

MINUTES OF THE REGULAR COUNCIL, DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON APRIL 15TH, 2010 AT 7:00 P.M.

MEMBERS PRESENT: Mayor Danylchuk, Councillors Trudeau, Koop, Menard, Deschambault, McLennan & Rivard.

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

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

ADOPTION OF AGENDA

379 -2010 Trudeau – McLennan: Resolved that this Meeting's Agenda be adopted as amended.

Carried.

ABSENCE OF COUNCIL MEMBER

380-2010 McLennan – Trudeau: Resolved that Councillor Tardiff be excused from participating in the scheduled Public Hearings at this Regular Development & Planning Meeting.

Carried.

MVP DEVELOPMENT INC.; SUBDIVISION FILE NO. 4194-2009-4882(PT. RL 40) – ROAD NAME SUGGESTIONS

381-2010 Menard – McLennan: Whereas the following Road Name Suggestions were submitted for the Proposed Roadway in the MVP Multi Residential Lot Development:

MVP Drive;
Black Drive; and
Akins Drive;

Resolved that Council acknowledge the names submitted and Approve Akins Drive as the selected Roadway Name for MVP Development.

Carried.

A. BRIAN PLETT; SUBDIVISION FILE NO. 4194-2005-4133 (PT. NW ¼ OF SECTION 14-8-5E); LUD LANDMARK – ROAD NAME SUGGESTIONS

382-2010 Koop – Trudeau: Whereas the Developer submitted the following Road Name Suggestions for Phase I of the Multi Lot Development:

(Two Road Entrance Ways)
adjacent to Arena Road

Pebble Beach Drive
Oakmont Drive
Torrey Pines Drive

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(Cul-de-sac Roadway)

Scottsdale Bay
Pinehurst Bay
Medinah Bay

And;

Whereas the LUD of Landmark Approved Oakmont Drive for the Road Entrances and Pinehurst Bay for the Cul-de-sac Roadway;

Resolved that Council acknowledge and support the LUD of Landmark Committee's **Approval**.

Carried.

LETTER OF UNDERSTANDING – R.M. OF SPRINGFIELD & R.M. OF TACHE (INTERMUNICIPAL INFRASTRUCTURE WORKS)

383-2010

Deschambault – Rivard: Resolved that Council accept the Letter of Understanding submitted by the R.M. of Springfield addressing Inter-municipal Infrastructure Works between the R.M. of Springfield and R.M. of Tache, and;

Be It Further Resolved that Council authorize signage of document.

Carried.

MISCELLANEOUS UDATES

384-2010

The CAO informed Council of various miscellaneous issues that have occurred within the municipality recently.

DELEGATION – FRED LAGIMODIERE (GARDEN SUITE PROPOSAL)-LOT 1, PLAN 15626 IN PT. SW ¼ OF SECTION 11-9-6E

385-2010

At 7:15 p.m., Mr. Fred Lagimodiere attended the Delegation Chair submitting photos of a 2nd Dwelling that is located at Lot 1, Plan 15626 in pt. SW ¼ of Section 11-9-6E requesting consideration from Council that the Dwelling may be used as a Garden Suite.

COUNCIL DISPOSITION – GARDEN SUITE REQUEST (LOT 1, PLAN 15626 IN PT. SW ¼ OF SECTION 11-9-6E)

386-2010

McLennan – Trudeau: Whereas Mr. Lagimodiere was advised of the process for establishing a Garden Suite on properties in the R.M. of Tache;

Resolved that Council is prepared to consider the request of Mr. Lagimodiere through Conditional Use Application process.

Carried.

CORRESPONDENCE & COMMUNICATION

387-2010

<u>Writer</u>	<u>Subject</u>	<u>Disposition</u>
OlaFarm Hollywood Corp.	Canada Net Earth Stations	Rec'd as info.
Dillon Consulting	Awards Night	Res. 396-2010

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OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #11-10; JONATHON TUCKER/ KATHLEEN BROWN (LOT 1, PLAN 49032 IN PT. NW¼ OF SECTION 33-9-7E)

388-2010 Trudeau – Deschambault: Resolved that the Public Hearing on Conditional Use Application No. CU#11-10 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #11-10

389-2010 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 #11-10. Jonathon Tucker & Kathleen Brown; Owners and Applicants attended the Delegation Chair in support of the Application.

