity Leonard**
Acting Administrative Officer	Sharon Andrews
Administrative Secretary	Edralyn Cudia
Administrative Secretary	Elissa Hohler*
Administrative Secretary	Roberta Hudson*
Administrative Secretary	Anna Mardechaev Namir
Administrative Secretary	Elaine Pociuk*
Administrative Secretary	Idowu Olakunle Popoola
Administrative Secretary	MD Rokibujjaman Sabuj
Administrative Secretary	Brandy Johnson*

Note for Administrative Staff:

*Resigned / Retired in 2022

**On leave

Administrative Staff numbers fluctuated between 2 and 8 due to vacancies.

Summary of Applications, Appeals, and Referrals (2021 & 2022)

Consolidated Summary of Activity

A summary of all Applications, Appeals, and Referrals set forth on pages 9 to 36 excluding pages 18 and 19.

APPLICATIONS, APPEALS AND REFERRALS RECEIVED	2021	2022
Applications, Appeals and Referrals Outstanding as at January 1 st	2565	1865
New Applications, Appeals and Referrals Received	83	624
Total	2648	2489

APPLICATIONS, APPEALS AND REFERRALS DISPOSED	2021	2022
Applications Approved and Appeals Allowed/Granted	568	405
Applications Rejected and Appeals Dismissed/Rejected	5	18
Applications Referred Back to Council for Further Consideration	0	0
Reports and Recommendations Submitted		5
Orders Revised	0	0
Applications, Appeals and Referrals Withdrawn and/or Closed	184	129
	24	11
Total	781	568

APPLICATIONS, APPEALS AND REFERRALS OUTSTANDING AS AT DECEMBER 31ST	1865	1921
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Municipal Act, C.C.S.M. c. M225

Applications to amalgamate two or more municipalities or for the annexation by a municipality of land from another municipality: Section 34

APPLICATIONS OUTSTANDING AND RECEIVED	2021	2022
Applications Outstanding as at January 1 st	2	2
Applications Received	0	2
Total	2	4

APPLICATIONS DISPOSED	2021	2022
Reports and Recommendations Submitted to the Minister of Municipal Relations	0	1
Applications Withdrawn and/or Closed	0	0
Total	0	1

APPLICATIONS OUTSTANDING AS AT DECEMBER 31ST	2	3
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Municipal Act, C.C.S.M. c. M225

Applications for approval of Borrowing By-laws: Section 172 et seq.

- Includes Leasing and Financial Agreements

APPLICATIONS OUTSTANDING AND RECEIVED	2021	2022
Applications Outstanding as at January 1 st	0	0
Applications Received	27	32
Total	27	32

APPLICATIONS DISPOSED	2021	2022
Applications Approved	27	37
Applications Rejected	0	0
Applications Withdrawn and/or Closed	0	0
Total	27	32

APPLICATIONS OUTSTANDING AS AT DECEMBER 31ST	0	0
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Municipal Act, C.C.S.M. c. M225

*Applications for approval of By-laws respecting Local Improvements:
Sections 311 & 320*

APPLICATIONS OUTSTANDING AND RECEIVED	2021	2022
Applications Outstanding as at January 1 st	3	5
Applications Received	38	24
Total	41	29

APPLICATIONS DISPOSED	2021	2022
Applications Approved	34	26
Applications Rejected	0	0
Applications Withdrawn and/or Closed	2	1
Total	36	27

APPLICATIONS OUTSTANDING AS AT DECEMBER 31ST	5	2
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Municipal Act, C.C.S.M. c. M225

Applications for approval of By-laws respecting Special Services: Sections 312 & 320

APPLICATIONS OUTSTANDING AND RECEIVED	2021	2022
Applications Outstanding as at January 1 st	2	7
Applications Received	46	31
Total	48	38

APPLICATIONS DISPOSED	2021	2022
Applications Approved	40	37
Applications Rejected	0	0
Applications Withdrawn and/or Closed	1	0
Total	41	37

