

**MINUTES OF THE REGULAR DEVELOPMENT AND
PLANNING MEETING HELD IN THE COUNCIL CHAMBERS
OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE,
MANITOBA ON APRIL 10TH, 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
301-2014 **Trudeau – Koop:** Resolved this Meetings Agenda be adopted
as amended.

Carried.

ABSENCE OF COUNCIL MEMBER(S)
302-2014 **Menard – Heather:** Resolved that Mayor Danylchuk be excused
from participating in this evenings Public Hearings.

Carried.

**NOTICE OF PUBLIC HEARING – DEVELOPMENT PLAN
AMENDMENT BY-LAW NO. 30/13; WHITEMOUTH REYNOLDS
PLANNING DISTRICT**
303-2014 **Trudeau – Stein:** Resolved that Council address no concerns
with By-law No. 30/13; being an amendment to the Whitemouth Reynolds
Planning District Development Plan.

Carried.

**DEVELOPMENT & PLANNING MEETING – OCTOBER 16TH,
2014 (RE-SCHEDULING)**
304-2014 **Trudeau – Menard:** Whereas advance polls for elections has
been scheduled for October 16th, 2014;
Resolved that the October 16th, 2014
Development & Planning Meeting be rescheduled to October 15th, 2014.

Carried.

**CLOSE OF PUBLIC HEARING - SUBDIVISION FILE NO. 4194-
2011-5402; 4756151 MANITOBA LTD. (LOT 61, PLAN 4940)**
305-2014 **Stein – Trudeau:** Resolved that Council close the Public
Hearing on Subdivision in acknowledgement of the withdrawal request
and **NOT PROCEED** with Subdivision File No. 4194-2011-5402 as
proposed, and;
Be It Further Resolved that residents of the

Trailer Court be notified of Council's decision.

Carried.

**NOTICE OF PUBLIC HEARING – TOWN OF NIVERVILLE
(ZONING AMENDMENT BY-LAW NO. 731/14); LOTS 24, 25 & 26,
BLOCK 6, PLAN 19956**

- 306-2014** **Trudeau – Rivard:** Resolved that Council address no concerns with Zoning By-law No. 731/14; being an amendment to rezone Lots 24, 25 & 26, Block 6, Plan 19956 from “*RI*”; *Single Family Residential Zone* to “*R3*”; *Multiple Family Residential Zone*.

Carried.

DELEGATION – ROGER FIOLA (PT. SE ¼ OF SECTION 27-9-7E); ACCESSORY BUILDING

- 307-2014** At 7:10 p.m.; Roger Fiola, Owner of the property legally described as Pt. SE ¼ of Section 27-9-7E attended the Delegation Chair requesting Council's consideration to construct an Accessory Building measuring approximately 32' x 70' (2,240 sq. ft.) for the purpose of storing Building Material and Equipment for the construction of a Future Single Family Dwelling.

ACCESSORY BUILDING (PT. SE ¼ OF SECTION 27-9-7E)

- 308-2014** **Rivard – Heather:** Resolved that Council **Approve** for the construction of an Accessory Building on pt. SE ¼ of Section 27-9-7E subject to the following conditions:

- The Accessory Building comply with the R.M. of Tache Zoning By-law requirements respecting yard distances, location and maximum height;
- Variation Order Application(s) be applied for if required, and;
- That the necessary Building Permit be obtained from the Municipal Building Inspector prior to the construction of the Accessory Building.

Carried.

BY-LAW NO. 8-2014 – AMENDMENT TO BY LAW NO. 11-2013; 1ST READING

- 309-2014** **Trudeau – Heather:** Resolved that By-law No. 8-2014; being an amendment to the R.M. of Tache Organizational Structure By-law No. 11-2013 be introduced and read a 1st time.

Carried.

BY-LAW NO. 8-2014 – 2ND READING

- 310-2014** **Menard – Stein:** Resolved that By-law No. 8-2014 be read a 2nd time.

Carried.

