

**MINUTES OF THE REGULAR COUNCIL, DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON JULY 12<sup>TH</sup>, 2012 AT 7:00 P.M.**

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

**IN ATTENDANCE:** Daniel Poersch,  
Chief Administrative Officer,  
Jeanette Laramee,  
Assistant CAO.

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

**ADOPTION OF AGENDA**

**717-2012** **Trudeau – Heather:** Resolved that this Meeting's Agenda be adopted as amended.

**Carried.**

**ABSENCE OF COUNCIL MEMBER**

**718-2012** **Trudeau – Koop:** Resolved that Mayor Danylchuk be excused from participating in tonight's scheduled Public Hearings.

**Carried.**

**CANADA POST – POSTAL REQUIREMENTS**

**719-2012** The CAO provided Council with information submitted by Canada Post addressing their expectations of the Municipality and future Developers in order to continue providing efficient postal services/deliveries to the prospective purchasers of these created parcels of land.

**DELEGATION – SCHINKEL PROPERTIES**

**720 -2012** At 7:15 p.m.; Jean Klassen from Schinkel Properties attended the Delegation Chair and circulated a Conceptual Plan for a Multi Residential Lot Development in Ward 6 for Council's consideration.

**CANADA POST**

**721-2012** **Heather – Deschambault:** Whereas Canada Post has requested that the Municipality consider implementing requirements in future Development Agreements in regards to Community Mail Box Sites; and

Whereas the current process in place provides the Municipality with input regarding proposed placements and other factors in this regard;

Resolved that correspondence be forwarded to Canada Post advising that the Municipality is satisfied with the current practice.

**Carried.**

**SAWKA CONSULTING LTD.**

**722-2012** **Deschambault – Heather:** Whereas the CAO advised Council that Bill Sawka is retiring from the Provincial Planning Branch and has subsequently established Sawka Consulting Ltd. to provide expertise in

planning;

Resolved that Council’s congratulations on retirement and best wishes and success with Sawka Consulting be forwarded on.

Carried.

**723-2012**      **PROVINCIAL UPDATE – SUBDIVISION FILE NO. 4194-2011-5312; BARRY GRANTHAM (PART SW ¼ OF SECTION 35-9-4E)**  
**Menard – Trudeau:**      Whereas objections received from Community & Regional Planning Branch along with Manitoba Agriculture, Food & Rural Initiatives respecting Subdivision File No. 4194-2011-5312 dating back to July 28<sup>th</sup>, 2012 have been withdrawn as of June 22<sup>nd</sup>, 2012;

Resolved that Council acknowledge the withdrawals received from Community & Regional Planning Branch along with Manitoba Agriculture, Food & Rural Initiatives.

Carried.

**724-2012**      **OPEN OF PUBLIC HEARING – ZONING AMENDMENT BY-LAW NO. 11-2012 (VARIOUS PROPERTIES IN THE LUD LANDMARK)**  
**Trudeau – Koop:**      Resolved that the Public Hearing on By-law No. 12-2012 be opened.

Carried.

**725-2012**      **DELEGATION – ZONING AMENDMENT BY-LAW NO. 11-2012**  
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. 11-2012 to amend Map Three of the R.M. of Taché Zoning By-law No. 12-2009 rezoning the following areas generally described as: **Lot A, Plan 16019; Lot 3, Block 1, Plan 16667; Lot 2, Plan 18392; Lot 8, Block 2, Plan 14799; Lot 2, Block 1, Plan 16667; Lot 1, Plan 46835; Lot 1, Plan 29486; Lot 1, Plan 10790; Lot 2/3, Plan 10790; Lot 2, Plan 51119; Lot 1/2, Plan 7011; Lot 9, Block 1, Plan 16746; Lot 10, Block 1, Plan 16746; Lot 1, Block 1, Plan 16667; Lot 1, Plan 33334; Lot 1, Plan 42040; Lot 2, Plan 42040; Lot 8, Plan 7011; Lot 1, Plan 18392; Lot 2, Plan 46835; Lot 6/7, Plan 7011; and Pt. SE ¼ of Section 27-8-5E located within the Urban District of Landmark** be hereby rezoned from “C”; Commercial Zone to “RL”; Residential Limited Zone.

