

MINUTES OF THE REGULAR DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON JUNE 12TH, 2014 AT 7:00 P.M.

MEMBERS PRESENT: Deputy Mayor Deschambault,
Councillors Trudeau, Menard, Rivard &
Heather.

Councillor Stein arrived at 7:30 p.m.

IN ATTENDANCE: Dan Poersch,
Chief Administrative Officer.
Janice Desmarais, Development
Officer.

**INVOCATION/
OPENING:** Deputy Mayor Deschambault offered the
Invocation at 7:00 p.m.

ADOPTION OF AGENDA

535-2014 Trudeau – Heather: Resolved this Meeting’s Agenda be adopted
as amended.

Carried.

ABSENCE OF COUNCIL MEMBER(S)

536-2014 Rivard – Heather: Resolved that Councillor Koop be excused
from participating in this evenings Public Hearings.

Carried.

**BY-LAW 11-2014; ZONING BY-LAW AMENDMENT (LOT 11,
BLOCK 1, PLAN 14813 – LUD LANDMARK); 1ST READING;**

537-2014 Trudeau – Menard: Resolved that Zoning Amendment By-law
No. 11-2014 be introduced and given 1st Reading.

Carried.

**NOTICE OF PUBLIC HEARING – R.M OF HANOVER ZONING
AMENDMENT BY-LAW NO. 2350-14 (LOTS 57 TO 65, PLAN
52807)-COMMUNITY OF BLUMENORT**

538-2014 Trudeau – Heather: Resolved that Council address no concerns
with Zoning By-Law No. 2350-14; being an amendment to rezone Lots
57-65, Plan 52807 in the Community of Blumenort from “UR”; Urban
Residential Zone to “RS”; Residential Single-Family Zone.

Carried.

**NOTICE OF PUBLIC HEARING – TOWN OF NIVERVILLE;
ZONING AMENDMENT BY-LAW NO. 734-2014 (LOTS 9-16, 17-30,
BLOCK 6, PLAN 19956)**

539-2014 Trudeau – Menard: Resolved that Council address no concerns
with The Town of Niverville Zoning Amendment By-law No. 734-2014 to
re-zone Lots 9-16 & 27-30, Block 6, Plan 19956 from “R1”; Single
Family Residential Zone to “R3”; Multiple Family Residential Zone.

Carried.

**NOTICE OF PUBLIC HEARING – TOWN OF NIVERVILLE;
ZONING AMENDMENT BY-LAW NO. 735-14 (LOTS 1 & 2, PLAN
50391 AND LOTS 19-23, BLOCK 6, PLAN 19956)**

540-2014 **Trudeau – Menard:** Resolved that Council address no concerns with The Town of Niverville Zoning Amendment By-law No. 735-2014 to re-zone Lots 1 & 2, Plan 50391 and Lots 19-23, Block 6, Plan 19956 from “R1”; Single Family Residential Zone to “R2”; Two Family Residential Zone.

Carried.

**NOTICE OF PUBLIC HEARING – TOWN OF NIVERVILLE;
ZONING AMENDMENT BY-LAW NO. 736-14 (LOTS 1 & 2, PLAN
52450 IN NW ¼ OF SECTION 30-7-4E)**

541-2014 **Trudeau – Heather:** Resolved that Council address no concerns with The Town of Niverville Zoning Amendment By-law No. 736-2014 to re-zone Lots 1 & 2, Plan 52450 in the NW ¼ of Section 30-7-4E from “R3”; Multiple Family Residential Zone to “R1”; Single Family Residential Zone.

Carried.

**NOTICE OF PUBLIC HEARING – TOWN OF NIVERVILLE;
ZONING AMENDMENT BY-LAW NO. 737-14 (LOTS 1 & 2, PLAN
52450 IN NW ¼ OF SECTION 30-7-4E)**

542-2014 **Trudeau – Menard:** Resolved that Council address no concerns with The Town of Niverville Zoning Amendment By-law No. 737-2014 to re-zone Lots 1 & 2, Plan 52450 in the NW ¼ of Section 30-7-4E from “R1”; Single Family Residential Zone to “R3”; Multiple Family Residential Zone.

Carried.

Notice of Motion was received from Councillor Trudeau to rescind Motion No. 506-2014

**DELEGATION – ROMAN PED (LOT 2, PLAN 54729 IN PT. SW ¼
9-9-7E); CU #17-09 MOBILE HOME**

543-2014 At 7:15 p.m.; Roman Ped, Owner of the property legally described as Pt. SW ¼ 9-9-7E, attended the Delegation Chair requesting Council Re-visit a condition of the existing Mobile Home that was approved by Council on May 14th, 2009 by CU #17-09.