APPLICATIONS OUTSTANDING AS AT DECEMBER 31ST	7	1
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Municipal Act, C.C.S.M. c. M225

Applications to review a By-law that divides a Municipality into Wards and establishes ward boundaries or a By-law that eliminates wards or changes the number of wards or ward boundaries: Section 89(1)

APPLICATIONS OUTSTANDING AND RECEIVED	2021	2022
Applications Outstanding as at January 1 st	0	2
Applications Received	3	1
Total	3	3

APPLICATIONS DISPOSED	2021	2022
Applications Allowed	1	0
Applications Dismissed	0	0
Applications Referred back to Council for further consideration	0	0
Applications Withdrawn and/or Closed	0	2
Total	1	2

APPLICATIONS OUTSTANDING AS AT DECEMBER 31ST	2	1
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Municipal Act, C.C.S.M. c. M225

Applications to dissolve a municipality: Section 10(1)

APPLICATIONS OUTSTANDING AND RECEIVED	2021	2022
Applications Outstanding as at January 1 st	0	0
Applications Received	0	0
Total	0	0

APPLICATIONS DISPOSED	2021	2022
Applications Allowed	0	0
Applications Dismissed	0	0
Applications Withdrawn and/or Closed	0	0
Total	0	0

APPLICATIONS OUTSTANDING AS AT DECEMBER 31ST	0	0
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Municipal Act, C.C.S.M. c. M225

Referrals by a Municipality if unable to agree with another Municipality on a matter relating to a municipal road, bridge or drain: Section 295(5).

REFERRALS OUTSTANDING AND RECEIVED	2021	2022
Referrals Outstanding as at January 1 st	0	0
Referrals Received	0	0
Total	0	0

REFERRALS DISPOSED	2021	2022
Applications Allowed	0	0
Applications Dismissed	0	0
Applications Withdrawn and/or Closed	0	0
Total	0	0

REFERRALS OUTSTANDING AS AT DECEMBER 31ST	0	0
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Municipal Assessment Act, C.C.S.M. c. M226

Appeals respecting the assessment and classification of property located within The City of Winnipeg: Section 56(2)

APPEALS OUTSTANDING AND RECEIVED	2021	2022
Appeals Outstanding as at January 1 st	2280	1665
*Appeals Received	60	441
Total	2340	2106

APPEALS DISPOSED	2021	2022
**Appeals Allowed	497	349
Appeals Dismissed	2	7
Appeals Withdrawn and/or Closed	176	105
Total	675	461

APPEALS OUTSTANDING AS AT DECEMBER 31ST	1665	1645
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* Includes appeals by the Assessment and Taxation Department as well as by ratepayers.

** Includes all appeals where the assessment has been increased or decreased, or the classification changed.

Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Municipal Assessment Act, C.C.S.M. c. M226

Appeals respecting the assessment and classification of property located outside The City of Winnipeg: Section 56(2)

APPEALS OUTSTANDING AND RECEIVED	2021	2022
Appeals Outstanding as at January 1 st	267	183
*Appeals Received	8	151
Total	275	334

APPEALS DISPOSED	2021	2022
**Appeals Allowed	81	36
Appeals Dismissed	0	3
Appeals Withdrawn and/or Closed	11	22
Total	92	61

APPEALS OUTSTANDING AS AT DECEMBER 31ST	183	273
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* Includes appeals by the Provincial Municipal Assessor as well as by ratepayers.

** Includes all appeals where the assessment has been increased or decreased, or the classification changed.

Summary of Appeal Management (2021 & 2022)

Summary of Activity

Appeal Management respecting the assessment and classification appeals of property within and outside The City of Winnipeg [The numbers below show the number of files that proceeded to Appeal Management for scheduling of Case Management].

