

MINUTES OF THE REGULAR DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON JANUARY 13TH, 2010 AT 7:00 P.M.

MEMBERS PRESENT: Mayor Danylchuk, Councillors 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

52-2011 Koop – Menard: Resolved that this Meeting's Agenda be adopted as amended.

Carried.

ABSENCE OF COUNCIL MEMBER

53-2011 Rivard – Menard: Resolved that Councillor Trudeau be excused from participating in the scheduled Public Hearings at this Regular Development & Planning Meeting.

Carried.

MMM GROUP LIMITED (MTS TOWER)-ILE DES CHENES

54-2011 Koop – Heather: Whereas MMM Group has provided the R.M. of Taché a Report proposing to install a Communication Tower in the R.M. of Ritchot to be located on Lot 1, Plan 16577 in pt. SE¼ of Section 4-9-4E (immediately South of TransCanada Pipeline Facility and West of Arnould Road in Ile des Chenes);
Resolved that correspondence be submitted to the MMM Group expressing concerns with respect to a lack of public consultation, and;

Be It Further Resolved that Council request the R.M. of Ritchot of what notification was made to impacted Property Owners and if Taché Property Owners within the area were included with the notification.

Carried.

DELEGATION – FIRE CHIEFS (JAWS OF LIFE)

55-2011 At 7:05 p.m., Peter Skjaerlund; R.M. of Tache Fire Chief along with District Chief Tim Graham attended the Delegation Chair requesting Council's consideration for Financial Assistance towards the purchase of a new Jaws of Life Equipment. Due to a current malfunctioning issue with the existing Jaws of Life has brought forth cause for concern for the safety of the Volunteer Firefighters.

NOTICE OF PUBLIC HEARING – R.M. OF SPRINGFIELD (ZONING AMENDMENT BY-LAW NO. 10-23); SP LOT 3, PLAN 4853 IN PT. SW ¼ OF SECTION 33-11-6E

56-2011 Koop – Menard: Resolved that Council have no concerns

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with The R.M. of Springfield Zoning Amendment By-law No. 10-23 to rezone SP Lot 3, Plan 4853 in pt. SW¼ of Section 33-11-6E from “PR”; **Parks and Recreation Zoning District to “HA” Hamlet Area Zoning District.**

Carried.

NOTICE OF PUBLIC HEARING – R.M. OF SPRINGFIELD (ZONING AMENDMENT BY-LAW NO. 10-24); IN PT. NW ¼ OF SECTION 34-10-5E

57-2011 **Koop – Heather:** Resolved that Council have no concerns with The R.M. of Springfield Zoning Amendment By-law No. 10-24 to rezone pt. NW¼ of Section 34-10-5E from “DR”; **Development Reserve Zoning District to “RM” Residential Multiple Family Zoning District.**

Carried.

CONTINUATION OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #62-10 (LOT 2, PLAN 45664 IN PT. RL 68); JOHANN & NATALI FUCHS

58-2011 **Deschambault – Stein:** Resolved that the Continuation of Public Hearing on Variation Order Application No. VO #62-10 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #62-10

59-2011 At 7:30 p.m.; the time specified from the Regular Development & Planning Meeting held November 10th, 2010; Council conducted the Continuation of Public Hearing on Variation Order Application No. VO #62-10 to vary the location and height of a proposed Accessory Building (Shop) on the property legally described as Lot 2, Plan 45664 in pt. RL 68.

Public Hearing. No formal representation was made at the

was received to date. No other correspondence or communication

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #62-10

60-2011 **Menard – Heather:** Resolved that The Public Hearing on Variation Order Application No. VO #62-10 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #62-10 (LOT 2, PLAN 45664 IN PT. RL 68); JOHANN & NATALI FUCHS

61-2011 **Heather – Menard:** Whereas the size and location of the Accessory Building is not considered appropriate for the property subject to the Application;

Resolved that Council **REJECT** the Application as applied for.

Carried.

