

MINUTES OF THE REGULAR DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON NOVEMBER 15TH, 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

1119-2012 **Trudeau – Rivard:** Resolved that this Meeting's Agenda be adopted as amended.

Carried.

NOTICE OF PUBLIC HEARING – R.M. OF HANOVER DEVELOPMENT PLAN AMENDMENT BY-LAW NO. 2270 (NW ¼ OF SECTION 28-6-6E)

1120-2012 **Trudeau – Menard:** Resolved that Council have no concerns with The R.M. of Hanover Development Plan Amendment By-law No. 2270 to re-designate the NW ¼ of Section 28-6-6 EPM from "**Rural Area**" to "**Rural Residential Area.**"

Carried.

PROPOSED ROAD NAME SUGGESTIONS – SUBDIVISION FILE NO. 4194-2012-5441; LUCIEN & JACQUELINE DUBOIS

1121-2012 **Menard – Stein:** Whereas the following Road Name Suggestions were submitted respecting a Multi Lot Residential Subdivision:

Proposed North/South Roadway: Dubois Drive

Proposed East/West Roadway: Nicolas Lane
Nico's Cove
Nicolas Way
Nicolas Street

Resolved that Council **APPROVE** naming the proposed North/South Roadway Dubois Drive and **APPROVE** naming the East/West Roadway Nicolas Way.

Carried.

AKINS DRIVE – COMPACTION TESTS

1122-2012 **Trudeau – Menard:** Resolved that the Amec compaction test

results provided by Barnes & Duncan Surveying Geomatics & Engineering conducted on Akins Drive are hereby accepted and that the one year warranty period officially begins November 15th, 2012.

Carried.

PINCHIN – COST ESTIMATES

1123-2012 **Deschambault – Rivard:** Resolved that Council acknowledge and approve the cost estimates received from Pinchin associated with the necessary testing and internal control sampling to be conducted in the R.M. of Tache Office.

Carried.

DELEGATION – DEBORAH NIELSEN (GARDEN SUITE PROPOSAL)-44088 MUN 52N

1124-2012 At 7:15 p.m. Deborah Nielsen & Jean Boulet; Owners/Residents of 44088 MUN 52N attended the Delegation Chair requesting Council’s consideration and approval to construct an addition to the existing residence establishing a Garden Suite for her elderly parent.

Council informed Ms. Nielsen & Mr. Boulet that The R.M. of Tache Zoning By-law addresses the establishment of Garden Suites on properties through a Conditional Use process defining that the Garden Suites are separate living quarters from the main dwelling and also that the facility be removed when no longer needed.

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

1125-2012 **Trudeau – Deschambault:** Resolved that the Public Hearing on Zoning Amendment By-law No. 17-2012 be opened.

Carried.

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

1126-2012 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. 17-2012 amending Lot 6, Plan 14160 in pt. RL 52, Plan 5597 from “RL”; Residential Limited Zone to “C”; Commercial Zone.

The following correspondence was received from the various Government Departments:

Community & Regional Planning Branch: No concerns

Manitoba Infrastructure & Transportation: No concerns; however indicate that depending on the use of the land permits will be required to access PR #207 and On-Highway improvements may be required

Manitoba Conservation: No concerns

Manitoba Water Stewardship: No concerns

R.M. of Hanover No concerns

R.M. of Ste. Anne

No concerns

The Lorette LUD Committee at their Regular November 6th, 2012 addressed no concerns with the Zoning Amendment By-law as presented.

Jean Klassen from Schinkel Properties/JHW Enterprises; Applicant attended the Delegation Chair in support of the Application.

Ms. Brenda Lombaert; Owner and Resident of 161 St. Michael’s Crescent attended the Delegation Chair addressing concerns to the proposed use of the land and privacy issues OBJECTING to the application.

Mr. Alexander Cassie; Owner and Resident of 155 St. Michael’s Crescent attended the Delegation Chair addressing concerns with the lack of information provided regarding the proposed use of the land, privacy matters, impact effects on the value of his residential property and OBJECTED to the Application.

Mrs. Karen Cassie; Owner and Resident of 155 St. Michael’s Crescent attended the Delegation Chair addressing her concerns with privacy matters and OBJECTED to the Application.

Jean Klassen; Representative for Schinkel Properties attended the Delegation Chair circulating a preliminary proposal for the intended use of the property.

No other correspondence or communication has been received to date.