APPEALS OUTSTANDING AND RECEIVED	2021	2022
Appeals Outstanding as at January 1 st	76	1
Appeals Received:	2021	2022
Within The City of Winnipeg	1099	52
Outside The City of Winnipeg	209	30
Total	1384	82
APPEALS DISPOSED	2021	2022
Appeals referred to Case Management:	2021	2022
Within The City of Winnipeg	1063	53
Outside The City of Winnipeg	206	28
Total	1269	81
Appeals referred to Settlement Discussions:		
Within The City of Winnipeg	7	0
Outside The City of Winnipeg	3	1
Total	10	1
Appeals referred to Hearing:		
Within The City of Winnipeg	2	0
Outside The City of Winnipeg	0	0
Total	2	0
Total	1281	82
APPEALS OUTSTANDING AS AT DECEMBER 31ST	103	1

Summary of Case Management (2021 & 2022)

Summary of Activity

Case Management Conferences respecting the assessment and classification appeals of property located within and outside The City of Winnipeg.

APPEALS OUTSTANDING AND RECEIVED	2021	2022
Appeals Outstanding as at January 1 st	345	155
Appeals Received:	2021	2022
Within The City of Winnipeg	1063	57
Outside The City of Winnipeg	206	26
Total	1614	83
Total	1614	238

APPEALS DISPOSED	2021	2022
Appeals Resolved:	2021	2022
Within The City of Winnipeg	122	50
Outside The City of Winnipeg	19	2
Total	141	52
Appeals Withdrawn:		
Within The City of Winnipeg	30	33
Outside The City of Winnipeg	6	8
Total	36	41
Appeals Proceed to Hearing:		
Within The City of Winnipeg	5	31
Outside The City of Winnipeg	19	5
Total	24	36
Total	201	129

APPEALS OUTSTANDING AS AT DECEMBER 31ST	1413	109
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Notes: Most appeals require more than one Case Management Conference.
 All outstanding appeals are scheduled for further action.
 A hearing may involve multiple files.

Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Municipal Board Act, C.C.S.M. c. M240

Applications to review, rescind, change, alter or vary a decision or order made by the Board: Section 46(3)

APPLICATIONS OUTSTANDING AND RECEIVED	2021	2022
Applications Outstanding as at January 1 st	1	2
Applications Received	5	2
Total	6	4

APPLICATIONS DISPOSED	2021	2022
Order Revised	0	0
Applications Rejected	2	0
Applications Withdrawn and/or Closed	2	1
Total	4	2

APPLICATIONS OUTSTANDING AS AT DECEMBER 31ST	2	2
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Municipal Board Act, C.C.S.M. c. M240

*Applications to vary, cancel, or substitute a Building Restriction Caveat:
Section 104(1) et seq.*

APPLICATIONS OUTSTANDING AND RECEIVED	2021	2022
Applications Outstanding as at January 1 st	1	1
Applications Received	1	0
Total	2	1

APPLICATIONS DISPOSED	2021	2022
Applications Granted	0	0
Applications Rejected	0	0
Applications Withdrawn and/or Closed	1	1
Total	1	1

APPLICATIONS OUTSTANDING AS AT DECEMBER 31ST	1	1
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Municipal Board Act, C.C.S.M. c. M240

Complaint that a Local Authority, Corporation or any person has unlawfully done or unlawfully failed to do, or is about to unlawfully do or not to do something relating to a matter over which The Municipal Board has jurisdiction: Section 34

APPLICATIONS OUTSTANDING AND RECEIVED	2021	2022
Applications Outstanding as at January 1 st	0	0
Applications Received	0	0
Total	0	0

APPLICATIONS DISPOSED	2021	2022
Applications Granted	0	0
Applications Rejected	0	0
Applications Withdrawn and/or Closed	0	0
Total	0	0

APPLICATIONS OUTSTANDING AS AT DECEMBER 31ST	0	0
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Planning Act, C.C.S.M. c. P80

Objections to the adoption or amendment of a Development Plan By-law filed with the Minister and referred to the Municipal Board: Section 49 et seq.

