

MINUTES OF THE REGULAR DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON DECEMBER 13TH, 2012 AT 7:00 P.M.

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

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

**INVOCATION/
OPENING:** Councillor Deschambault offered
the Invocation at 7:00 p.m.

ADOPTION OF AGENDA

1234-2012 Trudeau – Stein: Resolved that this Meeting's Agenda be adopted as amended.

Carried.

APPOINTED CHAIRPERSON

1235-2012 Koop – Stein: Resolved that Council appoint Councillor Trudeau as Chairperson for tonight's scheduled meeting.

Carried.

ABSENCE OF COUNCIL MEMBER

1236-2012 Deschambault – Heather: Resolved that Mayor Danylchuk and Deputy Mayor Menard be excused from participating in tonight's scheduled Public Hearings.

Carried.

**LOT A, PLAN 40473 IN PT. SW ¼ OF SECTION 7-9-6E
(2ND DWELLING)-49035 MUN 30E**

1237-2012 Koop – Deschambault: Whereas the Provincial Assessment Branch has informed the Municipality that upon conducting an onsite inspection for an Accessory Use Building (Detached Garage) as per Building Permit Application No. B068-11 it has been confirmed that the facility is in fact a second Single Family Residence;

Resolved that Councillor Heather be authorized to meet with the property owner regarding this matter and report back to Council at a future date.

Carried.

**CONDITIONAL USE APPLICATION NO. CU #48-11 &
VARIATION ORDER APPLICATION NO. VO #49-11
(EXTENSION REQUEST)-191 MAIN STREET-LANDMARK**

1238-2012 Deschambault – Stein: Resolved that Council acknowledge and APPROVE a 12 month extension on Conditional Use Application No. CU #48-11 & Variation Order Application No. VO #49-11 as requested by the Owners/Applicants.

Carried.

CANADA POST – ACTIVATION FEES (NEW DEVELOPMENTS)

1239-2012

The CAO informed Council of upcoming changes/fees Canada Post is implementing respecting the installation of Community Mail Boxes and delivery services in new Residential Developments. In addition Canada Post has provided information outlining the expectation of the Developer and the Municipality in these matters.

REGULAR DECEMBER 18TH, 2012 COUNCIL MEETING – CANCELLATION

1240-2012

Deschambault – Stein: Resolved that the Regular Council Meeting scheduled for December 18th, 2012 be cancelled, and;
Be It Further Resolved that a notice be posted in the Municipal Office addressing the cancellation of the Meeting.

Carried.

OPEN OF CONTINUATION OF PUBLIC HEARING – BY-LAW NO. 17-2012 (ZONING BY-LAW AMENDMENT); LOT 6, PLAN 14160 IN PT RL 52, PLAN 5597

1241-2012

Koop – Stein: Resolved that the Continuation of Public Hearing on Zoning Amendment By-law No. 17-2012 be opened.

Carried.

DELEGATION – ZONING AMENDMENT BY-LAW NO. 17-2012

1242-2012

At 7:30 p.m.; Council conducted the Continuation of Public Hearing on Zoning Amendment By-law No. 17-2012 to rezone Lot 6, Plan 14160 in pt. RL 52, Plan 5597 from “RL”; Residential Limited Zone to “C”; Commercial Zone.

At the November 15th, 2012 Meeting concerns/objections were brought forth resulting in Council’s decision to adjourn the Public Hearing referring the matter back to the LUD of Lorette Committee.

The Lorette LUD Committee at their Regular December 4th, 2012 Meeting reviewed the concerns/objections maintaining their position recommending Council Approve the Re-zoning of the property.

In Addition to the Objections received at the November 15th, 2012 Meeting the following persons made representation on the Application:

Brenda Lombaert; Owner & Resident of 161 St. Michael’s Crescent attended the Delegation Chair presenting Council with 3 separate real estate opinions addressing the impact a Multi Family Complex would have on adjacent property values as well as a Petition bearing 19 names **OBJECTING** to the Proposal. Ms. Lombaert re-affirmed her **OBJECTION** to the Proposal.

