

MINUTES OF THE REGULAR COUNCIL DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON MAY 14TH, 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. Jeanette Laramée, Assistant CAO.

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

500-2009 **ADOPTION OF AGENDA**
Trudeau – McLennan: Resolved that this Meeting’s Agenda be adopted.

Carried.

501-2009 **PUBLIC WORKS – REQUESTS**
Tardiff – Menard: Resolved that the following Public Works be authorized:

Ward 5: replace a neighbourhood watch post;

Ward 6: minor road repairs to allow traffic flow.

Carried.

502-2009 **STE. GENEVIEVE FIREHALL – OPEN HOUSE**
Koop – McLennan: Resolved that an Open House to present the newly constructed Ste. Genevieve Fire Hall be scheduled on August 29th, 2009 from 4:00 p.m. to 8:00 p.m.

Carried.

503-2009 **ALL COUNCIL’S SEMINAR – CAPITAL REGION**
Tardiff – Menard: Resolved that Councillors interested at attending the All Council’s Seminar being held May 21st, 2009 at 6:30 p.m. in Headingley to review and discuss the draft Provincial Land Use Policies be authorized.

Carried.

504-2009 **SW 8-9-8E – SALE OF LANDS**
Rivard – Trudeau: Resolved that lands described as the SW Section of 8-9-8E owned by the Municipality be offered at auction with a reserve bid of \$32,200 being the 2010 assessed

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value.

Carried.

**OPEN OF PUBLIC HEARING - BY-LAW NO. 12-2009
(ZONING AMENDMENT BY-LAW); ENTIRE
MUNICIPALITY**

505-2009

Trudeau – McLennan:: Resolved that the Public Hearing on By-law No. 12-2009 be opened.

Carried.

**DELEGATION – ZONING AMENDMENT BY-LAW NO.
12-2009 (ENTIRE MUNICIPALITY)**

506-2009

At 7:15 p.m., the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Zoning Amendment By-law No. 12-2009 to replace the R.M. of Taché Zoning By-law No. 1828 as amended with an updated and modernized version that appropriately addresses the current needs of the entire Municipality.

Allison Driedger, Community Planner for Steinbach was present supporting the Amendment and assisting Council with the conduct of the Public Hearing.

Comments were received from Community Planning Services Branch, Water Stewardship, Conservation, Manitoba Agriculture Food and Rural Initiatives recommending minor alterations for Council's consideration.

Manitoba Hydro and The City of Winnipeg had no concerns with the Zoning By-law Amendment.

Correspondence from The R.M. of Hanover was received having no concerns with the Zoning By-law Amendment.

Rita Tremblay; Resident of 1244 Dawson Road requested Council's consideration to change the zoning of her property to compliment the designation of the land.

Denise Collins attended the Delegation Chair to request clarification on the Settlement Centre Zone criteria for Linden.

No other correspondence or communications were received.

**CLOSE OF PUBLIC HEARING – ZONING AMENDMENT
BY-LAW NO. 12-2009**

507-2009

Trudeau – Koop: Resolved that the Public Hearing on Zoning Amendment By-law No. 12-2009 be closed.

Carried.

**MINOR ALTERATIONS TO ZONING AMENDMENT BY-
LAW NO. 12-2009**

507A-2009

Deschambault – Tardiff: Resolved that Council acknowledge and approve the Minor Alterations presented to Zoning Amendment By-law No. 12-2009.

Carried.

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ZONING AMENDMENT BY-LAW NO. 12-2009 (2ND READING)

508-2009 **Deschambault – Tardiff:** Resolved that By-law No. 12-2009 be given 2nd Reading.

Carried.

ZONING AMENDMENT BY-LAW NO. 12-2009 (ZONING AMENDMENT BY-LAW); ENTIRE MUNICIPALITY (3RD READING)

509-2009 **Menard – McLennan:** Resolved that By-law No. 12-2009 to replace the R.M. of Taché Zoning By-law No. 1828 as amended with an updated and modernized version that appropriately addresses the current needs of the entire Municipality be given 3rd and Final Reading and Passed.