No other correspondence or communication was received.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #11-10

390-2010 Trudeau – McLennan: Resolved that the Public Hearing on Conditional Use Application No. CU #11-10 be closed.

Carried.

COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #11-10; JONATHON TUCKER/ KATHLEEN BROWN (LOT 1, PLAN 49032 IN PT. NW¼ OF SECTION 33-9-7E)

391-2010 Rivard – Menard: Resolved that Council APPROVE Conditional Use Application No. CU #10-10 subject to the following conditions:

- Appropriate Building Permits be obtained from the R.M. of Tache Building Inspector prior to the placement of the RTM.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. V.O. #12-10 (PT. NW ¼ OF SECTION 31-9-5E); BILL & DIANE HEATHER

392-2010 Trudeau – Menard: Resolved that the Public Hearing on Variation Order Application No. V.O. #12-10 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. V.O. #12-10

393-2010 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. V.O. #12-10 to vary the site area of Proposed Lot 1 of a Subdivision Application currently being processed by Community Planning Services Branch under File No. 4194-2009-4950.

Bill Heather; Owner and Applicant attended the Delegation Chair in support of the Application.

No other communication or correspondence was received.

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**CLOSE OF PUBLIC HEARING – VARIATION ORDER
APPLICATION NO. V.O. #12-10**

394-2010 Trudeau – McLennan: Resolved that the Public Hearing on Variation Order Application No. V.O. #12-10 be closed.

Carried.

**COUNCIL DISPOSITION – VARIATION ORDER
APPLICATION NO. V.O. #12-10 (PT. NW ¼ OF SECTION
31-9-5E); BILL & DIANE HEATHER**

395-2010 McLennan – Deschambault: Resolved that Council **APPROVE** Variation Order Application No. V.O. #12-10 as applied for.

Carried.

**DILLON CONSULTANTS (AWARDS NIGHT) –
INVITATION**

396-2010 Trudeau – McLennan: Resolved that Council authorize Mayor Danylchuk, Councillor Trudeau and the Chief Administrative Officer to attend the Awards Night being hosted by Dillon Consultants on April 22nd at the Winnipeg Convention Centre, and;
Be It Further Resolved that all associated costs be remunerated accordingly.

Carried.

**OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO.
4194-2010-5018 (PT. SE¼ OF SECTION 25-8-5E);
ABRAHAM & ELIZABETH PENNER (OWNERS &
APPLICANTS)**

397-2010 Trudeau – Koop: Resolved that the Public Hearing on Subdivision Application under File No. 4194-2010-5018 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2010-5018

398-2010 At 7:50 p.m., the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision Application under File No. 4194-2010-5018 for Retired Farmer purposes.

Mr. Penner; Owner and Applicant attended the Delegation Chair in support of the Application.

The following Provincial Departments submitted their comments:

- Community Planning Services
Branch: No concerns

-Manitoba Conservation Note that the Ejector System will have to be decommissioned. Also note they require a clear statement respecting manure storage facilities, manure composting sites & confined livestock areas holding more than 10 AU.

- Manitoba Agriculture, Food & Rural Initiatives No concerns

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- Water Stewardship May require a Water Rights License; otherwise No concerns
- Culture Heritage and Tourism No concerns
- Manitoba Highways No concerns
- Mines Branch No concerns

No other communication or correspondence was received.

CLOSE OF PUBLIC HEARING – SUBDIVISION APPLICATION NO. 4194-2010-5018

399-2010 **Koop – McLennan:** Resolved that the Public Hearing on Subdivision Application under File No. 4194-2010-5018 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2010-5018 (PT. SE¼ OF SECTION 25-8-5E); ABRAHAM & ELIZABETH PENNER (OWNERS & APPLICANTS)

400-2010 **Koop – Trudeau:** Resolved that Council **APPROVE** Subdivision File No. 4194-2010-5018 subject to the following conditions:

- Variation Order Application be applied for to vary the residual portion from the requirement of 80 Acres to approximately 70.71 Acres;
- A Building Location Certificate be prepared by a Manitoba Land Surveyor identifying all structures and waste water systems on the Proposed Lot in relation to the newly proposed lot lines;
- If warranted by the Building Location Certificate Variation Order Applications be applied for;
- Dedication Fees in the amount of \$3,000.00 for the creation of 1 additional Lot be paid to the Municipality.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2010-5022 (PT. SE¼ OF SECTION 3-9-4E); 5225834 MANITOBA LTD.; LEONARD VAN DER MEER (OWNER & APPLICANT)

401-2010 **Trudeau – McLennan:** Resolved that the Public Hearing on Subdivision File No. 4194-2010-5022 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2010-5022

402-2010 At 8:00 p.m., the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision Application under File No. 4194-2010-5022 for the purpose of creating 1 additional Residential Lot.

