

**MINUTES OF THE REGULAR COUNCIL, DEVELOPMENT AND  
PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF  
THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE,  
MANITOBA ON JUNE 14<sup>TH</sup>, 2012 AT 7:00 P.M.**

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

Councillor Trudeau arrived 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**

**603-2012** **Koop – Stein:** Resolved that this Meeting’s Agenda be  
adopted as amended.

**Carried.**

**ABSENCE OF COUNCIL MEMBER**

**604-2012** **Koop – Menard:** Resolved that Councillor Heather be  
excused from participating in tonight’s scheduled Public Hearings.

**Carried.**

**BY-LAW NO. 12-2012; AMENDMENT TO BY-LAW NO.  
9-2012 (LEVYING OF TAXES FOR 2012) - 3<sup>RD</sup> READING**

**605-2012** **Koop – Stein:** Resolved that By-law No. 12-2012; being an  
amendment to By-law No. 9-2012 to levy taxes for 2012 be given Third  
and Final Reading and be adopted.

**In Favour:** Mayor Danylchuk, Councillors Koop,  
Menard, Deschambault, Stein & Rivard.

**Against:** Nil

**Abstained:** Nil

**Carried.**

**VARIATION ORDER APPLICATION NO. VO #21-12; NATHAN &  
TAMMY REIMER (LOT 19, BLOCK 2, PLAN 48185)-113  
CONVENT CRESCENT, LORETTE (WITHDRAWAL)**

**606-2012** **Menard – Deschambault:** Whereas the Owner/Applicant submitted a  
letter dated June 4<sup>th</sup>, 2012 withdrawing his Application, and;

Whereas the Lorette LUD Committee at  
their regular June 5<sup>th</sup>, 2012 acknowledged the withdrawal request;

Resolved that Council support the decision  
of the Lorette LUD Committee and accept the Withdrawal request  
submitted by the Owner/Applicant.

**Carried.**

Councillor Trudeau arrived and took his seat.

**NOTICE OF PUBLIC HEARING – R.M. OF SPRINGFIELD (E ½ OF SECTION 1-10-6E-JAMES BELSHAM); SUBDIVISION FILE NO. 4189-12-5505**

**607-2012**      **Deschambault – Rivard:**      Resolved that Council have no concerns with Subdivision File No. 4189-12-5505 proposed on the E ½ of Section 1-10-6E in the R.M. of Springfield.

**Carried.**

**GAS TAX AUDIT REPORT**

**608-2012**      **Trudeau – Stein:**      Resolved that Council acknowledge the Draft Gas Tax Audit Report as presented.

**Carried.**

**TACHE FOOD BANK – FUNDRAISER**

**609-2012**      **Deschambault – Menard:**      Resolved that Council authorize for a donation of \$150.00 to Tache Food Bank for an upcoming Fund Raiser.

**Carried.**

**DELEGATION – ALEXANDER CHRAMOW; DEALER PERMIT REQUEST**

**610-2012**      **Trudeau – Deschambault:**      Whereas Felix Chamrow; interpreter for Alexander Chramow; attended the Delegation Chair requesting Council’s Approval granting permission for the issuance of a Dealer Permit License;  
Resolved that Council acknowledge the owners request and grant permission to obtain a Dealer Permit to a maximum of 5 cars at any given time.

**Carried.**

**OPEN OF PUBLIC HEARING – BY-LAW NO. 8-2012 (PORTION OF MUNICIPAL ROAD CLOSURE); PT. RL 62**

**611-2012**      **Trudeau – Stein:**      Resolved that the Public Hearing on By-law No. 8-2012; being a By-law to close a portion of Municipal Road Allowance under Deposit Plan No. 210/2012 file at WLTO located in pt. RL 62, Parish of Lorette be opened.

**Carried.**

**DELEGATION – BY-LAW NO. 8-2012**

**612-2012**      At 7:30 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on By-law No. 8-2012; being a By-law to close a portion of a Municipal Road Allowance under Deposit Plan No. 210/2012 filed at WLTO located in pt. RL 62, Parish of Lorette in the Rural Municipality of Tache.  
The following comments were received from the following Provincial Departments on June 13<sup>th</sup>, 2012:

MTS Allstream:      No concerns

Industry, Economic Development & Mines:      No concerns

Manitoba Infrastructure &Transportation:      No concerns

WLTO:      Request re-wording of By-Law with minor changes;

Otherwise no concerns

Manitoba Conservation:

No response

Manitoba Water Stewardship:

No response

Manitoba Hydro:

No response

Community & Regional Planning  
Branch:

Advise that the By-law be  
reworded as per WLTO. No  
objections.