NOTICE OF PUBLIC HEARING – R.M. OF SPRINGFIELD (ZONING AMENDMENT BY-LAW NO. 10-28); PT. NW¼ OF SECTION 34-10-5E

62-2011 **Heather – Deschambault:** Resolved that Council have no concerns with The R.M. of Springfield Zoning Amendment By-law No. 10-28 to

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rezone pt. NW¼ of Section 34-10-5E from “RS”; Residential Single Family Zoning District to “RC” Residential Comprehensive Zoning District.

Carried.

GARDEN SUITE – HAKIM SAGHER/LESLIE WALTERS-SAGHER (49151 POIRIER ROAD)

63-2011

Heather – Deschambault: Whereas the Owners are requesting Council’s approval to allow for the construction of an Accessory Building/Garden Suite prior to the signage of the Garden Suite Agreement due to special circumstances, and;

Whereas the Occupant (Mother) of the Garden Suite currently resides out of the Country, and;

Whereas The R.M. of Tache requires signature of Garden Suite Agreements prior to issuance of Building Permits;

Resolved that Council upholds the current requirement for Garden Suites and until a fully executed Garden Suite Agreement is received by the Municipality, permits will be held in abeyance.

Carried.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION C.U. #01-11 (LOT 1, PLAN 35141 IN PT. SE ¼ OF SECTION 16-9-7E); GEORGE KING & MARIA QUQSUUT

64-2011

Koop – Heather: Resolved that the Public Hearing on Conditional Use Application No. C.U. #01-11 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. C.U. #01-11

65-2011

At 7:40 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Conditional Use Application No. C.U. #01-11 for the purpose establishing a Kennel Facility.

George King & Maria Quqsuut; Owners & Applicants attended the Delegation Chair in support of the Application.

Ken Tench; Resident of 38130 MUN 50N attended the Delegation Chair addressing his concerns with respect to noise impact & safety to the residents in the area and formally **OBJECTED** to the Application.

Gerald Legal; Owner & Resident of 39011 MUN 50N attended the Delegation Chair also addressing the noise impact, safety and advised Council of 2 other Kennels currently operating in the area and formally **OBJECTED** to the Application.

Tiffany Waite; Owner & Resident of 38158 MUN 50N attended the Delegation Chair also addressing the noise impact, safety, disposal of waste and the increase in traffic and formally **OBJECTED** to the Application.

John Jorgensen; Owner & Resident of 38129 MUN 50N attended the Delegation Chair addressing concerns for the waste disposal on the property and formally **OBJECTED** to the Application.

Jason Johnson; Owner & Resident of 39064 MUN 50N attended the Delegation Chair supporting the concerns of the neighbours and questioned the notification requirements for establishing a Dog Kennel Facility. He also submitted a formal **OBJECTION** to the Application.

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The Owners & Applicants re-attended the Delegation Chair per Mayor Danylchuk’s request announcing their **WITHDRAWAL** of their Application.

No other correspondence or communications was received.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. C.U. #01-11

66-2011 **Menard - Rivard:** Resolved that the Public Hearing on Conditional Use Application No. C.U. #01-11 be closed, and; Be It Further Resolved that Council acknowledge and accept the Owners/Applicants **WITHDRAWAL**.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2010-5153 (W ½ OF PT. SW ¼ OF SECTION 23-9-7E); DANIEL YAROSHINSKI

67-2011 **Koop – Deschambault:** Resolved that the Public Hearing on Subdivision File No. 4194-2010-5153 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2010-5153

68-2011 At 7:50 p.m. the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2010-5153 for the purpose of creating 1 additional Rural Residential Lot from a parcel of land currently measuring 40 acres.

Daniel Yaroshinski; Owner and Applicant along with Monique Yaroshinski; Resident attended the Delegation Chair in support of the Proposal.

The following comments were received from the various Provincial Departments:

Community Planning Services
Branch:

Recommend Council acknowledge Manitoba Infrastructure & Transportation comment that a Right-of-way Agreement be entered into allowing access to the newly proposed Lot from the existing driveway. Otherwise no concerns.

Infrastructure & Transportation:

Will not issue Driveway Access from PR #501 and require that a Right-of-Way Agreement be entered into for access to the Proposed Lot from the existing Driveway. Also require that the Agreement be registered at WLTO against the affected Titles.

