

MINUTES OF THE REGULAR DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON JANUARY 10TH, 2013 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.

**INVOCATION/
OPENING:** Mayor Danylchuk offered
the Invocation at 7:00 p.m.

ADOPTION OF AGENDA

41-2013 **Trudeau – Deschambault:** Resolved that this Meeting's Agenda be adopted as amended.

Carried.

**NOTICE OF PUBLIC HEARING – R.M. OF RITCHOT
(ZONING AMENDMENT BY-LAW NO. 20-2012)-PCL A, PLAN
12230 IN PT. RL 563-PARISH OF ST. AGATHE**

42-2013 **Trudeau – Koop:** Resolved that Council have no concerns with the R.M. of Ritchot Zoning Amendment By-law No. 20-2012 to rezone an area legally described as Pcl A, Plan 12230 in pt. RL 563 in the Parish of St. Agathe from "*CH*"; *Commercial Highway Zone* to "*RG*"; *Residential General Zone*.

Carried.

**NOTICE OF PUBLIC HEARING – R.M. OF REYNOLDS
(ZONING AMENDMENT BY-LAW NO. 12/12)**

43-2013 **Menard – Trudeau:** Resolved that Council have no concerns with the R.M. of Reynolds Zoning Amendment By-law No. 12/12 to revise the definition of "*Planned Unit Development*"; *Amend the Use and Bulk Table for "SRG"; General Seasonal Recreational Zone* and to allow for *Planned Unit Development* in Pt. SE ¼ of Section 8-8-15 EPM.

Carried.

MUNICIPAL AMALGAMATION

44-2013 The CAO presented to Council information received from Manitoba Local Government outlining submission of a plan that affects municipalities with less than 1,000 the requirement for amalgamation in order to be recognized as a municipality under the Municipal Act.

POLICING WORKING GROUP

45-2013 **Heather – Trudeau:** Resolved that the R.M. of Tache establish a Policing Working Group representing the R.M. of Tache, and;
Be It Further Resolved that the following persons be nominated to sit on the committee for the purpose:
The CAO;
The Municipal Solicitor;
Councillor Rivard, and;

Councillor Stein who sits on the Lorette LUD Committee with the alternate being Councillor Deschambault.

Carried.

DEALER PERMIT REQUEST (LOT 3, PLAN 32929)-28071 RIVER ROAD

46-2013 At 7:15 p.m. Eric Morrow; Delegate & Heather Hiebert; Owner of the property attended the Delegation Chair requesting Council Approval to obtain a Dealer Permit for the property addressed as 28071 River Road.

DEVELOPMENT PLAN REVIEW – UPDATE

47-2013 The CAO informed Council with updated information on some questions brought forth by Council at a previous Council Meeting with respect to the preparation of a Development Plan Review Plan.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-7066; GLEN & HEATHER HIEBERT (ORG. LOT 3, PLAN 32929 IN PT. SECTION 11-9-5E)

48-2013 Trudeau – Stein: Resolved that the Public Hearing on Subdivision File No. 4194-2012-7066 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2012-7066

49-2013 At 7:30 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-7066 to create 2 Rural Residential Lots from an existing parcel of land that currently measures approximately 18 Acres.

Glen & Heather Hiebert; Owners and Applicants attended the Delegation Chair in Support of the Application. The following Provincial Comments were received:

Community Planning: Comment that the Proposal conforms with the R.M. of Tache By-law; however recommend Council consider the Applicants submit a Conceptual Plan for future Development due to the irregular shaped lot. They do not object to the proposal.

Manitoba Highways: Recommend any future structures on the residual parcel be confined to lands in excess of a 792.5 feet elevation. No concerns.

Shaw: No concerns.

Manitoba Conservation: No concerns.

Manitoba Agriculture, Food & Rural Initiatives: No concerns.

Manitoba Innovation, Energy & Mines: No concerns.

Manitoba Culture, Heritage & Tourism: Have not made comment to date.

No other correspondence or communication was received to date.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-7066

50-2013 Deschambault – Trudeau: Resolved that the Public Hearing on Subdivision File No. 4194-2012-7066 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-7066; GLEN & HEATHER HIEBERT (ORG. LOT 3, PLAN 32929 IN PT. SECTION 11-9-5E)

51-2013 Menard – Heather: Resolved that Council APPROVE Subdivision File No. 4194-2012-7066 subject to the following conditions:

- A Building Location Certificate (BLC) be prepared by a Manitoba Land Surveyor for the residual parcel illustrating the location of all buildings and/or structures on the affected land in relation to the newly proposed property lines;
- If warranted by the Building Location Certificate Variation Order Applications be applied for, and;
- Dedication Fees in the amount of \$9,000.00 for the creation of 2 Rural Residential Lot (2 x \$4,500.00) be paid to the Municipality.