REFERRALS OUTSTANDING AND RECEIVED	2021	2022
Referrals Outstanding as at January 1 st	0	1
Referrals Received	1	1
Total	0	2

REFERRALS DISPOSED	2021	2022
Reports and Recommendations Submitted to the Minister of Municipal Relations	0	2
Referrals Withdrawn and/or Closed	0	0
Total	0	2

REFERRALS OUTSTANDING AS AT DECEMBER 31ST	1	0
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Planning Act, C.C.S.M. c. P80

Appeals of decisions to refuse, reject or impose conditions on Zoning By-law amendments, Secondary Plan By-laws or amendments: Section 82.1(1) et seq.

APPEALS OUTSTANDING AND RECEIVED	2021*	2022
Appeals Outstanding as at January 1 st	-	0
Appeals Received	0	3
Total	0	3

APPEALS DISPOSED	2021	2022
By-laws Confirmed/Altered	0	0
By-laws Rejected	0	1
Appeals Withdrawn and/or Closed	0	0
Total	0	1

APPEALS OUTSTANDING AS AT DECEMBER 31ST	0	2
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**Note: amendments to planning legislation came into effect on October 29, 2021, so there are no new appeals outstanding to report as at January 1st, 2021.*

Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Planning Act, C.C.S.M. c. P80

Objections to a Zoning By-law amendment filed with the Municipality and referred to the Municipal Board: Section 76(5), 77(5) et seq.

REFERRALS OUTSTANDING AND RECEIVED	2021	2022
Referrals Outstanding as at January 1 st	0	2
Referrals Received	2	8
Total	2	10

REFERRALS DISPOSED	2021	2022
By-laws Confirmed/Altered	0	4
By-laws Refused	0	2
Referrals Withdrawn and/or Closed	0	2
Total	0	8

REFERRALS OUTSTANDING AS AT DECEMBER 31ST	2	2
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Planning Act, C.C.S.M. c. P80

*Appeals of decisions of the Approving Authority respecting a Plan of Subdivision:
Section 129(1) et seq.*

APPEALS OUTSTANDING AND RECEIVED	2021	2022
Appeals Outstanding as at January 1 st	9	7
Appeals Received	4	8
Total	13	15

APPEALS DISPOSED	2021	2022
Subdivisions Approved	1	3
Subdivisions Rejected	0	2
Appeals Withdrawn and/or Closed	5	2
Total	6	7

APPEALS OUTSTANDING AS AT DECEMBER 31ST	7	8
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Planning Act, C.C.S.M. c. P80

Appeals of decisions of the Planning Authority respecting aggregate quarry proposals: Section 118.2(2)(a) et seq.

APPEALS OUTSTANDING AND RECEIVED	2021	2022
Appeals Outstanding as at January 1 st	2	1
Appeals Received	1	2
Total	3	3

APPEALS DISPOSED	2021	2022
Proposals Approved	1	0
Proposals Rejected	1	1
Appeals Withdrawn and/or Closed	0	0
Total	2	1

APPEALS OUTSTANDING AS AT DECEMBER 31ST	1	2
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Planning Act, C.C.S.M. c. P80

Appeals of decisions of the Planning Authority respecting large-scale livestock operation proposals: Section 118.2(2)(b) et seq.

APPEALS OUTSTANDING AND RECEIVED	2021	2022
Appeals Outstanding as at January 1 st	1	0
Appeals Received	0	1
Total	1	1

APPEALS DISPOSED	2021	2022
Proposals Approved	1	0
Proposals Rejected	0	0
Appeals Withdrawn and/or Closed	0	1
Total	1	1

APPEALS OUTSTANDING AS AT DECEMBER 31ST	0	0
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The City of Winnipeg Charter, S.M. 2002, c. 39

Objections to a proposed Secondary Plan By-law dealing with the Airport Vicinity Protection Area filed with the City of Winnipeg and referred to the Municipal Board: Section 270(1) et seq.