The Landmark LUD Committee at their Regular July 4<sup>th</sup>, 2012 Meeting addressed no concerns and recommended Council adopt the Zoning Amendment By-law as presented.

Correspondence was received from the following:

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

Hettie Penner; Owner and Resident of 193 Main Street attended the Delegation Chair questioned Council on the notification process, the designation of these properties in the R.M. of

Tache Development Plan and the purpose of omitting the remainder of the properties with Commercial Use along Main Street. Mrs. Penner supports the Re-Zoning of the various properties as presented.

David Sutherland; Owner and Resident of 251 Main Street attended the Delegation Chair addressing his concerns on the notification process for Zoning By-law amendments however supports the Re-Zoning of various properties as presented.

No other communication or correspondence was received.

**CLOSE OF PUBLIC HEARING – ZONING AMENDMENT BY-LAW NO. 11-2012**

**726-2012**      **Trudeau – Stein:**      Resolved that the Public Hearing on Zoning Amendment By-law No. 11-2012 be closed.

**Carried.**

**OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #27-12 (PT. NE ¼ OF SECTION 30-9-6E); GUSTAV & IRENE STRIPLING**

**727-2012**      **Trudeau – Heather:**      Resolved that the Public Hearing on Variation Order Application No. VO #27-12 be opened.

**Carried.**

**DELEGATION – VARIATION ORDER APPLICATION NO. VO #27-12**

**728-2012**      At 7:50 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Variation Order Application No. VO #27-12.

Correspondence was received from Eric Augustine; Owner of Pt. SE¼ of Section 30-9-6E outlining concerns with the authenticity of the Application.

No other correspondence or communication was received on the Application.

**CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #27-12**

**729-2012**      **Trudeau – Koop:**      Resolved that the Public Hearing on Variation Order No. VO #27-12 be closed.

**Carried.**

**OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5494; A. BRIAN PLETT (LOT 1, PLAN 42287 IN PT. NW ¼ OF SECTION 14-8-5E)-LUD LANDMARK**

**730-2012**      **Trudeau – Deschambault:**      Resolved that the Public Hearing on Subdivision File No. 4194-2012-5494 be opened.

**Carried.**

**DELEGATION – SUBDIVISION FILE NO. 4194-2012-5494**

**731-2012**      At 8:00 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-5494 to subdivide a parcel of land along a party wall of an existing Duplex.

The Landmark LUD Committee at their Regular July 4<sup>th</sup>, 2012 Meeting addressed no concerns with the Application and made recommendation for Council to approve.

The following Provincial Comments were received:

Community & Regional  
Planning:

- Comment that the proposal is in keeping  
with the R.M. of Tache Development Plan  
and Zoning By-law

Manitoba Infrastructure  
& Transportation:

- No objection

Manitoba Conservation:

- No objection

Shaw Cable:

- Does not service the property

**CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5494**

732-2012

**Stein – Deschambault:** Resolved that the Public Hearing on  
Subdivision File No. 4194-2012-5494 be closed.

**Carried.**

**OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #28-12; DWAYNE DELIPPER & AUDREY BRANDT (PT. NE ¼ OF SECTION 13-9-7E) – 41144 PR #501**

733-2012

**Trudeau – Stein:** Resolved that the Public Hearing on  
Variation Order Application No. VO #28-12 be opened.

**Carried.**

**DELEGATION – VARIATION ORDER APPLICATION NO. VO #28-12**

734-2012

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 #28-12.

No formal representation was made at the  
Public Hearing on the Application.

No other correspondence or communication  
was received on the Application.

**CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #28-12**

735-2012

**Trudeau – Heather:** Resolved that the Public Hearing on  
Variation Order Application No. VO #28-12 be closed.

**Carried.**

**OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION C.U. #29-12 (PT. NE ¼ OF SECTION 11-8-5E); BERNICE PLETT-BRANDT (OWNER) & HELMUT & LOIS JANZ (APPLICANTS)**

736-2012

**Trudeau – Koop:** Resolved that the Public Hearing on  
Conditional Use Application No. C.U. #29-12 be opened.

**Carried.**

**DELEGATION – CONDITIONAL USE APPLICATION NO. C.U. #29-12**

737-2012

At 8:20 p.m.; the time specified in the  
Notice required to be circulated; Council conducted the Public Hearing  
on Conditional Use Application No. C.U. #29-12 to establish a Kennel  
Facility for breeding purposes.