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

1127-2012 Trudeau – Stein: Resolved that Council refer the concerns to the Lorette LUD Committee for further review and adjourn the Public Hearing on Zoning Amendment By-law No. 17-2012 to December 13th, 2012 @ 7:30 p.m.

Carried.

Councillor Stein left his chair at this time.

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

1128-2012 Trudeau – Deschambault: Resolved that the Public Hearing on Zoning Amendment By-law No. 18-2012 be opened.

Carried.

Councillor Stein returned to his Chair.

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

1129-2012 At 7:40 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Zoning Amendment By-law No. 18-2012 amending Pt. Lot 1, Plan 52326 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 Lorette LUD Committee at their Regular November 6th, 2012 addressed no concerns with the Zoning Amendment By-law as presented.

Ross Mitchell of Genivar and Representative for Casablanca Homes attended the Delegation Chair in support of the Application.

Mr. Gerald Baumgartner; Owner and Resident of 76 Belanger Drive attended the Delegation Chair addressing concerns with characteristics of neighbourhood, effect on property values, privacy matters and OBJECTED to the Proposal.

Mr. Miles Beaudin; Owner and Resident of 88 Belanger Drive attended the Delegation Chair addressing his concerns as to the impact rezoning will have on the characteristics of the neighbourhood and OBJECTED to the Proposal.

A Petition was presented to Council by Miles Beaudin containing 29 Names OBJECTING to the Proposal.

Ross Mitchell attended the Delegation Chair addressing the concerns of the public and continued supporting the Application.

No other correspondence or communication has been received to date.

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

1130-2012 Trudeau – Heather: Resolved that Council refer the concerns to the Lorette LUD Committee for further review and adjourn the Public Hearing on Zoning Amendment By-law No. 18-2012 to December 13th, 2012 @ 7:50 p.m.

Carried.

CONTINUATION 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

1131-2012 Trudeau – Koop: Resolved that the Continuation of Public Hearing on Zoning Amendment By-law No. 16-2012 be opened.

Carried.

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

1132-2012 At 7:50 p.m.; the time specified in the Notice required to be circulated; Council conducted the Continuation of 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.

Jean Klassen; representative for Schinkel Properties/JHW Enterprises attended the Delegation Chair requesting Council’s consideration to lay over the matter until further notice.

No other correspondence or communication was received.

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

1133-2012 Trudeau – Heather: Resolved that Council acknowledge the request of the Schinkel Properties/JHW Enterprises laying over the matter until further notice.

Carried.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #41-12; GERALD WALDNER-OWNER & LENA WALDNER-APPLICANT (PT. NE¼ OF SECTION 20-9-6E)

1134-2012 Trudeau – Menard: Resolved that the Public Hearing on Conditional Use Application No. CU #41-12 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #41-12

1135-2012 At 8:00 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Conditional Use Application No. CU #41-12 for the purpose of establishing a Garden Suite for a Family Member who requires day to day care.

Julia Waldner; Spouse and Resident 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 #41-12

1136-2012 Trudeau – Stein: Resolved that the Public Hearing on Conditional Use Application No. CU #41-12 be closed.

Carried.

COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #41-12; GERALD WALDNER-OWNER & LENA WALDNER-APPLICANT (PT. NE¼ OF SECTION 20-9-6E)

1137-2012 Heather – Menard: Resolved that Council **APPROVE** Conditional Use Application No. CU #41-12 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 – VARIATION ORDER APPLICATION NO. VO #42-12; ALVIN & KATHERINE PLETT – PT. NE½ OF SECTION 16-8-5E

1138-2012 Trudeau – Koop: Resolved that the Public Hearing on Variation Order Application No. VO #42-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #42-12

1139-2012 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 #42-12 to finalize a condition of a Subdivision Application currently being processed by Community & Regional Planning Branch under File No. 4194-2012-5426.

Alvin Plett 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 #42-12

1140-2012 Trudeau – Stein: Resolved that the Public Hearing on Variation Order Application No. VO #42-12 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #42-12; ALVIN & KATHERINE PLETT – PT. NE½ OF SECTION 16-8-5E

1141-2012 Trudeau – Rivard: Resolved that Council APPROVE Variation Order Application No. VO #42-12 as applied for.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #43-12; COLE ZARRILLO & KRISTEN PASTULA (PT. SE¼ OF SECTION 28-9-5E)

1142-2012 Trudeau – Koop: Resolved that the Public Hearing on Variation Order Application No. VO #43-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #43-12

1143-2012 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 #43-12.