Val Englot; Owner & Resident of 167 St. Michael’s Crescent attended the Delegation Chair addressing concerns with the proposal and **OBJECTED** to the Proposal

Alexander Cassie; Owner & Resident of 155 St. Michael’s Crescent attended the Delegation Chair re-affirming his **OBJECTION** to the Proposal.

Doug Englot; Owner & Resident of 167 St. Michael’s Crescent addressing his concerns with future Multi Family Development in the area and **OBJECTED** to the Proposal.

Leslie Ormiston; Owner & Resident of 179 St. Michael’s Crescent attended the Delegation Chair **OBJECTING** to the Proposal.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – ZONING AMENDMENT BY-LAW NO. 17-2012

1243-2012 **Deschambault – Koop :** Resolved that the Public Hearing on Zoning Amendment By-law No. 17-2012 be closed.

Carried.

ZONING AMENDMENT BY-LAW NO. 17-2012 (2ND READING)

1244-2012 **Deschambault – Rivard:** Resolved that By-law No. 17-2012 be given 2nd Reading.

Carried.

OPEN OF CONTINUATION OF PUBLIC HEARING – BY-LAW NO. 18-2012 (ZONING BY-LAW AMENDMENT); PT. LOT 1, PLAN 52326

1245-2012 **Stein – Heather:** Resolved that the Continuation of Public Hearing on Zoning Amendment By-law No. 18-2012 be opened.

Carried.

DELEGATION – ZONING AMENDMENT BY-LAW NO. 18-2012

1246-2012 At 7:50 p.m.; Council conducted the Continuation of Public Hearing on Zoning Amendment By-law No. 18-2012 to rezone Pt. Lot 1, Plan 52326 from “RL”; Residential Limited Zone to “RG”; Residential General Zone.

At the November 15th, 2012 Meeting concerns/objections were brought forth resulting in Council’s decision to adjourn the Public Hearing referring the matter back to the LUD of Lorette Committee.

The Lorette LUD Committee at their Regular December 4th, 2012 Meeting reviewed the concerns/objections maintaining their position recommending Council Approve the Re-zoning of the property.

In addition to the concerns/objections brought forth at the November 15th, 2012 Meeting the following persons made representation:

Robyn Marchadour; Owner & Resident of 92 Belanger Drive attended the Delegation Chair **OBJECTING** to the Proposal and requesting that the Petition bearing 29 names presented at the November 15th, 2012 **OBJECTING** to the Proposal be considered & acknowledged by Council Members.

Laurie Kentner; Owner & Resident of 72 Belanger Drive attended the Delegation Chair **OBJECTING** to the Proposal.

Ross Mitchell from Genivar attended the Delegation Chair continuing his support of the Proposal.

Karen Cassie; Owner & Resident of 155 St. Michael’s Crescent attended the Delegation Chair addressing concerns with the number of Multi Family Complexes being constructed in the Local Urban District of Lorette.

A Real Estate Appraisal conducted by Re/Max Performance Realty was submitted by Chris & Andrea Beaudin; Owners & Residents of 88 Belanger Drive outlining the impact a Multi Family Complex would have on adjacent residential property values.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – ZONING AMENDMENT BY-LAW NO. 18-2012

1247-2012 **Deschambault – Rivard:** Resolved that the Public Hearing on Zoning

Amendment By-law No. 18-2012 be closed.

Carried.

1248-2012 **ZONING AMENDMENT BY-LAW NO. 18-2012 (2ND READING)**
Deschambault – Stein: Resolved that By-law No. 18-2012 be given
2nd Reading.

Carried.

1249-2012 **OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #47-12; SUSANA KRAHN & EDWARD VIEN – LOT 5, PLAN 21392; 721 ROCH DRIVE IN LUD LORETTE**
Deschambault – Heather: Resolved that the Public Hearing on
Variation Order Application No. VO #47-12 be opened.