Lois Janz; the Applicant attended the  
Delegation Chair in support of her Application.

Brigitte Toews; Owner and Resident of 28166 Ste. Anne's Road attended the Delegation Chair in support of the Application.

Steven Hruda; Owner and Resident of 28070 Ste. Anne's Road attended the Delegation Chair in support of the Application.

No other correspondence or communications was received.

**CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. C.U. #29-12**

**738-2012** **Trudeau – Heather:** Resolved that the Public Hearing on Conditional Use No. C.U. #29-12 be closed.

**Carried.**

**OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5469; KENNETH WISHNOWSKI, MIKE LIVINGSTONE, DAVID & BRENDA TETREAU (PT. RL 45, PARISH OF LORETTE)**

**739-2012** **Trudeau – Deschambault:** Resolved that the Public Hearing on Subdivision File No. 4194-2012-5469 be opened.

**Carried.**

**DELEGATION – SUBDIVISION FILE NO. 4194-2012-5469**

**740-2012** At 8:30 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2012-5469 to re-align the boundaries between 3 separate parcels, to create 1 additional residential lot and to create a separate title for the existing private roadway.

The following Provincial comments were received:

Community & Regional Planning Branch:

- Comment that the Proposal conforms to the R.M. of Tache Development Plan addressing no concerns.

WLTO:

Require a Five-Parcel Plan of Survey. Also require that Pcls "A" & "C" be registered on 1 title.

Manitoba Infrastructure & Transportation:

Require the Applicant obtain a permit identifying the access for Proposed Pcl "C". Also comment that a Declaration of Right-of-Way must be registered on all affected titles accessing the Private Roadway (Tetreault Lane). They do not object to the Proposal.

Mines Branch:

Does not object.

Manitoba Agriculture, Food & Rural Initiatives:

Does not object.

Water Stewardship:

Does not object. They recommend a 30 meter Public Reserve be created adjacent to Seine River.

Manitoba Conservation:

Require a clear sketch/site plan addressing Setback distances from all existing and

proposed property boundaries to all onsite wastewater management systems. Also require clarification stating whether or not any manure storage facilities; manure composting site and/or any confined livestock areas holding more than 10 animal units are present on the affected properties. Conservation's Approval is pending this information.

Shaw Cable: Does not service these properties.

Morse Silden; Applicant and Agent for Kenneth Wishnowski attended the Delegation Chair in support of the Application.

No other correspondence or communication was received to date.

**CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2012-5469**

**741-2012** **Trudeau – Stein:** Resolved that the Public Hearing on Subdivision File No. 4194-2012-5469 be closed.

**Carried.**

**DELEGATION – GERALD BERNARD (LOT 6, PLAN 48989)**

**742-2012** Gerald Bernard; attended the Delegation Chair requesting Council's consideration on his proposal to purchase lands legally described as Lot 6, Plan 48989 (known as Western Statue) for the purpose of re-locating & re-establishing a home based business (Pack-n-Away Mobile Storage business) currently located at Deacons Corner with future plans to construct a residence.

**CONTINUATION OF PRE-EXISTING USE (LOT 6, PLAN 48989)**

**743-2012** **Trudeau – Deschambault:** Resolved that Council acknowledge the proposal presented; and

Be It Further Resolved that Council authorize the continuation of the pre-existing non conforming use of the land be transferred to Gerald Bernard; the new owner.

