

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 10TH, 2012 AT 7:00 P.M.

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

IN ATTENDANCE: Daniel Poersch,
Chief Administrative Officer,
Janice Desmarais,
Development Officer/Recording Secretary.

**INVOCATION/
OPENING:** Councillor Deshambault called the meeting to order and offered the Invocation at 7:00 p.m.

ADOPTION OF AGENDA

478-2012 Trudeau – Koop: Resolved that this Meeting's Agenda be adopted as amended.

Carried.

ABSENCE OF COUNCIL MEMBER

479-2012 Trudeau – Stein: Resolved that Mayor Danylchuk be excused from participating in tonight's scheduled Public Hearings.

Carried.

BY-LAW NO. 11-2012 (ZONING BY-LAW AMENDMENT) – 1ST READING

480-2012 Koop – Trudeau: Resolved that By-law No. 11-2012; being an amendment to the R.M. of Tache Zoning By-law be introduced and read a 1st time.

Carried.

CONDITIONAL USE APPLICATION NO. CU #19-11 – EXTENSION REQUEST

481-2012 Koop – Stein: Resolved that Council acknowledge and approve a 12 month extension for Conditional Use Application No. CU #19-11.

Carried.

MUNICIPAL BOARD HEARING (AUGUST 16TH, 2012)

482-2012 Trudeau – Heather: Whereas a Municipal Board Hearing has been scheduled for August 16th, 2012 respecting Subdivision File No. 4194-2011-5312;

Resolved that Councillor Menard be authorized to attend the upcoming Municipal Board Hearing scheduled on August 16th, 2012 @ 10:00 a.m.

Carried.

CORRESPONDENCE & COMMUNICATION

483-2012	<u>Writer</u>	<u>Subject</u>	<u>Disposition</u>
	Minister of Local Government	Planning & Land Dedication for School Sites Act	Res. 484-2012
	Minister of Local Government	Feasibility Study Grant	Rec'd as info.
	Prov of Mb./ AMM	Municipal Bridge Program Assistance	Rec'd as info.
	Dillon Consulting	Waste Disposal Ground Operational Assistance & Reporting	Res. 490-2012
	Dawson Trail School	Donation request	Res. 485-2012
	CGF Youth Grp.	Community Help	Res. 491-2012

PLANNING & LAND DEDICATION FOR SCHOOL SITES ACT

484-2012 **Trudeau – Stein:** Whereas correspondence was received from The Minister of Local Government addressing legislation respecting Planning & Land Dedication for School Sites, and;
 Whereas the Local Government is requesting feedback from Municipalities in respect to the proposed legislation;
 Resolved that Council authorize Councillors Heather, Deschambault & Mayor Danylchuk representatives for the Municipality to engage in discussion.

Carried.

DAWSON TRAIL PAC – DONATION REQUEST

485-2012 **Heather – Stein:** Resolved that Council authorize a grant of \$150.00 supporting the 3 schools for the upcoming Community BBQ.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #16-12; CAMILE HENRY (PT. RL 22)

486-2012 **Trudeau – Deschambault:** Resolved that the Public Hearing on Variation Order Application No. VO #16-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #16-12

487-2012 At 7:30 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Variation Order Application No. VO #16-12 to vary the east side yard distance from the requirement of 25 feet in “RRW”; Rural Residential West Zone to approximately 10 feet for a proposed Accessory Building measuring approximately 28’ x 38’.

No formal representation was made at the Public Hearing.

No other correspondence or communication was received on the Application.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #16-12

488-2012 Trudeau – Stein: Resolved that the Public Hearing on Variation Order Application No. VO #16-12 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #16-12; CAMILE HENRY (PT. RL 22)

489-2012 Deschambault – Trudeau: Resolved that Council **APPROVE** Variation Order Application No. VO #16-12 subject to the following conditions:

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

Carried.

DILLON CONSULTING – WASTE DISPOSAL GROUND OPERATIONAL ASSISTANCE & REPORTING

490-2012 Trudeau – Heather: Resolved that Council approve the costs associated with professional services for leachate management, well monitoring, waste surveying and reporting as specified in the proposal received by Dillon Consulting.

Carried.