DEVELOPMENT PLAN REVIEW – RESIDENT REQUESTS

- 311-2014** **Menard – Heather:** Whereas requests from R.M. of Tache residents continue to be submitted to the Municipal Office, and;
Whereas this poses difficulty for the Consultants to continuously make amendments to the document;
Resolved that any additional requests/ changes be considered during the Public Hearing process.

Carried.

**ROAD NAME SUGGESTIONS – PT. SE ¼ OF SECTION 10-9-4E
(SUBDIVISION FILE NO. 4194-2013-7212)**

- 312-2014** **Menard – Trudeau:** Whereas the following Road Name Suggestions were submitted by Victor Barnabe respecting a Multi Lot Residential Subdivision:

Matthew Grestoni Drive,
Matt Grestoni Road,
Matthew Grestoni Way

Resolved that Council **APPROVE** naming the proposed roadway Matthew Grestoni Way.

Carried.

BY-LAW ENFORCEMENT MATTER/ISSUE – LOT 15, PLAN 49035 (ALEXANDRE WAY)

- 313-2014** **Menard – Stein:** Whereas a concern was addressed to Council regarding the storage of a vehicle on the Municipal Right-of-Way Allowance (Alexandre Way);

Resolved that correspondence be forwarded to the Owner/Resident of the property outlining Municipal Policy restricting the storage of vehicles on a Municipal Right-of-Way Allowance.

Carried.

BY-LAW ENFORCEMENT MATTER/ISSUE – LOT 2, PLAN 41764 (ARNOULD ROAD)

- 314-2014** **Menard - Koop:** Whereas concerns were addressed to Council respecting the derelict conditions relating to the storage of garbage on Lot 2, Plan 41764;

Resolved that correspondence be forwarded to the property owner/resident addressing the matter at hand.

Carried.

BY-LAW NO. 9-2014 – ZONING BY-LAW AMENDMENT; 1ST READING

- 315-2014** **Trudeau – Stein:** Resolved that By-law No. 9-2014; being an amendment to the R.M. of Tache Zoning By-law No. 12-2009; as amended be introduced and read a 1st time.

Carried.

**OPEN OF PUBLIC HEARING – VARIATION ORDER
APPLICATION NO. VO #12-14; ALLAN & ROBYN THIESSEN/
PRIMROSE FARMS INC.; RON PENNER (PT. NE ¼ OF SECTION
12-8-5E)**

- 316-2014** **Trudeau – Heather:** Resolved that the Public Hearing on Variation Order Application No. VO #12-14 be opened.

Carried.

**DELEGATION – VARIATION ORDER APPLICATION NO.
VO #12-14**

- 317-2014** At 7:30 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Variation Order Application No. VO #12-14 being a condition of a Subdivision Application currently being processed by Community & Regional Planning Branch under File No. 4194-2013-7164.

No public 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 #12-14

318-2014 Trudeau – Menard: Resolved the Public Hearing on Variation Order Application No. VO #12-14 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #12-14; ALLAN & ROBYN THIESSEN/ PRIMROSE FARMS INC.; RON PENNER (PT. NE ¼ OF SECTION 12-8-5E)

319-2014 Koop – Heather: Resolved that Council APPROVE Variation Order Application No. VO #12-14 as applied for.

Carried.

MANITOBA INFRASTRUCTURE & TRANSPORTATION; DRAINAGE WORK AGREEMENT (PR #405)

320-2014 Menard – Trudeau: Resolved that appropriate signage of the agreement with Manitoba Infrastructure & Transportation authorizing the undertaking of drainage works within the south side of P.R. #405 right-of-way beginning at St. Amant Avenue west to River Lot 18.

Carried.

AMM MEETING – REPORT

321-2014 Heather – Rivard: Resolved that Council acknowledge the report submitted by Deputy Mayor Deschambault on the AMM Meeting held earlier today.

Carried.