Water Stewardship:

May require a Water Rights License

Manitoba Conservation:

No concerns

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Agriculture, Food & Rural Initiatives: No concerns
 Shaw Cable: No concerns

No other correspondence or communication was received.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2010-5153

69-2011 Koop – Heather: Resolved that the Public Hearing on Subdivision File No. 4194-2010-5153 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2010-5153 (W ½ OF PT. SW ¼ OF SECTION 23-9-7E); DANIEL YAROSHINSKI

70-2011 Rivard – Menard: Resolved that Council **APPROVE** Subdivision File No. 4194-2010-5153 subject to the following conditions:

- A Building Location Certificate be prepared by a Manitoba Land Surveyor identifying the location of all buildings/structures along with Wastewater Management Systems in relation to the newly proposed Lot Lines;
- If warranted by the Building Location Certificate all Variation Order Applications be applied for;
- A Right-of-Way Agreement be entered into between parties providing access from the existing Driveway, and;
- Dedication Fees in the amount of \$2,250.00 for the creation of 1 additional lot be paid to the Municipality.

Carried.

DELEGATION – MATTHEW PLETT (LOT 1, PLAN 18528 IN PT. SW ¼ OF SECTION 22-8-5E); 45011 MUN 27E – PROPOSED CATTLE SHELTER

71-2011 Heather – Rivard: Whereas Matthew Plett; Owner & Resident of 45011 MUN 27E attended the Delegation Chair requesting Council’s Approval to construct a Cattle Shelter measuring approximately 70’ x 150’ to be attached to the existing Milking Barn providing additional space for the 130 head of Dairy Cattle;

Resolved that Council acknowledge Mr. Plett’s request granting Approval for the construction of a Cattle Shelter on Lot 1, Plan 18528 located in the SW¼ of Section 22-8-5E, and;

Be It Further Resolved that the Owner obtain A Development Permit from the Municipal Building Inspector prior to the construction of the Facility.

Carried.

BY-LAW NO. 1-2011 – COMPENSATION & REIMBURSEMENT OF EXPENSES TO MEMBERS OF COUNCIL – 3RD READING

72-2011 Deschambault – Menard: Resolved that By-law No. 1-2011 being a By-law of The Rural Municipality of Taché to provide for compensation and reimbursement of expenses to members of Council be read a 3rd and final time and be passed.

For the Motion: Councillors Koop, Menard, Deschambault, Stein, Heather, Rivard & Mayor Danylchuk.

Against the Motion: Nil.

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Abstention: Nil.

Motion Carried.

BY-LAW NO. 2-2011 – EMPLOYEE DESIGNATIONS & REMUNERATIONS – 3RD READING

73-2011

Menard – Koop: Resolved that By-law No. 2-2011 being a By-law of The Rural Municipality of Taché to provide for the establishment of designated officers, and employees and their remunerations thereto for the year 2011 be read a 3rd and final time and be passed.

For the Motion: Councillors Koop, Menard, Deschambault, Stein, Heather, Rivard & Mayor Danylchuk.

Against the Motion: Nil.

Abstention: Nil.

Motion Carried.

BY-LAW NO. 3-2011 – CAO DESIGNATION & REMUNERATION – 3RD READING

74-2011

Deschambault – Koop: Resolved that By-law No. 3-2011 being a By-law of the Rural Municipality of Taché to amend By-law 23-2003 being a by-law, which provides for appointing Daniel Poersch as Chief Administrative Officer of the Municipality and the remuneration thereof be read a 3rd and final time and be passed.

For the Motion: Councillors Koop, Menard, Deschambault, Stein, Heather, Rivard & Mayor Danylchuk.

Against the Motion: Nil.

Abstention: Nil.

Motion Carried.

NRT MUNICIPAL BROADBAND INC. – JANUARY 12TH, 2011 MINUTES

75-2011

Koop – Deschambault: Resolved that the January 12th, 2011 Minutes for the Niverville/Ritchot/Taché (NRT) Municipal Broadband be acknowledged as presented.

Carried.

NOTICE OF MOTION – RESOLUTION NO. 1282-2010

76-2011

Menard – Rivard: Resolved that Resolution No. 1282-2010 passed at the October 16th, 2010 Regular Development & Planning Meeting approving a Road Name selected by the R.M. of Tache pertinent to a Specific Subdivision Application is hereby rescinded.