CGF YOUTH GROUP – COMMUNITY HELP

491-2012 Deschambault – Trudeau: Resolved that Councillor Heather be authorized to contact the representative of CGF Youth Group to discuss the matter further.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #17-12; CAROLINE MORRIS (ORIGINALLY LOT 7, PLAN 16762 IN PT. SW¼ OF SECTION 32-8-5E)

492-2012 Trudeau – Stein: Resolved that the Public Hearing on Variation Order Application No. VO #17-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #17-12

493-2012 At 7:40 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Variation Order Application No. VO #17-12 to remedy a condition of a Subdivision Application currently being processed by Community & Regional Planning Branch under File No. 4194-2011-5302.

The CAO advised Council that the Survey Sketch addressing the Variation Order matters has been altered/ revised since the Public Hearing Notice was circulated to the affected Property Owners. The CAO also advised Council that the purpose of the revised Survey was in reference to an existing ROW Agreement registered at WLTO.

Caroline Morris; Owner and Applicant attended the Delegation Chair in Support of the Application.

Mike Lenton; Son-in-law attended the Delegation Chair to clarify the concerns of the adjacent property owner.

Alain Hogue; Solicitor for Roland Lamontagne addressed Council with the concerns of his client in respect to entering into the R.O.W. Agreement.

Caroline Morris re-attended the Delegation Chair to discuss the remediation of the R.O.W. matter.

No other correspondence or communication was received to date.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #17-12

494-2012 Trudeau – Deschambault: Resolved that the Public Hearing on Variation Order Application No. VO #17-12 be closed and Council defer their disposition until a signed R.O.W. Agreement is presented to the Municipality.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #18-12; JOLICOEUR ROOFING & CONTRACTING INC.; GUY JOLICOEUR (LOT 2, PLAN 4940 & LOT 1, BLOCK 1, PLAN 17242)-1223 DAWSON ROAD IN LUD LORETTE

495-2012 Trudeau – Deschambault: Resolved that the Public Hearing on Variation Order Application No. VO #18-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #18-12

496-2012 At 7:50 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Variation Order Application No. VO #18-12 to vary the rear yard distance on Lot 2, Plan 4940 & Lot 1, Block 1, Plan 17242 for the purpose of repositioning the Approved Condo Unit Apartment allotting an increase for 6 additional exterior Parking Stalls from the initial 4 stalls.

Guy Jolicoeur of Jolicoeur Roofing & Contracting Inc. attended the Delegation Chair in support of the Application.

The LUD of Lorette Committee at their Regular May 1st, 2012 Meeting had no concerns with the Application and recommended Council approve as applied for.

Scott & Anna Dillabough; Owners & Residents of 18 Therrien Street attended the Delegation Chair addressing concerns respecting the closeness of the Building to the rear yard property line and privacy and **OBJECTED** to the Application.

Guy Jolicoeur re-attended the Delegation Chair to continue his support on the Application.

No other communication or correspondence was received to date.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #18-12

497-2012 Deschambault – Trudeau: Resolved that the Public Hearing on Variation Order No. VO #18-12 be closed.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #19-12; PETER & ODETTE BERNERT (OWNERS) & CHRISTOPHER & JULIANNA ZUBRISKI (APPLICANTS)- ORIGINALLY SP LOT 12, PLAN 16929 IN PT. NE¼ OF SECTION 2-9-4E

498-2012 Trudeau – Heather: Resolved that the Public Hearing on Variation Order Application No. VO #19-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #19-12

499-2012

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 #19-12 to remedy a condition of a Subdivision Application currently being processed by the Community & Regional Planning Branch under File No. 4194-2011-5384.

Peter Bernert; Owner of the property attended the Delegation Chair in support of the Application.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #19-12

500-2012

Trudeau – Stein: Resolved that the Public Hearing on Variation Order No. VO #19-12 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #19-12; PETER & ODETTE BERNERT (OWNERS) & CHRISTOPHER & JULIANNA ZUBRISKI (APPLICANTS)- ORIGINALLY SP LOT 12, PLAN 16929 IN PT. NE¼ OF SECTION 2-9-4E

501-2012

Trudeau – Heather: Resolved that Council **APPROVE** Variation Order Application No. VO #19-12 as applied.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #20-12; MICHELLE COURCELLES (LOT 2, PLAN 48702 IN PT. NW¼ OF SECTION 6-9-8E)

502-2012

Trudeau – Deschambault: Resolved that the Public Hearing on Variation Order Application No. VO #20-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #20-12

503-2012

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 #20-12 to vary the maximum height requirement of 15 feet in “AL”; Agriculture Limited Zone to approximately 23 feet on a proposed 2 storey Accessory Building measuring 32’ x 39’ providing temporary residency and storage facility for building materials of a future single family dwelling for the owner.

