

MINUTES OF THE REGULAR DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON FEBRUARY 14TH, 2013 AT 7:00 P.M.

MEMBERS PRESENT: Mayor Danylchuk, Councillors Menard, Deschambault, Heather & Rivard.

Councillor Trudeau arrived at 7:05 p.m.

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
151-2013 **Deschambault – Menard:** Resolved that this Meeting's Agenda be adopted as amended.

Carried.

**BY-LAW NO. 2-2013; ZONING BY-LAW AMENDMENT
(PT. LOT 1, PLAN 13716)-1ST READING**
152-2013 **Deschambault – Rivard:** Resolved that By-law No. 2-2013 be introduced and read a 1st time.

Carried.

**NOTICE OF PUBLIC HEARING – R.M. OF RITCHOT
(ZONING AMENDMENT BY-LAW NO. 1-2013)-PT. LOTS 1 & 2,
PLAN 2225 ON PT. RL 234 IN STE. ADOLPHE**
153-2013 **Heather – Menard:** Resolved that Council have no concerns with the R.M. of Ritchot Zoning Amendment By-law No. 1-2013 to rezone an area legally described as Portion of Lots 1 & 2, Plan 2225 on RL 234 located on Main Street in Ste. Adolphe from “CG”; *Commercial General Zone* to “RG”; *Residential General Zone*.

Carried.

DEVELOPMENT PLAN CONTROL GROUP
154-2013 The CAO advised Council that an Inaugural Meeting with Dillon Consulting for the Development Plan Review has been scheduled and confirmed for February 22nd, 2013 @ 10:00 a.m.
Council requested that the LUD Members for Lorette and Landmark be invited to this scheduled Meeting.

Councillor Trudeau arrived at this time.

SNOW CLEARING COMPLAINT
155-2013 **Menard – Rivard:** Whereas a complaint has been received addressing the continuing clearing and disposal of snow being conducted by a Property Owner in a large residential development, and;
Whereas this matter has now created a safety issue in the area;

Resolved that correspondence be forwarded to the Property Owner addressing the policies of the Municipality with respect to removing snow onto Municipal Property.

Carried.

AMM CURLING BONSPIEL

156-2013 **Deschambault – Heather:** Resolved that Council host the upcoming AMM Curling Bonspiel on March 13th, 2013, and;
 Be It Further Resolved that the Social Event Committee organize and extend invitations to various Municipalities as well as to various suppliers in support of the event.

Carried.

CORRESPONDENCE & COMMUNICATIONS

157-2013	<u>Writer</u>	<u>Subject</u>	<u>Disposition</u>
	Manitoba 2013 Planning Conference	Feb 26 th -28 th , 2013	Res. 158-2013

MANITOBA 2013 PLANNING CONFERENCE

158-2013 **Trudeau – Menard:** Resolved that Council authorize interested Council Members to attend the upcoming Manitoba Planning Conference being hosted in Winnipeg from February 26th to 28th, and;
 Be It Further Resolved that all associated costs be remunerated accordingly.

Carried.

ABSENCE OF COUNCIL MEMBER

159-2013 **Trudeau – Rivard:** Resolved that Councillors Koop & Stein be excused from participating in this evenings Public Hearings.

Carried.

Mayor Danylchuk & Councillor Menard excused themselves from the Meeting at this time.

Councillor Trudeau removed himself as Councillor and conducted his duty as Chairperson.

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

160-2013 **Trudeau – Deschambault:** Resolved that the Continuation of Public Hearing on Subdivision File No. 4194-2012-7092 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2012-7092

161-2013 At 7:30 p.m.; Council conducted the Continuation of Public Hearing on Subdivision File No. 4194-2012-7092 to create 7 Residential Lots from 2 separate titles that currently total approximately 4.08 Acres in size.

Paul Warkentin; Owner and Applicant attended the Delegation Chair advising Council that a revision to the Subdivision Application is being proposed with Community & Regional Planning Branch and request that Council adjourn the Public Hearing until the revision is presented to Council.

The Owners/Applicants attended The Landmark LUD at the Regular February 4th, 2013 Meeting addressing the

intent to revise the current proposal at which time the LUD of Landmark Committee addressed no concerns.

No other correspondence or communication was received to date.

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

162-2013 **Deschambault – Rivard:** Resolved that Council adjourn the Public Hearing on Subdivision File No. 4194-2012-7092 pending a revision to the Application.

