

MINUTES OF THE REGULAR DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON SEPTEMBER 13TH, 2012 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.

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

ADOPTION OF AGENDA
906-2012 **Koop – Menard:** Resolved that this Meeting's Agenda be adopted as amended.

Carried.

ABSENCE OF COUNCIL MEMBER
907-2012 **Koop – Deschambault:** Resolved that Councillor Trudeau be excused from participating in tonight's Scheduled Public Hearings.

Carried.

ZONING AMENDMENT BY-LAW NO. 17-2012 (LOT 6, PLAN 14160 IN PT. RL 52)-1ST READING
908-2012 **Menard – Deschambault:** Resolved that By-law No. 17-2012; being an amendment to Map Two of the R.M. of Tache Zoning By-law No. 12-2009 be introduced and read a First time.

Carried.

ZONING AMENDMENT BY-LAW NO. 18-2012 (LOT 4, BLOCK 2 OF SUBDIVISION PLAN IN PT. RL 51/52)-1ST READING
909-2012 **Deschambault – Stein:** Resolved that By-law No. 18-2012; being an amendment to Map Two of the R.M. of Tache Zoning By-law No. 12-2009 be introduced and read a First time.

Carried.

CCLCC REPORT
910-2012 **Rivard – Menard:** Resolved that Council acknowledge the report submitted by Councillors Deschambault & Heather from the CCLCC Board Meeting.

Carried.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #32-12; KRISTEN PASTULA & COLE ZARRILLO (PT. SE ¼ OF SECTION 28-9-5E)
911-2012 **Heather – Stein:** Resolved that the Public Hearing on

Conditional Use Application No. CU #32-12 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #32-12

912-2012

At 7:30 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Conditional Use Application No. CU #32-12 for the purpose of establishing a Garden Suite for a Family Member who requires day to day care.

Kristen Pastula; 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 – CONDITIONAL USE APPLICATION NO. CU #32-12

913-2012

Stein – Menard: Resolved that the Public Hearing on Conditional Use Application No. CU #32-12 be closed.

Carried.

COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #32-12; KRISTEN PASTULA & COLE ZARRILLO (PT. SE¼ OF SECTION 28-9-5E)

914-2012

Heather – Deschambault: Resolved that Council **APPROVE** Conditional Use Application No. CU #32-12 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. 4194-2012-5524; CLARENCE & IRENE BIALEK/BRIAN BURKE/ MICHAEL & NATALJA SCHLIDT (PT. RL 74/75-PARISH OF LORETTE)

915-2012

Stein – Koop: Resolved that the Public Hearing on Subdivision File No. 4194-2012-5524 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2012-5524

916-2012

At 7:40 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-5524.

Clarence & Irene Bialek along with Michael Schlidt; Owners of two of the affected properties attended the Delegation Chair in support of the Application.

Dan Jeanson; Owner and Resident of 1864 Dawson Road attended the Delegation Chair addressing concerns with respect to the number of lots proposed adjacent to his property as well as privacy issues; however did not submit a formal objection.

Correspondence was received from various Provincial Departments submitting the following comments:

- Community & Regional Planning Branch:

Comment that the proposal is in keeping with the R.M. of Tache Development Plan

and Zoning By-law; No concerns.

- Manitoba Infrastructure & Transportation: Recommend that Proposed Pcl “A” be opened as a Public Road; however will not object provided that declarations of Right-of-Way are registered against all titles created so legal accessed over Proposed Pcl “A” can be obtained;

- Manitoba Conservation: No concerns;

- Manitoba Water Stewardship: Do not object;

- Shaw Cable: Does not service the affected Properties.

No other correspondence or communication was received.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5524

917-2012 Deschambault – Menard : Resolved that the Public Hearing on Subdivision File No. 4194-2012-5524 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-5524; CLARENCE & IRENE BIALEK/BRIAN BURKE/ MICHAEL & NATALJA SCHLIDT (PT. RL 74/75-PARISH OF LORETTE)

918-2012 Deschambault – Menard: Resolved that Council **APPROVE** Subdivision File No. 4194-2012-5524 subject to the following conditions:

- A Variation Order Application be applied for to vary the site widths of Proposed Pcls C, D, E & F;
- Building Location Certificates (BLC) be conducted and prepared by a Manitoba Land Surveyor for Proposed Pcls B, D & E illustrating all buildings and/or structure and onsite wastewater management systems on the affected land in relation to the newly proposed property lines and submitted to the Municipality for perusal;
- If warranted by the Building Location Certificates Variation Order Applications be applied for from the Municipality;
- Proposed Pcl “A” be consolidated with Proposed Pcl “D” and registered as such with Winnipeg Land Titles Office (WLTO);
- A copy of a Declaration of Right-of-Way prepared by a Lawyer and registered against all affected titles accessing Proposed Pcl “A” be submitted to the Municipality; and
- Dedication Fees payable to the Municipality be set at a rate of \$7,500.00 (3 x \$2,500.00) retroactive to the 2008 Subdivision Application that expired in September, 2011.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5551; LORI JOHNSTON SABOURIN (PT. NW ¼ OF SECTION 10-9-7E)

919-2012 Menard – Koop: Resolved that the Public Hearing on Subdivision File No. 4194-2012-5551 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2012-5551

920-2012

At 8:00 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-5551.