COUNCIL DISPOSITON – CU #17-09 MOBILE HOME

544-2014 **Rivard – Trudeau:** Resolved that the 5 year term condition of CU #17-09 Approval be removed.

Carried.

CORRESPONDENCE & COMMUNICATIONS

545-2014	<u>Writer</u>	<u>Subject</u>	<u>Disposition</u>
	Minister of Municipal Government	SCTF Funding	Rec'd as info.
	AMM	Mtg Appreciation	Rec'd as info

Councillor Stein arrived and took his chair the hour being 7:30 p.m.

OPEN OF PUBLIC HEARING – ZONING AMENDMENT BY-LAW NO. 9-2014; TEXT AMENDMENT TO R.M OF TACHE ZONING BY-LAW NO. 12-2009 (TABLE 3.2-MINIMUM NUMBER OF PARKING SPACES REQUIRED)

546-2014 **Trudeau – Rivard:** Resolved that the Public Hearing on Zoning By-law No. 9-2014; being a Text amendment to The R.M. of Tache Zoning By-Law No. 12-2009 be opened.

Carried.

DEGATION – ZONING AMENDMENT BY-LAW NO. 9-2014

547-2014 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. 9-2014.

The Landmark & Lorette LUD Committee addressed no concerns and recommended Council proceed with the adoption of the By-law.

The following Provincial comments were received:

Community & Regional Planning Branch: No concerns

MTS: No concerns

Manitoba Infrastructure & Transportation: No concerns

Manitoba Conservation: No concerns

Water Stewardship: No concerns

R.M. of Springfield: No concerns

R.M. of Ste. Anne: No concerns

Mrs. Hettie Penner; Owner & Resident of 193 Main Street in Landmark attended the Delegation Chair requesting clarification from Council on the By-law.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – ZONING AMENDMENT BY-LAW NO. 9-2014

548-2014 **Trudeau – Menard:** Resolved that the Public Hearing on Zoning Amendment By-law No. 9-2014 be closed.

Carried.

ZONING AMENDMENT BY-LAW NO. 9-2014 (2ND READING)

549-2014 **Heather – Trudeau:** Resolved that By-law 9-2014; being a Text Amendment to the R.M. of Tache Zoning By-law No. 12-2009 be given 2nd Reading.

Carried.

ZONING AMENDMENT BY-LAW NO. 9-2014; TEXT AMENDMENT TO R.M OF TACHE ZONING BY-LAW NO. 12-2009 (TABLE 3.2-MINIMUM NUMBER OF PARKING SPACES REQUIRED)-3RD READING

550-2014 **Stein – Menard:** Resolved that By-law 9-2014; being a Text Amendment to the R.M. of Tache Zoning By-law No. 12-2009 be given 3rd and Final Reading and be adopted.

In Favour: Councillors Trudeau, Menard, Stein, Heather & Rivard. Deputy Mayor Deschambault.

Against: Nil

Obstained: Nil

Motion Carried.

**OPEN OF PUBLIC HEARING – VARIATION ORDER
APPLICATION NO. VO #25-14; JACQUELINE BOHEMIER (PT.
SW 32-8-5E) RESIDUAL PORTION OF SUBDIVISION
APPLICATION FILE NO. 4194-2013-7289**

551-2014 **Trudeau – Heather:** Resolved that the Public Hearing on Variation Order Application No. VO #25-14 be opened.

Carried.

**DELEGATION – VARIATION ORDER APPLICATION NO.
VO #25-14**

552-2014 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. VO #25-14. No formal representation was made on the Application. No other correspondence or communication has been received to date.

**CLOSE OF PUBLIC HEARING – VARIATION ORDER
APPLICATION NO. VO #25-14**

553-2014 **Menard – Trudeau:** Resolved the Public Hearing on Variation Order Application No. VO #25-14 be closed.

Carried.

**COUNCIL DISPOSITION – VARIATION ORDER APPLICATION
NO. VO #25-14; JACQUELINE BOHEMIER (PT. SW 32-8-5E) VARY
RESIDUAL AREA OF SUBDIVISION APPLICATION FILE NO.
4194-2013-7289**

554-2014 **Trudeau - Stein:** Whereas additional information was brought forth addressing an encroachment of an existing building onto the Proposed Lot (Yard Site) of the Subdivision Application;

Resolved that Variation Order Application No. VO #25-14 to vary the residual portion be **APPROVED** subject to the following conditions:

- The Owner/Applicant submit written confirmation of the removal of an existing Accessory Building encroaching onto the Proposed Lot (Yardsite) of the Proposed Subdivision within a specified date.

