

MINUTES OF THE REGULAR COUNCIL, DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON FEBRUARY 16TH, 2012 AT 7:00 P.M.

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

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

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

ADOPTION OF AGENDA

149-2012 Deschambault – Koop: Resolved that this Meeting's Agenda be adopted as presented.

Carried.

NOTICE OF PUBLIC HEARING – ZONING AMENDMENT BY-LAW NO. 2259 (R.M. OF HANOVER)

150-2012 Deschambault- Koop: Resolved that Council has no concerns with By-law No. 2259; being a Text Amendment to the R.M. of Hanover Zoning By-law No. 2171 Table 4-3 "RR" Rural Residential Use and Site requirements to allow for the Use of a Private School.

Carried.

DRAINAGE PLAN ACCEPTANCE – SUBDIVISION FILE NO. 4194-2011-5268 (PT. NE ¼ 17-8-5E)-RON & BARBARA PLETT

151-2012 Koop – Stein: Whereas a Drainage Plan prepared by Lindal Consulting Ltd. has been provided to the Municipality by the Developer;
Resolved that Council accept the Drainage Plan subject to the following amendments:
- include an 18" diameter CMP Crossover culvert through Ste. Anne's Road at swale;
- all internal swales be established by a 10' easement, and;
- finished grade to include grass seeding.

Carried.

NOTICE OF PUBLIC HEARING – DEVELOPMENT PLAN AMENDMENT BY-LAW NOS. 2/11 AND 2/12 (MCDONALD-RITCHOT PLANNING DISTRICT)

152-2012 Koop – Heather: Resolved that Council has no concerns with the McDonald-Ritchot Planning District Development Plan Amendment By-law Nos. 2/11 and 2/12.

Carried.

NOTICE OF PUBLIC HEARING – ZONING AMENDMENT BY-LAW NOS. 13, 14, 15 & 16-2011 (R.M. OF RITCHOT)

153-2012 Deschambault – Stein: Resolved that Council has no concerns with The R.M. of Ritchot Zoning Amendment By-law Nos. 13, 14, 15 & 16-

2011.

Carried.

DELEGATION – MARCEL RAYNAUD (WESTERLY 33 FEET OF UNDEVELOPED MUNICIPAL RIGHT-OF-WAY)-PT. RL 22, PARISH OF LORETTE

154-2012

At 7:15 p.m.; Marcel Raynaud attended the Delegation Chair requesting Council’s consideration to sell the Westerly 33 feet of a closed undeveloped Municipal Right-of-Way for consolidation purposes located in Pt. RL 22.

Mr. Raynaud advised Council that the Easterly 33 feet of this closed undeveloped Municipal Right-of-Way has been consolidated with a property he currently owns in pt. RL 21, Parish of Lorette.

COUNCIL DISPOSITION – WESTERLY 33 FEET OF UNDEVELOPED MUNICIPAL RIGHT-OF-WAY (PT. RL 22, PARISH OF LORETTE)

155-2012

Heather – Deschambault: Whereas Council acknowledges Mr. Raynaud’s request to consolidate the Westerly 33 feet of a closed undeveloped Municipal Right-of-Way located in pt. RL 22;

Resolved that the Municipality is prepared to sell the 33 feet wide parcel for \$1,800.00/Acre + GST conditional to the purchaser consolidating the parcel with RL 22, and;

Be It Further Resolved that the purchaser be responsible for all land transactions associated with the sale/transfer and registration.

Carried.

EXCUSE OF COUNCIL MEMBER

156-2012

Deschambault - Stein: Resolved that Mayor Danylchuk and Councillor Trudeau be excused from participating in tonight’s scheduled Public Hearings.

Carried.

CORRESPONDENCE & COMMUNICATIONS

157-2012

<u>Writer</u>	<u>Subject</u>	<u>Disposition</u>
Minister of Local Gov’t	Community Planning Assistance Grant	Rec’d as info.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #05-12; JOLICOEUR ROOFING AND CONTRACTING INC.-GUY JOLICOEUR (LOT 2, PLAN 4940 & LOT 1, BLOCK 1, PLAN 17242)-LUD LORETTE

158-2012

Deschambault – Koop: Resolved that the Public Hearing on Conditional Use Application No. CU #05-12 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #05-12

159-2012

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 #05-12.

Guy Jolicoeur; Owner of Jolicoeur Roofing and Contracting attended the Delegation Chair in support of the Application.

The following persons made representation on the Application:

Simone Kennedy
(resident of 1229 Dawson Road) **OBJECTED**

The Lorette LUD at their Regular Meeting February 7th, 2012 meeting passed a resolution recommending Council approve the Application taking into consideration their recommendations. Manitoba Infrastructure & Transportation forwarded correspondence having no concerns with the proposal and have Approved Driveway Access onto the Property. No other communication or correspondence was received.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #05-12

160-2012 **Stein – Deschambault:** Resolved that the Public Hearing on Conditional Use Application No. CU #05-12 be closed.

