

MINUTES OF THE REGULAR COUNCIL, DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON DECEMBER 15TH, 2011 AT 7:00 P.M.

MEMBERS PRESENT: Mayor Danylchuk, Councillors Trudeau, Koop, Menard, Deschambault, Stein, Heather, & 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

1118-2011 **Trudeau – Koop:** Resolved that this Meeting's Agenda be adopted as amended.

Carried.

PUBLIC WORKS REQUESTS

1119-2011 **Rivard – Menard:** Resolved that Council authorize the following Public Works to be conducted:

Ward 1: -Report to Hydro of a Luminaire Outage located on the corner of MUN 25E & 47N

Ward 6: - Send letter to owner regarding plastic culvert on MUN 49N between MUN 40 & 41E

Carried.

MANITOBA HYDRO – STREET LIGHTING APPROVAL (BIRD SONG ROAD)-PT RL 71, PARISH OF LORETTE

1120-2011 **Deschambault – Trudeau:** Resolved that Council approve the Lighting Distribution Planning & Design as submitted by Manitoba Hydro for Bird Song Road located in pt. RL 71.

Carried.

EXTENSION REQUEST – CONDITIONAL USE APPLICATION NO. CU #64-10 & VARIATION ORDER APPLICATION NO. VO #65-10 (HAKIM SAGHER & LESLEY WALTERS-SAGHER)

1121-2011 **Menard – Trudeau:** Whereas Conditional Use Application No. CU #64-10 & Variation Order Application No. VO #65-10 has expired as of November 10th, 2011;

Resolved that Council acknowledge and **APPROVE** the Owners request for a 12 month extension to Conditional Use Application No. CU #64-10 & Variation Order Application No. VO #65-10.

Carried.

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DRAINAGE PLAN – RON PLETT SUBDIVISION FILE NO. 4194-2011-5268 (MULTI RESIDENTIAL LOT DEVELOPMENT IN PT. NE ¼ OF SECTION 17-87-5E)-LINDEN

1122-2011 Councillor Trudeau received a copy of the Drainage Plan prepared by Lindal Consulting Ltd. for perusal/review regarding the Multi Residential Lot Development proposed by Mr. Ron Plett in Linden.

Carried.

BY-LAW NO. 16-2011 (ZONING BY-LAW TEXT AMENDMENT) - 1ST READING

1123-2011 **Trudeau – Koop:** Resolved that By-law No. 16-2011; being an amendment to the R.M. of Tache Zoning By-law No. 12-2009 be introduced and read a 1st time.

Carried.

AKINS DRIVE (ROAD CONSTRUCTION)

1124-2011 Councillor Menard advised Council with the ongoing progress of Akins Drive Road construction. Further information will be provided at a later date.

SCOUTS – SEINE RIVER CLEAN-UP

1125-2011 Councillor Menard advised Council that the Scouts are prepared to conduct clean-up along the Seine River. Councillor Menard also advised Council that currently the fallen debris is of no concern and does not need immediate clean-up attention.

OPEN OF PUBLIC HEARING – ZONING AMENDMENT BY-LAW NO. 12-2011 (ORIGINALLY LOT 1, PLAN 36528 IN PT. RL 90-PLAN 5597)

1126-2011 **Trudeau – Koop :** Resolved that the Public Hearing on By-law No. 12-2011 be opened.

Carried.

DELEGATION – ZONING AMENDMENT BY-LAW NO. 12-2011

1127-2011 At 7:30 p.m., the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Zoning Amendment By-law No. 12-2011 to amend the R.M. of Taché Zoning By-law No. 12-2009 rezoning the area generally described as **Lot 1, Plan 36528 in Pt. RL 90, Plan No. 5597** from “AL”; **Agriculture Limited Zone to “RRW”; Rural Residential West Zone.**

Wilfried & Shirley Hiebert; Owners/
Applicants of the property attended the Delegation Chair in support of the Application.

The following correspondence was received from Provincial Departments:

Community Planning Services Branch	No concerns
Manitoba Conservation	No concerns
Manitoba Infrastructure & Transportation	No concerns
Manitoba Water Stewardship	No concerns
MTS Allstream	No concerns
R.M. of Ste. Anne	No concerns
R.M. of Hanover	No concerns

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No other communication or correspondence was received.