Carried.

COUNCIL DISPOSITION – DEALER’S PERMIT (28071 RIVER ROAD)

52-2013 Menard – Trudeau: Resolved that Council have no concerns and approve Mr. Morrow’s request for a Dealership Permit allowing for the selling of vehicles on the property civically addressed as 28071 River Road.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-7044; MARIE RIEGE/OWNER & ASHLEY RIEGE/ APPLICANT (ORG. PT. RL 71, PARISH OF LORETTE)

53-2013 Trudeau – Stein: Resolved that the Public Hearing on Subdivision File No. 4194-2012-7044 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2012-7044

54-2013 At 7:40 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-7044 to create 1 additional Rural Residential Lot from an existing parcel of land that currently measures approximately 7.02 Acres.

Marie Riege; Owner and Ashley Riege; Applicant attended the Delegation Chair in Support of the Application. The following Provincial Comments were received:

Community Planning: Comment that the Proposal is in keeping with the R.M. of Tache Development Plan and have no concerns.

Manitoba Conservation: Require a site plan/sketch identifying the setback distances from existing wastewater

management facilities to the newly proposed lot lines. Address no concerns.

Manitoba Water Stewardship:

No concerns.

Manitoba Highways:

Require Applicants obtain access permit. Otherwise no concerns.

Shaw:

No concerns.

Manitoba Innovation, Energy & Mines:

No concerns.

Manitoba Culture, Heritage & Tourism:

Have not made comment to date.

No other correspondence or communication was received to date.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-7044

55-2013

Trudeau – Menard: Resolved that the Public Hearing on Subdivision File No. 4194-2012-7044 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-7044; MARIE RIEGE/OWNER & ASHLEY RIEGE/APPLICANT (ORG. PT. RL 71, PARISH OF LORETTE)

56-2013

Heather – Stein: Resolved that Council **APPROVE** Subdivision File No. 4194-2012-7044 subject to the following conditions:

- The Applicant obtain a Variation Order Application to vary the site width of Proposed Lot 1 from the minimum requirement of 200 feet to approximately 40 feet (being access for the property);
- A Building Location Certificate (BLC) be prepared by a Manitoba Land Surveyor for the residual parcel illustrating the location of all buildings and/or structures on the affected land in relation to the newly proposed property lines;
- If warranted by the Building Location Certificate Variation Order Applications be applied for,
- A right-of-way access servicing both properties be prepared and registered on both titles submitting a copy of document to the Municipality, and;
- Dedication Fees in the amount of \$4,500.00 for the creation of 1 additional Rural Residential Lot be paid to the Municipality.

Carried.

SRRCD – NW ¼ OF SECTION 10-9-7E

57-2013

Heather – Trudeau: Whereas Councillors Menard, Rivard & Heather addressed Council with additional information respecting the cooperation of the SRRCD to conduct and absorb costs for surveying on pt. NW ¼ of Section 10-9-7E;

Resolved that Council grant access to the property by SRRCD to undertake the surveying for a potential water retention project.

Carried.

58-2013 **LAVALLEE DRAIN – MANITOBA CONSERVATION/SRRCD**
Trudeau – Menard: Resolved that Council contact Geoff Reimer of Manitoba Conservation for consideration to work along with SRRCD respecting the Lavallee Drain.

Carried.

59-2013 **OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-7077; TODD JEANNEAULT/JANN ASMUNDSON (PT. SW ¼ OF SECTION 1-8-4E)**
Trudeau – Koop: Resolved that the Public Hearing on Subdivision File No. 4194-2012-7077 be opened.

Carried.

60-2013 **DELEGATION – SUBDIVISION FILE NO. 4194-2012-7077**
At 7:50 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-7077 to separate the yard site from an existing parcel of land that currently measures approximately 40 Acres. Todd Jeanneault & Jann Asmundson; Owners and Applicants attended the Delegation Chair in Support of the Application.

The following Provincial Comments were received:

Community Planning: Comment that the Proposal is in keeping with the R.M. of Tache Development Plan and address no concerns.

Manitoba Agriculture, Food & Rural Initiatives: Express concerns with the size of the residual portion not maintaining a minimum of 40 acres recommending consolidation with adjacent farm properties; however do not object to the proposal.

Manitoba Conservation: Require a site plan/sketch identifying the setback distances from existing wastewater management facilities to the newly proposed lot lines. Address no concerns.