Carried.

**OPEN OF PUBLIC HEARING – BY-LAW NO. 10-2014;
SECONDARY PLAN (VILLAGE OF LORETTE – WEST AREA)-
PT. RL’S 46, 47, 48 & 49, PARISH OF LORETTE**

555-2014 **Trudeau – Stein:** Resolved that the Public Hearing on By-law No. 10-2014; being a Secondary Plan for the Village of Lorette-West Area inclusive of Pt. RL’s 46, 47, 48 & 49 be opened.

Carried.

**DELEGATION – BY-LAW NO. 10-2014; SECONDARY PLAN
(VILLAGE OF LORETTE-WEST AREA)**

556-2014

At 7:50; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on By-law No. 10-2014.

The LUD of Lorette Committee addressed no concerns and recommended Council proceed with the adoption of the By-law.

A Report was submitted from Community & Regional Planning Branch recommending minor alterations/amendments to the Secondary Plan.

In addition the following Provincial Department comments were received:

<u>Community & Regional Planning Branch:</u>	No concerns
<u>MAFRD:</u>	No concerns
<u>Manitoba Conservation:</u>	No concerns
<u>Water Stewardship:</u>	No concerns
<u>Manitoba Mineral Resources:</u>	No concerns
<u>MTS:</u>	No concerns
<u>City of Winnipeg:</u>	No objection
<u>R.M. of Ste. Anne:</u>	No objection
<u>R.M. of Springfield:</u>	No objection

The following Government Departments, Agencies and Utilities were circulated a copy of the Plan and did not respond:

- Manitoba Municipal Government, Provincial Planning Section;
- Manitoba Hydro & Centra Gas;
- Manitoba Tourism, Culture & Heritage;
- Sport and Consumer Protection;
- Heritage Resources; and
- Crown Lands and Property Agency.

Correspondence was received from the R.M. of Springfield and Ste. Anne addressing no concerns.

David Grant & Matt Akins; Representatives for the Lorette Golf Course attended the Delegation Chair in support of the By-law discussing and clarifying more specifically the items addressed in the Secondary Plan for the proposed Multi Lot Development Proposal.

Jill Overall; Owner of 9 Fairway Drive requested clarification with the presentation as to Zoning and Signage. No objection was filed on the Plan.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – BY-LAW NO. 10-2014

557-2014

Trudeau – Heather: Resolved that the Public Hearing on By-law No. 10-2014; being a Secondary Plan to the Village of Lorette-West Area

be closed.

Carried.

- 558-2014** **BY-LAW NO. 10-2014 – 2ND READING**
Trudeau – Stein: Resolved that By-law No. 10-2014 be given 2nd Reading subject to minor amendments received from the various Provincial Departments outlined in Schedule “A”.

Carried.

- 559-2014** **BY-LAW NO. 10-2014; SECONDARY PLAN (VILLAGE OF LORETTE-WEST AREA) – 3RD READING**
Menard – Trudeau: Resolved that By-law No. 10-2014; being a Secondary Plan to the Village of Lorette West Area be given 3rd and final reading and be adopted.

In Favour: Councillor Trudeau, Menard, Stein & Rivard

Against: Councillor Heather

Abstained: Nil

Motion Carried.

- 560-2014** **OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #26-14 & VARIATION ORDER APPLICATION NO. VO #27-14; DSTK HOLDINGS INC.; LARRY REIMER/KARLEE PETERS (210 MAIN STREET - LANDMARK)**
Trudeau – Rivard: Resolved that the Public Hearing on Conditional Use Application No. CU #26-14 & Variation Order Application No. VO #27-14 be opened.

Carried.

- 561-2014** **DELEGATION - CONDITIONAL USE APPLICATION NO. CU #26-14 & VARIATION ORDER APPLICATION NO. VO #27-14**
 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 #26-14 & Variation Order Application No. VO #27-14.

The Landmark LUD Committee addressed no concerns with the Applications making recommendation for Council to approve subject to the requirement of connecting to the Landmark Public Water System when upgraded.

Manitoba Infrastructure & Transportation; Highway Planning & Design Branch addressed no objections on the Applications.

Larry Reimer & Karlee Peters; DSTK Holdings Inc. attended the Delegation Chair in support of the Application.

Hettie Penner; Owner & Resident of 193 Main Street attended the Delegation Chair addressing concerns with the size of the facility for the size of the lot, south side yard distance, driveway access & safety concerns. Objects to the Proposal.

Stacey & Steve Reimer; Owners & Residents of 204 Main Street Landmark attended the Delegation Chair addressing concerns with privacy and the side yard distance variance and Object to the Application.