CLOSE OF PUBLIC HEARING – ZONING AMENDMENT BY-LAW NO. 12-2011

1128-2011 **Trudeau – Stein:** Resolved that the Public Hearing on Zoning Amendment By-law No. 12-2011 be closed.

Carried.

ZONING AMENDMENT BY-LAW NO. 12-2011 (2ND READING)

1129-2011 **Stein – Deschambault:** Resolved that By-law No. 12-2011 be given 2nd Reading.

Carried.

ZONING AMENDMENT BY-LAW NO. 12-2011 (ORIGINALLY LOT 1, PLAN 36528 IN PT. RL 90-PLAN 5597) – 3RD READING

1130-2011 **Trudeau – Menard:** Resolved that By-law No. 12-2011; being an amendment to the R.M. of Tache Zoning By-law No. 12-2009 to rezone Lot 1, Plan 36528 in Pt. RL 90-Plan 5597 from “AL”; **Agriculture Limited Zone** to “RRW”; **Rural Residential West Zone** be given Third and Final Reading and Passed.

For the Motion: **Councillors Trudeau, Koop, Menard, Deschambault, Stein, Heather, Rivard and Mayor Danylchuk.**

Against the Motion: **Nil.**

Abstained: **Nil.**

Motion Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5373 (ORIGINALLY LOT 1, PLAN 36528 IN PT. RL 90-PLAN 5597); WILFRIED & SHIRLEY HIEBERT

1131-2011 **Trudeau – Deschambault:** Resolved that the Public Hearing on Subdivision File No. 4194-2011-5373 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2011-5373

1132-2011 At 7:40 p.m., the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2011-5373 to subdivide an existing parcel of land currently measuring 4.02 Acres into 2 separate holdings. Proposed Lot 1 will measure approximately 2.01 Acres in site area with an approximate site width of 283 feet (for resale purposes). Proposed Lot 2 will also measure approximately 2.01 Acres with an approximate site width of 283 feet (maintaining the existing Dwelling and Accessory Buildings).

Wilfried & Shirley Hiebert; Owners/
Applicants of the property attended the Delegation Chair in support of the Application.

The following correspondence was received from Provincial Departments:

Community & Regional Planning Branch: No concerns

Manitoba Conservation: Require a site plan indicating the distances between any on-

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site wastewater management systems and the boundaries of the parcels

- Manitoba Water Stewardship: May require a water rights license
- Manitoba Infrastructure & Transportation: No concerns
- Manitoba Water Stewardship: No concerns
- Shaw Cable: Does not service the property

No other communication or correspondence was received.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5373

- 1133-2011 **Trudeau – Stein:** Resolved that the Public Hearing on Subdivision File No. 4194-2011-5373 be closed.

Carried.

COUNCIL DISPOSITION - SUBDIVISION FILE NO. 4194-2011-5373 (ORIGINALLY LOT 1, PLAN 36528 IN PT. RL 90-PLAN 5597); WILFRIED & SHIRLEY HIEBERT

- 1134-2011 **Heather – Deschambault:** Resolved that Council **APPROVE** Subdivision File No.4194-2011-5373 subject to the following conditions:

- A Building Location Certificate be prepared by a Manitoba Land Surveyor addressing yard distances from all structures and waste water facilities to the newly proposed lot lines;
- If warranted by the Building Location Certificate Variation Order Applications be applied for; and
- Dedication Fees in the amount of \$3,500.00 for the creation of 1 additional residential lot be paid to the Municipality.

Carried.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #48-11 & VARIATION ORDER APPLICATION NO. VO #49-11 (LOT 1, BLOCK 5, PLAN 14799 – 191 MAIN STREET LUD LANDMARK); THIESSEN TOWERS INC.

- 1135-2011 **Trudeau – Koop:** Resolved that the Public Hearing on Conditional Use Application No. CU #48-11 and Variation Order Application No. VO #49-11 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #48-11 & VARIATION ORDER APPLICATION NO. VO #49-11

- 1136-2011 At 7:50 p.m.; the time specified in the Notice to be circulated; Council conducted the Public Hearing on Conditional Use Application No. CU #48-11 and Variation Order Application No. VO #49-11 to construct a 3 storey Apartment Complex consisting of 12 Rental Units at a distance of 13 feet from the North and South Property Site Lines.
Scott & Keith Thiessen; representatives for Thiessen Towers Inc. attended the Delegation Chair in support of the Application.