Mr. Leonard Van Der Meer; Owner and Applicant attended the Delegation Chair in support of the Application.

The following Provincial Departments submitted their comments:

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- Community Planning Services
Branch: No concerns
- Manitoba Conservation No concerns
- Water Stewardship May require a Water Rights License; otherwise No concerns
- Culture Heritage and Tourism No concerns
- Manitoba Highways No concerns
- Industry, Economic Development & Mines No concerns
- Conservation – Lands Not yet responded

No other communication or correspondence was received.

CLOSE OF PUBLIC HEARING – SUBDIVISION APPLICATION NO. 4194-2010-5022

403-2010 Trudeau – Koop: Resolved that the Public Hearing on Subdivision Application File No. 4194-2010-5022 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2010-5022 (PT. SE¼ OF SECTION 3-9-4E); 5225834 MANITOBA LTD.; LEONARD VAN DER MEER (OWNER & APPLICANT)

404-2010 Trudeau – Deschambault: Resolved that Council **APPROVE** Subdivision File No. 4194-2010-5022 subject to the following conditions:

- A Variation Order Application be applied for to vary the site width of Proposed Lot 1;
- A Building Location Certificate be prepared by a Manitoba Land Surveyor identifying all structures and waste water systems on both Proposed Lots 1 & 2;
- If warranted by the Building Location Certificate all necessary Variation Order Applications be applied for;
- Dedication Fees in the amount of \$3,000.00 for the creation of 1 additional Lot be paid to the Municipality.

Carried.

LEGAL OPINION – 91 SALTEL ROAD

405-2010 McLennan – Trudeau: Whereas an Order prepared by the Municipality addressing unsightly property concerns was unsuccessfully delivered to the Owner of 91 Saltel Road, and;
Whereas Council requested the services of the Municipal Solicitor for direction, and;
Whereas Legal Advice has been obtained from the Municipal Solicitor advising Council of their legal position to deal with the unsightly property issue;
Resolved that Council acknowledge and accept the advice of the Municipal Solicitor by Posting Notice in the Municipal Office and on the Property.

Carried.

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406-2010 **OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #14-10 (PT. RL 48); LORETTE GOLF COURSE LTD-MATT AKINS; REPRESENTATIVE Trudeau – McLennan:** Resolved that the Public Hearing on Conditional Use Application No. CU #14-10 be opened.

Carried.

407-2010 **DELEGATION – CONDITIONAL USE APPLICATION NO. CU #14-10**
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 #14-10 to expand the Lorette Golf Course Driving Range area.
Matt Akins; Representative for Lorette Golf Course attended the Delegation Chair in support of the Application.
No other correspondence or communication was received.

408-2010 **CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #14-10**
Trudeau – McLennan: Resolved that the Public Hearing on Conditional Use Application No. CU #14-10 be closed.

Carried.

409-2010 **COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #14-10 (PT. RL 48); LORETTE GOLF COURSE LTD-MATT AKINS; REPRESENTATIVE Menard – Deschambault:** Resolved that Council **APPROVE** Conditional Use Application No. CU #14-10 as applied for.

Carried.

410-2010 **OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. V.O. #13-10 (PT. NW ¼ OF SECTION 14-8-5E IN LUD LANDMARK)-A. BRIAN PLETT (OWNER & APPLICANT)**
Trudeau – McLennan: Resolved that the Public Hearing on Variation Order Application No. V.O. #13-10 be opened.

Carried.

411-2010 **DELEGATION – VARIATION ORDER APPLICATION NO. V.O. #13-10**
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. V.O. #13-10 to vary site areas and site widths on various Proposed Lots. The Variation Order Application is a condition of Subdivision File No. 4194-2005-4133 which is currently being processed by Community Planning Services Branch.
No representation was made at the Public Hearing.
The LUD of Landmark Committee recommended that Council approve the Application.
No other communication or correspondence was received.