**Carried.**

**COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-5469; KENNETH WISHNOWSKI, MIKE LIVINGSTONE, DAVID & BRENDA TETREAULT (PT. RL 45, PARISH OF LORETTE)**

**744-2012** **Deschambault – Trudeau:** Resolved that Council **APPROVE** Subdivision File No. 4194-2012-5469 subject to the following conditions:

- A Subdivision Plan of Survey be conducted by a Manitoba Land Surveyor and be submitted to the Municipality identifying lot sizes;
- If warranted by the Survey appropriate variation order application be applied for;
- Building Location Certificates prepared by a Manitoba Land Surveyor for Pcls "A", "B", "D" & "E" illustrating all buildings and/or structures and onsite wastewater management systems in relation to the newly proposed property lines;
- If warranted by the Building Location Certificates the Applicant obtain the necessary Variation Order Applications;
- Proposed Pcl "A" and "C" be registered on 1 title;
- A Declaration of Right-of-Way be registered on all affected titles submitting a copy to the Municipality;

- The Applicant obtains the necessary permits from Manitoba Infrastructure & Transportation submitting a copy of the permit to the Municipality; and
- In addition to the \$2,500.00 Dedication Fee paid on the previous expired 2008 Application; additional Dedication Fee charges in the amount of \$1,500.00 be paid to the Municipality covering the Dedication Fee Rate of \$4,000.00/Lot for the year 2012.

**Carried.**

**COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. C.U. #29-12 (PT. NE ¼ OF SECTION 11-8-5E); BERNICE PLETT-BRANDT (OWNER) & HELMUT & LOIS JANZ (APPLICANTS)**

**745-2012**     **Trudeau – Stein:**                      Resolved that Council **APPROVE** Conditional Use Application No. C.U. #29-12 to establish a Breeding Kennel Facility subject to the following conditions:

- the Kennel Facility house a maximum of 10 breeding dogs at any given time;
- the Kennel Facility must be located to the rear of the existing single family dwelling, and;
- all Building Permits be obtained from the Municipal Building Inspector prior to the construction of the Facility.

**Carried.**

**COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #28-12; DWAYNE DELIPPER & AUDREY BRANDT (PT. NE ¼ OF SECTION 13-9-7E) – 41144 PR #501**

**746-2012**     **Rivard – Heather:**                      Resolved that Council **APPROVE** Variation Order Application No. VO #28-12 as applied for.

**Carried.**

**COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2012-5494; A. BRIAN PLETT (LOT 1, PLAN 42287 IN PT. NW ¼ OF SECTION 14-8-5E)-LUD LANDMARK**

**747-2012**     **Koop – Trudeau:**                      Resolved that the Council **APPROVE** Subdivision File No. 4194-2012-5494 subject to the following conditions:

- a Building Location Certificate be prepared by a Manitoba Land Surveyor illustrating all buildings and/or structures and onsite wastewater management systems in relation to the newly proposed property lines, and;
- Dedication Fee for the creation of 1 additional lot in the amount of \$4,500.00 be paid to the Municipality.

**Carried.**

**COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #27-12 (PT. NE ¼ OF SECTION 30-9-6E); GUSTAV & IRENE STRIPLING**

**748-2012**     **Heather – Trudeau:**                      Resolved that Council **APPROVE** Variation Order Application No. VO #27-12 as applied for.

**Carried.**

**ZONING AMENDMENT BY-LAW NO. 11-2012 (2<sup>ND</sup> READING)**

**749-2012**     **Deschambault – Stein:**                      Resolved that By-law No. 11-2012 be given 2<sup>nd</sup> Reading.

**Carried.**

**ZONING AMENDMENT BY-LAW NO. 11-2012 (VARIOUS PROPERTIES IN THE LUD OF LANDMARK) – 3<sup>RD</sup> READING**

**750-2012** **Koop – Deschambault:** Resolved that By-law No. 11-2012; being an amendment to Map Three of the R.M. of Tache Zoning By-law No. 12-2009 to rezone the following legally described properties:

**Lot A, Plan 16019; Lot 3, Block 1, Plan 16667; Lot 2, Plan 18392; Lot 8, Block 2, Plan 14799; Lot 2, Block 1, Plan 16667; Lot 1, Plan 46835; Lot 1, Plan 29486; Lot 1, Plan 10790; Lot 2/3, Plan 10790; Lot 2, Plan 51119; Lot 1/2, Plan 7011; Lot 9, Block 1, Plan 16746; Lot 10, Block 1, Plan 16746; Lot 1, Block 1, Plan 16667; Lot 1, Plan 33334; Lot 1, Plan 42040; Lot 2, Plan 42040; Lot 8, Plan 7011; Lot 1, Plan 18392; Lot 2, Plan 46835; Lot 6/7, Plan 7011; and Pt. SE ¼ of Section 27-8-5E located within the Urban District of Landmark from “C”; Commercial Zone to “RL”; Residential Limited Zone be given Third and Final Reading and Passed.**

