

**MINUTES OF THE REGULAR DEVELOPMENT AND
PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF
THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE,
MANITOBA ON OCTOBER 11TH, 2012 AT 7:00 P.M.**

MEMBERS PRESENT: Mayor Danylchuk, Councillors Trudeau,
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

991-2012 **Trudeau – Koop:** Resolved that this Meeting's Agenda be
adopted as amended.

Carried.

PUBLIC WORKS REQUESTS

992-2012 **Menard – Deschambault:** Resolved that Council authorize the
following Public Works be conducted:

Ward 1: - Gravel Application on Gendron Road and
Prefontaine Road at the discretion
of the Public Works Manager

Ward 2: - Gravel Application at Landmark Lagoon at
the discretion of the Public Works Manager

Carried.

**NOTICE OF PUBLIC HEARING – BY-LAW NO. 8/12; R.M. OF
REYNOLDS (ZONING BY-LAW TEXT AMENDMENT)**

993-2012 **Deschambault – Menard:** Resolved that Council have no concerns
with the R.M. of Reynolds Zoning Amendment By-law No. 8/12 being a
text amendment to Zoning By-law No. 11/03.

Carried.

**NOTICE OF PUBLIC HEARING – VARIANCE NO. 12-61;
R.M. OF SPRINGFIELD (PCL'S A, B & C OF SUBDIVISION FILE
NO. 4189-12-5505)-E½ OF SECTION 1-10-6E**

994-2012 **Deschambault – Heather:** Resolved that Council address no concerns
with The R.M. of Springfield Variance No. 12-61 varying the Site Area of
Proposed Pcls A & C and the Site Width of Proposed Pcl B & C of Subdi-
vision Application No. 4189-12-5505 located within the E½ of Section
1-10-6E.

Carried.

CORRESPONDENCE & COMMUNICATIONS

995-2012	<u>Writer</u>	<u>Subject</u>	<u>Disposition</u>
	MMM Group	Open House	Res. No. 996-2012

Jerry Magura

Speed Zone
Signage

Res. No. 997-2012

MMM GROUP – CAPITAL REGION OPEN HOUSE

996-2012

Menard – Deschambault: Resolved that Council acknowledge the request of MMM Group for the preparation of the Capital Region Open House venue scheduled for November 21st, 2012, and

Be It Further Resolved that the R.M. of Tache make the necessary arrangements to reserve the Le Club Des Bles D’or Facility for the Event.

Carried.

SPEED ZONE SIGNAGE – STE. GENEVIEVE

997-2012

Trudeau – Heather: Whereas Council acknowledge correspondence received respecting the Speed Zone Signage on Saltel Road in Ste. Genevieve;

Resolved that Council forward Manitoba Infrastructure and Transportation a copy of the correspondence, and;

Be It Further Resolved that Council request Manitoba Infrastructure & Transportation implement the installation of these signs.

Carried.

OPEN OF PUBLIC HEARING – ZONING AMENDMENT BY-LAW NO. 16-2012 (PROPOSED LOTS 56, 88, 89 & 90 OF SUBDIVISION PLAN ORIG. PT. W½ OF SW¼ OF SECTION 23-8-5E)-LUD OF LANDMARK

998-2012

Trudeau – Stein: Resolved that the Public Hearing on Zoning Amendment By-law No. 16-2012 be opened.

Carried.

DELEGATION – ZONING AMENDMENT BY-LAW NO. 16-2012

999-2012

At 7:30 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Zoning Amendment By-law No. 16-2012 amending Proposed Lots 56, 88, 89 & 90 of a Subdivision Plan from “RL”; Residential Limited Zone to “RG”; Residential General Zone.

The following correspondence was received from the various Government Departments:

Community & Regional Planning Branch:	No concerns
Manitoba Conservation:	No concerns
Manitoba Water Stewardship:	No concerns
R.M. of Hanover	No concerns
R.M. of Ste. Anne	No concerns

The Landmark LUD Committee at their Regular October 1st, 2012 addressed no concerns with the Zoning Amendment By-law as presented.

Wes Unger & Jean Klassen from Schinkel Properties/JHW Enterprises; Applicants attended the Delegation Chair in support of the Application.

David Sutherland; Owner and Resident of 251 Main Street attended the Delegation Chair addressing concerns as to

the intended use of the properties and drainage. Mr. Sutherland formally **OBJECTS** to the Application.

