

MINUTES OF THE REGULAR COUNCIL, DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON OCTOBER 13TH, 2011 AT 7:00 P.M.

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

Councillor Stein arrived at 7:06 p.m.

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

892-2011 Trudeau – Rivard: Resolved that this Meeting's Agenda be adopted as amended.

Carried.

BY-LAW NO. 12-2011 (ZONING AMENDMENT)-LOT 1, PLAN NO. 36528 IN PT. RL 90

893-2011 Trudeau – Menard: Resolved that By-law No. 12-2011; being an amendment to the R.M. of Tache Zoning By-law be introduced and read a 1st time.

Carried.

Councillor Stein attended the Meeting at 7:06 p.m.

MANITOBA HYDRO – LIGHTING DISTRIBUTION PLANNING & DESIGN (MVP DEVELOPMENT)

894-2011 Menard – Trudeau: Resolved that Council approve the Lighting Distribution Planning & Design as submitted by Manitoba Hydro for MVP Development.

Carried.

NOTICE OF PUBLIC HEARING – R.M. OF RITCHOT (ZONING AMENDMENT BY-LAW NO. 7-2011)-SP LOT 5, BLOCK 1, PLAN 16828 IN PT. S½ OF SECTION 4-9-4E

895-2011 Trudeau – Menard: Resolved that Council have no concerns with The R.M. of Ritchot Zoning Amendment By-law No. 7-2011 to rezone SP Lot 5, Block 1, Plan 16828 WLTO Exc. Road No. 3 and Water Works Plan 43030 WLTO in pt. S½ of Section 4-9-4E from “AR”; Agricultural Restricted Zone to “RR”; Rural Residential Zone.

Carried.

NOTICE OF PUBLIC HEARING – R.M. OF SPRINGFIELD; VARIATION ORDER APPLICATION NO. 11-69 (PT. SW¼ OF SECTION 5-10-5 EPM)

896-2011 Menard – Trudeau: Resolved that Council have no concerns

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with the R.M. of Springfield Variance No. 11-69 as presented.

Carried.

CENTER OF CANADA REPORT

897-2011 **Trudeau – Heather:** Resolved that Council acknowledge the report presented by Councillor Deschambault informing Council with an update on the Center of Canada Project.

Carried.

DELEGATION – KYLE HUDSON (LOT 5, BLOCK 2, PLAN 14894); 25 BELANGER DRIVE – DEALERS PERMIT

898-2011 At 7:15 p.m.; Kyle Hudson attended the Delegation Chair requesting Council's consideration to authorize approval for the issuance of a Dealers Permit from MPI allowing to conduct restoration and resale of vehicles at his residential property.

The LUD of Lorette Committee at their Regular October 4th, 2011 Meeting addressed no concerns with the Delegates request.

COUNCIL DISPOSITION – DEALERS PERMIT

899-2011 **Trudeau – Menard:** Resolved that Council have no concerns and approve Mr. Hudson's request for a Dealership Permit allowing for the selling of vehicles on the property legally described as Lot 5, Block 2, Plan 14894 located at 25 Belanger Drive.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #38-11 (LOT 1, PLAN 51300 IN PT. SE ¼ OF SECTION 9-8-5E); DAVID & SHEILA KROEKER

900-2011 **Trudeau – Koop:** Resolved that the Public Hearing on Variation Order Application No. VO #38-11 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #38-11

901-2011 At 7:30 p.m.; the time specified in the Notice to be circulated; Council conducted the Public Hearing on Variation Order Application No. VO #38-11 to vary the northwest side yard distance to approximately 9½ feet constructing an Accessory Building that will measure approximately 12' x 16' storing equipment and building materials during the construction of a Brand New Single Family Dwelling.

David Kroeker; Owner & Applicant attended the Delegation Chair in support of the Application advising Council that the structure will be constructed on an existing concrete pad.

No other correspondence or communication was received to date.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #38-11

902-2011 **Trudeau – Heather:** Resolved that The Public Hearing on Variation Order Application No. VO #38-11 be closed.

Carried.

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COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #38-11 (LOT 1, PLAN 51300 IN PT. SE ¼ OF SECTION 9-8-5E); DAVID & SHEILA KROEKER

903-2011 Trudeau – Stein: Resolved that Council APPROVE the Application subject to the following conditions:

-All Building Permits be obtained from the Municipal Building Inspector prior to the construction of the Accessory Building.