Shaw: No concerns.

Manitoba Highways: No concerns.

MTS: No concerns.

Manitoba Innovation, Energy & Mines: No concerns.

Manitoba Culture, Heritage & Tourism: Have not made comment to date.

No other correspondence or communication was received to date.

61-2013 **CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-7077**
Trudeau - Stein: Resolved that the Public Hearing on Subdivision File No. 4194-2012-7077 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-7077; TODD JEANNEAULT/JANN ASMUNDSON (PT. SW ¼ OF SECTION 1-8-4E)

62-2013

Trudeau – Stein: Resolved that Council **APPROVE** Subdivision File No. 4194-2012-7077 subject to the following conditions:

- The Owners/Applicants obtain a Variation Order Application to vary the site area of the Residual Portion from the minimum requirement of 80 acres to approximately 36.2 acres;
- A Building Location Certificate (BLC) be prepared by a Manitoba Land Surveyor for Proposed Lot 1 illustrating the location of all buildings and/or structures and wastewater management systems 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 \$4,500.00 for the creation of 1 additional lot be paid to the Municipality.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-7053; BARRY & CINDI STEG (PT. NE ¼ OF SECTION 23-9-4E)

63-2013

Trudeau – Menard: Resolved that the Public Hearing on Subdivision File No. 4194-2012-7053 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2012-7053

64-2013

At 8:00 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-7053 to separate the yard site as a Retired Farmer from an existing parcel of land that currently measures approximately 40 Acres.

Barry Steg; Owner and Applicant attended the Delegation Chair in Support of the Application.

Ms. Josee Nazarkiewicz; Owner & Resident of 22082 River Road attended the Delegation Chair inquiring about future subdivision of the property if approved, however did not register any concerns/objection to the proposal.

The following Provincial Comments were received:

Community Planning: Comment that the Proposal is in keeping with the R.M. of Tache Development Plan however address Council’s attention to the comments of Manitoba Agriculture, Food & Rural Initiatives. Otherwise no concerns.

Manitoba Agriculture, Food & Rural Initiatives: Express concerns with the proposal and recommend the residual parcel be consolidated with adjacent farmland. They are not objecting to the Proposal.

Manitoba Conservation: Require written confirmation with the type of onsite wastewater management system. No concerns.

Water Stewardship: No concerns.

Mines Branch: No concerns.

Shaw: No concerns.

Manitoba Hydro: No concerns

Manitoba Highways: No concerns.

MTS: No concerns.

Crown Lands Branch: No concerns.

Manitoba Culture, Heritage & Tourism: Have not made comment to date.

No other correspondence or communication was received to date.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-7053

65-2013 **Trudeau – Menard:** Resolved that the Public Hearing on Subdivision File No. 4194-2012-7053 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-7053; BARRY & CINDI STEG (PT. NE ¼ OF SECTION 23-9-4E)

66-2013 **Menard – Deschambault:** Resolved that Council **APPROVE** Subdivision File No. 4194-2012-7053 subject to the following conditions:

- The Owners/Applicants obtain a Variation Order Application to vary the site area from the minimum requirement of 80 acres to approximately 30.3 acres and to vary the site width from the minimum requirement of 600 feet to approximately 262 feet for the Residual Portion;
- A Building Location Certificate (BLC) be prepared by a Manitoba Land Surveyor for Proposed Lot 1 illustrating the location of all buildings and/or structures and wastewater management systems in relation 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 \$4,500.00 for the creation of 1 additional lot be paid to the Municipality.

Carried.

CORRESPONDENCE & COMMUNICATION

67-2013	<u>Writer</u>	<u>Subject</u>	<u>Disposition</u>
	Ste. Gen Rec Centre	Invitation	Info.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-7093; ROY & SARAH MCDUGAL (PT. SE ¼ OF SECTION 19-9-7E)

68-2013 **Trudeau – Heather:** Resolved that the Public Hearing on Subdivision File No. 4194-2012-7093 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2012-7093

69-2013 At 8:10 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-7093 to create 2 Rural Residential Lots from an existing parcel of land that currently measures approximately 39 Acres.

Roy & Sarah McDougal; Owners and Applicants attended the Delegation Chair in Support of the Application. The following Provincial Comments were received:

Community Planning: Comment that the Proposal conforms with the intent of the Development Plan; however recommend Council consider comments made by Agriculture. They do not object to the proposal.

Manitoba Agriculture, Food & Rural Initiatives: Address strong concerns with the residual parcel having Class 2W and 3D Soils and recommend the residual parcel be consolidated with adjacent farm land. They have not filed an Objection.

