

MINUTES OF THE REGULAR DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON MAY 15TH, 2014 AT 7:00 P.M.

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

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

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

ADOPTION OF AGENDA

430-2014 Trudeau – Heather: Resolved this Meetings Agenda be adopted
as presented.

Carried.

ABSENCE OF COUNCIL MEMBER(S)

431-2014 Trudeau – Stein: Resolved that Mayor Danylchuk be excused
from participating in this evenings Public Hearings.

Carried.

**SUBDIVISION FILE NO. 4194-2012-7031 – SILVERFIELD FARMS
(REVISION)**

432-2014 Trudeau – Heather: Resolved that Council approve revision
submitted by Community & Regional Planning Branch to Subdivision File
No. 4194-2012-7031 as presented.

Carried.

**R.M OF STE. ANNE PROPOSED SUBDIVISION FILE NO. 4174-
14-7382; PT. NE ¼ OF SECTION 31-8-7E (IMMEDIATELY SOUTH
OF INTERMUNICIPAL ROAD 48N)**

433-2014 Trudeau – Stein: Resolved that Council address no concerns
with proposed Subdivision File No. 4174-14-7382 submitted from The
Community & Development Planning Branch.

Carried.

R.M OF STE. ANNE PROPOSED SUBDIVISION FILE NO. 4174-14-7381; PT. NW ¼ OF SECTION 32-8-7E (IMMEDIATELY SOUTH OF INTERMUNICIPAL ROAD 48N)

434-2014 **Menard – Rivard:** Resolved that Council address no concerns with proposed Subdivision File No. 4174-14-7381 submitted from The Community & Development Planning Branch.

Carried.

NOTICE OF PUBLIC HEARING – TOWN OF NIVERVILLE ZONING AMENDMENT BY-LAW NO. 733-14;

435-2014 **Trudeau – Koop:** Resolved that Council address no concerns with Zoning By-law No. 733-14; being an amendment to Zoning By-Law No. 663-08.

Carried.

NOTICE OF PUBLIC HEARING – R.M OF RICHOT ZONING AMENDMENT BY-LAW NO. 8-2014;

436-2014 **Trudeau – Menard:** Resolved that Council address no concerns with Zoning By-Law No. 8-2014; being an amendment to Zoning By-Law 18-2002

Carried.

DELEGATION – KEN & BONNIE DAYMENT (LOT 3 PLAN 29629 NW 13-9-7E); PROPOSED ACCESSORY BUILDING.

437-2014 At 7:10 p.m.; Ken Dayment, Owner of the property legally described as Lot 3 Plan 29629 NW 13-9-7E, attended the Delegation Chair requesting Council's consideration for the placement of an existing detached garage measuring approximately 26' x 28' and 12' high, for the purpose of storing Building Material and Equipment.

COUNCIL DISPOSITION - ACCESSORY BUILDING (LOT 3 PLAN 29629 NW 13-9-7E)

438-2014 **Rivard – Trudeau:** Resolved that Council **APPROVE** the placement of a Detached Garage on Lot 3 Plan 29629 NW 13-9-7E subject to the following conditions:

- The Detached Garage comply with the R.M. of Tache Zoning By-law yard setback distance requirements;
- That the necessary Building Permit be obtained from the Municipal Building Inspector prior to the placement of the Detached Garage.

Carried.

SUBDIVISION FILE NO. 4194-2012-7048; REALD & DIANNE CHAMMARTIN (AMENDMENT)

439-2014 **Menard – Stein:** Whereas a Public Hearing on Subdivision File No. 4194-2012-7048 was conducted and approved on April 11th, 2013 acknowledging the recommendation from Manitoba Mines & Minerals Branch restricting building construction on the Residual Portion of the Subdivision Application, and;

Whereas Manitoba Mines & Minerals Branch has addressed their reconsideration in correspondence dated April 16th, 2014 with respect to a certain area for constructing on the Residual Portion of the Subdivision Proposal;

Resolved that Council acknowledge the recent consideration submitted by Manitoba Mines & Minerals Branch amending their decision allowing for construction on the Residual Portion as recommended, and;

Be It Further Resolved that the Development Agreement be amended referencing the reconsideration of Manitoba Mines & Minerals Branch.

Carried.

SPRAY PARK POTENTIAL COSTS 2014

440-2014 **Heather – Stein:** Resolved that Council acknowledge and approve the operating costs submitted by CCLCC for the continuing operation of the Spray Park for 2014.

Councillor Trudeau requested for a Recorded Vote.

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

Against: Councillor Trudeau

Abstained: Nil

Motion Carried.

DELEGATION –MAURICE LEGAL (LOT 3 PLAN 49577 SW ¼ 15-9-7EPM); PROPOSED ACCESSORY BUILDING.

