

MINUTES OF THE REGULAR COUNCIL, DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON MARCH 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/Recording Secretary.

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

ADOPTION OF AGENDA

238-2012 Trudeau – Koop: Resolved that this Meeting's Agenda be adopted as amended.

Carried.

CANDACE DRIVE – UNDEVELOPED ROAD ALLOWANCE

239-2012 Council was circulated information of a property owner's interest in purchasing the undeveloped road allowance adjacent to his property legally described as Lot 11, Block 1, Plan 22260.

In discussion Councillor Menard advised Council he would look into the matter and report back to council.

ROAD 13 & 13A (UPDATE)

240-2012 Menard – Stein: Whereas Councillor Heather updated Council with the project status of Road 13 & 13A providing costs incurred to date and additional costs required for 2012 to proceed with the project; and

Whereas the R.M. of Tache's financial contribution of \$9,000.00 is required to be submitted in April, 2012;

Resolved that Council acknowledge the Report provided by Councillor Heather and release the financial contribution committed by the R.M. towards the Project upon invoicing.

Carried.

PUBLIC WORKS REQUESTS

241-2012 Trudeau – Menard: Resolved that Council authorize for the following Public Works to be conducted:

Ward 6: - authorize Public Works Manager to investigate ½ mile along Mun 40E in Section 2-9-7E for Beaver Nuisance.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #04-12; SHAWN & JENNIFER NEGRICH-OWNERS & NATHAN REIMER CUSTOM HOMES-APPLICANT (LOT 13, PLAN 49035 & E ½ OF SECTION 26-9-4E)-1 ALEXANDRE WAY

242-2012 Trudeau – Heather: Resolved that the Public Hearing on Variation Order Application No. VO #04-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #04-12

243-2012 At 7:30 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Variation Order Application No. VO #04-12.

Nathan Reimer of Nathan Reimer Custom Homes; Applicant & Contractor attended the Delegation Chair in support of the Application.

No other communication or correspondence was received.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #04-12

244-2012 Trudeau - Koop: Resolved that the Public Hearing on Variation Order Application No. VO #04-12 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #04-12; SHAWN & JENNIFER NEGRICH-OWNERS & NATHAN REIMER CUSTOM HOMES-APPLICANT (LOT 13, PLAN 49035 & E ½ OF SECTION 26-9-4E)-1 ALEXANDRE WAY

245-2012 Menard – Stein: Resolved that Council APPROVE Variation Order Application No. VO #04-12 as applied for.

Carried.

OPEN OF PUBLIC HEARING – BY-LAW NO. 16-2011 (ZONING BY-LAW NO. 12-2009 TEXT AMENDMENT)

246-2012 Trudeau – Heather: Resolved that the Public Hearing on By-law No. 16-2011; being a Text Amendment to the R.M. of Tache Zoning By-law No. 12-2009 be opened.

Carried.

DELEGATION – BY-LAW NO. 16-2011 (ZONING BY-LAW NO. 12-2009 TEXT AMNDMENT)

247-2012 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. 16-2011; being a Text Amendment to Table 3.2 under Section 19(2)(a) of Part 3-Land Use and Development Provisions in the R.M. of Tache Zoning By-law No. 12-2009.

Correspondence was received from the following Government Departments:

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

The LUD Committees for Landmark & Lorette support the Amendment as presented.

Denis Sarrasin; Owner & Resident of 21 Place Sauveur attended the Delegation Chair supporting the amendment. .
No other correspondence or communication was received.

CLOSE OF PUBLIC HEARING – ZONING TEXT AMENDMENT (BY-LAW NO. 16-2011)

248-2012 Trudeau – Koop Resolved that the Public Hearing on Zoning Text Amendment By-law No. 16-2011 be closed.

Carried.

BY-LAW NO. 16-2011 (TEXT AMENDMENT TO THE R.M. OF TACHE ZONING BY-LAW NO. 12-2009); 2ND READING

249-2012 Deschambault – Stein: Resolved that By-law No. 16-2011 be given 2nd Reading.

Carried.