Carried.

ZONING MATTERS – CONTAINERS

904-2011 Councillor Menard addressed concerns respecting location of Containers on two separate properties within his area.

CCLCC – UPDATE

905-2011 Trudeau – Heather: Resolved that Council acknowledge the report presented by Councillor Stein informing Council with an update on CCLCC.

Carried.

CORRESPONDENCE & COMMUNICATIONS

906-2011	<u>Writer</u>	<u>Subject</u>	<u>Disposition</u>
	Local Government Community Planning	Development/Lot Chrg Survey Results	rec'd as info.
	CDEM	Agriculture Composting Co-op – Invitation	rec'd as info.
	McDonald-Ritchot Planning District	Development Plan	rec'd as info.

Councillor Stein left the meeting at 7:45 p.m.

EXCUSE OF COUNCIL MEMBER

907-2011 Heather – Koop: Resolved that Councillor Stein be excused from participating in the upcoming Public Hearings and Delegations scheduled at this Meeting.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #39-11 (PCL D, PLAN 49429 IN PT. RL 11); JOHN & CARISSA EMBURY-HYATT

908-2011 Trudeau – Heather: Resolved that the Public Hearing on Variation Order Application No. VO #39-11 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #39-11

909-2011 At 7:45 p.m.; the time specified in the Notice to be circulated; Council conducted the Public Hearing on Variation Order Application No. VO #39-11 to vary the front yard distance and location of a proposed Accessory Building (Garden Shed) measuring approximately 12' x 12'.

John Embury-Hyatt; Owner & Applicant attended the Delegation Chair in support of the Application.

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Tyler Martin; Owner of the adjacent property immediately north legally described as Pcl E/F, Plan 49429 submitted correspondence addressing no concerns and supports the Application as presented.

No other correspondence or communication was received to date.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #39-11

910-2011 Trudeau – Koop: Resolved that The Public Hearing on Variation Order Application No. VO #39-11 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #39-11 (PCLS D; PLAN 49429 IN PT. RL 11); JOHN & CARISSA EMBURY-HYATT

911-2011 Menard – Trudeau: Resolved that Council APPROVE the Application as applied for.

Carried.

DEALER PERMITS (LUD BOUNDARIES)

912-2011 Koop – Deschambault: Resolved that Council give authority to the Local Urban District Committees for Landmark and Lorette to deal with all future Dealer Permit requests within the LUD Boundary jurisdictions.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #40-11 (LOT 3, BLOCK 2, PLAN 13523 LOCATED AT 316 PLACE SAUVEUR IN LUD OF LORETTE) – CASIMIR WYRZYKOWSKI

913-2011 Trudeau – Heather: Resolved that the Public Hearing on Variation Order Application No. VO #40-11 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #40-11

914-2011 At 8:00 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Variation Order Application No. VO #40-11 to vary the east side yard distance for the purpose of constructing an Accessory Building (detached garage) to measure approximately 24' x 28'.

Casimir Wyrzykowski; Owner and Applicant attended the Delegation Chair in support of the Application.

The LUD of Lorette Committee at their Regular Meeting held October 4th, 2011 addressed no concerns and recommended Council approve the Application as applied for.

No other correspondence or communication was received to date.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #40-11

915-2011 Trudeau – Heather: Resolved that the Public Hearing on Variation Order Application No. VO #40-11 be closed.

Carried.

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COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #40-11 (LOT 3, BLOCK 2, PLAN 13523 LOCATED AT 316 PLACE SAUVEUR IN THE LUD OF LORETTE) – CASIMIR WYRZYKOWSKI

916-2011 Deschambault – Menard: Resolved that Council **APPROVE** Variation Order Application No. VO #40-11 subject to the following condition(s):

- The appropriate Building Permits be obtained from the Municipal Building Inspector prior to the construction of the Accessory Building.

Carried.