Carried.

Cheryl Purl attended the Meeting at this time as interpreter for Connie Momotiuk resident in the Mobile Home Park.

OPEN 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)

161-2012 **Deschambault- Stein:** Resolved that the Public Hearing on Subdivision File No. 4194-2011-5402 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2011-5402

162-2012 At 7:45 p.m.; the time specified in the Notice required to be circulated; Council conducted the 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 Vincent; Representative for 4756161 Manitoba Ltd. attended the Delegation Chair in support of the Application.

Mr. Paul Grossman presented Council with a Petition bearing 128 signatures **OBJECTING** to the proposal.

Frank Keen; Resident of Unit 16-412 Seine Avenue attended the Delegation Chair **OBJECTING** to the Proposal.

Paul Grossman; Resident of Unit 8-412 Seine Avenue attended the Delegation Chair **OBJECTING** to the Proposal.

Roger Kriouac; Resident of Unit 7-412 Seine Avenue attended the Delegation Chair **OBJECTING** to the Proposal.

Ron Lemoine; Resident of Unit 28-412 Seine Avenue attended the Delegation Chair **OBJECTING** to the Proposal.

Robert Van Osch; Resident of 17 Joseph Place attended the Delegation Chair **OBJECTING** to the Proposal.

Carol Laramee; Resident of 10 Ross Avenue attended the Delegation Chair **OBJECTING** to the Proposal.

Shellie Brink; Resident of Unit 16/17-412 Seine Avenue attended the Delegation Chair **OBJECTING** to the Proposal.

Adelard Bibeau; Resident of Unit 4-412 Seine Avenue attended the Delegation Chair **OBJECTING** to the proposal.

The following Comments were received from the various Provincial Departments:

- Community & Regional Planning Branch: Comment that the Application is in keeping with the R.M. of Tache Development Plan and address no concerns.
- Infrastructure & Transportation: Require assurance that the drainage from the proposed Subdivision Application will not affect any nearby Provincial Highway. They may require a Drainage Study at the discretion of the Regional Technical Services Engineer.
- Water Stewardship: Require that all construction of permanent structures be confined to lands in excess of elevation 239.27 meters (785 feet). Also comment that a Water Rights License may be required.
- Culture, Heritage & Tourism: No concerns.
- Manitoba Conservation: No concerns.

No other correspondence or communication was received.

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

163-2012 Heather – Deschambault: Resolved that the Public Hearing on Subdivision File No. 4194-2011-5402 be adjourned to March 15th, 2012 @ 8:30 p.m.

Carried.

R.M. OF TACHE PROPERTY DESIGNATION & ZONING CONCERNS (PR #206 IN THE LUD OF LANDMARK)

164-2012 Deschambault – Heather: Whereas the following persons addressed their concerns respecting the amendment process used in determining the current designations/zonings of the properties located along Main Street (PR #206) in Landmark, insurance coverage matters and property value:

- David Sutherland; Owner/Resident of 251 Main Street;
- Elie Chappellaz; Owner/Resident of 245 Main Street;
- Monica Sutherland; Owner/Resident of 251 Main Street;
- James Giesbrecht; Owner/Resident of 259 Main Street;
- Ramona Dirks; Owner/Resident of 118 Main Street;
- Mary Hrabarchuk; Owner/Resident of 210 Main Street, and;
- Hettie Penner; Owner/Resident of 193 Main Street, and;

Whereas in addition to the aforementioned concerns addressed consideration be given to re-zone their properties back to residential classification;

Resolved that these requests be referred to the Landmark LUD Committee for consideration.

Carried.

DELEGATION – HETTIE PENNER (193 MAIN STREET); ZONING MATTER

165-2012 Heather – Stein: Resolved that Council received concerns brought forth by Hettie Penner as information.

Carried.

Councillor Heather left the seat at this time.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO. #06-12 (PT. RL 42, PARISH OF LORETTE); RONALD & ELISABETH RAAP

166-2012 Deschambault – Stein: Resolved that the Public Hearing on Variation Order Application No. VO #06-12 be opened.

Carried.

Councillor Heather returned to his seat.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #06-12

167-2012 At 9:45 p.m.; Council conducted the Public Hearing on Variation Order Application to vary the front yard distance requirement for the purpose of constructing an addition to the existing Single Family Dwelling providing additional living space for the family. Ronald & Elisabeth Raap; Owners and Applicants attended the Delegation Chair in support of the Application. Manitoba Infrastructure & Transportation addressed no concerns and granted permission at a setback distance of 31.6 metres from the PR #207 right-of-way. No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #06-12

168-2012 Deschambault – Heather: Resolved that the Public Hearing on Variation Order Application No. VO #06-12 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #06-12 (PT. RL 42, PARISH OF LORETTE); RONALD & ELISABETH RAAP

169-2012 Stein – Deschambault: Resolved that Council APPROVE Variation Order Application No. VO #06-12 subject to the following conditions:

- All applicable Building Permits be obtained from the Municipal Building Inspector prior to the construction of the addition.