No formal representation was made at the  
Public Hearing.

No other correspondence or com-  
munication was received.

**CLOSE OF PUBLIC HEARING – BY-LAW NO. 8-2012; PORTION  
OF A MUNICIPAL ROAD ALLOWANCE**

613-2012

**Trudeau – Stein:** Resolved that the Public Hearing on By-law  
No. 8-2012 being a by-law to close a portion of a Municipal Road  
Allowance under Deposit Plan No. 210/2012 on file with WLTO located  
in Pt. RL 62, Parish of Lorette be closed.

**Carried.**

**ROAD CLOSING BY-LAW NO. 8-2012 (PT. RL 62, PARISH OF  
LORETTE)-2<sup>ND</sup> READING**

614-2012

**Menard – Deschambault:** Resolved that By-law No. 8-2012 being a  
By-law of the R.M. of Tache to close a portion of a Municipal Road  
Allowance be given 2<sup>nd</sup> Reading.

**Carried.**

**ROAD CLOSING BY-LAW NO. 8-2012 (PT. RL 62, PARISH OF  
LORETTE)-3<sup>RD</sup> READING**

615-2012

**Deschambault – Stein:** Resolved that By-law No. 8-2012 being a  
By-law of the R.M. of Tache to close a portion of a Municipal Road  
Allowance be read a 3<sup>rd</sup> and Final time and be passed.

**For the Motion:**

**Mayor Danylchuk, Councillors  
Trudeau, Koop, Menard, Deschambault,  
Stein & Rivard.**

**Against the Motion:**

**Nil.**

**Abstained:**

**Nil.**

**Motion Carried.**

**OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICA-  
TION NO. VO #25-12 (ORG. PT. RL 50, IN THE LUD OF  
LORETTE); GILLES & ALINE COURNOYER**

616-2012

**Trudeau – Rivard:** Resolved that the Public Hearing on Varia-  
tion Order Application No. VO #25-12 be opened.

**Carried.**

**DELEGATION – VARIATION ORDER APPLICATION NO. VO #25-12**

- 617-2012** At 7:40 p.m., the time specified in the Public Hearing Notice; Council conducted the Public Hearing on Variation Order Application No. VO #25-12 being a condition of Subdivision File No. 4194-2011-5417 currently being processed by The Community & Regional Planning Branch.
- Gilles Cournoyer; Owner and Applicant attended the Delegation Chair in support of the Application.
- The LUD of Lorette had no concerns with the Application and recommended Council Approve.
- No other communication or correspondence was received.

**CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #25-12**

- 618-2012** **Trudeau – Stein:** Resolved that the Public Hearing on Variation Order Application No. VO #25-12 be closed.

**Carried.**

**COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #25-12 (ORG. PT. RL 50, IN THE LUD OF LORETTE); GILLES & ALINE COURNOYER**

- 619-2012** **Menard – Deschambault:** Resolved that Variation Order Application No. VO #25-12 be **APPROVED** as applied for.

**Carried.**

**OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #23-12 (LOT 1, PLAN 52299 IN PT. SW¼ 29-8-5E); DUSTIN & ALEXANDRIA KNUTT**

- 620-2012** **Trudeau – Koop:** Resolved that the Public Hearing on Conditional Use Application No. CU #23-12 be opened.

**Carried.**

**DELEGATION – CONDITIONAL USE APPLICATION NO. CU #23-12**

- 621-2012** At 7:50 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Conditional Use Application No. CU #23-12 to allow for the placement of a brand new RTM.
- Dustin & Alexandria Knutt; Owners and Applicants attended the Delegation Chair in support of the Application.
- No other correspondence or communication was received to date.

**CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #23-12**

- 622-2012** **Trudeau – Koop:** Resolved that the Public Hearing on Conditional Use Application No. CU #23-12 be closed.