Michelle Courcelles; Owner & Applicant attended the Delegation Chair in support of the Application.

Mr. Rene Bourgouin; Owner of pt. NE¼ 6-9-8E made inquiry as to the location of this proposal in relation to his property.

No other communication or correspondence was received to date.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #20-12

504-2012

Trudeau – Heather: Resolved that the Public Hearing on Variation Order Application No. VO #20-12 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #20-12; MICHELLE COURCELLES (LOT 2, PLAN 48702 IN PT. NW¼ OF SECTION 6-9-8E)

505-2012 **Rivard – Heather:** Resolved that the Public Hearing on Variation Order Application No. VO #20-12 be **APPROVED** subject to the following conditions:

- All Building Permits be obtained from the Municipal Building Inspector prior to the construction of the 2 Storey Accessory Building/Temporary Residence, and;
- The Owner/Applicant conforms with the minimum yard distance requirements.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #18-12; JOLICOEUR ROOFING & CONTRACTING INC.; GUY JOICOEUR (LOT 2, PLAN 4940 & LOT 1, BLOCK 1, PLAN 17242)-1223 DAWSON ROAD IN LUD LORETTE

506-2012 **Trudeau – Heather:** Resolved that Council acknowledge the recommendation of the Lorette LUD Committee and **REJECT** Variation Order Application No. VO #18-12 as applied.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #21-12; NATHAN & TAMMY REIMER (LOT 19, BLOCK 2, PLAN 48185)-113 CONVENT CRESCENT, LORETTE

507-2012 **Trudeau – Heather:** Resolved that the Public Hearing on Variation Order Application No. VO #21-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #21-12

508-2012 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 #21-12 to vary the rear and side yard distances for the purpose of placing a 10' x 14' Accessory Building for personal use.

The Lorette LUD Committee at their regular meeting held May 1st, 2012 addressed concerns and recommended Council deny the Application.

Nathan Reimer; Owner & Applicant attended the Delegation Chair requesting Council's consideration to alter the rear yard distance from approximately 6 feet as indicated in the Public Hearing Notice to approximately 15 feet.

No other communication or correspondence was received to date.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #21-12

509-2012 **Trudeau – Heather:** Resolved that the Public Hearing on Variation Order Application No. VO #21-12 be closed.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5432 (PT. RL'S 20,21 & 22, PLAN 4196); MARCEL & DIANE RAYNAUD

510-2012 **Trudeau – Stein:** Resolved that the Public Hearing on

Subdivision File No. 4194-2012-5432 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2012-5432

511-2012

At 8:30 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-5432 currently registered under same ownership realigning the boundaries between 2 titles and subdividing the larger parcel into 2 separate titles.

Marcel Raynaud; Owner and Applicant attended the Delegation Chair in support of the Application.

The following Provincial Department comments were received:

Community & Regional Planning Branch:

No concerns.

Manitoba Conservation:

No concerns.

Manitoba Agriculture, Food & Rural Initiatives:

No concerns; however caution on the creation of Rural Residential Lots in an Agricultural Zone.

Infrastructure & Transportation:

No concerns; however note that a permit is required for any new, modified or relocated/removed access onto PR #405.

Energy, Innovation & Mines:

Did not provide any comments.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5432

512-2012

Trudeau – Koop: Resolved that the Public Hearing on Subdivision File No. 4194-2012-5432 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-5432 (PT. RL’S 20,21 & 22, PLAN 4196); MARCEL & DIANE RAYNAUD

513-2012

Heather – Trudeau: Resolved that Council **APPROVE** Subdivision Application No. 4194-2012-5432 subject to the following conditions:

- A Plan of Subdivision Survey be prepared by a Manitoba Land Surveyor and submitted to the Municipality addressing site area and site widths of the Proposed Lots;
- If warranted by the Subdivision Survey all necessary variation order applications be obtained, and;
- An Agreement be entered into with the Municipality regarding the purchase of a Municipal parcel of land.

