

MINUTES OF THE REGULAR COUNCIL DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON JANUARY 15TH, 2009 AT 7:00 P.M.

MEMBERS PRESENT: Mayor Danylchuk, Councillors Trudeau, Koop, Menard, Deschambault, Tardiff, McLennan & Rivard.

IN ATTENDANCE: Daniel Poersch, Chief Administrative Officer. Janice Desmarais, Development Officer/Recording Secretary.

INVOCATION/OPENING: Mayor Danylchuk called the meeting to order and offered the Invocation at 7:00 p.m.

ADOPTION OF AGENDA

41-2009 Trudeau – Tardiff: Resolved that this Meeting's Agenda be adopted as amended.

Carried.

NOTICE OF PUBLIC HEARING – BY-LAW NO. 09-01; SPRINGFIELD TOWN PLANNING SCHEME (LOT 2, BLOCK 1, PLAN 16361 IN PT. SE ¼ OF SECTION 4-11-5E)

42-2009 McLennan–Deschambault: Resolved that Council have no concerns with By-law No. 09-01; being an amendment to the Springfield Town Planning Scheme By-law No. 1575, as amended.

Carried.

LEACHATE REPORT – DILLON CONSULTING

43-2009 The CAO advised Council that correspondence and a recent Leachate Report prepared by Dillon Consulting was submitted to Manitoba Conservation addressing favourable results since the On-Site Leachate Reduction Pilot Study has been conducted from 2002 to 2008. A request was submitted to Manitoba Conservation for their consideration/ approval to continue the Study for 2009.

GENIVAR – LORETTE WATER SYSTEM TENDERING

44-2009 The CAO informed Council that Genivar has submitted the Plans and Tender Forms for distribution respecting the Lorette Water System Project.

ABSENCE OF COUNCIL MEMBER – FEBRUARY, 2009 COUNCIL MEETINGS

45-2009 Tardiff – Rivard: Resolved that Councillor Trudeau be excused from participating in the scheduled Council Meetings for the month of February, 2009.

Carried.

TELUS REPORT – UPDATE

46-2009 Councillor Trudeau reported

back to Council information from a recent meeting held between Telus and NRT addressing interest in a joint relationship providing better Mobile Service to the community.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2008-4793 (LOTS 1 & 2, BLOCK 1, PLAN 45574 IN LUD OF LORETTE); 4944314 MANITOBA LTD.; PETER THIESSEN (OWNER) & HARLEY BOLES; REPRESENTATIVE OF AIKINS MACAULAY THORVALDSON

47-2009 Trudeau – McLennan: Resolved that the Public Hearing on Subdivision File No. 4194-2008-4793 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2008-4793

48-2009 At 7:15 p.m., the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision Application under File No. 4194-2008-4793 for the purpose of creating 12 Bareland Condominium Units with a Common Element from the existing Two 6 Unit Complexes.

The LUD of Lorette had no concerns and recommend Council approve the Subdivision Application as applied for.

No representation was made at the Public Hearing.

The following Provincial Departments submitted their comments:

Community Planning Office	No concerns
Water Stewardship	Require an Application be submitted including an Engineered Drainage Report for a Water Rights License-otherwise no concerns
Culture Heritage & Tourism	No concerns
Conservation	No concerns
Conservation Lands	No concerns
Manitoba Infrastructure & Transportation	No concerns
Industry, Economic Development & Mines	No concerns
Canada Post	No concerns

No other communications nor correspondence was received.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2008-4793

49-2009 Trudeau – Tardiff: Resolved that the Public Hearing on Subdivision File No. 4194-2008-4793 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2008-4793 (LOTS 1 & 2, BLOCK 1, PLAN 45574 IN LUD LORETTE); 4944314 MANITOBA LTD.; PETER THIESSEN (OWNER) & AIKINS MACAULAY THORVALDSON; HARLEY BOLES-REPRESENTATIVE

50-2009 Deschambault–McLennan: Resolved that Council APPROVE

Subdivision File No. 4194-2008-4793 subject to the following conditions:

- Variation Order Application be applied for varying all proposed Unit areas that do not meet the R.M. of Tache Zoning By-law requirements in the Residential Multiple Family Dwelling Zone;
- A Conditional Use Application be applied for to establish Bareland Condo Units;
- The Developer install fencing along the East property site line to the LUD of Lorette Fencing Standards with the exception that the fence be constructed to a maximum height of 3½ feet from the front of the Building to the Front Property Site Line.