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The Landmark LUD Committee had no concerns and recommended Council Approve the Application as applied for acknowledging their request to enter into a Development Agreement and .

A Petition with 125 signatures was presented to Council by Hettie Penner.

The following persons attended the Delegation Chair making representation to the file:

Leonard & Hettie Penner; residents of 193 Main Street	OBJECT
Lisa Penner; Representative for Ruth Penner of 14 Penner Drive	OBJECT
Spike Gordon & Evan Rogers; Representatives for Maple Leaf of 188 Main Street	OBJECT
Brian Ryall; representative for Landmark Chamber of Commerce	OBJECT
Joanna Castricum; resident of (181 Main Street)	OBJECT
Al Toews Owner of 157-2 nd Street W	OBJECT

Murray Plett; Committee Member for the LUD of Landmark attended the Delegation Chair addressing the concerns of the delegates with respect to safety. Mr. Plett also informed Council that the Landmark LUD Committee wish to promote growth to their community and in order to promote growth comes the need for additional residential units.

Correspondence from Maple Leaf was received addressing concerns with the increase of traffic in relation to their business (Feed Mill) across the road.

No other correspondence or communication was received.

**CLOSE OF PUBLIC HEARING – CONDITIONAL USE
APPLICATION NO. CU #48-11 & VARIATION ORDER
APPLICATION NO. VO #49-11**

1137-2011 **Trudeau – Heather:** Resolved that the Public Hearing on Conditional Use Application No. CU #48-11 and Variation Order Application No. VO #49-11 be closed.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #50-11 (ORIGINALLY LOT 2, PLAN 51146 IN PT. NW ¼ OF SECTION 14-9-4E); THE SHAMROCK GOLF COURSE INC.

1138-2011 **Menard – Stein:** Resolved that the Public Hearing on Variation Order Application No. VO #50-11 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #50-11

1139-2011 At 8:10 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing

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on Variation Order Application No. VO #50-11 to vary the site width on Proposed Pcl "C" (Roadway Access) for the purpose of finalizing a Subdivision Application currently being processed by the Community Regional & Planning Branch under File No. 4194-2011-5286.

No formal representation was made at the Public Hearing.

No correspondence or communication was received on the Application.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #50-11

1140-2011 **Menard – Trudeau:** Resolved that the Public Hearing on Variation Order No. VO #50-11 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #50-11 (ORIGINALLY LOT 2, PLAN 51146 IN PT. NW ¼ OF SECTION 14-9-4E); THE SHAMROCK GOLF COURSE INC.

1141-2011 **Menard – Trudeau:** Resolved that Council **APPROVE** Variation Order Application No. VO #50-11 as applied for.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #51-11 (ORIGINALLY LOT 2, PLAN 42264 IN PT. NE ¼ OF SECTION 12-8-5E); PORK PLAZA INC.

1142-2011 **Trudeau – Koop:** Resolved that the Public Hearing on Variation Order Application No. VO #51-11 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #51-11

1143-2011 At 8:20 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Variation Order Application No. VO #51-11 to vary the site area of Proposed Lot 2 for the purpose of finalizing a Subdivision Application currently being processed by the Community Regional & Planning Branch under File No. 4194-2010-5032.

No formal representation was made at the Public Hearing.

No correspondence or communication was received on the Application.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #51-11

1144-2011 **Trudeau – Deschambault:** Resolved that the Public Hearing on Variation Order No. VO #51-11 be closed.

Carried.

COUNCIL DISPOSITION – (ORIGINALLY LOT 2, PLAN 42264 IN PT. NE ¼ OF SECTION 12-8-5E); PORK PLAZA INC.