Manitoba Conservation: No concerns.

Manitoba Highways: Comment on Highways requirements if establishing access onto Provincial Road PR #501. No concerns.

Manitoba Innovation, Energy & Mines: No concerns.

Manitoba Culture, Heritage & Tourism: Have not made comment to date.

No other correspondence or communication was received to date.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-7093

70-2013 **Trudeau – Stein:** Resolved that the Public Hearing on Subdivision File No. 4194-2012-7093 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-7093; ROY & SARAH MCDOUGAL (PT. SE ¼ OF SECTION 19-9-7E)

71-2013 **Rivard – Stein:** Resolved that Council **APPROVE** Subdivision File No. 4194-2012-7066 subject to the following conditions:

- The Owners/Applicants obtain a Variation Order Application to vary the site area of the Residual Portion from the minimum requirement of 40 acres to approximately 21.8 acres;
- A Building Location Certificate (BLC) be prepared by a Manitoba Land Surveyor for Proposed Lot 2 illustrating the location of all buildings and/or structures on the affected land in relation to the newly proposed property lines;
- If warranted by the Building Location Certificate Variation Order Applications be applied for, and;
- Dedication Fees in the amount of \$6,500.00 for the creation of 2 Rural Residential Lot (2 x \$3,250.00) be paid to the Municipality.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #01-13; KEVLAR FARMS INC.; KEVIN PLETT (PT. NE ¼ OF SECTION 23-8-5E)

72-2013 Trudeau – Koop: Resolved that the Public Hearing on Variation Order Application No. VO #01-13 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #01-13

73-2013 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 #01-13 to vary the separation distance from the location of a newly proposed Livestock Facility to the Eastern Boundary of the Landmark LUD.

Kevin & Laurel Plett; Kevlar Farms Inc. attended the Delegation Chair in support of the Application.

The Landmark LUD Committee at their Regular January 7th, 2013 Meeting addressed no concerns and recommended Council Approve the Application as applied for.

Ventura Land Company Inc. submitted correspondence addressing concerns with respect to the impact these types of situations may have on residential development/growth for the Landmark LUD and requested that Council acknowledge these concerns addressed; however did not register an objection to the Application.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #01-13

74-2013 Trudeau – Koop: Resolved that the Public Hearing on Variation Order Application No. VO #01-13 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #01-13; KEVLAR FARMS INC.; KEVIN PLETT (PT. NE ¼ OF SECTION 23-8-5E)

75-2013 Koop – Trudeau: Resolved that Council APPROVE Variation Order Application No. VO #01-13 subject to the following conditions:

- The existing Livestock Facility be used only as an Accessory Building for storing Farm Related Equipment and not housing of additional Livestock, and;

- The necessary Building Permits be obtained from the Office of the Fire Commissioner for the construction of the Livestock Facility.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-7092; #6291997 MANITOBA LTD.; PAUL WARKENTIN/ASHLEY PENNER

76-2013 Trudeau – Koop: Resolved that the Public Hearing on Subdivision File No. 4194-2012-7092 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2012-7092

77-2013 At 8:30 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-7092 create 7 Residential Lots from 2 separate titles that currently total approximately 4.08 Acres in size.

Paul Warkentin; #6291997 Manitoba Ltd.
Attended the Delegation Chair in support of the Application.

The Landmark LUD at their Regular
January 7th, 2013 Meeting addressed no concerns with the Proposal and
recommended Council Approve subject to entering into a Development
Agreement.

The following Provincial Comments were
received:

Community Planning: The Proposal is in keeping with the R.M. of
Tache Development Plan. No concerns.

Manitoba Conservation: No concerns.

Shaw: No concerns.

**Manitoba Water
Stewardship:** No concerns.

**Canada Post, Hanover
School Division &
Culture Heritage &
Tourism:** Have not made comment to date.

No other correspondence or communication
was received to date.

**ADJOURNMENT OF PUBLIC HEARING – SUBDIVISION FILE
NO. 4194-2012-7092**

78-2013

Trudeau – Stein: Resolved that the Public Hearing on
Subdivision File No. 4194-2012-7092 be referred back to the LUD of
Landmark for further review/deliberation, and;
Be It Further Resolved that Subdivision File
#4194-2012-7093 be adjourned to February 14th, 2013 @ 7:30 p.m.

Carried.

ADJOURNMENT

79-2013

Trudeau – Koop: Resolved that the meeting be adjourned
the hour being 8:45 p.m.

Carried.

**William Danylchuk,
Mayor.**

**Daniel Poersch,
Chief Administrative Officer.**