Hettie Penner; Owner & Resident of 193 Main Street attended the Delegation Chair addressing concerns as to the intended use of the properties and drainage as well. Mrs. Penner formally **OBJECTS** to the Application.

Jennifer Froese; Owner & Resident of 198 Second Street East attended the Delegation Chair addressing concerns with respect to the increase in traffic affecting safety to the area residents. Mrs. Froese formally **OBJECTS** to the Application.

No other correspondence or communication was received.

ADJOURNMENT OF PUBLIC HEARING – ZONING AMENDMENT (BY-LAW NO. 16-2012)

1000-2012 **Trudeau – Stein:** Resolved that the Public Hearing on By-law No. 16-2012 be adjourned to November 15th, 2012 @ 7:50 p.m.

Carried.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #33-12; RUDOLF & ANNA WEISS (LOT 2, PLAN 50732 IN PT. SW ¼ OF SECTION 22-9-4E)

1001-2012 **Menard – Trudeau:** Resolved that the Public Hearing on Conditional Use Application No. CU #33-12 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #33-12

1002-2012 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 #32-12 for the purpose of establishing a Garden Suite for a Family Member who requires day to day care.

Rudolf & Anna Weiss; Owners of the Property attended the Delegation Chair in support of the Application.

John McFadzean; Owner & Resident of 21089 Oak Grove Road attended the Delegation Chair **Objecting** to the Application.

Reinhold Radakovits; Owner & Resident of 21039 Oak Grove Road attended the Delegation **Objecting** to the Application.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #33-12

1003-2012 **Trudeau – Stein:** Resolved that the Public Hearing on Conditional Use Application No. CU #33-12 be closed.

Carried.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #34-12; RUDOLF & ANNA WEISS (LOT 2, PLAN 50732 IN PT. SW ¼ OF SECTION 22-9-4E)

1004-2012 **Trudeau – Heather:** Resolved that the Public Hearing on Conditional Use Application No. CU #34-12 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #34-12

1005-2012

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 #34-12 to allow the Owners/Applicants to establish a Hobby Farm consisting of mixed Livestock for personal use and to construct a Livestock Facility (Barn) measuring approximately 30' x 40'.

Rudolf & Anna Weiss; Owners and Applicants attended the Delegation Chair in support of the Application. John McFadzean; Owner & Resident of 21089 Oak Grove Road attended the Delegation Chair **Objecting** to the Application.

Reinhold Radakovits; Owner & Resident of 21039 Oak Grove Road attended the Delegation **Objecting** to the Application.

John McFadzean Jr.; Resident of 21089 Oak Grove Road attended the Delegation Chair formally **Objecting** to the Application.

Rhonda Smerchanski; Resident of 21089 Oak Grove Road attended the Delegation Chair **Objecting** to the Application.

No other correspondence or communication was received.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #34-12

1006-2012

Trudeau – Deschambault: Resolved that the Public Hearing on Conditional Use Application No. CU #34-12 be closed.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #35-12; MARILYN HUTLET (OWNER) & MARC HUTLET SEEDS LTD. (APPLICANT)-PT SE¼ OF SECTION 3-9-6E

1007-2012

Trudeau – Heather: Resolved that the Public Hearing on Variation Order Application No. VO #35-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #35-12

1008-2012

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 #35-12 to finalize a condition of a Subdivision Application under File No. 4194-2012-5502 respecting Proposed Lot 2 that will continue to maintain the current Agriculture Seed Plant Business.

Marc and Marilyn Hutlet; Owners & Applicants attended the Delegation Chair in support of the Application.

No other correspondence or communication was received.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #35-12

1009-2012

Trudeau – Heather: Resolved that the Public Hearing on Variation Order Application No. VO #35-12 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #35-12; MARILYN HUTLET (OWNER) & MARC HUTLET SEEDS LTD. (APPLICANT)-PT SE¼ OF SECTION 3-9-6E

1010-2012 Heather – Menard: Resolved that Council APPROVE Variation Order Application No. VO #35-12 as applied for.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #36-12; LUCIEN & JACQUELINE DUBOIS (OWNERS/APPLICANTS)-PT SE¼ OF SECTION 27-9-4E

1011-2012 Menard – Trudeau: Resolved that the Public Hearing on Variation Order Application No. VO #36-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #36-12

1012-2012 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 #36-12 to finalize a condition of a Subdivision Application under File No. 4194-2012-5441 currently being processed by Community & Regional Planning Branch.