BY-LAW NO. 16-2011 (TEXT AMENDMENT TO THE R.M. OF TACHE ZONING BY-LAW NO. 12-2009) – 3RD READING

250-2012 Deschambault – Menard: Resolved that By-law No. 16-2011; being a Text Amendment to Table 3.2 under Section 19(2)(a) of Part 3-Land Use and Development Provisions in the R.M. of Tache Zoning By-law No. 12-2009 be given Third and Final Reading and Passed.

For the Motion: Councillors Koop, Menard, Deschambault, Stein, Rivard & Mayor Danylchuk.

Against the Motion: Councillors Trudeau & Heather

Abstained: Nil.

Motion Carried.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #08-12; BRUCE & JANE NIELSEN (PT. NW¼ OF SECTION 31-9-8E)

251-2012 Trudeau – Rivard: Resolved that the Public Hearing on Conditional Use Application No. CU #08-12 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #08-12

252-2012 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 #08-12 for the purpose of placing a Garden Suite on a parcel of land providing temporary residency to an elderly parent.

Bruce Nielsen; 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 #08-12

253-2012 Trudeau – Koop: Resolved that the Public Hearing on

Conditional Use Application No. CU #08-12 be closed.

Carried.

COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #08-12; BRUCE & JANE NIELSEN (PT. NW¼ OF SECTION 31-9-8E)

254-2012 **Rivard – Menard:** Resolved that Council **APPROVE** Conditional Use Application No. CU # 08-12 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 #07-12 (ORIGINALLY LOT 2, PLAN 51300 IN PT. SE¼ OF SECTION 9-8-5E); ARTHUR & MARTHA ADAIR

255-2012 **Trudeau – Deschambault:** Resolved that the Public Hearing on Variation Order Application No. VO #07-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #07-12

256-2012 At 8:10 p.m., the time specified in the Public Hearing Notice; Council conducted the Public Hearing on Variation Order Application No. VO #07-12. The Variation Order Application is a condition of completing Subdivision File No. 4194-2011-5354 currently being processed by The Community & Regional Planning Branch. Arthur & Martha Adair; Owners and Applicants attended the Delegation Chair in support of the Application. No other communication or correspondence was received.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #07-12

257-2012 **Trudeau – Heather:** Resolved that the Public Hearing on Variation Order Application No. VO #07-12 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #07-12 (ORIGINALLY LOT 2, PLAN 51300 IN PT. SE¼ OF SECTION 9-8-5E); ARTHUR & MARTHA ADAIR

258-2012 **Trudeau – Deschambault:** Resolved that Variation Order Application No. VO #07-12 be **APPROVED** as applied for.

Carried.

DOG COMPLAINT – WARD 3

259-2012 Councillor Menard advised Council that a recent complaint was received pertaining to a dog that resides at 49069 Poirier Road.

Councillor Menard requested that administration contact PBLE to investigate the situation and report back to Council.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO. #09A-12 (ORIGINALLY LOT 1, PLAN 51010 IN PT. SE¼ OF SECTION 31-8-5E); RHEAL & LAURA LESAGE (OWNERS) & UPTOWN CONSTRUCTION (APPLICANT)

260-2012 Trudeau – Stein: Resolved that the Public Hearing on Variation Order Application No. VO #09A-12 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #09A-12

261-2012 At 8:20 p.m.; the time specified in the Public Hearing Notice; Council conducted the Public Hearing on Variation Order Application to vary the front yard distance requirement for the purpose of constructing a Brand New Single Family Dwelling with Attached Garage providing residency for the Owners.

Rheal Lesage; Owner 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 #09A-12

262-2012 Trudeau – Menard: Resolved that the Public Hearing on Variation Order Application No. VO #09A-12 be closed.

Carried.

**Mayor Danylchuk removed himself as Chairperson.
Deputy Mayor Menard conducted duties as Chairperson.
Councillor Trudeau removed himself for his seat.**

CONTINUATION OF PUBLIC HEARING – SUBDIVISION APPLICATION NO. 4194-2011-5402; 4756161 MANITOBA LTD.- DAVID VINCENT (LOT 61, PLAN 4940 IN PT. RL 53/56, PARISH OF LORETTE)

263-2012 Stein – Deschambault: Resolved that the Public Hearing on Subdivision File No. 4194-2011-5402 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2011-5402

264-2012 At 8:30 p.m.; Council conducted the Continuation of Public Hearing on Subdivision File No. 4194-2011-5402 to subdivide the current Mobile Home Park into a 25 Mobile Home Condominium Development along with 2 separate Common Areas.