Carried.

1250-2012 **DELEGATION – VARIATION ORDER APPLICATION NO. VO #47-12**
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 #47-12.
No formal representation was made at the
Public Hearing.
The Lorette LUD Committee at their
Regular December 4th, 2012 Meeting addressed no concerns and
recommended Council Approve the Application as applied for.
No other correspondence or communication
has been received to date.

1251-2012 **CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #47-12**
Koop – Stein: Resolved that the Public Hearing on
Variation Order Application No. VO #47-12 be closed.

Carried.

1252-2012 **COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #47-12; SUSANA KRAHN & EDWARD VIEN – LOT 5, PLAN 21392; 721 ROCH DRIVE IN LUD LORETTE**
Stein – Deschambault: Resolved that Council **APPROVE** Variation
Order Application No. VO #47-12 subject to the following conditions:

- The necessary Building Permits be obtained from the Municipal Building
Inspector prior to the construction of the addition (Attached Garage).

Carried.

1253-2012 **OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #48-12 & CONDITIONAL USE APPLICATION NO. CU #49-12; GABRIEL & SHELLEY DESROSIERS (PT. SW¼ OF SECTION 12-9-7E)**
Deschambault – Heather: Resolved that the Public Hearing on
Variation Order Application No. VO #48-12 & Conditional Use
Application No. CU #49-12 be opened.

Carried.

1254-2012 **DELEGATION – VARIATION ORDER APPLICATION NO. VO #48-12 & CONDITIONAL USE APPLICATION NO. CU #49-12**
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 #48-12 & Conditional Use Application No. CU #49-12 to allow for the establishment of a Bakery providing a Sales & Service to the Community/General Public.

Gabriel & Shelley Desrosiers; Owners and Applicants attended the Delegation Chair in support of the Applications.

No other correspondence or communication was received.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO # 48-12 & CONDITIONAL USE APPLICATION NO. CU #49-12

1255-2012 **Koop – Stein:** Resolved that the Public Hearing on Variation Order Application No. VO #48-12 & CU #49-12 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #48-12 & CONDITIONAL USE APPLICATION NO. CU #49-12 ; GABRIEL & SHELLEY DESROSIERS (PT. SE¼ OF SECTION 12-9-7E)

1256-2012 **Rivard – Heather:** Resolved that Council **APPROVE** Variation Order Application No. VO #48-12 and Conditional Use Application No. CU #49-12, and;

Be It Further Resolved that all Applicable Permits be obtained from Department of Health.

Carried.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #50-12; JOHANN & MARIANNE SCHERMACHER (LOT 2, PLAN 48309 IN PT. RL 11)

1257-2012 **Deschambault – Heather:** Resolved that the Public Hearing on Conditional Use Application No. CU #50-12 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #50-12

1258-2012 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. CU #50-12 for the purpose of establishing a Garden Suite for a Family Member who requires day to day care.

Johann & Marianne Schermacher; Owners and Applicants attended the Delegation Chair supporting the Application.

Donna Tervoert; Owner & Resident of 9 Tranquility Way attended the Delegation Chair **OBJECTING** to the Application.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #50-12

1259-2012 **Deschambault – Stein:** Resolved that the Public Hearing on Conditional Use Application No. CU #50-12 be closed.

Carried.

COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #50-12; JOHANN & MARIANNE SCHERMACHER (LOT 2, PLAN 48309 IN PT. RL 11)

1260-2012 Deschambault – Heather: Resolved that Council **APPROVE** Conditional Use Application No. CU #50-12 subject to the following conditions:

- A Garden Suite Agreement be entered into between the Municipality and the affected parties; and
- All Building Permits be obtained from The R.M. of Tache Building Inspector prior to the placement of the Garden Suite.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-7031; SILVERFIELD FARMS INC. (PT. NE ¼ OF SECTION 4-8-5E)

1261-2012 Deschambault – Heather: Resolved that the Public Hearing on Subdivision File No. 4194-2012-7031 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2012-7031

1262-2012 At 8:40 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-7031 to create 4 Rural Residential Lots from an existing parcel of land that currently measures 78.4 Acres. James Peters of Silverfield Farms Inc.; Owner and Applicant attended the Delegation Chair in Support of the Application.

The following Provincial Comments were received:

Community & Regional Planning: Object to Proposed Lots 3 & 4 and caution Council with Proposed Lots 1 & 2 for potentially creating fragmentation of Agricultural Land.

Manitoba Water Stewardship: A Water Rights License may be required.

Manitoba Agriculture, Food & Rural Initiatives: Object to Proposed Lots 3 & 4.

Shaw Communications: Do not service the area.

No other correspondence or communication was received to date.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-7031

1263-2012 Deschambault – Stein: Resolved that the Public Hearing on Subdivision File No. 4194-2012-7031 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-7031; SILVERFIELD FARMS INC. (PT. NE ¼ OF SECTION 4-8-5E)

1264-2012 Trudeau – Deschambault: Resolved that Council **APPROVE** Subdivision File No. 4194-2012-7031 subject to the following conditions:

- A Variation Order Application be applied for to vary the site area of the residual portion, and;
- Dedication Fees in the amount of \$16,000.00 for the creation of 4 Rural Residential Lot (4 x \$4,000.00) be paid to the Municipality.

Carried.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #52-12 AND VARIATION ORDER APPLICATION NO. VO #53-12; ILE DES CHENES HOLDING CO. LTD. (PT. LOTS 8/9 O.I.S.)

- 1265-2012** **Koop – Heather:** Resolved that the Public Hearing on Conditional Use Application No. CU #52-12 and Variation Order Application No. VO #53-12 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #52-12 & VARIATION ORDER APPLICATION NO. VO #53-12

- 1266-2012** At 8:50 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Conditional Use Application No. CU #52-12 & Variation Order Application No. VO #53-12 to place a Brand New Modular Home for residency purposes.

Rodney Hofer; Manager and Applicant for Ile des Chenes Holding Co. Ltd. attended the Delegation Chair in support of the Application.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #52-12 & VARIATION ORDER APPLICATION NO. VO #53-12

- 1267-2012** **Trudeau – Heather:** Resolved that the Public Hearing on Conditional Use Application No. CU #52-12 & Variation Order Application No. VO #53-12 be closed.

Carried.

COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #52-12 AND VARIATION ORDER APPLICATION NO. VO #53-12; ILE DES CHENES HOLDING CO. LTD. (PT. LOTS 8/9 O.I.S.)

- 1268-2012** **Trudeau – Heather:** Resolved that Council **APPROVE** Conditional Use Application No. CU #52-12 & Variation Order Application No. VO #53-12 subject to the following conditions:

- All Building Permits be obtained from the Municipal Building Inspector prior to the placement of the Modular Home.

Carried.

FIRE DEPARTMENT – ANNUAL CHRISTMAS BANQUET

- 1269-2012** **Koop – Deschambault:** Resolved that Council authorize all costs for the Annual Fire Fighters Christmas Banquet in appreciation for their ongoing services.

Carried.

FINANCIAL STATEMENT – NOVEMBER 30TH, 2012

- 1270-2012** **Deschambault – Heather:** Resolved that the Municipality's Financial

Statements to November 30th, 2012 outlining Municipal and LUD operations as well as capital expenditures be adopted as presented.

Carried.

ADJOURNMENT

1271-2012 **Trudeau – Deschambault:** Resolved that the meeting be adjourned the hour being 9:30 p.m.

Carried.

Jacques Trudeau,
Chairperson.

Daniel Poersch,
Chief Administrative Officer.