

**MINUTES OF THE REGULAR COUNCIL, DEVELOPMENT AND
PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF
THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE,
MANITOBA ON JANUARY 12TH, 2012 AT 7:00 P.M.**

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

Councillor Trudeau attended the Meeting
at 7:05 p.m.

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

37-2012 **Menard – Rivard:** Resolved that this Meeting's Agenda be
adopted as amended.

Carried.

EXCUSE OF COUNCIL MEMBER

38-2012 **Trudeau – Rivard:** Resolved that Councillor Stein
be excused from participating in tonight's scheduled Public Hearings.

Carried.

**DIAMOND CONSTRUCTION – GRAVEL CRUSHING (PT. NE¼
OF SECTION 16-9-7E)-CU #21-04**

39-2012 **Menard – Rivard:** Whereas a request has been submitted from
Diamond Constructing for Council's consideration to extend the operating
hours of the existing gravel crushing operation located on NE¼ of Section
16-9-7E from the initial approving hours of 7:00 a.m. to 7:00 p.m. to an
operating running period of 24 hr./day during the winter months;

Resolved that Council maintain their
disposition as approved on CU #21-04 authorizing hours of operation
between 7:00 a.m. to 7:00 p.m.

Carried.

MVP DEVELOPMENTS INC. (AKINS DRIVE) – PT. RL 40

40-2012 **Menard – Heather:** Whereas deficiencies have been detected in
the construction of Akins Drive, and;

Whereas various quotes have been presented
to Council outlining costs for remediation works;

Resolved that the Developers provide the
Municipality with a Letter of Guarantee in the amount of \$25,000.00
covering costs for the remediation work on the Roadway, and;

Be It Further Resolved that the remediation
works be completed no later than July 31st, 2012.

Carried.

January 12th, 2012.

PRELIMINARY SUBDIVISION PROPOSAL – LUCIEN & JACQUELINE DUBOIS (PT. SE ¼ OF SECTION 27-9-4E)

41-2012 At 7:15 p.m.; Lucien & Jacqueline Dubois; Owners of Lot 1, Plan 14079 in pt. SE ¼ of Section 27-9-4E attended the Delegation Chair circulating a Preliminary Subdivision Proposal for their consideration.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5381 (PT. RL 27, PARISH OF LORETTE); ERHARD & LYDIA HOEHNE

42-2012 Trudeau – Deschambault: Resolved that the Public Hearing on Subdivision File No. 4194-2011-5381 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2011-5381

43-2012 At 7:30 p.m., the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2011-5381 to subdivide the yard site from a parcel of land currently measuring 134.22 Acres. Proposed Lot 1 will measure approximately 10.06 Acres in site area with an approximate site width of 745.54 feet. The Residual Portion will measure approximately 124.16 Acres in site area with an approximate site width of 66 feet maintaining its use Agriculture.

Erhard Hoehne; Owner/Applicant attended the Delegation Chair in support of the Application.

The following correspondence was received from Provincial Departments:

Community & Regional Planning Branch:	No concerns
Manitoba Conservation:	No concerns
Manitoba Agriculture Food & Rural Initiatives:	<u>OBJECT</u> as Proposed. The Department comments that Class 2W (Prime Agriculture Land) has been incorporated with the Yard Site Proposal. They recommend only the yard site be included in the Application.
Manitoba Infrastructure & Transportation:	No concerns.
Manitoba Water Stewardship:	May require a Water Rights License.
Shaw Cable:	Does not service the property.

No other communication or correspondence was received.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5381

44-2012 Trudeau – Heather: Resolved that the Public Hearing on Subdivision File No. 4194-2011-5381 be closed.

Carried.

January 12th, 2012.

COUNCIL DISPOSITION - SUBDIVISION FILE NO. 4194-2011-5381 (PT. RL 27, PARISH OF LORETTE); ERHARD & LYDIA HOEHNE

45-2012 **Menard – Heather:** Resolved that Council **APPROVE** Subdivision File No.4194-2011-5381 subject to the following conditions:

- A Variation Order be applied for to vary the site width of the Residual Portion;
- A Building Location Certificate be prepared by a Manitoba Land Surveyor addressing yard distances from all structures and waste water facilities 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 \$4,000.00 for the creation of 1 additional residential lot be paid to the Municipality.