Carried.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. C.U. #01-09 & VARIATION ORDER APPLICATION NO. V.O. #02-09; 4944314 MANITOBA LTD; PETER THIESSEN; OWNER & HARLEY BOLES OF AIKINS MACAULAY THORVALDSON; APPLICANT (LOTS 1 & 2, BLOCK 1, PLAN 45574 IN LUD LORETTE)

51-2009

Koop – Tardiff: Resolved that the Public Hearing on Conditional Use Application No. C.U. #01-09 & Variation Order Application No. V.O. #02-09 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. C.U. #01-09 & VARIATION ORDER APPLICATION NO. V.O. #02-09

52-2009

At 7:30 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Conditional Use Application No. C.U. #01-09 & Variation Order Application No. V.O. #02-09 for the purpose of establishing Bareland Condo Units from the existing two 6-Plex Rental Complexes.

No representation was made at the Public Hearing.

The LUD of Lorette Committee Has no concerns and recommend Council approve the Applications as applied for.

No other correspondence nor communications was received.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. C.U. #01-09 & VARIATION ORDER APPLICATION NO. V.O. #02-09

53-2009

Trudeau – Menard: Resolved that the Public Hearing on Conditional Use Application No. C.U. #01-09 & Variation Order Application No. V.O. #02-09 be closed.

Carried.

COUNCIL DISPOSITION - CONDITIONAL USE APPLICATION NO. C.U. #01-09 & VARIATION ORDER APPLICATION NO. V.O. #02-09; 4944314 MANITOBA LTD; PETER THIESSEN; OWNER & HARLEY BOLES OF AIKINS MACAULAY THORVALDSON; APPLICANT (LOTS 1 & 2, BLOCK 1, PLAN 45574 IN LUD LORETTE)

54-2009

Deschambault – Menard: Resolved that Council **APPROVE**

Conditional Use Application No. C.U. #01-09 & Variation Order Application No. V.O. #02-09 subject to the following:
 - The Developer install fencing along the East property site line to the LUD of Lorette Fencing Standards with the exception that the fence be constructed to a maximum height of 3½ feet from the front of the Building to the Front Property Site Line.

Carried.

CORRESPONDENCE & COMMUNICATIONS

55-2009

<u>Writer</u>	<u>Subject</u>	<u>Disposition</u>
Community Planning Services Branch	Status – Hruda Subdivision	rec'd as info.
Dawson Trail Dispatch	Winter Carnival Ad	res. 56-2009
Leafy Spurge Stakeholders Group	Donation Request	rec'd as info.
Can/Mb. Infrastructure	BCF-Funding	res. 78,79,80 & 81-2009

56-2009

DAWSON TRAIL DISPATCH – WINTER CARNIVAL AD
Tardiff – McLennan: Resolved that Council authorize the placement of a business card size advertisement in the Dawson Trail Dispatch respecting the upcoming Lorette Winter Carnival at a cost of \$69.00 + GST.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. V.O. #03-09 (PT. RL 4/5, PLAN 4196); 5596654 MANITOBA LTD.; JONOTHAN & KAREN HANBIDGE

57-2009

Trudeau – Koop: Resolved that the Public Hearing on Variation Order No. V.O. #03-09 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. V.O. #03-09

58-2009

At 7:45 p.m., the time specified in the Notice required to be circulated Council conducted the Public Hearing on Variation Order Application No. V.O. #03-09 to vary the site widths of Proposed Lots 3,4,5,6 & 7 of Subdivision Application currently being processed under File No. 4194-2007-4574 by The Community Planning Services Branch.
 Karen Hanbidge; Owner & Applicant attended the Delegation Chair in support of the Application.
 No other correspondence nor communications were received.