441-2014 At 7:20 p.m.; Maurice Legal, Owner of the property legally described as Lot 3 Plan 49577 SW ¼ 15-9-7EPM, attended the Delegation Chair requesting Council’s consideration to construct an Accessory Building measuring approximately 34’ x 40’ with an approximate height of 22’ 8’ for the purpose of storing Building Material and Equipment for the construction of a Future Single Family Dwelling.

COUNCIL DISPOSITION - ACCESSORY BUILDING (LOT 3 PLAN 49577 SW ¼ 15-9-7EPM)

442-2014 **Rivard – Trudeau:** Resolved that Council **APPROVE** the construction of an Accessory Building on Lot 3 Plan 49577 SW ¼ 15-9-7EPM subject to the following conditions:

- The Accessory Building comply with the R.M. of Tache Zoning By-law yard setback distance requirements; and
- A Variation Order Application be applied for to vary the maximum height requirement.

Carried.

MEETING WITH WSP – MC DOUGALL BRIDGE

443-2014 The CAO confirmed with Council Members the upcoming Meeting with WSP has been scheduled for May 21, 2014 @ 9:30 a.m. in the Municipal Office to discuss the detailed design for McDougall Bridge.

SEINE-RAT RIVER CONSERVATION DISTRICT - REPORT

444-2014 **Trudeau – Rivard:** Resolved that the Seine-Rat River Conservation Report presented by Councillor Menard be acknowledged.

Carried.

OPEN OF PUBLIC HEARING – ZONING AMENDMENT BY-LAW NO. 2-2014 (E ½ OF PT. SW/NW ¼ 23-8-5E) LUD OF LANDMARK

445-2014 **Trudeau – Stein:** Resolved that the Public Hearing on Zoning Amendment By-law No. 2-2014 be opened.

Carried.

DELEGATION – ZONING AMENDMENT BY-LAW NO. 2-2014

446-2014 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. 2-2014 rezoning an area from “RL” Residential Limited Zone to “RG” Residential General Zone.

The Landmark LUD Committee addressed no concerns and recommended Council approve the Application as presented.

The following correspondence was received from the various Government Departments:

MTS:	No Concerns
Conservation:	No Concerns
Water Stewardship:	No Concerns
Mineral Resources:	No Concerns
Community & Regional Planning Branch:	No Concerns
R.M of Springfield:	No Concerns
R.M of Ste. Anne:	No Concerns

Jean Klassen; Representative for Schinkel Properties attended the Delegation Chair in support of the Application.

Hettie Penner; Owner & Resident of 193 Main Street attended the Delegation objecting to the Application.

Michelle Griffith; Owner & Resident of 186-2nd Street East attended the Delegation Chair requesting Council consideration for fencing along the Westerly Boundary of the Proposed Development. Did not object to the Re-zoning.

Alicia Gula; Owner & Resident of 6 Siskin Bay attended the Delegation Chair objecting to the Application.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – ZONING AMENDMENT BY-LAW NO. 2-2014

447-2014 **Trudeau – Stein:** Resolved the Public Hearing on Zoning Amendment By-Law No. 2-2014 be closed.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #18-14; JOHN ANGUS (OWNER) & CHRIS LOEWEN/GARAGE MASTERS (APPLICANT) 50050 MUN 39E (MONOMINTO ROAD)

448-2014 **Trudeau – Menard:** Resolved that the Public Hearing on Variation Order Application No. VO #18-14 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #18-14.

449-2014

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 #18-14.
Chris Loewen 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 #18-14.

450-2014

Trudeau – Menard: Resolved the Public Hearing on Variation Order Application No. VO #18-14 be closed.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2014-7350; CONRAD WYRZYKOWSKI & ASSOCIATES 1967 LTD. (Pt. RL 88 PARISH OF LORETTE).

451-2014

Trudeau – Koop: Resolved that the Public Hearing on Subdivision File No. 4194-2014-7350 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2014-7350; CONRAD WYRZYKOWSKI & ASSOCIATES 1967 LTD. (Pt. RL 88 PARISH OF LORETTE).

452-2014

At 7:50 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2014-7350.
Conrad Wyrzykowski Jr.; Representative for Conrad Wyrzykowski & Associates 1967 Ltd. attended the Delegation in support of the Application.

The following Provincial Department comments were received:

Community & Regional Planning Branch:

Recommend Council acknowledge the comments of MIT Flood Forecasting & recommendation of Manitoba Infrastructure & Transportation. No concerns.

Winnipeg Land Title Office:

Requires a Multi Lot Plan of Subdivision.

Manitoba Hydro & MTS:

Requires easement and right of way agreements.