Lucien Dubois; Owner & Applicant attended the Delegation Chair in support of the Application.

No other correspondence or communication was received.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #36-12

1013-2012 Trudeau – Rivard: Resolved that the Public Hearing on Variation Order Application No. VO #36-12 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #36-12; LUCIEN & JACQUELINE DUBOIS (OWNERS/APPLICANTS)-PT SE¼ OF SECTION 27-9-4E

1014-2012 Menard – Stein: Resolved that Council APPROVE Variation Order Application No. VO #36-12 as applied for.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #37-12; RENEE JEANSON (OWNER) & CLAUDE SIMARD (APPLICANT)-PT RL 62

1015-2012 Trudeau – Rivard: Resolved that the Public Hearing on Variation Order Application No. VO #37-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #37-12

1016-2012 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 #37-12 to finalize a condition of a Subdivision Application under File No. 4194-2011-5285 currently being processed by Community & Regional Planning Branch.

Claude Simard; Applicant attended the Delegation Chair in support of the Application.

No other correspondence or communication was received.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #37-12

1017-2012 Trudeau – Heather: Resolved that the Public Hearing on Variation Order Application No. VO #37-12 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #37-12; RENEE JEANSON (OWNER) & CLAUDE SIMARD (APPLICANT)-PT RL 62

1018-2012 Stein – Heather: Resolved that Council APPROVE Variation Order Application No. VO #37-12 as applied for.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #38-12; DEBRA NOMME-OWNER & NATHAN REIMER CUSTOM HOMES-APPLICANT (LOT 12, PLAN 49035 IN E ½ OF SECTION 26-9-4E)-7 ALEXANDRE WAY

1019-2012 Menard – Trudeau: Resolved that the Public Hearing on Variation Order Application No. VO #38-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #38-12

1020-2012 At 8:30 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Variation Order Application No. VO #38-12.

No formal representation was made at the Public Hearing.

No other communication or correspondence was received.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #38-12

1021-2012 Menard – Trudeau: Resolved that the Public Hearing on Variation Order Application No. VO #38-12 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #38-12; DEBRA NOMME-OWNER & NATHAN REIMER CUSTOM HOMES-APPLICANT (LOT 12, PLAN 49035 IN E ½ OF SECTION 26-9-4E)-7 ALEXANDRE WAY

1022-2012 Menard – Stein: Resolved that Council APPROVE Variation Order Application No. VO #38-12 as applied for.

Carried.

COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #33-12; RUDOLF & ANNA WEISS (LOT 2, PLAN 50732 IN PT. SW¼ OF SECTION 22-9-4E)

1023-2012 Heather – Trudeau: Resolved that Council APPROVE Conditional Use Application No. CU #33-12 subject to the following conditions:
- A Garden Suite Agreement be entered into between the Municipality and the affected parties;
- The established Garden Suite be placed at the equivalent elevation to the existing Single Family Dwelling on the Property; and

- All Building Permits be obtained from The R.M. of Tache Building Inspector prior to the placement of the Garden Suite.

Carried.

COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #34-12; RUDOLF & ANNA WEISS (LOT 2, PLAN 50732 IN PT. SW¼ 22-9-4E)

1024-2012 Menard – Stein: Resolved that Council APPROVE Conditional Use Application No. CU #34-12 subject to the following conditions:

- A Dyke be constructed to cover an approximate 10 Acre area eliminating any overland flooding to neighbouring properties subject to the approval of the Ward Councillor;
- The Livestock Facility (Barn) be constructed at the equivalent elevation to the existing Single Family Dwelling; and
- Permits be obtained from the Municipal Building Inspector prior to constructing the Livestock Facility.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #39-12; MARVIN & SHIRLEY DYCK (OWNER) & HERITAGE LANE BUILDERS-MARSHALL DOUGLAS (APPLICANT)-LOT 9, PLAN 16682 IN PT. SW¼ OF SECTION 11-8-4E

1025-2012 Trudeau – Deschambault: Resolved that the Public Hearing on Variation Order Application No. VO #39-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #39-12

1026-2012 At 8:40 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Variation Order Application No. VO #39-12 to vary the maximum height requirement of 15 feet in “RRW”; Rural Residential West Zone to approximately 25 feet on a proposed 2 storey Accessory Building measuring 32’ x 40’ consisting of a 2 Car Garage on the main level and an Office/Studio/Storage Space on the second level.