CLOSE OF PUBLIC HEARING – VARIATION ORDER NO. V.O. #03-09

59-2009

Trudeau – McLennan: Resolved that the Public Hearing on Variation Order Application No. V.O. #03-09 be closed.

Carried.

**COUNCIL DISPOSITION – VARIATION ORDER
APPLICATION NO. V.O. #03-09 (PT. RL 4/5, PLAN 4196);
5596654 MANITOBA LTD.; JONOTHAN & KAREN
HANBIDGE**

60-2009 Menard – Deschambault: Resolved that Council APPROVE Variation Order Application No. V.O. #03-09 as applied for.

Carried.

CONDO DECLARATION – 5 PIONEER’S TRAIL

61-2009 Deschambault–McLennan: Resolved that Council authorize Mayor Danylchuk and Dan Poersch, CAO signing authority on a Condo Declaration document submitted by Aikins MacAulay Thorvaldson; LLP for the Proposed Bareland Condo Units located at 5 Pioneer’s Trail.

Carried.

Councillor Menard holds personal interest in Subdivision Application No. 4194-2008-4655 and excused himself from his Chair and the Hearing.

CONTINUATION OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2008-4655 (MARLEX HOLDINGS LTD.); IN PT. NE ¼ OF SECTION 26-9-4E

62-2009 Trudeau – Tardiff: Resolved that the Continuation of Public Hearing on Subdivision Application File No. 4194-2008-4655 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2008-4655

63-2009 At 8:00 p.m. Council conducted the Continuation of Public Hearing on Subdivision Application No. 4194-2008-4655 to subdivide an 88 Acre Parcel for the purpose of creating 29 additional Rural Residential lots and Public Roadways within the Development.

A Conceptual Drainage Plan conducted by Genivar was submitted and circulated to Council for their review/perusal.

The CAO reported to Council of the issues/concerns that were addressed at an informal Drainage Meeting held January 8th, 2009 involving the Developers, Local Area Residents, Council Members and Water Stewardship.

Additional correspondence was submitted by Mr. Ken Prazuik; Owner and Resident of 238 Dawson Road addressing further issues with Drainage.

Rene Laundry; Representative of Marlex Holdings Ltd. attended the Delegation Chair continuing to support the Application.

Darren Blackburn from Genivar Consulting Group attended the Delegation Chair to review with Council the Drainage Report submitted addressing the recommendations of Water Stewardship.

Drew Gunson; Owner & Resident of 22098 MUN 53N attended the Delegation Chair addressing his appreciation to the individuals who attended/made representation at the Informal Meeting held on January 8th, 2009 clarifying further the ongoing issues/concerns that residents had. Mr. Gunson however did address his concerns with respect to the function of the proposed Detention/Retention Pond addressed in the Drainage

January 15th, 2009.

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Plan.

No other correspondence or communications was received.

ADJOURNMENT – SUBDIVISION APPLICATION NO. 4194-2008-4655

64-2009

Trudeau – Tardiff: Resolved that the Public Hearing on Subdivision Application File No. 4194-2008-4655 be adjourned to a later date pending additional information from Manitoba Water Stewardship Branch.

Carried.

Councillor Menard returned to the Meeting and took his Seat at this time.

Councillor Koop left the Meeting at 8:30 p.m.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2008-4799 (PAUL & LOUISE VALMONT) - IN PT. RL 89

65-2009

Trudeau – McLennan: Resolved that the Public Hearing on Subdivision File No. 4194-2008-4799 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2008-4799

66-2009

At 8:30 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision Application under File No. 4194-2008-4799 for the purpose of a Boundary Realignment.

Louise Valmont; Owner & Applicant attended the Delegation Chair in support of the Application.