1145-2011 **Trudeau – Stein:** Resolved that Council **APPROVE** Variation Order Application No. VO #51-11 as applied for.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5367 (LOT 3, BLOCK 1, PLAN 16746, LOT 3, PLAN 41124 & LOT 9, BLOCK 2, PLAN 33134 IN THE LUD OF LANDMARK);

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JOHN G. REIMER (OWNER) & JHW ENTERPRISES/SCHINKEL PROPERTIES (APPLICANT)

1146-2011 **Menard – Trudeau:** Resolved that the Public Hearing on Subdivision File No. 4194-2011-5367 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2011-5367

1147-2011 At 8:30 p.m., the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2011-5367 subdividing approximately 81.54 acres into a multi residential lot development. Proposed Lots 1 to 104 will range from approximately 9,700 sq. ft. to 2.72 Acres. Proposed Lot 105 will measure approximately 40 Acres with the intent to develop in the future.

The Landmark LUD Committee at their Regular December 5th Meeting recommended Council hold the application in abeyance for a 90 day period until such time the Developers provide the Committee with a revised conceptual design of the Development.

John G. Reimer; Owner along with Bob Schinkel; Applicant and Representative for JHW Enterprises/Schinkel Properties attended the Delegation Chair in support of the Application and presented Council with a revised Conceptual Plan as per the Committee’s request.

Brian Ryall; Representative for Landmark Chamber of Commerce attended the Delegation Chair in Support of the Proposal.

The following correspondence was received from Provincial Departments:

Community & Regional Planning Branch:

Comment that the overall proposal is in keeping with the R.M.’s Development Plan and Zoning By-law, however recommend that the proposal include provision for access to lands in the east should the LUD of Landmark expand in the future;

Winnipeg Land Titles Office:

Will require a multi-lot plan to be registered; (Standard Comment on all Subdivisions);

Manitoba Hydro & MTS Allstream:

Will require easements; (Standard Comment on all Subdivision Applications);

Shaw Cable:

Does not service this area;

Manitoba Conservation:

No concerns;

Manitoba Infrastructure & Transportation:

Request the Applicant to submit written assurance that the regional Technical Services Engineer has been provided with information to determine if drainage from the proposed subdivision would have any adverse affect on the nearby Provincial Highway Drainage System. Also recommend a Drainage Plan be prepared by a qualified expert;

Mines Branch:

No concerns;

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Water Stewardship: No response to date.

No other communication or correspondence has been received to date.

ADJOURN PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5378

1148-2011 **Trudeau – Deschambault:** Resolved that the Public Hearing on Subdivision File No. 4194-2011-5378 be adjourned and that the revised Conceptual Plan be referred back to the LUD of Landmark Committee at their next Regular Meeting to be conducted on January 9th, 2012.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5378 (LOT 2, PLAN 4940 & LOT 1, BLOCK 1, PLAN 17242 LOCATED IN LUD LORETTE)-JOLICOEUR ROOFING & CONTRACTING INC.; GUY JOLICOEUR

1149-2011 **Trudeau – Menard:** Resolved that the Public Hearing on Subdivision File No. 4194-2011-5378 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2011-5378

1150-2011 At 8:45 p.m., the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2011-5378 to consolidate 2 parcels of land into 1 title enabling the Owner/Applicant to develop the property with a Multi Family Unit Complex (Apartment).

Mr. Jolicoeur; Owner and Applicant attended the Delegation Chair in support of the Application.

The LUD of Lorette Committee had no concerns with the consolidation and recommended Council Approve the Subdivision Application as presented.

Community & Regional Planning Branch have circulated the proposal to the various Provincial Departments and will incorporate the comments/requirements as conditions of approval.

Community & Regional Planning Branch has no concerns with the Application and comment that the consolidation of the lots would facilitate an Apartment Style Development of fewer than 24 Units. They also comment that the Owner/Applicant will be required to apply for a Conditional Use Application for the Proposed Unit.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5378

1151-2011 **Trudeau – Koop:** Resolved that the Public Hearing on Subdivision File No. 4194-2011-5378 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2011-5378

1152-2011 **Deschambault – Stein:** Resolved that Council **APPROVE** Subdivision File No. 4194-2011-5378 subject to the following conditions:

- The Owner/Applicant register the new boundaries of the consolidated lot at WLTO.

Carried.

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1153-2011 **ADJOURNMENT**
Menard – Stein:
the hour being 9:30 p.m.

Resolved that the meeting be adjourned

Carried.

William Danylchuk,
Mayor.

Daniel Poersch,
Chief Administrative Officer.