Carried.

MUNICIPAL BOARD – SUBDIVISION APPEAL; BARRY GRANTHAM (PT. SW ¼ OF SECTION 35-9-4E)

46-2012 Council was advised that the Municipal Board is in receipt of a Subdivision Appeal submitted by Barry Grantham; Owner of the property legally described as Pt. SW¼ of Section 35-9-4E.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5384 (ORIGINALLY LOT 12, PLAN 16929 IN PT. NE¼ OF SECTION 2-9-4E); PETER & ODETTE BERNERT (OWNERS) & CHRISTOPHER & JULIANNA ZUBRISKI (APPLICANTS)

47-2012 **Trudeau – Menard:** Resolved that the Public Hearing on Subdivision File No. 4194-2011-5384 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2011-5384

48-2012 At 7:40 p.m., the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2011-5384 to create 1 additional rural residential lot from a parcel of land that currently measures 4.76 acres. Proposed Lot 1 will measure approximately 2.06 acres maintaining the existing Single Family Dwelling. Proposed Lot 2 will measure approximately 2.7 Acres for resale purposes.

 Peter Bernert; Owner attended the Delegation Chair in support of the Application.

 Julianna Zubriski; Applicant attended the Delegation Chair in support of the Application.

 Correspondence has been received from Luc & Sherry Trudeau; Owners and Residents of 22116 MUN 49N addressing concerns with the Proposal.

 The following correspondence was received from Provincial Departments:

Community & Regional Planning
Branch:

No concerns

Mines Branch:

No concerns

Manitoba Water Stewardship:

No concerns

Manitoba Conservation:

No concerns

Manitoba Infrastructure &
Transportation:

Applicant obtain a permit

January 12th, 2012.

from the department’s Access Management Section if the access on PR #405 to the east of the land can be widened. Establish and register a Right-Of-Way Agreement against all existing/resulting titles to secure legal access for both of the proposed and residual parcels.

Shaw Cable: Does not service this property.

No other communication or correspondence was received.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5384

49-2012 Trudeau – Heather: Resolved that the Public Hearing on Subdivision File No. 4194-2011-5384 be closed.

Carried.

COUNCIL DISPOSITION - SUBDIVISION FILE NO. 4194-2011-5384 (ORIGINALLY LOT 12, PLAN 16929 IN PT. NE¼ OF SECTION 2-9-4E); PETER & ODETTE BERNERT (OWNERS) & CHRISTOPHER & JULIANNA ZUBRISKI (APPLICANTS)

50-2012 Trudeau – Menard: Resolved that Council APPROVE Subdivision File No.4194-2011-5384 subject to the following conditions:

- A Variation Order be applied for to vary the site width of Proposed Lot 2;
- A Building Location Certificate be prepared by a Manitoba Land Surveyor for Proposed Lot 1 addressing yard distances from all structures and wastewater management systems on the affected land in relation to the newly proposed lot lines;
- If warranted by the Building Location Certificate Variation Order Applications be applied for;
- The Owners submit a Drainage Plan to the Municipality, and;
- Dedication Fees in the amount of \$4,000.00 for the creation of 1 additional rural residential lot be paid to the Municipality.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5417 (PT. RL 50, PLAN 5597 IN LUD LORETTE); GILLES & ALINE COURNOYER (OWNERS) & (APPLICANTS)

51-2012 Trudeau – Heather: Resolved that the Public Hearing on Subdivision File No. 4194-2011-5417 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2011-5417

52-2012 At 7:50 p.m., the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2011-5417 subdividing a parcel of land currently measuring 40.35 Acres into 2 separate titles. Proposed Lot 1 will measure approximately 10.27 Acres maintaining the existing Single Family Dwelling and the Family Business. The Residual Portion will measure approximately 30.08 Acres for resale purposes.

January 12th, 2012.

Gilles & Aline Cournoyer; Owners & Applicants attended the Delegation Chair in support of the Application.