Bob & Sylvia Schellenberg; Owners and Residents of 214 Main Street attended the Delegation Chair addressing

concerns with the width of the driveway access & location of the refuse bin adjacent to their property. Object to the Application.

No other correspondence or communication has been received to date.

**CLOSE OF PUBLIC HEARING - CONDITIONAL USE
APPLICATION NO. CU #26-14 & VARIATION ORDER
APPLICATION NO. VO #27-14**

562-2014 Menard – Rivard: Resolved that Conditional Use Application No. CU #26-14 & Variation Order Application No. VO #27-14 be closed.

Carried.

Councillor Stein left the Meeting at this time.

**OPEN OF PUBLIC HEARING – VARIATION ORDER
APPLICATION NO. VO #30-14; MAURICE LEGAL (LOT 3, PLAN
49577 IN PT. SW¼ OF SECTION 15-9-7E)**

563-2014 Trudeau – Rivard: Resolved that the Public Hearing on Variation Order Application No. VO #30-14 be opened.

Carried.

**DELEGATION – VARIATION ORDER APPLICATION NO. VO
#30-14**

564-2014 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 #30-14.

Maurice Legal; Owner & Applicant attended the Delegation in support of the Application.

No other correspondence or communication has been received to date.

**CLOSE OF PUBLIC HEARING – VARIATION ORDER
APPLICATION NO. VO #30-14**

565-2014 Rivard – Trudeau: Resolved that Variation Order Application No. VO #30-14 be closed.

Carried.

**COUNCIL DISPOSITION – VARIATION ORDER APPLICATION
NO. VO #30-14; MAURICE LEGAL (LOT 3, PLAN 49577 IN PT.
SW¼ OF SECTION 15-9-7E)**

566-2014 Rivard – Trudeau: Resolved that Variation Order Application No. VO #30-14 be **APPROVED** subject to the following conditions:

- All the necessary Building Permits be acquired from the Municipal Building Inspector prior to the construction of the Accessory Building.

Carried.

**OPEN OF PUBLIC HEARING – VARIATION ORDER
APPLICATION NO. VO #28-14; MONIQUE LAPOINTE (LOT 24,
BLOCK 3, PLAN 13364); 113 ST. MICHAEL’S CRESCENT**

567-2014 Trudeau – Menard: Resolved that the Public Hearing on Variation Order Application No. VO #28-14 be opened.

Carried.

**DELEGATION – VARIATION ORDER APPLICATION NO.
VO #28-14;**

568-2014 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 #28-14.

The Lorette LUD Committee addressed concerns with the Application and recommended Council deny the Application as applied for.

Monique Lapointe; Owner & Applicant attended the Delegation in support of the Application.

No other correspondence or communication has been received to date.

Councillor Stein returned to the Meeting at this time.

ADJOURN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #28-14

569-2014

Trudeau – Menard: Whereas additional information has been brought forth by the Owner/Applicant addressing altering the size of the Proposed Accessory Building, and;

Whereas recommendation of Council was to refer the matter to the Lorette LUD Committee at their next Regular Meeting;

Resolved that Variation Order Application No. VO #28-14 be adjourned to July 10th, 2014 @ 7:20 p.m.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2014-7362; 3658831 MANITOBA LTD.-JOHN NEUFELD (PT. SW/SE¼ OF SECTION 11-8-4 EPM)

570-2014

Trudeau – Stein: Resolved that the Public Hearing on Subdivision File No. 4194-2014-7362 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2014-7362

571-2014

At 8:50 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2014-7362.

John Neufeld; representative of 3658831 Manitoba Ltd. attended the Delegation Chair in support of the Application. The following Provincial Department comments were received:

Community & Regional Planning Branch:

The proposed subdivision generally conforms to The Development plan and Zoning By-law and may be considered for approval.

Winnipeg Land Titles:

Requires a **3 Lot** plan of Subdivision.

Manitoba Hydro And MTS:

Requires easements and right of way agreements.

Historic Resources:

No reply to date.

Manitoba Water Stewardship:

No concerns.

Manitoba Conservation On Site
Wastewater Management:

Requires a sketch that addresses the setback distances from all existing and proposed property boundaries to all onsite wastewater management systems.

Livestock Manure &
Mortalities Management:

Written clarification stating whether or not any of the following facilities are present on the existing property: Manure storage facilities; Manure composting sites; Confined livestock areas holding more than 10 Animal Units.

MAFRD:

No Concerns.

Agnes Livingstone; Owner & Resident of 22099 Prefontaine Road attended the Chair requesting clarification on the size of the proposed residential lot immediately West of her property. No other correspondence or communication has been received to date.