**Carried.**

**COUNCIL DISPOSITION - CONDITIONAL USE APPLICATION NO. CU #23-12 (LOT 1, PLAN 52299 IN PT. SW¼ OF SECTION 29-8-5E); DUSTIN & ALEXANDRIA KNUTT**

- 623-2012** **Trudeau – Meanrd:** Resolved that Council **APPROVE** Conditional Use Application No. CU #23-12 subject to the following conditions:

- The necessary building permits be obtained from the Municipal Building Inspector prior to the placement of the RTM.

**Carried.**

**DELEGATION – HEATHER KARR (LOT 1, PLAN 45871 IN PT. SW¼ OF SECTION 23-9-6E)-GARDEN SUITE**

**624-2012**

At 8:00 p.m.; Heather Karr; Owner along with Heather Genik; Purchaser attended the Delegation Chair requesting Council consideration allowing for the transfer of the existing Garden Suite on the above legally described property to the purchasers.

Council advised the delegates the terms of the existing Garden Suite Agreement and would deliberate further on the request.

**OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO # 24-12 (ORG LOT 1, PLAN 52326 IN LUD OF LORETTE)-CASABLANCA HOMES LTD.; OWNERS & GENIVAR; APPLICANTS**

**625-2012**

**Trudeau – Stein:** Resolved that the Public Hearing on Variation Order Application No. VO #24-12 be opened.

**Carried.**

**DELEGATION – VARIATION ORDER APPLICATION NO. VO #24-12**

**626-2012**

At 8:10 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Variation Order Application No. VO #24-12.

George Goertzen and Nancy Buchheim from Casablanca Homes Ltd. attended the Delegation Chair in support of the Application.

The Lorette LUD Committee at their regular June 5<sup>th</sup>, 2012 Meeting made recommendation that Council approve the Variation Order respecting the site area and widths of the multi lot development to remedy a condition of a Subdivision currently being processed by Community & Regional Planning Branch; however recommended that the Variation Order to vary the side yard distances for the future construction of Single Family Dwellings be denied.

No other correspondence or communication has been received to date.

**CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #24-12**

**627-2012**

**Trudeau – Deschambault :** Resolved that the Public Hearing on Variation Order Application No. VO #24-12 be closed.

**Carried.**

**COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #24-12 (ORG LOT 1, PLAN 52326 IN LUD OF LORETTE)-CASABLANCA HOMES LTD.; OWNERS & GENIVAR; APPLICANTS**

**628-2012**

**Deschambault – Rivard :** Resolved that Council acknowledge the recommendation of the Lorette LUD Committee **APPROVING** the Variation Order Application No. VO #24-12 to vary the site area and site widths of the various proposed lots, however the request to vary the side yard distance from the requirement of 7 feet to 5 feet be **DENIED**.

**Carried.**

**OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5454 (PT. RL 46/47, PARISH OF LORETTE); LORETTE GOLF COURSE LTD./GEORGE & LUCILLE HAYWOOD**

**629-2012** **Trudeau – Stein:** Resolved that the Public Hearing on Subdivision File No. 4194-2012-5454 be opened.

**Carried.**

**DELEGATION – SUBDIVISION FILE NO. 4194-2012-5454**

**630-2012** At 8:20 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-5454 being a boundary re-alignment between 2 adjacent parcels of land.

Leo Charriere; Representative for Lorette Golf Course Ltd. attended the Delegation Chair in support of the Application.

The following comments were received from the Provincial Departments:

- Community & Regional Planning Branch: No concerns. Note that the Proposal is in keeping with the R.M. of Tache Development Plan.
- Manitoba Conservation: No comment to date.
- Manitoba Infrastructure & Transportation: Require written assurance that the Application will not have adverse effects on the Provincial highway drainage system. Any new, modified or relocated access onto PR #207 will require a permit from Manitoba Highways. Otherwise no concerns.
- Manitoba Water Stewardship: Recommend Council take into consideration the flooding of the properties that occurred in 1997, erosion or bank instability and protecting the riparian areas. Otherwise no concerns.
- Shaw: Does not service this property.

Denis & Carmelle Lacroix; Owners & Residents of 24089 River Road attended the Delegation Chair addressing concerns for the future development of the Property and the impact this will have on neighbouring Residential Properties.

No other correspondence or communication has been received to date.

**CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5454**

**631-2012** **Trudeau – Stein:** Resolved that the Public Hearing on Subdivision File No. 4194-2012-5454 be closed.

**Carried.**

**COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-5454 (PT. RL 46/47, PARISH OF LORETTE); LORETTE GOLF COURSE LTD./GEORGE & LUCILLE HAYWOOD**

**632-2012**     **Stein – Menard:**     Resolved that Council **APPROVE** Subdivision File No. 4194-2012-5454 subject to the following conditions:

- That the Proposed Lot be maintained at approximately 40 acres to alleviate the need for further Variation Orders based on the minimum acres required;
- That the Applicant obtains a Building Location Certificate prepared by a Manitoba Land Surveyor illustrating all buildings and/or structures and onsite wastewater management systems on the affected land in relation to the newly proposed Lot Lines; and
- That if warranted by the BLC the Applicant obtains any necessary Variation Order Applications.

**Carried.**

**OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5515 (PT. RL 52, PARISH OF LORETTE IN THE LUD OF LORETTE); 6204989 MANITOBA INC.-OWNERS & LOEWEN HENDERSON BANMAN LEGAULT-APPLICANTS**

**633-2012**     **Trudeau – Koop:**     Resolved that the Public Hearing on Subdivision File No. 4194-2012-5515 be opened.

**Carried.**

**DELEGATION – SUBDIVISION FILE NO. 4194-2012-5515**

**634-2012**     At 8:30 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-5515 being an application to phase in a Bare Land Condominium Plan.

Travis Friesen of 6204989 Manitoba Inc. along with Tim Giesbrecht; Representative for Hillside Construction attended the Delegation Chair in support of the Application.

The Lorette LUD Committee at their regular June 5<sup>th</sup>, 2012 Meeting made recommendation for Council to approve the Application.

Community & Regional Planning Branch; in their report; commented that the Application has been forwarded to Winnipeg Land Titles Office only to satisfy their requirements for Condominium conversion. Community & Regional Planning Branch also comment the proposal is in keeping with the R.M. of Tache Development Plan and address no concerns.

No other correspondence or communication has been received to date.

**CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5515**

**635-2012**     **Trudeau – Deschambault:**     Resolved that the Public Hearing on Subdivision File No. 4194-2012-5515 be closed.

**Carried.**

**COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-5515 (PT. RL 52, PARISH OF LORETTE IN THE LUD OF LORETTE); 6204989 MANITOBA INC.-OWNERS & LOEWEN HENDERSON BANMAN LEGAULT-APPLICANTS**

**636-2012**     **Stein – Deschambault:**     Resolved that Council **APPROVE** Subdivision File No. 4194-2012-5515 as applied for.

**Carried.**

Councillor Deschambault left the meeting at this time.

**DELEGATION – MICHAEL GIESBRECHT (ACCESSORY BUILDING)-PT. SE 11-9-7E**

- 637-2012
- Rivard – Trudeau:** Whereas Mr. Giesbrecht attended the Delegation Chair requesting Council’s Approval for the construction of an Accessory Use Building for the purpose of storing building material/ equipment for a future Single Family Dwelling on the property;

Resolved that Council acknowledge the request of the delegate and **APPROVE** for the construction of the proposed Accessory Building subject to the following:

  - That the yard distance requirements be maintained as regulated in the R.M. of Tache Zoning By-law; and
  - All necessary Building Permits be obtained from the Municipal Building Inspector prior to the construction of the Accessory Building.

Carried.

Councillor Deschambault returned to the meeting at this time.

**CORRESPONDENCE & COMMUNICATION**

638-2012	<u>Writer</u>	<u>Subject</u>	<u>Disposition</u>
	MARR (Manitoba Assoc of Regional Recyclers)	2012 Summer Tour & Meeting	Res. 639-2012
	Bibliotheque Tache Library	June 18, 2012 Mtg.	Referred to Mayor Danylchuk

**M.A.R.R. – 2012 SUMMER RECYCLING TOUR & MEETING**

- 639-2012
- Menard – Stein:** Resolved that Council authorize Councillor Trudeau & Koop to attend the upcoming MARR 2012 Summer Recycling Tour and Meeting on June 22<sup>nd</sup>, 2012, and;

Be It Further Resolved that Councillors Trudeau and Koop be remunerated accordingly.

Carried.

**CONTINUATION OF PUBLIC HEARING - SUBDIVISION FILE NO. 4194-2011-5367 (LOT 3, PLAN 41124 & LOT 9, BLOCK 2, PLAN 33134 IN THE LUD OF LANDMARK); JOHN G. REIMER (OWNER) & JHW ENTERPRISES/SCHINKEL PROPERTIES (APPLICANT)**

- 640-2012
- Trudeau – Koop:** Resolved that the Continuation of Public Hearing on Subdivision File No. 4194-2011-5367 be opened.