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**CLOSE OF PUBLIC HEARING – VARIATION ORDER
APPLICATION NO. V.O. #13-10**

412-2010 Trudeau – McLennan: Resolved that the Public Hearing on Variation Order Application No. V.O. #13-10 be closed.

Carried.

**COUNCIL DISPOSITION – VARIATION ORDER
APPLICATION NO. V.O. #13-10 (PT. NW ¼ OF SECTION
14-8-5E IN LUD LANDMARK)-A. BRIAN PLETT (OWNER
& APPLICANT)**

413-2010 Koop – Menard: Resolved that Council APPROVE Variation Order Application No. V.O. #13-10 as applied for.

Carried.

Councillor Rivard left the meeting at this time.

**OPEN OF PUBLIC HEARING – VARIATION ORDER
APPLICATION NO. VO #15-10 & CONDITIONAL USE
APPLICATION NO. CU #16-10 (SW¼ OF SECTION 8-9-8E)-
DARRIN GAUTHIER**

414-2010 Trudeau – McLennan: Resolved that the Public Hearing on Variation Order Application No. VO #15-10 & Conditional Use Application No. CU #16-10 be opened.

Carried.

**DELEGATION – VARIATION ORDER APPLICATION NO.
VO #15-10 & CONDITIONAL USE APPLICATION NO.
CU #16-10**

415-2010 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 #15-10 and Conditional Use Application No. CU #16-10 for the purpose of permitting the Owner/Applicant to remove peat moss from the property.

Darrin Gauthier 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 #15-10 & CONDITIONAL USE
APPLICATION NO. CU #16-10**

416-2010 Trudeau – McLennan: Resolved that the Public Hearing on Variation Order Application No. VO #15-10 & Conditional Use Application No. CU #16-10 be closed.

Carried.

**COUNCIL DISPOSITION - VARIATION ORDER
APPLICATION NO. VO #15-10 & CONDITIONAL USE
APPLICATION NO. CU #16-10 (SW¼ OF SECTION 8-9-8E)-
DARRIN GAUTHIER**

417-2010 Deschambault – McLennan: Resolved that Council APPROVE Variation Order Application No. V.O. #15-10 & Conditional Use Application No. CU #16-10 as applied for.

Carried.

Councillor Rivard returned to the Meeting at this time.

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OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #17-10 & VARIATION ORDER APPLICATION NO. VO#18-10 (LOT 1, PLAN 49016 IN PT. SW¼ 35-8-5E)-HANS & CHRISTINE KLASSEN

418-2010 Trudeau – Koop: Resolved that the Public Hearing on Conditional Use Application No. CU #17-10 & Variation Order Application No. VO #18-10 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #17-10 & VARIATION ORDER APPLICATION NO. VO #18-10

419-2010 At 8:40 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Conditional Use Application No. CU #17-10 and Variation Order Application No. V.O. #18-10 to allow the Owners/Applicants to house mixed Livestock for personal use and to vary the number of Animal Units from the maximum requirement of 10 AU to 12.1 AU.

Hans Klassen; Owner and Applicant attended the Delegation Chair in support of the Application.

No other correspondence or communication was received.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #17-10 & VARIATION ORDER APPLICATION NO. VO #18-10

420-2010 Trudeau – McLennan: Resolved that the Public Hearing on Conditional Use Application No. CU #17-10 & Variation Order Application No. VO #18-10 be closed.

Carried.

COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #17-10 & VARIATION ORDER APPLICATION NO. VO #18-10 (LOT 1, PLAN 49016 IN PT. SW¼ 35-8-5E)-HANS & CHRISTINE KLASSEN

421-2010 Trudeau – Koop: Resolved that Council **APPROVE** Conditional Use Application No. CU #17-10 & Variation Order Application No. VO #18-10 as applied for.

Carried.

LIVESTOCK OPERATION POLICY (BY-LAW NO. 17-2009)

422-2010 At 9:00 p.m.; Bill Sawka from Community Planning Services Branch attended the Delegation Chair to review and discuss with Council the recommended changes submitted by the various Provincial Departments.

ADJOURNMENT

423-2010 Trudeau – Koop: Resolved that the meeting be adjourned the hour being 9:30 p.m.

Carried.

William Danylchuk,
Mayor.

Daniel Poersch,
Chief Administrative Officer.