572-2014 **CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2014-7362; 3658831 MANITOBA LTD. (PT. SE 11-8-4EPM).**
Trudeau – Heather: Resolved that the Public Hearing on Subdivision File No. 4191-2014-7362 be closed.

Carried.

573-2014 **COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2014-7362; 3658831 MANITOBA LTD.-JOHN NEUFELD (PT. SW/SE¼ OF SECTION 11-8-4E)**
Trudeau – Heather: Resolved that Subdivision File No. 4194-2014-7362 be **APPROVED** subject to the following conditions:

- A Subdivision Survey Plan prepared by a Manitoba Land Surveyor be submitted to the Municipality addressing site area and site widths of all proposed properties;
- If warranted by the Survey Plan the appropriate Variation Order Applications be applied for;
- A Building Location Certificate be prepared by a Manitoba Land Surveyor for Proposed Lot 3 illustrating all building and/or structures in relation to the proposed property lines be submitted to the Municipality, and;
- If warranted, the applicant obtains any necessary Variance Orders as a result of the Building Location Certificate.

Carried.

574-2014 **OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2014-7379; MERVIN & YVONNE ZAWISLAK (PT. SW 33-9-5E)**
Trudeau – Heather: Resolved that the Public Hearing on Subdivision File No. 4194-2014-7379 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2014-7379

575-2014

At 9:00 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2014-7379.

Mervin & Yvonne Zawislak; Owners & Applicants attended the Delegation in support of the Application.

The following Provincial Department comments were received:

Community & Regional Planning

Branch: No concerns

Winnipeg Land Titles Office: Require a **1 Lot Plan** of Subdivision

Manitoba Hydro & MTS: Require easements and right of way agreements

CN Railway & Historic Resources
Branch: Not yet replied

Manitoba Conservation & Water Stewardship:

Water Licensing: No concerns

On Site Wastewater Management: Requires that the Sewage Ejector Systems shall be decommissioned prior to the Subdivision and the Applicant provide Conservation and Water Stewardship with written statement that the decommissioning has been completed, or the Applicant can apply for a Certificate of Exemption to retain a sewage ejector.

MAFRD: No concerns

MIT: No concerns

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2014-7379

576-2014

Trudeau – Menard: Resolved that the Public Hearing on Subdivision File No. 4191-2014-7379 be closed.

Carried.

COUNCIL DISPOSITION –SUBDIVISION FILE NO. 4194-2014-7379; MERVIN & YVONNE ZAWISLAK (PT. SW 33-9-5EPM)

577-2014

Heather – Menard: Resolved that Subdivision File No. 4194-2014-7379 be **APPROVED** subject to the following conditions:

- Subdivision Survey Plan be prepared by a Manitoba Land Surveyor addressing the site area and site widths of each proposed lot;
- If warranted by Subdivision Survey Plan the appropriate Variation Orders be applied for;

- A Building Location Certificate be prepared by a Manitoba Land Surveyor and submitted to the Municipality, illustrating all building and/or structures on Proposed Lot 1 in relation to the newly proposed lot lines and;
- If warranted by the Building Location Certificate the appropriate Variation Orders be applied for;
- Dedication fees in the amount of \$5,000.00 for the creation of 1 Rural Residential Lot be paid to the Municipality; and
- Recreational Dedication Fee in the amount of \$1,000.00 for the creation of 1 Rural Residential Lot be paid to the Municipality.

Carried.

IN CAMERA

- 578-2014** **Trudeau – Menard:** Resolved that Council convene in camera as Committee of the Whole.

Carried.

IN CAMERA MEETING

- 579-2014** The Committee of the Whole convened in camera to discuss personnel & legal matters.

OUT OF CAMERA

- 580-2014** **Trudeau – Heather:** Resolved that the in camera meeting be closed, and that the Committee of the Whole report back to the Council Meeting.

Carried.

RECOGNITION – COUNCIL MEMBER

- 581-2014** **Heather – Stein:** Resolved that Municipal Members join a community group to acknowledge Councillor Koop’s contributions to his community subject to the families concurrence.

Carried.

LEGAL MATTER

- 582-2014** **Menard – Stein:** Resolved that Council engage the services of the Municipal Solicitor to take the appropriate action on a legal matter.

Carried.

ADJOURNMENT

- 583-2014** **Trudeau – Menard:** Resolved the meeting be adjourned, the hour being 10:30 p.m.

Carried.

**Ross Deschambault,
Deputy Mayor.**

**Daniel Poersch,
Chief Administrative Officer.**