No formal representation was made at the Public Hearing.

Correspondence was received from various Provincial Departments submitting the following comments:

- Community & Regional Planning Branch: Comment that the proposal is in keeping with the R.M. of Tache Development Plan and Zoning By-law; No concerns.
- Manitoba Conservation: No concerns;
- Manitoba Agriculture, Food and Rural Initiatives: No concerns;
- Mines Branch: No concerns;
- Manitoba Water Stewardship: No concerns;
- Manitoba Infrastructure & Transportation: No concerns;
- Shaw Cable: Does not service the property.

A revised Subdivision Proposal addressing an alteration to the proposed lot line between Proposed Lots 1 & 2 was received from Community & Regional Planning Branch addressing no concerns.

No other correspondence or communication was received.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5551

921-2012

Menard – Deschambault: Resolved that the Public Hearing on Subdivision File No. 4194-2012-5551 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-5551; LORI JOHNSTON SABOURIN (PT. NW ¼ OF SECTION 10-9-7E)

922-2012

Rivard – Stein: Resolved that Council **APPROVE** Subdivision File No. 4194-2012-5551 as revised subject to the following conditions:

- A Building Location Certificate (BLC) be prepared by a Manitoba Land Surveyor illustrating all buildings and/or structures and onsite wastewater management systems on Proposed Lot 1 in relation to the newly proposed lot line;
- If warranted by the Building Location Certificate the Owner/Applicant obtain all of the necessary Variation Order Applications; and
- Dedication Fees in the amount of \$5,500.00 (2 x \$2,750.00/lot) be paid to the Municipality for the creation of two additional residential lots.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5559; GARY & MARGARET SMITH-OWNERS & #4795025 MANITOBA LTD.; DAVE AUDETTE-APPLICANT (LOT 1, PLAN 40505 IN SE¼ OF SECTION 22-9-5E)

923-2012 Menard – Koop: Resolved that the Public Hearing on Subdivision File No. 4194-2012-5559 be opened.

Carried.

924-2012 **DELEGATION – SUBDIVISION FILE NO. 4194-2012-5559**
At 8:10 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-5559.

Dave Audette of #4795025 Manitoba Ltd.; Applicant attended the Delegation Chair in support of the Application.

Correspondence was received from various Provincial Departments submitting the following comments:

- Community & Regional Planning Branch: Comment that the proposal is in keeping with the R.M. of Tache Development Plan and Zoning By-law; No concerns.

- Manitoba Infrastructure & Transportation: Will not approve an additional Driveway Access. Require a Declaration of Right-of-Way be obtained and registered against the resulting titles to provide legal access from PR #206 to both lots. Do not object to the Proposal.

- Manitoba Conservation: No concerns;

- Manitoba Agriculture, Food and Rural Initiatives: No concerns;

- Mines Branch: No concerns;

- Manitoba Water Stewardship: No concerns;

- Shaw Cable: Does not service the property.

Sharon Manaigre; Owner & Resident of 51072 PR #206 attended the Delegation Chair addressing the ongoing drainage concerns in the area and personal privacy concerns formally **OBJECTING** to the Application. In addition Mrs. Manaigre presented Council with a signed Petition bearing 19 signatures **OBJECTING** to the Subdivision Application.

Jonathon Goertzen; Owner & Resident of 51054 PR #206 attended the Delegation Chair addressing concerns with Drainage in the area and **OBJECTING** to the Subdivision Application.

Brian Wall; Owner & Resident of 51126 PR #206 attended the Delegation Chair addressing concerns with respect to wastewater management system issues and **OBJECTING** to the Subdivision Application.

Gilles Manaigre; Owner of SE 22-9-5E attended the Delegation Chair addressing the ongoing drainage concerns and **OBJECTING** to the Subdivision Application.

Jean Luc Bouллоigne; Owner & Resident of 51046 PR #206 attended the Delegation Chair addressing drainage concerns and **OBJECTING** to the Subdivision Application.

No other correspondence or communication was received.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5559

925-2012 **Heather – Deschambault:** Resolved that the Public Hearing on Subdivision File No. 4194-2012-5559 be closed.

Carried.

COUNCIL DISPOSITION – GARY & MARGARET SMITH-OWNERS & #4795025 MANITOBA LTD.; DAVE AUDETTE-APPLICANT (LOT 1, PLAN 40505 IN SE¹/₄ OF SECTION 22-9-5E)

926-2012 **Menard – Stein:** Resolved that Council **DENY** Subdivision Application File No. 4194-2012-5559.

Carried.

ADJOURNMENT

927-2012 **Deschambault – Koop:** Resolved that the meeting be adjourned the hour being 9:00 p.m.

Carried.

**William Danylchuk,
Mayor.**

**Daniel Poersch,
Chief Administrative Officer.**