Carried.

Mayor Danylchuk and Councillor Menard returned to the meeting at this time and took their seat.

Councillor Trudeau removed himself as Chairperson and resumed his duties as Councillor.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #03-13; ADRIAN & EILEEN KELLY (OWNERS) & MICHAEL KELLY (APPLICANT)-PCL B, PLAN 46867 INS PT. SW ¼ OF SECTION 20-9-8E

163-2013 **Trudeau – Menard:** Resolved that the Public Hearing on Conditional Use Application No. CU #03-13 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #03-13

164-2013 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. CU #03-13 for the purpose of placing a brand new RTM for the Applicant.

Adrian Kelly; Owner & Michael Kelly; Applicant attended the Delegation Chair in Support of the Application.

No other correspondence or communication was received to date.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #03-13

165-2013 **Trudeau – Heather:** Resolved that the Public Hearing on Conditional Use Application No. CU #03-13 be closed.

Carried.

COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #03-13; ADRIAN & EILEEN KELLY (OWNERS) & MICHAEL KELLY (APPLICANT)-PCL B, PLAN 46867 INS PT. SW ¼ OF SECTION 20-9-8E

166-2013 **Rivard – Heather:** Resolved that Council **APPROVE** Conditional Use Application No. CU #03-13 subject to the following conditions:

- The necessary Building Permits be obtained from the Municipal Building Inspector prior to the placement of the RTM on the property @ no charge.

Carried.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #02-13 & VARIATION ORDER APPLICATION NO. VO #02A-13 (LOT 4, PLAN 14960)-LENARD & SHARLENE MACCOY

167-2013 Trudeau – Deschambault: Resolved that the Public Hearing on Conditional Use Application No. CU #02-13 and Variation Order Application No. VO #02A-13 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #02-13 & VARIATION ORDER APPLICATION NO. VO #02A-13

168-2013 At 7:50 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Conditional Use Application No. CU #02-13 & Variation Order Application No. VO #02A-13 to establish a Kennel Facility (Pet Resort/Hotel) for the purpose of providing pet boarding services to the Community.

Lenard & Sharlene MacCoy; Owners & Applicants attended the Delegation Chair in Support of the Application.

Dave & Debbie Gravatt; Owners and Residents of 49024 MUN 29E attended the Delegation Chair addressing concerns with noise, safety & the impact on property values this proposal may have and formally **OBJECTING** to the Application.

Mr. Gravatt also presented Council with a petition bearing 19 names **OBJECTING** to the Application.

Darrell & Nyla Henzel; Owners & Residents of 49042 MUN 29E attended the Delegation Chair addressing concerns with property value, odour, safety, drainage and water concerns, traffic concerns and road deterioration resulting from increase in traffic and formally **OBJECTING** to the Application.

Mark Lefebvre; Owner & Resident of 49132 MUN 29E attended the Delegation Chair addressing concerns with respect to additional vehicular traffic, noise, safety for the neighbourhood and concerns with deteriorating road conditions and formally **OBJECTING** to the Application.

Bryan & Charlene Lindsey; Owners & Residents of 49114 MUN 29E attended the Delegation Chair addressing concerns with respect to safety, traffic, noise, smell and formally **OBJECTING** to the Application.

Brent Kolebaba; Owner & Resident of 49122 MUN 29E attended the Delegation Chair addressing his concerns with traffic, noise, dogs running at large, safety and formally **OBJECTING** to the Application.

The Owners/Applicants re-attended the Delegation Chair to address the concerns of Council as well as the objections brought forth.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #02-13 & VARIATION ORDER APPLICATION NO. VO #02A-13

169-2013 Trudeau – Heather: Resolved that the Public Hearing on Conditional Use Application No. CU #02-13 & Variation Order Application No. VO #02A-13 be closed.

Carried.

**OPEN OF PUBLIC HEARING – VARIATION ORDER
APPLICATION NO. VO #05-13 (PT. NE ¼ OF SECTION 3-8-4E);
ULRICH & CHERYL GEHRER**

170-2013 Trudeau – Menard: Resolved that the Public Hearing on Variation Order Application No. VO #05-13 be opened.

Carried.

**DELEGATION – VARIATION ORDER APPLICATION NO.
VO #05-13**

171-2013 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 #05-13 to vary the site width of Proposed Pcl C/D being a condition of a Subdivision Application currently being processed by Community & Regional Planning Branch.
Ulrich & Cheryl Gehrler; Owner and Applicant 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 #05-13**

172-2013 Trudeau – Deschambault: Resolved that the Public Hearing on Variation Order Application No. VO #05-13 be closed.