Carried.

VARIATION ORDER APPLICATION NO. VO #21-12 NATHAN & TAMMY REIMER (LOT 19, BLOCK 2, PLAN 48185)-113 CONVENT CRESCENT, LORETTE

514-2012 Trudeau – Heather: Resolved that Council refer the matter back to the Lorette LUD Committee for further deliberation.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5479; JOHN G. REIMER (OWNER) & JHW ENTERPRISES/SCHINKEL PROPERTIES (APPLICANT)

515-2012 Trudeau – Stein: Resolved that the Public Hearing on Subdivision File No. 4194-2012-5479 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2012-5479

516-2012 At 8:40 p.m., the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-5479 subdividing the northern 1330 feet from the southern portion which is currently proposed to be subdivided under File No. 4194-2011-5367. The purpose of the subdivision relates to purchasing purposes.

The Landmark LUD Committee at their Regular May 7th, 2012 meeting addressed no concerns and recommended Council approve the application.

John G. Reimer; Owner along with Wes Unger; Representative for JHW Enterprises/Schinkel Properties attended the Delegation Chair in support of the Application.

Community & Regional Planning Branch addressed no concerns and commented that the Proposal has been circulated to various Provincial Departments for comment and recommendations that will be incorporated in the Provincial Letter of Conditional Approval.

No other communication or correspondence has been received to date.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5479

517-2012 Trudeau – Koop: Resolved that the Public Hearing on Subdivision File No. 4194-2012-5479 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-5479; JOHN G. REIMER (OWNER) & JHW ENTERPRISES/SCHINKEL PROPERTIES (APPLICANT)

518-2012 Koop – Stein: Resolved that Council acknowledge the recommendation of the Landmark LUD Committee and **APPROVE** Subdivision Application File No. 4194-2012-5479 subject to the following conditions:

- The Owner/Applicant provide a Survey Plan of Subdivision prepared by a Manitoba Land Surveyor addressing site areas and site widths of all proposed lots;
- If warranted by the Survey Plan all necessary Variation Order Applications be applied for;
- The Owner/Applicant register a Right of Way Agreement (Proposed Pcl “C”) for access onto Proposed Pcl “A” with Winnipeg Land Titles Office submitted a copy of the Agreement with the Municipality, and;

- Dedication Fees in the amount of \$13,500.00 (3 x \$4,500.00) for the creation of 3 additional lots be paid to the Municipality recoverable upon finalization of the multi residential lot development currently being processed under Subdivision File No. 4194-2011-5367.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #22-12; JOHN & LOUISE GIESBRECHT (LOT 4, PLAN 16671 IN PT. NE¼ OF SECTION 10-8-4E)-43150 MUN 22E ALSO KNOWN AS HERITAGE LANE

519-2012 Trudeau – Stein: Resolved that the Public Hearing on Variation Order Application No. VO #22-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #22-12

520-2012 At 8:50 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Variation Order Application No. VO #22-12 to vary the front and side yard distances for the purpose of constructing a 24’ x 32’ Attached Garage to the existing Single Family Dwelling.
John Giesbrecht; Owner & Applicant attended the Delegation Chair in support of the Application.
No other communication or correspondence was received to date.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #22-12

521-2012 Trudeau – Stein : Resolved that the Public Hearing on Variation Order Application No. VO #22-12 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #22-12; JOHN & LOUISE GIESBRECHT (LOT 4, PLAN 16671 IN PT. NE¼ OF SECTION 10-8-4E)-43150 MUN 22E ALSO KNOWN AS HERITAGE LANE

522-2012 Trudeau – Stein: Resolved that Council **APPROVE** Variation Order Application No. VO #22-12 subject to the following conditions:

- All Building Permits be obtained from the Municipal Building Inspector prior to the construction of the Proposed Attached Garage.

Carried.

ADJOURNMENT

523-2012 Trudeau – Koop: Resolved that the meeting be adjourned the hour being 8:50 p.m.

Carried.

David Menard,
Deputy Mayor.

Daniel Poersch,
Chief Administrative Officer.