**For the Motion:** Councillors Trudeau, Koop, Deschambault, Stein, Heather, Rivard & Deputy Mayor Menard.

**Against the Motion:** Nil.

**Abstained:** Nil.

**Motion Carried.**

**FISH CREEK PROJECT DRAINAGE AGREEMENTS**

**751-2012** **Trudeau – Stein:** Resolved that Councillor Heather is authorized to engage with affected landowners adjacent to the Fish Creek drainage project to enter into agreements for the provision of an approximate 12 feet right-of-way.

**Carried.**

**PR #207 DRAINAGE PROJECT**

**752-2012** **Heather – Deschambault:** Resolved that the additional costs associated with the drainage project along the P.R. #207 is authorized.

**Carried.**

**MTS AUTHORIZATION REQUEST**

**753-2012** **Koop – Trudeau:** Resolved that the installation request submitted by MTS to undertake service cable installation is authorized subject to the installation depth of 1 metre below ditch grade.

**Carried.**

**RRBC – EXPERIMENTAL LAKES AREA**

**754-2012** **Trudeau – Heather:** Whereas the Federal Government has announced that it will be ending operating funding for the Experimental Lakes Area (ELA), and;

Whereas the ELA is a unique facility that has had a great impact on our knowledge of watershed management by producing sound scientific knowledge for the development and environmental policies both nationally and internationally, and;

Whereas the Red River Basin Commission (RRBC) and the RRBC North Chapter believe the research conducted at the ELA to be extremely valuable in understanding the entire Lake Winnipeg Watershed including the Red River Basin, and;

Whereas the RRBC North Chapter discussed and requested that a letter be sent regarding the issue, and;



Whereas the Red River Basin Commission Board has sent a letter to the Government of Canada urging it to change its decision and to continue operational funding of the ELA Research station;

Resolved that the R.M. of Tache demonstrate its support for the work done at ELA by sending a letter to Prime Minister Stephen Harper; Keith Ashfield, Minister of Fisheries and Oceans; Vic Toews, Member of Parliament for Provencher; Shelly Glover, Member of Parliament for St. Boniface and Maria Chaput, Manitoba Senator for the Liberal Party of Canada urging them to reverse the decision to stop operational funding to the ELA.

Carried.

**2011 AUDITED FINANCIAL STATEMENTS**

755-2012 **Deschambault – Trudeau:** Resolved that the audited 2011 Financial Statements as presented by BDO Dunwoody is adopted.

Carried.

**CORRESPONDENCE & COMMUNICATION**

756-2012	<u>Writer</u>	<u>Subject</u>	<u>Disposition</u>
	Darnell Plett	Beaver Trapping	<u>info</u>
	Notice of Public Hearing (RM of Springfield)	Subdivision Proposal	<u>res. 757-2012</u>
	MB Conservation	Water Protection Act	<u>res. 758-2012</u>

**NOTICE OF PUBLIC HEARING; R.M. OF SPRINGFIELD  
(SUBDIVISION APPLICATION FILE NO. 4189-12-5521)-PT. SE¼  
OF SECTION 1-10-4E**

757-2012 **Trudeau – Menard:** Resolved that Council have no concerns respecting Subdivision Application File No. 4189-12-5521 located in pt. SE¼ of Section 1-10-4 EPM in the R.M. of Springfield.

Carried.

**MANITOBA CONSERVATION – WATER PROTECTION ACT**

758-2012 **Trudeau – Stein:** Resolved that the information provided from Manitoba Conservation be referred to the LUD of Lorette at their next Regular LUD Meeting.

Carried.

**ADJOURNMENT**

759-2012 **Trudeau – Rivard:** Resolved that the meeting be adjourned the hour being 10:30 p.m.

Carried.

**Dave Menard,**  
**Deputy Mayor.**

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