REFERRALS OUTSTANDING AND RECEIVED	2021	2022
Referrals Outstanding as at January 1 st	2	1
Referrals Received	0	0
Total	2	1

REFERRALS DISPOSED	2021	2022
Reports and Recommendations Submitted to The City of Winnipeg	0	0
Referrals Withdrawn and/or Closed	1	1
Total	1	1

REFERRALS OUTSTANDING AS AT DECEMBER 31ST	1	0
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Summary of Applications, Appeals, and Referrals (2021 & 2022)

The City of Winnipeg Charter, S.M. 2002, c. 39

Appeals of decisions of the City of Winnipeg respecting development permit applications: Section 282.1(1) et seq.

APPEALS OUTSTANDING AND RECEIVED	2021*	2022
Appeals Outstanding as at January 1 st	-	0
Appeals Received	0	1
Total	0	1

APPEALS DISPOSED	2021	2022
Appeals Approved	0	0
Appeals Rejected	0	0
Appeals Withdrawn and/or Closed	0	1
Total	0	1

APPEALS OUTSTANDING AS AT DECEMBER 31ST	0	0
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**Note: amendments to planning legislation came into effect on October 29, 2021, so there are no new appeals outstanding to report as at January 1st, 2021.*

Summary of Applications, Appeals, and Referrals (2021 & 2022)

The City of Winnipeg Charter, S.M. 2002, c. 39

Objections to a Zoning By-law Amendment filed with the City of Winnipeg and referred to the Municipal Board: Section. 236.1(7)

REFERRALS OUTSTANDING AND RECEIVED	2021*	2022
Appeals Outstanding as at January 1 st	-	0
Appeals Received	0	2
Total	0	2

REFERRALS DISPOSED	2021	2022
Reports and Recommendations Submitted to The City of Winnipeg	0	1
Referrals Withdrawn and/or Closed	0	0
Total	0	1

REFERRALS OUTSTANDING AS AT DECEMBER 31ST	0	1
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**Note: amendments to planning legislation came into effect on October 29, 2021, so there are no new referrals outstanding to report as at January 1st, 2021.*

Summary of Applications, Appeals, and Referrals (2021 & 2022)

The City of Winnipeg Charter, S.M. 2002, c. 39

*Appeals of decisions of the City of Winnipeg respecting a Plan of Subdivision:
Section 282.1(1)(a)(ii)*

APPEALS OUTSTANDING AND RECEIVED	2021*	2022
Appeals Outstanding as at January 1 st	-	0
Appeals Received	0	1
Total	0	1

APPEALS DISPOSED	2021	2022
Appeals Allowed	0	0
Appeals Dismissed	0	1
Appeals Withdrawn and/or Closed	0	0
Total	0	1

APPEALS OUTSTANDING AS AT DECEMBER 31ST	0	0
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**Note: amendments to planning legislation came into effect on October 29, 2021, so there are no new appeals outstanding to report as at January 1st, 2021.*

Summary of Applications, Appeals, and Referrals (2021 & 2022)

The Water Rights Act, C.C.S.M. c. W80

Appeals of orders or decisions of the Minister under this Act: Section 24(1)

APPEALS OUTSTANDING AND RECEIVED	2021	2022
Appeals Outstanding as at January 1 st	7	8
Appeals Received	3	3
Total	10	11

APPEALS DISPOSED	2021	2022
Appeals Allowed	0	0
Appeals Dismissed	0	2
Appeals Withdrawn and/or Closed	2	3
Total	2	5

APPEALS OUTSTANDING AS AT DECEMBER 31ST	8	6
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Summary of Capital Finance Matters 2022

In 2022, the Municipal Board issued a total of 132 Municipal Board Orders that are broken down as follows:

- 47 new general and local improvement borrowing applications
 - 37 special service by-law applications
 - 44 amending by-law applications to issue debentures to financial institutions
 - 1 amending by-law application to increase borrowing authority
 - 1 amending by-law application to decrease borrowing authority
 - 1 amending by-law application to cancel borrowing authority
 - 1 amending by-law application to change project scope
- 132 Board Orders**

Capital Borrowing of Local Authorities

2022 Capital Borrowing of Local Authorities

The 2022 Municipal borrowing activity decreased (22%) in terms of the number of applications received by the Board and increased by 40% in the total dollar amounts borrowed. Borrowing purposes for the two years are summarized as follows:

	<u>2021</u>	<u>2022</u>
New Applications	60	47
Borrowing Authorized		
Water and Sewer	\$57,806,523	\$113,921,177
Streets, Sidewalk, Lighting	13,552,423	7,444,620
Municipal Buildings, Libraries Community Centres, Arenas	17,377,019	10,730,000
Machinery and Equipment	2,321,796	3,548,666
Natural Gas	0	0
Land Purchases and Development	2,008,335	3,100,000
Other/Multiple Projects	7,062,550	1,745,804
TOTAL	\$100,128,646	\$140,490,267

Details of the amounts of borrowing authorized for each individual municipality are shown on pages 36 to 39 (City of Winnipeg borrowing, which is not subject to Municipal Board approval, is not included in the above figures).

The amounts of debentures issued and marketed in 2022 as compared to 2021 are summarized as follows:

<u>PURCHASER</u>	<u>2021</u>	<u>2022</u>
Credit Unions	\$6,779,094	\$6,559,193
Banks	37,202,853	10,403,283
General Public	0	0
Fiscal Agent	0	5,437,500
Municipal Reserve Funds	294,229	107,368
Minister of Finance	21,703,847	30,357,286
<u>TOTAL</u>	\$65,980,023	\$52,864,630

The interest rates payable by Municipalities on debentures issued in 2022 have increased as compared to 2021 rates.

A comparison of average interest rates, weighted according to each class of purchaser is summarized as follows:

<u>PURCHASER</u>	<u>2021</u>	<u>2022</u>
Credit Unions	2.23%	3.25%
Banks	2.53%	3.75%
General Public	N/A	N/A
Fiscal Agent	N/A	3.25%
Municipal Reserve Funds	2.92%	3.19%
Minister of Finance	2.68%	3.68%

With respect to borrowing By-laws, The Municipal Board issued a total of **132** Board Orders as compared to 144 in 2021. These Board Orders related to various matters including but not limited to, the following:

- a) authorization of certain projects and the borrowing of monies;
- b) the issuance of debentures;
- c) the reduction or increase of the authorized borrowing; and
- d) the cancellation of authorized but unissued borrowing.

Municipal Borrowing By-Laws Authorized In 2022

Board Order No.	Local Authority	By-law No.	Original / Amending / Cancel or Special Service	Temp. New	Interest Rate	Term Years	Purpose
E-22-003	Dufferin, RM	2004	Original	33,350.00	4.000%	10	Extension of rural water lines
E-22-022	Portage la Prairie, RM	3188	Original	442,500.00	5.000%	10	Extension of rural water lines
E-22-064	Stanley, RM	3-22	Original	4,500,000.00	4.500%	25	Construction of a new water reservoir at the Boundary Trails Health Centre
E-22-066	Ste. Anne, T	2-2022	Original	4,400,000.00	3.500%	25	Construction of a wastewater treatment lagoon expansion and associated works
E-22-077	Brandon, C	7328	Original	40,670,500.00	6.250%	20	Upgrading and expanding the City of Brandon's Water Treatment Facility
E-22-082	St. Pierre-Jolys, V	2022-3	Original	200,000.00	4.000%	10	Repairs of the sanitary sewers' main lines along Provincial Trunk Highway 59, Provincial Road 205 West and Jolys Avenue East within the Village of St. Pierre boundaries
E-22-083	Brandon, C	7331	Original	30,140,000.00	7.000%	20	Constructing new stormwater infrastructure in the southeast area of Brandon, including stormwater retention ponds, storm sewers and ditching
E-22-084	Cornwallis, RM	1706/03/2022	Original	772,890.00	6.225%	20	Installation of sewage collection system and lift station in the community of chater
E-22-093	Two Borders, M	83/2021	Original	65,000.00	6.000%	15	Connecting 3 rural properties to the Southwest Regional water co-op pipeline
E-22-101	Cartier, RM	1700-22	Original	678,686.58	7.575%	20	Extension of water lines to 29 rural properties within the Rural Municipality of Cartier
E-22-102	Westlake-Gladstone, M	2022-10	Original	1,219,750.00	6.000%	15	Installation of rural water service connections to the Yellowhead Regional Water Co-