The following comments/recommendations were received from the following Provincial Departments:

Provincial Planning	No Concerns
Manitoba Conservation	No Concerns
Water Stewardship	Make comment that the Applicants may require a Water Rights License; Otherwise no concerns
Transportation	Applicants will require to apply for a permit to relocate the driveway-otherwise no concerns.
Culture Heritage & Tourism	No concerns
Conservation – Lands	No concerns
Agriculture	No concerns
Industry, Economic Development & Mines	No concerns

January 15th, 2009. -7-

No other correspondence nor communications were received.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2008-4799

67-2009 **Tardiff – Trudeau:** Resolved that the Public Hearing be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2008-4799 (PAUL & LOUISE VALMONT) - IN PT. RL 89

68-2009 **McLennan – Trudeau:** Resolved that Council **APPROVE** Subdivision Application under File No. 4194-2008-4799 as applied for subject to the following conditions:

- A Variation Order Application be applied for the vary the site width of the Residual Parcel of land from the requirement of 200 feet to approximately 67 feet;

- A Building Location Certificate be conducted by a Manitoba Land Surveyor for Proposed Lot 1 illustrating all buildings and/or structures as well as onsite wastewater management systems (Septic System) in relation to the proposed property lines;

- If warranted upon reviewing the Building Location Certificate the Owner/Applicant apply for the necessary Variation Order Applications.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. V.O. #04-09 (PT. NW ¼ OF SECTION 22-8-5E); NEVIN & ANGELA FRIESEN; FRANK & HELEN PLETT AND POPLAR GROVE FARMS; HARRY FRIESEN

69-2009 **Trudeau – Deschambault:** Resolved that the Public Hearing on Variation Order Application No. V.O. #04-09 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. V.O. #04-09

70-2009 At 8:45 p.m., the time specified in the Notice required to be circulated Council conducted the Public Hearing on Variation Order Application No. V.O. #04-09 to vary the site width and site area of Proposed Lots 1 & 3 of Subdivision Application currently being processed under File No. 4194-2008-4752 by The Community Planning Services Branch.

Harry Friesen of Prairie Grove Farms Ltd.; Owner & Applicant of Proposed Lot 3 attended the Delegation Chair in support of the Application.

No other correspondence nor communications was received.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. V.O. #04-09

71-2009 **Trudeau – Menard:** Resolved that the Public Hearing on Variation Order Application No. V.O. #04-09 be closed.

Carried.

January 15th, 2009. -8-

**COUNCIL DISPOSITION – VARIATION ORDER
APPLICATION NO. V.O. #04-09 (PT. NW ¼ OF SECTION
22-8-5E); NEVIN & ANGELA FRIESEN; FRANK & HELEN
PLETT AND POPLAR GROVE FARMS; HARRY FRIESEN
Trudeau – McLennan:** Resolved that Council **APPROVE**
Variation Order Application No. V.O. #04-09 as applied for.

72-2009

Carried.

Mayor Danylchuk removed himself from the Meeting at this time.

Councillor Trudeau took his position as Deputy Mayor and Chaired the Meeting at this time.

**CONTINUATION OF PUBLIC HEARING – SUBDIVISION FILE
NO. 4194-2008-4810 (PIERRE PELLAND; OWNER & R.M. OF
TACHE; APPLICANT) – LOT 1, PLAN 44763 & PT. SW¼
OF SECTION 26-9-5E**

73-2009

Menard – Deschambault: Resolved that the Continuation of Public Hearing on Subdivision File No. 4194-2008-4810 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2008-4810

74-2009

At 9:00 p.m.; Council conducted the Continuation of Public Hearing on Subdivision File No. 4194-2008-4810 for the purpose of a boundary realignment, and to split the Farm Yard Site from a larger parcel of land. The proposal affects 2 separate parcels of land under same ownership.

The following Provincial Department submitted their comments/recommendations:

Community Planning Services Branch	Concerns relating to another Retirement Split in 2 years and recommend Council Not Approve
Manitoba Agriculture, Food & Rural Initiatives	No concerns
Manitoba Infrastructure & Transportation	No comment to date
Manitoba Conservation	Requested additional information
Water Stewardship	Water Rights License may be required; otherwise no concerns

No representation was made at the Public Hearing.