Carried.

**COUNCIL DISPOSITION – VARIATION ORDER APPLICATION
NO. VO #05-13 (PT. NE ¼ OF SECTION 3-8-4E); ULRICH &
CHERYL GEHRER**

173-2013 Trudeau – Heather: Resolved that Variation Order Application No. VO #05-13 be **APPROVED** as applied for finalizing a condition of the Subdivision Application.

Carried.

**OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICA-
TION NO. CU #06-13 (PT. NW ¼ OF SECTION 32-9-8E); PAUL
NORMAN NIELSEN ESTATE; OWNER & COURTNEY
RUDOLPH; APPLICANT**

174-2013 Trudeau – Rivard: Resolved that the Public Hearing on Conditional Use Application No. CU #06-13 be opened.

Carried.

**DELEGATION – CONDITIONAL USE APPLICATION NO. CU
#06-13**

175-2013 At 8:10 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Conditional Use Application No. CU #06-13 to allow for the placement of a Modular Home for the Applicant.
Courtney Rudolph; Applicant attended the Delegation Chair in support of the Application.
Jim Erickson; Executor for the estate of Paul Norman Nielsen forwarded correspondence supporting the application as applied for.
Kathleen Curtain; Resident of 5301 PR #302 attended the Delegation Chair addressing concerns with the devaluation of a Modular Home as opposed to a newly constructed home on site. The Delegate formally **OBJECTED** to the Application.
Dale Kullusky; Owner & Resident of 53102 PR #302 attended the Delegation Chair addressing concerns with the

impact on home values in the area and formally **OBJECTED** to Application.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #06-13

176-2013 **Trudeau – Heather:** Resolved that Conditional Use Application No. CU #06-13 be closed.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-7111; ROMAN PED/MARINA LANGLITZ (PT. NW ¼ OF SECTION 9-9-7E)

177-2013 **Trudeau – Heather:** Resolved that the Public Hearing on Subdivision File No. 4194-2012-7111 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2012-7111

178-2013 At 8:20 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-7111 to separate 2 additional residential lots from the existing parcel of land that currently measures approximately 60 Acres.

Roman Ped; Owner and 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 address no concerns.

MTS: No concerns.

Mantioba Water Stewardship: No concerns.

Manitoba Agriculture, Food & Rural Initiatives: No concerns.

Manitoba Conservation: No concerns.

Manitoba Innovation, Energy & Mines: No concerns.

Shaw: 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. 4194-2012-7111

179-2013 **Trudeau – Deschambault:** Resolved that the Public Hearing on Subdivision File No. 4194-2012-7111 be closed.

Carried.

180-2013 **COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #02-13 & VARIATION ORDER APPLICATION NO. VO #02A-13 (LOT 4, PLAN 14960)-LENARD & SHARLENE MACCOY**
Heather – Menard: Resolved that Council **REJECT** Conditional Application No. CU #02-13 and Variation Order Application No. VO #02A-13.

Carried.

181-2013 **COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #06-13 (PT. NW ¼ OF SECTION 32-9-8E); PAUL NORMAN NIELSEN ESTATE; OWNER & COURTNEY RUDOLPH; APPLICANT**
Menard – Heather: Resolved that Council **APPROVE** Conditional Use Application No. CU #06-13 subject to the following conditions:

- The facility be placed on a permanent concrete grade beam, and;
- All of the necessary Building Permits be obtained from the Municipal Building Inspector prior to placing the Modular Home on the property.

Carried.

182-2013 **COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-7111; ROMAN PED/MARINA LANGLITZ (PT. NW ¼ OF SECTION 9-9-7E)**
Rivard – Deschambault: Resolved that Council **APPROVE** Subdivision File No. 4194-2012-7111 subject to the following conditions:

- 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 \$6,500.00 for the creation of 2 additional lots (2 x \$3,250.00) be paid to the Municipality.

Carried.

183-2013 **ADJOURNMENT**
Deschambault – Trudeau: Resolved that the meeting be adjourned the hour being 9:05 p.m.

Carried.

William Danylchuk,
Mayor.

Daniel Poersch,
Chief Administrative Officer.

Jacques Trudeau,
Acting Chairperson.