Carried.

CONTINUATION OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5202 (PT. RL’S 51/52, PARISH OF LORETTE); LORETTE HOLDINGS LTD.; OWNER & CASABLANCA HOMES LTD.; APPLICANT

170-2012 **Rivard – Koop:** Resolved that the Continuation of Public Hearing on Subdivision File No. 4194-2011-5202 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2011-5202

171-2012 At 10:00 p.m.; Council conducted the Continuation of Public Hearing on Subdivision File No. 4194-2011-5202. Ross Mitchell; Representative for Genivar attended the Delegation Chair continuing to support the Application as revised by the Applicants.

The LUD of Lorette Committee at their February 7th, 2012 Meeting passed a resolution recommending Council approve the Application as revised.

Correspondence was received from Linda Harasym; Owner & Resident of 112 Belanger Drive addressing concerns with respect to drainage and proposed lot sizes.

Robin Marchadour; Owner & Resident of 92 Belanger Drive attended the Delegation Chair addressing the significance of the proposed dry pond.

Claudia Oldcorn; Owner & Resident of 104 Belanger Drive attended the Delegation Chair addressing concerns respecting drainage and lot configuration.

Linda Harasym; Owner & Resident of 112 Belanger Drive attended the Delegation Chair addressing concerns with respect to drainage, lot sizes and property value impact.

No other correspondence or communication was received to date on the Application.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5202

172-2012 **Deschambault – Rivard:** Resolved that the Public Hearing on Subdivision File No. 4194-2011-5202 be closed.

Carried.

COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #05-12; JOLICOEUR ROOFING AND CONTRACTING INC.-GUY JOLICOEUR (LOT 2, PLAN 4940 & LOT 1, BLOCK 1, PLAN 17242)-LUD LORETTE

173-2012 **Deschambault – Koop:** Resolved that Council **APPROVE** Conditional Use Application No. CU #05-12 subject to the following conditions:

- privacy fencing on the North, West & East sides of the property in compliance with the Lorette LUD fencing standard in place for multiple family lots;
- enter into a Development Agreement with the Municipality;
- underground drainage system to public storm sewer;
- payment of multi-housing capital levy fees upon issuance of occupancy permit on a per unit basis at a cost of \$4,000.00/unit;
- parking lot pavement must be undertaken one year after final occupancy permit issuance;
- defined enclosed (fenced) garbage & recycling areas;
- provide a yard lighting design, and
- obtain all of the necessary building permits from the Municipal Building Inspector.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2011-5202 (PT. RL’S 51/52, PARISH OF LORETTE); LORETTE HOLDINGS LTD.; OWNER & CASABLANCA HOMES LTD.; APPLICANT

174-2012 **Deschambault – Stein:** Resolved that Council acknowledge the recommendation of the LUD of Lorette Committee and **APPROVE** Subdivision File No. 4194-2011-5202 as revised subject to the following conditions:

- Acknowledge the recommendation of Community & Regional Planning Branch;
- A Survey be conducted by a Manitoba Land Surveyor to determine the Lot sizes;
- If warranted by the survey a Variation Order Application be applied for accordingly;
- The Roadways created within the Development be constructed to a minimum width of 66 feet meeting the Municipal Standards;
- The Developer install Luminaires as established in the Development Agreement;
- Submit Drainage Plan conducted by an Engineer;
- A Water Rights License be applied for as requested by Manitoba Water Stewardship and a copy of the license be submitted to the Municipality;
- A Development Agreement be entered into with the R.M. of Taché addressing Municipal Infrastructure, including roads, signage, associated drainage works, and any other issues that Council deem necessary;
- Developers submit Road Name suggestions for Proposed Public Roadways for the Lorette LUD Committee/Council perusal and recommendation;
- A Letter of Credit be submitted to the Municipality and held in trust assuring all conditions have been met to the satisfaction of Council; and
- Dedication Fees for the creation of 58 additional lots be paid to the Municipality as per the Development Agreement.

Carried.

175-2012 **IN CAMERA**
Koop – Rivard: Resolved that Council convene in camera as Committee of the Whole.

Carried.

176-2012 **IN CAMERA MEETING**
The Committee of the Whole convened in camera to discuss public works issues.

177-2012 **OUT OF CAMERA**
Deschambault – Stein: Resolved that the in camera meeting be closed, and that the Committee of the Whole report its recommendations back to the Council Meeting.

Carried.

178-2012 **ADJOURNMENT**
Stein – Rivard: Resolved that the meeting be adjourned the hour being 11:00 p.m.

Carried.

David Menard,
Deputy Mayor.

Daniel Poersch,
Chief Administrative Officer.