Cole Zarrillo & Kristen Pastula; Owners and 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 # 43-12

1144-2012 Trudeau – Koop: Resolved that the Public Hearing on Variation Order Application No. VO #43-12 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #43-12; ; COLE ZARRILLO & KRISTEN PASTULA (PT. SE¼ OF SECTION 28-9-5E)

1145-2012 Heather – Deschambault: Resolved that Council APPROVE Variation Order Application No. VO #43-12 subject to the following conditions:

- All Building Permits be obtained from The R.M. of Tache Building Inspector prior to the construction of the Accessory Building.

Carried.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #44-12; 5596654 MANITOBA LTD. (DOUG GRATTON/RON DAVIES)-LOTS 2-9, PLAN 52813

1146-2012 Trudeau – Koop: Resolved that the Public Hearing on Conditional Use Application No. CU #44-12 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #44-12

1147-2012 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 #44-12 for the purpose of placing Modular Homes on Lots 2 to 9 in a new Residential Development.

No formal representation was made at the Public Hearing on the Application.

The CAO presented Council with information received from the Office of the Fire Commissioner outlining the Manitoba Building Code Requirements.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #44-12

1148-2012 Deschambault – Stein: Resolved that the Public Hearing on Conditional Use Application No. CU #44-12 be closed.

Carried.

COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #44-12; 5596654 MANITOBA LTD. (DOUG GRATTON/ RON DAVIES)-LOTS 2-9, PLAN 52813

1149-2012 Heather – Deschambault: Resolved that Conditional Use Application No. CU #44-12 be **DENIED**.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION APPLICATION FILE NO. 4194-2012-7008; JOSEPH L. & MARY ANN KOSKI AND KENNETH LUCKO (PT. NE ¼ OF SECTION 33-9-7E)

1150-2012 Trudeau – Stein: Resolved that the Public Hearing on Subdivision File No. 4194-2012-7008 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2012-7008

1151-2012 At 8:40 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-7008.

Correspondence was received from the following Provincial Departments:

Community Planning Branch:	No concerns
Manitoba Conservation:	No concerns
Manitoba Water Stewardship:	No concerns
Winnipeg Land Titles Office:	Recommend consolidating Lots 1, 2 & 3 (proposed lot)
Manitoba Agriculture, Food & Rural Initiatives:	No concerns
Shaw Communications	No concerns

Joseph L. Koski along with Kenneth Lucko attended the Delegation Chair in support of the Application.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-7008

1152-2012 Trudeau – Rivard : Resolved that the Public Hearing on Subdivision File No. 4194-2012-7008 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-7008; JOSEPH L. & MARY ANN KOSKI AND KENNETH LUCKO (PT. NE ¼ OF SECTION 33-9-7E)

1153-2012 Rivard - Trudeau: Resolved that Council **APPROVE** Subdivision File No. 4194-2012-7008 subject to the following conditions:

- The appropriate Variation Order Applications be obtained if required.

Carried.

SWMF RADIOS

1154-2012 Trudeau – Heather: Resolved that Council refer the matter back to the Public Works Committee for further discussion.

Carried.

CORRESPONDENCE & COMMUNICATIONS

1155-2012	<u>Writer</u>	<u>Subject</u>	<u>Disposition</u>
	Hwys Dept.	“New” Signage Ste. Genevieve	rec’d as info
	FCM	Annual Membership Renewal	res. 1156-2012
	Healthy Child Coalition	National Child Day	rec’d as info

FCM – ANNUAL MEMBERSHIP RENEWAL

1156-2012 Trudeau – Rivard: Resolved that Council authorize payment in the amount of \$1,699.00 covering costs for the FCM Annual Membership renewal.

Carried.

COUNCIL DISPOSITION – GARDEN SUITE

1157-2012 Menard – Deschambault: Resolved that Council acknowledge the request from the Owner and Resident of 44088 MUN 52N, and;
Be It Further Resolved that Council maintain their position regulating the requirements of the R.M. of Tache Zoning By-law with respect to establishing Garden Suites on properties within the R.M. of Tache.

Carried.

ADJOURNMENT

1158-2012 Trudeau – Deschambault: Resolved that the meeting be adjourned the hour being 9:30 p.m.

Carried.

William Danylchuk,
Mayor.

Daniel Poersch,
Chief Administrative Officer.