Municipal Borrowing By-Laws Authorized In 2022

							operative and the Langruth water treatment plant conversion
E-22-109	Stanley, RM	15-22	Original	18,000.00	5.025%	10	Extension of rural water lines
E-22-111	Carberry, T	10/2022	Original	400,000.00	4.500%	5	Expansion of sewer system in the west end of the Town of Carberry
E-22-112	Brandon, C	7338	Original	30,000,000.00	7.500%	20	Construction of a new wastewater infrastructure and system upgrades for Southwest Brandon
E-22-114	Rosburn, M	2022-002	Original	300,000.00	7.500%	15	Upgrades to the Rossman Lake Water systems
E-22-128	Portage la Prairie, RM	3201	Original	80,500.00	5.500%	10	Installation of rural water service lines from the Cartier Water Cooperative to seven properties
E-22-009	Oakland-Wawanesa, M	14-2021	Original	75,000.00	2.500%	3	Capital contribution towards the renovations of the Wawanesa and District Recreation Centre ice plant
E-22-011	Oakland-Wawanesa, M	13-2021	Original	250,000.00	3.000%	10	Capital contribution towards the renovations of the Wawanesa and District Recreation Centre ice plant
E-22-020	Oakland-Wawanesa, M	15-2021	Original	300,000.00	3.000%	10	Construction of a new public works shop
E-22-025	Steinbach, C	2186	Original	7,500,000.00	7.000%	5	Construction of an Event Centre to replace the current Centennial ice rink
E-22-047	Harrison Park, M	109	Original	900,000.00	4.000%	20	Expansion and renovation of the existing fire hall located at 53 Gateway Street in Onanole
E-22-087	Grandview, M	8-2022	Original	150,000.00	3.130%	10	Purchase of a property to service the Grandview Hospital
E-22-110	La Broquerie, RM	03-2022	Original	1,555,000.00	4.990%	20	Construction of a new fire hall
E-22-100	Clanwilliam-Erickson, M	75-22	Original	300,000.00	4.500%	20	Purchasing property, constructing road and drainage works and subdividing former road area for consolidation with existing land parcels

Municipal Borrowing By-Laws Authorized In 2022

E-22-113	Minnedosa, T	2583	Original	2,200,000.00	5.000%	20	Development of a residential subdivision on 9th Avenue Southwest
E-22-130	Montcalm, RM	840/22	Original	600,000.00	5.400%	25	Purchase of land for a new residential development and the planning and engineering of the new development in the community of St. Jean Baptiste
E-22-012	Steinbach, C	2161	Original	3,100,000.00	7.000%	5	Acres Drive Street construction and servicing
E-22-026	Steinbach, C	2187	Original	3,500,000.00	7.000%	5	Loewen Boulevard/PTH 12 N Intersection renewal
E-22-065	Stanley, RM	5-22	Original	100,000.00	4.500%	10	Asphalt paving of Roblin Street North, Roblin Street South and Blumenfeld Avenue in Community of Blumenfeld
E-22-072	Stanley, RM	7-22	Original	75,000.00	4.500%	10	Asphalt paving of Road 22W
E-22-073	Hanover, RM	2527-22	Original	59,920.00	4.000%	5	Asphalt paving of Walnut Avenue and Westwood Avenue within the Local Urban District (LUD) of Mitchell
E-22-094	Virден, T	2797	Original	400,000.00	6.500%	5	Asphalt overlay of the parking lanes of King Street West from the bridge to Thomas Drive, 7th Avenue South from Lyons Street West to King Street West, as well as hydrant and valve replacements as required on both King Street and 7th Avenue South and curb, gutter and miscellaneous repairs on 7th Avenue South
E-22-115	Hanover, RM	2543-22	Original	209,700.00	6.500%	5	Construction of Barkman Avenue in Kleefeld
E-22-002	Westlake-Gladstone, M	2021-14	Original	431,835.70	3.000%	4	Purchase of a 2022 John Deere 772GP Motor Grader
E-22-024	Kelsey, RM	04/21	Original	352,174.45	3.000%	10	Purchase of a JCB CX4 Super 15ft Centre Mount Backhoe Loader with attachments and necessary tools
E-22-080	Oakview, RM	2022-2	Original	280,000.00	4.500%	5	Purchase of a new 2023 pumper emergency vehicle