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

Against the Motion: **Nil.**

Abstained: **Nil.**

Motion Carried.

R.M. OF RITCHOT – MARLEX HOLDINGS SUBDIVISION

510-2009 **Tardiff – McLennan:** Whereas the R.M. of Ritchot, and in particular the Public Works Committee, has forwarded correspondence outlining concerns regarding the R.M. of Taché's notification process regarding the Marlex Holdings Subdivision application and requesting further information on the matter;
Resolved that the information requested be forwarded to the R.M. of Ritchot.

Carried.

ENVIRONMENT ACT REGULATION – EJECTOR SYSTEMS

511-2009 The CAO referred to council correspondence received by the Onsite Wastewater Systems Installers of Manitoba Inc. whereby they outline concerns with proposed changes to the Onsite Wastewater Management Systems Regulation MR 83/2003.

LORETTE NARROWS UPDATE

512-2009 Councillor Menard provided council with a brief update on the proposed Lorette Narrows Project.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. V.O. #16-09 (PT. SW ¼ OF SECTION 15-9-7E); CHARLES & HELENE LEGAL (SUBDIVISION FILE NO. 4194-2005-4124)

513-2009 **Trudeau – Koop:** Resolved that the Public Hearing for Variation Order Application No. VO #16-09 be opened.

Carried.

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DELEGATION – VARIATION ORDER APPLICATION NO. V.O. #16-09

514-2009

At 8:00 p.m.; the time specified in the Public Notice, Council conducted the Public Hearing on Variation Order Application No. VO #16-09 for the purpose of varying the site area of Proposed Lots 1, 2 & 4 to finalize Subdivision Application under File No. 4194-2005-4124.

Charles Legal, Applicant & Owner attended the Delegation Chair in support of the Application.

No other representation was made at the Public Hearing.

No other correspondence or communication was received.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #16-09

515-2009

Trudeau – McLennan: Resolved that the Public Hearing on Variation Order Application No. V.O. #16-09 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. V.O. #16-09 (PT. SW ¼ OF SECTION 15-9-7E); CHARLES & HELENE LEGAL

516-2009

Rivard – Deschambault: Resolved that Council **APPROVE** Variation Order Application No. V.O. #16-09 as applied for.

Carried.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. C.U. #17-09 (IN PT. NW ¼ OF SECTION 9-9-7E) – ROMAN & MARINA PED; OWNERS & APPLICANTS

517-2009

Trudeau – Rivard: Resolved that the Public Hearing on Conditional Use Application No. C.U. #17-09 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. C.U. #17-09

518-2009

At 8:10 p.m., the time specified in the Notice, Council conducted the Public Hearing on Conditional Use Application No. C.U. #17-09 to allow for the placement of a Mobile Home on Pt. NW ¼ of Section 9-9-7E for residency purposes.

Roman & Marina Ped; Applicants & Owners attended the Delegation Chair in support of the Application.

No other correspondence nor communications were received.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. C.U. #17-09

519-2009

Trudeau – Deschambault: Resolved that the Public Hearing on Conditional Use Application No. C.U. #17-09 be closed.

Carried.

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COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. C.U. #17-09 (PT. NW ¼ OF SECTION 9-9-7E)- ROMAN & MARINA PED; OWNERS & APPLICANTS

520-2009

Rivard – Menard: Resolved that Council approve Conditional Use Application No. C.U. #17-09 subject to the following conditions:

- Appropriate Building Permits be obtained from the R.M. of Tache Building Inspector prior to the placement of the Mobile Home; and
- The Mobile Home be removed after a 5 year term from the date of Approval with the provision of a maximum of two 12 month extension requests.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2009-4840 (PCL A/B, PLAN 45574 IN LUD OF LORETTE); GREGORY GIRARDIN & CAROLYN TSCHERNOW

521-2009

Trudeau – Deschambault: Resolved that the Public Hearing on Subdivision File No. 4194-2009-4840 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2009-4840

522-2009

At 8:20 p.m., the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision Application under File No. 4194-2009-4840 for the purpose of creating 4 separate titles for resale purposes.