Historic Resources Branch:

No reply to date

Manitoba Conservation &

Water Stewardship
Water Licensing:

No Concerns

Online Waste &
Water Management:

No Concerns

Flood Forecasting:

-Recommend that any new permanent structures for proposed Lot 4 are confined to lands in excess of elevation 243.2 m G.S of C. Datum and to preserve the riparian area in flood prone lands in a natural state.

Manitoba Infrastructure &
Transportation:

Requires further information in regards to the drainage of the proposed subdivision onto PR 207.

Mr. Theo Schreyer; Owner & Resident of 2231 Dawson Road attended the Delegation Chair not objecting to the Application however addressed his concerns as to the impact the creation of the Residential Lots would have on his continuing Dairy Operation immediately to the North of the area.

David & Susan Coutu; Owners & Residents of 2220 Dawson Road attended the Delegation Chair not objecting to the Application however requesting Council's consideration to restrict the future development of Proposed Lot 1 at a minimum distance of 150 feet from the Westerly Boundary of their Property.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2014-7350

453-2014

Menard – Stein:

Resolved that the Public Hearing on Subdivision File No. 4194-2014-7350 be closed.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #19-14; ROGER FIOLA (PT. SW ¼ SECTION OF 27-9-7E).

454-2014

Trudeau – Heather:

Resolved that the Public Hearing on Variation Order Application No. VO #19-14 be opened.

Carried.

DELEGATION - VARIATION ORDER APPLICATION NO. VO #19-14

455-2014

At 8:00 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Variation Order Application No. VO #19-14.

Roger Fiola 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 #19-14; ROGER FIOLA (PT. SW ¼
SECTION OF 27-9-7E).**

456-2014 Trudeau – Rivard: Resolved that Variation Order Application No. VO #19-14 be closed.

Carried.

**COUNCIL DISPOSITION - VARIATION ORDER APPLICATION
NO. VO #19-14; ROGER FIOLA (PT. SW ¼ SECTION OF 27-9-7E).**
457-2014 Rivard – Heather: Resolved that Variation Order Application No. VO #19-14 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 – CONDITIONAL USE
APPLICATION NO. CU #20-14 & VARIATION ORDER
APPLICATION NO. VO #21-14; DAVID & KAROLYN BRADLEY
(LOT 12, PLAN 35733).**

458-2014 Trudeau – Stein: Resolved that the Public Hearing on Conditional Use Application No. CU #20-14 & Variation Order Application No. VO #21-14 be opened.

Carried.

**DELIGATION – CONDITIONAL USE APPLICATION NO. CU
#20-14 & VARIATION ORDER APPLICATION NO. VO #21-14**

459-2014 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 #20-14 & Variation Order Application No. VO #21-14.

David & Karolyn Bradley attended the Delegation in support of the Application.

Mr. Gerard Trudeau; Owner & Resident of 51137 Heatherdale Road attended the Delegation Chair addressing his concerns with environmental issues including fluid seepage from parked vehicles and potential water contamination that may emanate from potential seepage. Mr. Trudeau objected to the Application as presented.

Mr. Mark Rasmussen; Owner & Resident of 51069 Heatherdale Road addressed concerns with the condition and maintenance of the road with the increase of traffic. Mr. Rasmussen did not object to the Application.

No other correspondence or communication has been received to date.

**CLOSE OF PUBLIC HEARING – CONDITIONAL USE
APPLICATION NO. CU #20-14 & VARIATION ORDER
APPLICATION NO. VO #21-14**

460-2014 Trudeau – Menard: Resolved that Conditional Use Application No. CU #20-14 & Variation Order Application No. VO #21-14 be closed.

Carried.

Councillor Koop left the meeting at this time.

**OPEN OF PUBLIC HEARING – VARIATION ORDER
APPLICATION NO. VO #22-14; SILVERFIELD FARMS - JAMES
PETERS (PT. NE ¼ 4-8-5EPM).**

461-2014 Trudeau – Heather: Resolved that the Public Hearing on Variation Order Application No. VO #22-14 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION VO #22-14

462-2014 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 #22-14 to remedy a condition of a Subdivision Application currently being processed by Community & Regional Planning Branch.

James Peters; Silverfield Farms 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 #22-14**

463-2014 Trudeau – Heather: Resolved that Variation Order Application No. VO #22-14 be closed.

Carried.

**COUNCIL DISPOSITION – VARIATION ORDER APPLICATION
NO. VO #22-14; SILVERFIELD FARMS - JAMES PETERS (PT. NE
¼ 4-8-5EPM).**

464-2014 Trudeau – Heather: Resolved that Variation Order Application No. VO #22-14 be **APPROVED** as applied for remedying a condition of a Subdivision currently being processed by Community & Regional Planning Branch.

Carried.