No formal representation was made at the Public Hearing.

No other communication or correspondence was received to date.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #39-12

1027-2012 Trudeau – Stein: Resolved that the Public Hearing on Variation Order Application No. VO #39-12 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #39-12; MARVIN & SHIRLEY DYCK (OWNER) & HERITAGE LANE BUILDERS-MARSHALL DOUGLAS (APPLICANT)-LOT 9, PLAN 16682 IN PT. SW¼ OF SECTION 11-8-4E

1028-2012 Trudeau – Deschambault: Resolved that the Public Hearing on Variation Order Application No. VO #39-12 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 consisting of 2 Car Garage/Studio Office and Storage Space; and
- The Owner/Applicant conforms with the minimum yard distance requirements.

Carried.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #40-12; VICTORIA MORSE (PT. NW¼ OF SECTION 28-9-8E)

1029-2012 Trudeau – Heather: Resolved that the Public Hearing on Conditional Use Application No. CU #40-12 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #40-12

1030-2012 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 #40-12 to allow for the placement of Livestock (horses) that will generate approximately 7.99 Animal Units for personal use and to construct a Livestock Facility (Barn) that will measure approximately 30' x 42' x 12' housing the Livestock.

Victoria Morse; Owner and Applicant attended the Delegation Chair in support of the Application.

Judy Enns; Owner & Resident of 44025 Mun 52N attended the Delegation Chair addressing her concerns with the placement of the Proposed Livestock Facility in relation to the shared property line.

No other correspondence or communication was received.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #40-12

1031-2012 Trudeau – Deschambault: Resolved that the Public Hearing on Conditional Use Application No. CU #40-12 be closed.

Carried.

COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #40-12; VICTORIA MORSE (PT. NW¼ OF SECTION 28-9-8E)

1032-2012 Rivard – Trudeau: Resolved that Council **APPROVE** Conditional Use Application No. CU #40-12 subject to the following conditions:

- Permits for the Livestock Facility be obtained from the Municipal Building Inspector prior to construction, and;
- Proposed Livestock Facility maintain a minimum side yard distance of 105 feet from the South Side Property Site Line to avoid any encroachment onto the neighbouring property.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5545; VIKTOR & NADJA SCHELING/VIKTOR & NATALIE BELJAU (PT NW¼ OF SECTION 36-9-4E)

1033-2012 Trudeau – Menard: Resolved that the Public Hearing on Subdivision File No. 4194-2012-5545 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2012-5545

1034-2012

At 9:00 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-5545.

Simon Scheling; son to and representing Viktor Scheling 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 Application does not comply with the policies of the Development Plan. Support the objections received from Manitoba Infrastructure & Transportation and Manitoba Agriculture Food & Rural Initiatives and recommend Council Deny the Application as applied for.

- Manitoba Infrastructure & Transportation:

Object to the Proposed Subdivision. Comment that it does not comply with Policy III.B.3.2.a which states that strip development along the highway will not be permitted.

- Manitoba Agriculture, Food & Rural Initiatives:

Object to the Proposed Subdivision. Comment that it does not conform to the Policies in Part II.A.5. of the Development Plan. The Subdivision is to create a Rural Residential Lot and is not related to agricultural use.

- Manitoba Conservation:

Requires additional information confirming the existing Onsite Wastewater Management System meets the required setback distances. Otherwise 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. 4194-2012-5545

1035-2012

Trudeau – Heather: Resolved that the Public Hearing on Subdivision File No. 4194-2012-5545 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-5545; VIKTOR & NADJA SCHELING/VIKTOR & NATALIE BELJAU (PT. NW¼ OF SECTION 36-9-4E)

1036-2012

Menard – Deschambault: Resolved that Council acknowledge the comments/recommendations of the various Provincial Departments and **REJECT** Subdivision Application No. 4194-2012-5545.

Carried.

1037-2012 **ADJOURNMENT**
Trudeau – Menard:
the hour being 9:30 p.m.

Resolved that the meeting be adjourned

Carried.

William Danylchuk,
Mayor.

Daniel Poersch,
Chief Administrative Officer.