No other correspondence or communications was received.

January 15th, 2009. -9-

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2008-4810

75-2009 Menard – Tardiff: Resolved that the Public Hearing on Subdivision File No. 4194-2008-4752 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2008-4810 (PIERRE PELLAND; OWNER & R.M. OF TACHE; APPLICANT) – LOT 1, PLAN 44763 & PT. SW¼ OF SECTION 26-9-5E

76-2009 McLennan – Tardiff: Whereas the intended use of the land is for a Public Park, Recreational Area and a National Monument; and

Whereas the land use is compatible for designation as a Public Reserve;

Resolved that Subdivision Application File No. 4194-2008-4810 be **APPROVED** subject to the following condition:

- That the intended parcel be registered as Public Reserve Land.

Carried.

Deputy Mayor Trudeau removed himself from the Chair and resumed his position as Councillor.

Mayor Danylchuk returned to the Meeting at this time and resumed his position as Chairperson.

DELEGATION – CLAUDETTE BADIOU/VLADIMIR URBANEK (PROPOSED SUBDIVISION FILE NO. 4194-2008-4784); CLARIFICATION

77-2009 At 9:15 p.m.; Claudette Badiou & Vladimir Urbanek attended the Delegation Chair requesting Council's clarification in respect to a Public Hearing held on December 11th, 2008 approving Subdivision File No. 4194-2008-4784.

CANADA-MANITOBA INFRASTRUCTURE PROGRAMS (BUILDING CANADA FUND PROJECT)

78-2009 Trudeau – Rivard: Whereas the BCF has announced \$81,000,000.00 funding available for the community component portion of the program, and;

Whereas the Rural Municipality has Capital Infrastructure Projects ready for Construction Season 2009;

Therefore Be It Resolved that Council authorize submission of application for the Gendron Road Re-development Project.

Carried.

CANADA-MANITOBA INFRASTRUCTURE PROGRAMS (BUILDING CANADA FUND PROJECT)

79-2009 Tardiff – Menard: Whereas the BCF has announced \$81,000,000.00 funding available for the community component portion of the program, and;

Whereas the Rural Municipality has Capital Infrastructure Projects ready for Construction Season 2009;

Therefore Be It Resolved that Council

authorize submission of application for the Local Urban District of Lorette Forcemain Twinning Project.

Carried.

**CANADA-MANITOBA INFRASTRUCTURE PROGRAMS
(BUILDING CANADA FUND PROJECT)**

80-2009

Menard – Deschambault: Whereas the BCF has announced \$81,000,000.00 funding available for the community component portion of the program, and;

Whereas the Rural Municipality has Capital Infrastructure Projects ready for Construction Season 2009;

Therefore Be It Resolved that Council authorize submission of application for McDougall Road Re-development and the Seine River Crossing Enhancement Project.

Carried.

**CANADA-MANITOBA INFRASTRUCTURE PROGRAMS
(BUILDING CANADA FUND PROJECT)**

81-2009

Trudeau – Deschambault: Whereas the BCF has announced \$81,000,000.00 funding available for the community component portion of the program, and;

Whereas the Rural Municipality has Capital Infrastructure Projects ready for Construction Season 2009;

Therefore Be It Resolved that Council authorize submission of application for The Landmark Water Utility Upgrade Project.

Carried.

ENGINEERING SERVICES

82-2009

Trudeau – McLennan: Resolved that the R.M. of Tache obtain the necessary Engineering Services for the Building Canada Fund Project process.

Carried.

ADJOURNMENT

83-2009

Trudeau – McLennan: Resolved that the Meeting be adjourned the hour being 9:45 p.m.

Carried.

**William Danylchuk,
Mayor.**

**Daniel Poersch,
Chief Administrative Officer.**

**Jacques Trudeau,
Deputy Mayor.**