Councillor Stein arrived at 8:07 p.m. resuming his duties as Councillor.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #41-11 (PT. NW¼ OF SECTION 23-9-7E); HERBERT SAKWI

917-2011 Trudeau – Rivard: Resolved that the Public Hearing on Variation Order Application No. VO #41-11 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #41-11

918-2011 At 8:10 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Variation Order Application No. VO #41-11 varying the site area on the residual portion for the purpose of finalizing a Subdivision Application currently being processed by Community & Regional Planning Branch. Herbert Sakwi; Owner & Applicant attended the Delegation Chair in support of the Application. No other correspondence or communication was received to date.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #41-11

919-2011 Trudeau – Stein: Resolved that the Public Hearing on Variation Order No. VO #41-11 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #41-11 (PT. NW¼ OF SECTION 23-9-7E); HERBERT SAKWI

920-2011 Rivard – Heather: Resolved that Council **APPROVE** Variation Order Application No. VO #41-11 as applied for.

Carried.

CONDITIONAL USE APPLICATION NO. CU #42-11; SHANE PAULHUS (LOT 3, PLAN 31288 IN PT. RL 88)-WITHDRAWN

921-2011 Heather – Rivard: Whereas Shane Paulhus; Owner and Applicant has submitted written correspondence **WITHDRAWING** his Application;

Resolved that Council accept the request of the Owner and **NOT PROCEED** with the Application.

Carried.

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OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5331 (LOT 1, PLAN 50408 IN PT. FRACTIONAL SECTIONS 2 & 11-9-5E); VWTK INC.-VICTOR PANKRAZ

922-2011 Trudeau – Heather: Resolved that the Public Hearing on Subdivision Application under File No. 4194-2011-5331 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2011-5331

923-2011 At 8:30 p.m.; the time specified in the Notice to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2011-5331 for the purpose of creating 1 additional residential lot.

No formal representation was made at the Public Hearing.

The following comments were received from the various Provincial Departments:

- Community & Regional Planning
Branch:

No concerns.

- Manitoba Conservation:

Require a site plan identifying location of existing sewage system in relation to newly proposed property lines.

- Water Stewardship:

May require to obtain a water rights licence.

- Manitoba Infrastructure & Transportation:

No concerns.

- Shaw Cable and Innovation:

No concerns.

No other communication or correspondence was received to date.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5331

924-2011 Trudeau – Heather: Resolved that the Public Hearing on Subdivision File No. 4194-2011-5331 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2011-5331 (LOT 1, PLAN 50408 IN PT. FRACTIONAL SECTIONS 2 & 11-9-5E); VWTK INC.-VICTOR PANKRAZ

925-2011 Heather – Trudeau: Resolved that Council **APPROVE** Subdivision Application 4194-2011-5331 subject to the following conditions:

- A copy of the Plan of Subdivision prepared by a Manitoba Land Surveyor be submitted acknowledging Site Area and Width for both Proposed Lot 1 and Lot 2;
- If warranted by the Survey Plan the appropriate Variation Order Applications be applied for, and;
- Dedication Fee in the amount of \$3,500.00 be paid to the Municipality for the creation of 1 additional Rural Residential Lot.

Carried.

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DELEGATION – JAMES & MARLENE HIEBERT (LOT 2, PLAN 42803 IN PT. NW ¼ OF SECTION 11-8-4E); 43103 HERITAGE LANE (GARDEN SUITE)

926-2011

At 8:45 p.m.; James Hiebert attended the Delegation Chair requesting Council’s consideration to establish a Garden Suite within a separate Proposed Facility to be constructed on a permanent foundation.

Council along with Administration advised the Delegate that The R.M. of Tache Zoning By-law defines Garden Suites as a dwelling unit on a non-permanent foundation (such as a Mobile home) that can be removed when no longer needed.

COUNCIL DISPOSITION – GARDEN SUITE (LOT 2, PLAN 42803 IN PT. NW¼ OF SECTION 11-8-4E)-43103 HERITAGE LANE

927-2011

Heather – Menard: Resolved that Council acknowledge the request from the Owners of Lot 2, Plan 42803, and;

Be It Further Resolved that Council maintain their position regulating the requirements of the R.M. of Tache Zoning By-law with respect to establishing Garden Suites on properties within the R.M. of Tache.

Carried.

FARM ISSUES – PT. SW ¼ OF SECTION 12-9-4E

928-2011

Menard – Trudeau: Resolved that correspondence be forwarded to the Nijhof Family expressing gratitude in mitigating the ongoing farm issues affecting the rural residential properties in close vicinity.

Carried.

ADJOURNMENT

929-2011

Trudeau – Koop: Resolved that the meeting be adjourned the hour being 9:15 p.m.

Carried.

William Danylchuk,
Mayor.

Daniel Poersch,
Chief Administrative Officer.