The LUD of Lorette had concerns with the Original Proposal submitted to them at their Regular LUD Committee Meeting held May 5th, 2009 and recommended Council **DENY** the Subdivision Application.

The following Provincial Departments comments were submitted on the Original Proposal:

Community Planning Office	No concerns
Winnipeg Land Titles	Require a 5 Parcel Plan of Survey to be Registered (Prop Lot 1,2&4...Lot 3 to be two parcels
Water Stewardship	No response
Culture Heritage & Tourism	No concerns
Conservation - Lands	No concerns
Manitoba Conservation	No concerns
Manitoba Infrastructure & Transportation	No concerns

The CAO informed Council that a Revised Proposal was received from Community Planning Services Branch on May 8th, 2009 and is attached to the Original Proposal.

All Provincial Department Comments remained the same as addressed above with the exception of Winnipeg Land Titles requiring a 6 Parcel Plan of Survey.

Greg Girardin; Owner and Applicant attended the Delegation Chair in support of the Application.

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No other communications nor correspondence was received.

523-2009 **REVISED PROPOSAL – SUBDIVISION FILE NO. 4194-2009-4840 (PCL A/B, PLAN NO. 45574)**
Trudeau – Tardiff: Whereas the Original Subdivision Proposal was presented to The LUD of Lorette Committee at their Regular Committee Meeting on May 5th, 2009, and;
Whereas the LUD of Lorette Committee recommended that Council **DENY** the Proposal, and;
Whereas Council has been presented with a Revised Proposal of Subdivision File No. 4194-2009-4840 which was submitted on May 8th, 2009;
Resolved that the Revised Proposal be referred back to the LUD of Lorette Committee for their perusal and comments, and;
Be It Further Resolved that Council defer their decision until Tuesday, June 9th, 2009 at 9:30 a.m. whereby the LUD of Lorette Committee will have been afforded the opportunity to review and make recommendation on the revised proposal to Council.

Carried.

524-2009 **OPENING OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. C.U. #18-09 (LOT 8, PLAN 17054 IN PT. SE ¼ OF SECTION 21-9-8E) ROSS COMMUNITY CENTRE; ANDY BRANDT-PRESIDENT**
Trudeau – McLennan: Resolved that the Public Hearing on Conditional Use Application No. C.U. #18-09 be opened.

Carried.

525-2009 **DELEGATION – CONDITIONAL USE APPLICATION NO. C.U. #18-09**
At 8:30 p.m., the time specified in the Notice required to be circulated Council conducted the Public Hearing on Conditional Use Application No. C.U. #18-09 to allow for the erection of a Communication Tower providing improved internet servicing to the Community Centre as well as the surrounding area residents.
Andy Brandt; President for Ross Community Centre & Mr. Jim Sloane attended the Delegation Chair in support of the Application.
Councillor Trudeau, on behalf of the NRT Municipal Broadband Inc. advised that the NRT has no concerns with the application.
No other communications nor correspondence was received.

526-2009 **CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. C.U. #18-09**
Tardiff – Trudeau: Resolved that Council close the Public Hearing on Conditional Use Application No. C.U. #18-09.

Carried.

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**COUNCIL DISPOSITION – CONDITIONAL USE
APPLICATION NO. C.U. #18-09 (LOT 8, PLAN 17054 IN PT.
SE ¼ OF SECTION 21-9-8E) ROSS COMMUNITY
CENTRE; ANDY BRANDT-PRESIDENT**

527-2009

Rivard – Trudeau: Resolved that Council **APPROVE**
Conditional Use Application No. C.U. #40-08 as applied for.

Carried.