David Lewis & Troy Richardson; Representatives for 4756161 Manitoba Ltd. attended the Delegation Chair continuing their support of the Application and confirming the ownership groups agreement to amend the Application to the 2008 Proposal.

The Lorette LUD Committee at their Regular March 6th, 2012 Meeting reviewed the proposal and the comments received from the February 16th, 2012 Development and Planning Meeting and recommended Council approve the 2011 Application as presented taking into consideration their following recommendations of February 7th, 2012:

-a development agreement be entered into inclusive of conditions noted within this resolution and standard clauses as determined by the Municipality;

- Letter of Credit to be provided by the Developer for security of improvements and certification processes as outlined;
- installation of fencing along the east, south, west and north boundaries of the property compliant to the current standard for fencing adjacent to multiple family unit development;
- capital levies payable to Municipality prior to registration of title;
- roadways/parking lot to be hard surfaced;
- all water connections to comply with the Cross Connection and Backflow Prevention policy;
- pressure tests to be conducted on existing water lines to confirm integrity & service continuity between residences and main line;
- confirmation of sufficient sewer capacity;
- infrastructure improvements and testing to be certified by a Professional Engineer by Certificate of Acceptance;
- all structures within condominium must conform to the Municipal Zoning By-law.

Paul Grossman; Resident of Unit 8-412 Seine Avenue attended the Delegation Chair requesting clarification on the considered Proposal and the recommendations referred to Council from the Lorette LUD Committee.

No other correspondence or communication was received to date.

ADJOURN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5402

265-2012

Heather – Stein: Resolved that the Public Hearing on Subdivision File No. 4194-2011-5402 be adjourned to a future date to be determined.

Carried.

Deputy Mayor Menard left the Chair and resumed his duties as Councillor.

Mayor Danylchuk took the Chair and resumed his duties as Chairperson.

Councillor Trudeau returned to his seat at this time.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #10-12 & VARIATION ORDER APPLICATION NO. VO #11-12; THIESSEN TOWERS INC.-KEITH, SCOTT & BLAKE THIESSEN (PT. LOT 61, PLAN 4940); 1304 DAWSON ROAD

266-2012

Trudeau – Koop: Resolved that the Public Hearing on Conditional Use Application No. CU #10-12 & Variation Order Application No. VO #11-12 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #10-12 & VARIATION ORDER APPLICATION NO. VO #11-12

267-2012

At 9:00 p.m.; the time specified in the Public Hearing Notice; Council conducted the Public Hearing on Conditional Use Application No. CU #10-12 & Variation Order Application No. VO #11-12.

Keith, Scott & Blake Thiessen of Thiessen Towers Inc. attended the Delegation Chair in support of the Applications.

Luc & Lucie Gregoire; Owner of attended the Delegation Chair **OBJECTING** to the Application.

The Lorette LUD Committee at their regular March 6th, 2012 Meeting addressed no concerns with the Applications and recommended Council approve.

No other communication or correspondence has been received to date.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #10-12 & VARIATION ORDER APPLICATION NO. VO #11-12

268-2012 **Trudeau – Menard:** Resolved that the Public Hearing on Conditional Use Application No. CU #10-12 & Variation Order Application No. VO #11-12 be closed.

Carried.

Councillor Stein requested a recorded vote.

CONDITIONAL USE APPLICATION NO. CU #10-12 & VARIATION ORDER APPLICATION NO. VO #11-12; THIESSEN TOWERS INC.-KEITH, SCOTT & BLAKE THIESSEN (PT. LOT 61, PLAN 4940); 1304 DAWSON ROAD

269-2012 **Trudeau – Heather:** Resolved that Variation Order Application No. VO #11-12 be **Denied**.

In Favour: **Trudeau, Danylchuk, Stein, Heather**
Against the Motion: **Koop, Menard, Deschambault & Rivard.**

Motion Defeated.

ADJOURNMENT

270-2012 **Trudeau – Koop:** Resolved that the meeting be adjourned the hour being 10:10 p.m.

Carried.

**William Danylchuk,
Mayor.**

**Daniel Poersch,
Chief Administrative Officer.**

**David Menard,
Deputy Mayor.**