The LUD of Lorette Committee made recommendation Council approve the Subdivision Application subject to:
- The Owners/Applicants alter the southern proposed boundary line of the Proposed Lot maintaining parallel to the southern limit of Laramée Drive extending in a North Westerly direction for the width of the Lot.

The Owners advised Council that the recommendation of the LUD Committee to alter the proposed southern boundary would not comply with the regulations of Manitoba Environment respecting the distance from the existing Septic System.

Community & Regional Planning Branch addressed in their comments that the Application is in keeping with the R.M. of Tache Development Plan. The Application has been circulated to various Provincial Departments and comments received will be incorporated as conditions of approval.

No other communication or correspondence was received.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5417

53-2012 **Deschambault – Heather:** Resolved that the Public Hearing on Subdivision File No. 4194-2011-5417 be closed.

Carried.

COUNCIL DISPOSITION - SUBDIVISION FILE NO. 4194-2011-5417 (PT. RL 50, PLAN 5597 IN LUD LORETTE); GILLES & ALINE COURNOYER (OWNERS & APPLICANTS)

54-2012 **Deschambault – Heather:** Whereas recommendation from Lorette LUD to alter the southern proposed boundary on the Proposed Lot would result in non-compliance with the regulations of Department of Environment regarding the setback distances from the existing Septic System;

Resolved that Council **APPROVE** Subdivision File No.4194-2011-5417 subject to the following conditions:

- The recommendation of the LUD of Lorette Committee be amended to maintain parallel to the adjacent westerly property rather than the easterly property in order to prevent the non-compliance matter with the septic system;
- A Variation Order Application be applied for to vary the site width of the residual parcel;
- A Building Location Certificate be prepared by a Manitoba Land Surveyor for the Proposed Lot addressing yard distances from all structures and wastewater management systems on the affected land in relation 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 1 additional lot be paid to the Municipality.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5383 (PT. NE¼ OF SECTION 30-9-6E); GUSTAV & IRENE STRIPLING; OWNERS & APPLICANTS

55-2012 **Trudeau – Heather:** Resolved that the Public Hearing on Subdivision File No. 4194-2011-5383 be opened.

Carried.

January 12th, 2012.

DELEGATION – SUBDIVISION FILE NO. 4194-2011-5383

56-2012

At 8:00 p.m., the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2011-5383 subdividing the current parcel of land measuring approximately 65.17 Acres into 2 separate holdings for retirement purposes. The Proposed Lot (yard site) to measure approximately 4.5 maintaining the current Single Family Dwelling along with associated accessory buildings. The residual Portion to measure approximately 60.67 Acres maintaining its use Agricultural.

Irene Stripling; Owner along with Diane Stripling; daughter attended the Delegation Chair in support of the Application.

Correspondence has been submitted by Jonothon Roskos; Owner of the SW¼ of Section 29-9-6E **OBJECTING** to the Proposal presented as a Retiring Farmer.

The following correspondence was received from Provincial Departments:

Community & Regional Planning Branch:	No concerns
Manitoba Conservation:	Requires the Sewage Ejector be decommissioned and replaced with an alternative Septic System
Manitoba Agriculture, Food & Rural Initiatives:	Recommend that the residual parcel be consolidated with a neighbouring property if possible. Otherwise no concerns
Energy, Innovation & Mines Branch:	No concerns
Manitoba Infrastructure & Transportation:	No concerns
Manitoba Water Stewardship:	No concerns
Shaw Cable:	Does not service this property.

No other communication or correspondence was received.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5383

57-2012

Deschambault – Heather: Resolved that the Public Hearing on Subdivision File No. 4194-2011-5383 be closed.

Carried.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #01-12; EDWARD BUELL & NANCY ZDAN (LOT 2, PLAN 52167 IN PT. NW¼ OF SECTION 6-9-8E)

58-2012

Trudeau – Rivard:: Resolved that the Public Hearing on Conditional Use Application No. CU #01-12 be opened.

Carried.

January 12th, 2012.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #01-12

59-2012

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 #01-12 to place a Mobile Home for the purpose of providing seasonal residency to the Owners/Applicants.