**OPEN OF PUBLIC HEARING – CONDITIONAL USE
APPLICATION NO. CU #23-14 & VARIATION ORDER
APPLICATION NO. VO #24-14; KAZWEL & KAYLIE
LEVANDOSKI (PT. RL 85).**

465-2014 Trudeau – Stein: Resolved that the Public Hearing on Conditional Use Application No. CU #23-14 & Variation Order Application No. VO #24-14 be opened.

Carried.

**DELEGATION – CONDITIONAL USE APPLICATION NO. CU #23-
14 & VARIATION ORDER APPLICATION NO. VO #24-14.**

466-2014 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 #23-14 & Variation Order Application No. VO #24-14.

Kazwel & Kalie Levandoski attended the Delegation in support of the Application.

Correspondence was received from Manitoba Infrastructure and Manitoba Conservation granting approval for access, location of the RTM and installation of a Septic System.

No other correspondence or communication has been received to date.

Councillor Koop returned to the meeting at this time.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #23-14 & VARIATION ORDER APPLICATION NO. VO #24-14

467-2014 **Heather – Menard:** Resolved that Conditional Use Application No. CU #23-14 & Variation Order Application No. VO #24-14 be closed.

Carried.

COUNCIL DISPOSITION - CONDITIONAL USE APPLICATION NO. CU #23-14 & VARIATION ORDER APPLICATION NO. VO #24-14; KAZWEL & KAYLIE LEVANDOSKI (PT. RL 85).

468-2014 **Heather – Menard:** Resolved that Conditional Use Application No. CU #23-14 & Variation Order Application No. VO #24-14 be **APPROVED** subject to the following conditions:

- All the necessary Building Permits be acquired from the Municipal Building Inspector prior to the placement of the RTM.

Carried.

DELEGATION – ALVIN PLETT (ALETTA HOLSTEINS) NE 16-8-5E (26060 PR #210); PROPOSED CALVING BARN.

469-2014 At 8:40 p.m.; Kevin Plett on behalf of Alvin Plett, Owner of the property legally described as NE 16-8-5E (26060 PR #210) attended the Delegation Chair requesting Council's consideration to approve for the constructing of a Calving Barn measuring approximately 90' x 150' consisting of 280 calf stalls for his existing livestock. Each stall will measure approximately 48" x 80" in size.

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

470-2014 **Stein – Koop:** Resolved that By-Law No. 2-2014 be given 2nd Reading.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2014-7350; CONRAD WYRZYKOWSKI & ASSOCIATES 1967 LTD. (PT. RL 88 PARISH OF LORETTE).

471-2014 **Heather – Menard:** Resolved that the Public Hearing on Subdivision File No. 4194-2014-7350 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 Drainage Plan be prepared by a certified engineer and submitted to the Municipality;
- A Development Agreement be entered into, addressing construction of a proposed roadway, lighting design, drainage plan, existing agriculture activity in the neighbourhood, preserving the riparian area, and any other matters Council deems necessary;

- Development Agreement to be registered as a Caveat on all proposed lots;
- Dedication fees in the amount of \$20, 000.00 (4 x \$5,000.00) for the creation of the 4 Rural Residential Lots be paid to the Municipality; and
- Recreational Dedication Fees in the amount of \$4,000.00 (4 x \$1,000.00) For the creation of 4 Rural Residential Lots be paid to the Municipality.

Carried.

COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. CU #20-14 & VARIATION ORDER APPLICATION NO. VO #21-14; DAVID & KAROLYN BRADLEY (LOT 12, PLAN 35733).

472-2014

Menard – Trudeau: Resolved that Conditional Use Application No. CU #20-14 & Variation Order Application No. VO #21-14 be **APPROVED** subject to the following conditions:

- A 6 Ft. privacy fence be erected around the storage compound to the North, West and East;
- The Storage Compound be used solely for the purpose of storing Recreational Vehicles only;
- The Compound Area surface be constructed with geo-textile material and 6” compacted Limestone Base;
- Security Lighting be installed within the Facility;
- The Owners/Applicants prepare a rental agreement document that addresses a vehicle fluid drip protection plan preserving the environment;
- Provide a copy of the rental agreement to the Municipality, and;
- All the necessary Building Permits be acquired from the Municipal Building Inspector prior to the establishment of the Storage Compound.

Carried.

COUNCIL DISPOSITION – CALVING BARN; NE 16-8-5E (26060 PR #210).

473-2014

Trudeau – Heather: Resolved that Council **APPROVE** the construction of a Calving Barn on NE 16-8-5E (26060 PR #210) subject to the following conditions:

- That there is no increase in the number of Animal Units that is currently being generated on the property, and;
- The necessary building Permits be obtained from the Office of Fire Commissioner.

Carried.

ADJOURNMENT

474-2014

Trudeau – Menard : Resolved the meeting be adjourned, the hour being 9:20 p.m.

Carried.

Ross Deschambault,
Deputy Mayor.

Daniel Poersch,
Chief Administrative Officer.