Municipal Borrowing By-Laws Authorized In 2022

E-22-085	Grandview, M	6-2022	Original	104,500.00	2.875%	5	Purchase, replacement and repair of municipal equipment, machinery and vehicles
E-22-086	Glenella-Lansdowne, M	6/2022	Original	401,250.00	5.000%	5	Purchase of a 2018 John Deere 772GP Motor Grader
E-22-089	Grandview, M	5-2022	Original	352,542.75	3.380%	15	Purchase of a 2022 Rosenbauer Freightliner Tanker Fire Apparatus
E-22-117	Swan River, T	19/2022	Original	900,000.00	6.000%	15	Replacement of Swan River Fire Department Pumper Truck
E-22-126	Westlake-Gladstone, M	2022-17	Original	426,363.20	6.000%	4	Purchase a 2023 John Deere 772GP Motor Grader with Mulcher
E-22-129	Two Borders, M	86/2022	Original	300,000.00	10.000%	10	Purchase of a new pumper truck for the Edward Fire Department
E-22-062	Stonewall, T	02-22	Original	500,000.00	5.000%	20	Restoration of the limestone Kilns located on the municipal heritage site in Quarry Park in Stonewall
E-22-067	Stanley, RM	2-22	Original	569,160.00	4.000%	5	Distribution of fibre optic networks on various properties
E-22-096	Arborg, T	8-2022	Original	113,144.24	6.000%	15	Expansion of the BAR Waste Authority Co-operative Inc. Waste Disposal Grounds
E-22-108	Stonewall, T	01-22	Original	550,000.00	7.500%	20	Electrical upgrades to the seasonal campground at Quarry Park
E-22-127	Stanley, RM	17-22	Original	13,500.00	4.900%	5	Distribution of fibre optic networks on various properties

Miscellaneous Acts

The Municipal Board has responsibilities under other Acts of the Legislature, but under which it has had no applications or active files in 2022.

The Acts are as follows:

- The Watershed Districts Act, C.C.S.M. c. W95
- The Expropriation Act, C.C.S.M. c. E190
- The Health Services Insurance Act, C.C.S.M. c. H35
- The Heritage Resources Act, C.C.S.M. c. H39.1
- The Highway Traffic Act, C.C.S.M. c. H60
- The Regional Waste Management Authorities Act, C.C.S.M. c. R38
- The Special Surveys Act, C.C.S.M. c. S190
- The Water Resources Administration Act, C.C.S.M. c. W70
- The Public Libraries Act, C.C.S.M. c. P220
- The Real Property Act, C.C.S.M. c. R30
- The Public Schools Act, C.C.S.M. c. P250

**Revenue for the 12 Month Period Ending
December 31, 2022
(Unaudited)**

The Municipal Board under the Municipal Board Act follows the Municipal Board Tariff of Fees has a Regulation 189/89. The Regulation of Tariff and Fees was amended in September 1, 2022.

REVENUE	2021	2022
Net Revenue	<u>\$(55,536.00)</u>	<u>\$34,432.30</u>

* This revenue is subject to Section 57(4) of *The Municipal Assessment Act* which requires the refund filing fees to successful Appellants.

Note:

Salaries and operating costs associated with the operations of the Municipal Board, including Board Member remunerations, are reflected in the Department of Municipal Relations' Annual Report on a provincial fiscal year basis. (April 1 – March 31)