**OPEN OF PUBLIC HEARING – VARIATION ORDER
APPLICATION NO. V.O. #20-09 (IN PT. RL 89); PAUL &
LOUISE VALMONT**

528-2009

Trudeau – McLennan: Resolved that the Public Hearing on
Variation Order Application No. V.O. #20-09 be opened.

Carried.

**DELEGATION – VARIATION ORDER APPLICATION NO.
V.O. #20-09**

529-2009

At 8:40 p.m. the time specified in
the Notice required to be circulated; Council conducted the Public
Hearing on Variation Order Application No. V.O. #20-09 to vary
the site area and width of Proposed Lot 2 from the requirement of
80 Acres with a 200 feet site width to approximately 15 Acres with
a site width of 26.5 feet for the purpose of finalizing Subdivision
Application under File No 4194-2008-4799 currently being
processed by Community Planning Services Branch.

No representation was made at the
Public Hearing.

No other communication nor
correspondence was received.

**CLOSE OF PUBLIC HEARING – VARIATION ORDER
APPLICATION NO. V.O. #20-09**

530-2009

McLennan – Trudeau: Resolved that the Public Hearing on
Variation Order Application No. V.O. #20-09 be closed.

Carried.

**COUNCIL DISPOSITION – VARIATION ORDER
APPLICATION NO. V.O. #20-09 (IN PT. RL 89); PAUL &
LOUISE VALMONT**

531-2009

McLennan – Tardiff: Resolved that Council **APPROVE**
Variation Order Application No. V.O. #20-09 as applied for.

Carried.

**DELEGATION – NICHOLAS GAUTHIER (LOT 3, PLAN
44622)-9 DEERFIELD DRIVE (ACCESSORY SHOP
PROPOSAL)**

532-2009

At 8:50 p.m.; Nicholas Gauthier,
Owner of 9 Deerfield Drive attended the Delegation Chair
requesting Council's consideration and approval to allow for the
construction of an Accessory Shop prior to the construction of the
Single Family Dwelling to store materials for the Dwelling.

Council has been advised that the
R.M. of Tache Zoning By-law regulates that Accessory Buildings

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may be erected prior to a Single Family Dwelling providing the purpose is for storage of material.

COUNCIL DISPOSITION – PROPOSED ACCESSORY SHOP (9 DEERFIELD DRIVE)

533-2009 **Menard – Trudeau:** Resolved that Council **APPROVE** the construction of an Accessory Shop for the purpose of storing material for constructing a Single Family Dwelling in the near future subject to the following:

- The Accessory Building maintain its location to the rear of the property ensuring it is setback a minimum distance of 125 feet from the front property site line; and
- The Accessory building be constructed to the same elevation as the dwelling; and
- All required permits be obtained from the Building Inspector for prior to constructing the Shop.

Carried.

DELEGATION – GRANNY FLAT PROPOSAL (ELAINE DEFOORT/ROLLY & EVA LEBRUN)-PT. RL 46/47

534-2009 At 9:00 p.m.; Elaine DeFoort; daughter and Rolly & Eva LeBrun; Owners of the property attended the Delegation Chair requesting Council’s consideration for the placement of a Granny Flat on land legally described as Pt. RL 46/47.

COUNCIL DISPOSITION – GRANNY FLAT PROPOSAL (PT. RL 46/47)

535-2009 **Menard – Trudeau:** Resolved that Council acknowledge Elaine DeFoort and Rolly & Eva LeBrun’s request for the placement of a Granny Flat on land legally described as Pt. RL 46/47, and;

Be It Further Resolved that the affected parties enter into an Agreement with the R.M. of Taché prior to issuance of any Building Permits.

Carried.

ADJOURNMENT

536-2009 **Trudeau – Koop:** Resolved that the Meeting be adjourned the hour being 9:05 p.m.

Carried.

William Danylchuk,
Mayor.

Daniel Poersch,
Chief Administrative Officer.