Carried.

ROAD NAME SUGGESTION (SUBDIVISION FILE NO. 4194-2009-4860); PHILIPPE & TAMARA ARBEZ (PT. RL 39)

77-2011

Koop – Menard: Resolved that Council acknowledge and **APPROVE** the Developers request to name the proposed Roadway within the Subdivision Proposal currently being processed by Community

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Planning as Arbez Cove.

Motion Defeated.

CAPITAL REGIONS REPORT

78-2011 **Deschambault – Menard:** Resolved that Council acknowledge the Capital Regions Report submitted by Mayor Danylchuk.

Carried.

EMO – FLOOD TUBING

79-2011 **Koop – Heather:** Whereas EMO is making available to Municipalities emergency equipment including Flood Tubes;
Resolved that the Municipality register our interest in being considered for distribution of Flood Tubes should the need arise.

Carried.

SRTD – COMMITTEE NOMINEES

80-2011 **Stein – Menard:** Whereas the Seine River Tributary Diversion Project requires both inter-municipal co-operation and commitment, and;
Whereas Council feels it is in the best interest of the Municipality to have Municipal representation at SRTD Meetings to report back to Council;
Resolved that Councillors Heather & Menard be nominated to sit as Committee Members on the SRTD Committee with Councillors Deschambault & Rivard as alternates.

Carried.

SRTD – ADJACENT MUNICIPAL PARTICIPATION

81-2011 **Heather – Stein:** Whereas Council feels the importance of having adjacent jurisdictions participate in the SRTD Project;
Resolved that recommendation be made to the R.M. of Ste. Anne, Town of Ste. Anne & R.M. of Springfield and designates from Provincial Departments to participate in the SRTD Project by appointing individuals to sit on the SRTD Committee Board.

Carried.

CORRESPONDENCE & COMMUNICATIONS

82-2011	<u>Writer</u>	<u>Subject</u>	<u>Disposition</u>
	Red River Basin (North Chapter)	Invitation – Feb 24/11	Res. 83-2011
	Community Futures Triple R	Child Care Informational Meeting	Res. 84-2011
	SRRCB	Board update	Rec'd as info.

RED RIVER BASIN COMMISSION NORTH CHAPTER – INVITATION

83-2011 **Deschambault – Heather:** Resolved that Council authorize Councillors Menard, Deschambault & Rivard to attend the upcoming Annual gathering hosted by Red River Basin Commission North Chapter that is scheduled for February 24th, 2011, and;
Be It Further Resolved that all Council

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Members be remunerated accordingly.

Carried.

**COMMUNITY FUTURES TRIPLE R CORPORATION –
REGIONAL DAY CARE PROJECT (INFORMATION MEETING)**

84-2011

Menard – Heather: Resolved that Council authorize Councillor Stein to attend the upcoming informational meeting regarding a proposed Regional Day Care Project scheduled for Thursday, February 3rd, 2011 at the Bilingual Service Center in St. Pierre-Jolys, and;

Be It Further Resolved that Councillor Stein be remunerated accordingly.

Carried.

PURCHASE – JAWS OF LIFE

85-2011

Deschambault – Koop: Whereas the R.M. of Tache Fire Department has submitted a quote to Council requesting some financial assistance toward the purchase of a new Holmatro Jaws of Life, and;

Whereas the R.M. of Tache Fire Department through fundraising efforts have collected a substantial amount for the purpose of purchasing this piece of equipment;

Resolved that Council acknowledge the request of the Fire Department and provide Financial Assistance towards the purchase of this equipment subject to the following conditions:

- that all fundraising monies collected by the Fire Department be used towards the purchase of the said Equipment;
- financial assistance provided by the R.M. of Tache for the aforementioned purchase will be reflected in any additional equipment the Fire Department deems necessary for 2011.

Carried.

ADJOURNMENT

86-2011

Koop – Deschambault: Resolved that the meeting be adjourned the hour being 10:45 p.m.

Carried.

**William Danylchuk,
Mayor.**

**Daniel Poersch,
Chief Administrative Officer.**