Edward Buell & Nancy Zdan; Owners and Applicants 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 #01-12

60-2012

Trudeau – Heather: Resolved that the Public Hearing on Conditional Use Application No. CU #01-12 be closed.

Carried.

COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #01-12; EDWARD BUELL & NANCY ZDAN (LOT 2, PLAN 52167 IN PT. NW¼ OF SECTION 6-9-8E)

61-2012

Rivard – Heather: Resolved that Council **APPROVE** Conditional Use Application No. CU #01-12 subject to the following conditions:

- The Owners/Applicants obtain the necessary Building Permits from the Municipal Building Inspector prior to the placement of the Mobile Home.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #02-12; CHANTAL DU BOURG & REGAN JANZEN (OWNERS) & QUALICO DEVELOPMENTS (WINNIPEG) LTD. (APPLICANTS)-LOT 26, BLOCK 1, PLAN 48185 LOCATED AT 102 CONVENT CRESCENT IN THE LUD OF LORETTE

62-2012

Trudeau – Heather: Resolved that the Public Hearing on Variation Order Application No. VO #02-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #02-12

63-2012

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 #02-12 to vary the front yard distance from the requirement of 25 feet in “RL”; Residential Limited Zone to 20.1 feet for the purpose of remedying a non-conformity that occurred as a result of a newly constructed Single Family Dwelling with attached garage in March, 2011.

Arlene Amorim; Representative for Qualico Developments (Winnipeg) Ltd. attended the Delegation Chair supporting the Application.

The LUD of Lorette at their regular January 5th, 2012 Meeting passed a resolution recommending Council approve the Variation Order Application.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #02-12

64-2012

Trudeau – Heather: Resolved that the Public Hearing on

January 12th, 2012.

Variation Order Application No. VO #02-12 be closed.

Carried.

**COUNCIL DISPOSITION – VARIATION ORDER APPLICATION
NO. VO #02-12; CHANTAL DU BOURG & REGAN JANZEN
(OWNERS) & QUALICO DEVELOPMENTS (WINNIPEG) LTD.
(APPLICANTS)-LOT 26, BLOCK 1, PLAN 48185 LOCATED AT
102 CONVENT CRESCENT IN THE LUD OF LORETTE**

65-2012 Deschambault – Menard: Resolved that Council acknowledge the recommendation of the LUD of Lorette Committee and APPROVE Variation Order Application No. VO #02-12 as applied for.

Carried.

DELEGATION – PETER SKJAERLUND; FIRE CHIEF (PUMPER)

66-2012 At 8:30 p.m.; Peter Skjaerlund, R.M. of Tache Fire Chief attended the Delegation Chair to discuss with Council an analysis of bids received for a Pumper Truck.

Councillor Koop left the Meeting at 9:20 p.m.

**MUNICIPAL BOARD DECISION – SUBDIVISION APPEAL;
RAYMOND & THERESA HOGUE (PT. NE ¼ OF SECTION 34-8-4E)**

67-2012 Council acknowledge receipt of the Municipal Board Decision respecting the Subdivision Appeal of Raymond & Theresa Hogue in pt. NE ¼ of Section 34-8-4E.

Carried.

BUDGET

68-2012 Council was reminded to provide Budget requests for discussion at their next regular Council Meeting scheduled for January 17th, 2012.

CORRESPONDENCE & COMMUNICATIONS

69-2012	<u>Writer</u>	<u>Subject</u>	<u>Disposition</u>
	Manitoba Planning	Conference Feb 22-24/12	Res. No. 70-2012

MANITOBA PLANNING CONFERENCE (FEBRUARY 22, 23 & 24TH, 2012)

70-2012 Trudeau – Heather: Resolved that Council authorize Mayor Danylchuk, Councillors Koop, Stein, Heather & Rivard to attend the upcoming Manitoba Planning Conference being hosted in Brandon from February 22nd to 24th, 2012, and;

Be It Further Resolved that all associated costs be remunerated accordingly.

Carried.

ADJOURNMENT

71-2012 Trudeau – Menard: Resolved that the meeting be adjourned the hour being 9:45 p.m.

Carried.

January 12th, 2012.

William Danylchuk,
Mayor.

Daniel Poersch,
Chief Administrative Officer.