Carried.

**DELEGATION – SUBDIVISION FILE NO. 4194-2011-5367**

- 641-2012
- At 8:50 p.m.; the time specified in the Notice required to be circulated; Council conducted the Continuation of Public Hearing on Subdivision File No. 4194-2012-5515.

Mr. John G. Reimer; Owner along with Bob Schinkel of JHW Enterprises/Schinkel Properties attended the Delegation Chair continuing to support the Application recently altered as per the recommendation of the LUD Committee for Landmark.

The Landmark LUD Committee at their regular June 4<sup>th</sup>, 2012 Meeting made recommendation for Council to



approve the revision to Subdivision File No. 4194-2012-5515 subject to a mutually acceptable Development Agreement.

The following comments were received from the various Provincial Departments:

- Community & Regional Planning Branch: Still recommend the proposal to include provision for access to land to the east should the LUD of Landmark expand in the future. Otherwise no concerns
- Manitoba Conservation: No concerns
- Manitoba Infrastructure & Transportation: Require the Applicant submit written assurance that Highways Department has been provided with information to determine if drainage from the proposed application will have any adverse affect on the nearby highway drainage system. Recommend a Drainage Plan be obtained from a qualified engineer.
- Mines Branch: No concerns
- Manitoba Water Stewardship: No comments or concerns yet received
- Shaw: Does not service this area.

No other correspondence or communication has been received to date.

#### **CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2011-5367**

**642-2012** Trudeau – Deschambault: Resolved that the Public Hearing on Subdivision Application No. 4194-2011-5367 be closed.

**Carried.**

#### **COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2011-5367 (LOT 3, PLAN 41124 & LOT 9, BLOCK 2, PLAN 33134 IN THE LUD OF LANDMARK); JOHN G. REIMER (OWNER) & JHW ENTERPRISES/SCHINKEL PROPERTIES (APPLICANT)**

**643-2012** Rivard – Trudeau: Resolved that Council acknowledge the consideration of the Landmark LUD Committee and **APPROVE** Subdivision Application No. 4194-2011-5367 as revised subject to the following conditions:

- The Applicant provide the Municipality with a Survey conducted by a Manitoba Land Surveyor identifying measurements of all Proposed Lots;
- If warranted by the Plan of Subdivision Survey that the Proposed Lots do not meet the lot size requirements of the R.M. of Tache Zoning By-law; the Owner/Applicant apply for a Variation Order Application;
- The Owner/Applicant submit Road Name Selections for the Committee/Council's perusal and Approval;
- A Development Agreement be entered into between all parties affected outlining Infrastructure Works inclusive of a Public Water System meeting the criteria of the Office of Drinking Water and to the satisfaction of the sole discretion of the Municipality, Roads, Lighting, Signage, Drainage Works, Letter of Credit, and any other miscellaneous issues Council deems significant;

- Dedication Fees in the amount of \$490,000.00 be paid to the R.M. of Tache for the creation of 109 additional Residential Lots (109 x \$4,500.00); and
- Future multi developing lots shall be subject to Capital Levy costs at time of development.

Carried.

**COUNCIL DISPOSITION – GARDEN SUITE (LOT 1, PLAN 45871 IN PT. SW<sup>1</sup>/<sub>4</sub> OF SECTION 23-9-6E)**

- 644-2012
- Rivard – Menard:** Resolved that Council maintain their position enforcing the policy of the R.M. of Tache Zoning By-law No. 12-2009 with respect to Garden Suites, and;

Be It Further Resolved that Council maintain their position with the terms & conditions set out in the Garden Suite Agreement affecting the property legally described as Lot 1, Plan 45871 in Pt. SW <sup>1</sup>/<sub>4</sub> of Section 23-9-6E, and;

Be It Further Resolved that Council **DENY** the request of the delegates.

Carried.

**ADJOURNMENT**

- 645-2012
- Trudeau – Menard:** Resolved that the meeting be adjourned the hour being 9:15 p.m.

Carried.

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**William Danylchuk,**  
**Mayor.**

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**Daniel Poersch,**  
**Chief Administrative Officer.**