CONDITIONAL USE APPLICATION NO. CU #13-14 & VARIATION ORDER APPLICATION NO. VO #14-14; DSTK HOLDINGS INC.; LARRY REIMER & KARLEE PETERS (PT. LOT 7, PLAN 7011 – 210 MAIN STREET LANDMARK)

322-2014 Trudeau – Koop: Resolved that the Public Hearing on Conditional Use Application No. CU #13-14 & Variation Order Application No. VO #14-14 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. CU #13-14 & VARIATION ORDER APPLICATION NO. VO #14-14

323-2014 At 7:40 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Conditional Use Application No. CU #13-14 & Variation Order Application No. VO #14-14.

Larry Reimer along with Karlee Peters of DSTK Holdings Inc. attended the Delegation in support of the Applications.

The Landmark LUD Committee at their Regular April 7th Meeting recommended Council approve the applications as applied for pending engineering opinion on wastewater conveyance capacity.

Correspondence from Manitoba Infrastructure and Transportation; Engineering & Operations Division was received granting approval to the Applicants proposal.

Bob & Sylvia Schellenberg; Owners and Residents of 214 Main Street attended the Delegation Chair addressing concerns with the distance from their south property line to the proposed access and the size of property for such a proposal. The Schellenbergs **Object** to the Application.

Steve & Stacey Reimer; Owners and Residents of 204 Main Street attended the Delegation Chair addressing concerns with property devaluation; distance from the proposed facility on the south boundary of the property adjacent to their property and concerns of damage to their property if the project proceeds.

Leonard & Hettie Penner; Owners and Residents of 193 Main Street attended the Delegation Chair addressing concerns with size of property to density of project, variance to the south property site line; use of commercial property for residential units; safety for renters with respect to ingress & egress of traffic and snow clearing. **Object** to the Application.

Larry Reimer; Owner and Applicant re-attended the Delegation Chair addressing the concerns brought forth.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #13-14 & VARIATION ORDER APPLICATION NO. VO #14-14

324-2014 **Trudeau – Menard:** Resolved that Conditional Use Application No. CU #13-14 & Variation Order Application No. VO #14-14 be closed.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #15-14; BRIAN & NAOMI SINKARSIN (LOT 21, BLOCK 1, PLAN 48185)-82 CONVENT CRESCENT; LUD OF LORETTE

325-2014 **Trudeau – Stein:** Resolved that the Public Hearing on Variation Order Application No. VO #15-14 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. VO #15-14

326-2014 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 #15-14.

Brian Sinkarsin; Owner and Applicant attended the Delegation in support of the Application.

The Lorette LUD Committee at their Regular April 1st Meeting addressed no concerns and recommended Council approve the application as applied for.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #15-14

327-2014 **Trudeau – Stein:** Resolved that the Public Hearing on Variation Order Application No. VO #15-14 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. VO #15-14; BRIAN & NAOMI SINKARSIN (LOT 21, BLOCK 1, PLAN 48185)-82 CONVENT CRESCENT; LUD OF LORETTE

328-2014 **Stein – Heather:** Resolved that Variation Order Application

No. VO #15-14 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 #16-14; ERNEST & CLAIRE LAJOIE
(PCL A, PLAN 54378 ORIGINALLY PCL J, PLAN 3036 IN PT.
SW ¼ OF SECTION 9-9-6E)**

329-2014 **Trudeau – Koop:** Resolved that the Public Hearing on Variation Order Application No. VO #16-14 be opened.

Carried.

**DELEGATION – VARIATION ORDER APPLICATION NO. VO
#16-14**

330-2014 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 #16-14.

Ernest Lajoie, Owner & Applicant 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 #16-14

331-2014 **Trudeau – Koop:** Resolved that the Public Hearing on Variation Order Application No. VO #16-14 be closed.

Carried.

**OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. CU #17-14; DAVID & AMANDA LIND-OWNERS/
CRYSTAL RICKETTS/APPLICANT (LOT 7, BLOCK 1, PLAN 11614)**

332-2014 **Trudeau – Stein:** Resolved that the Public Hearing on Conditional Use Application No. CU #17-14 be opened.

Carried.

**DELEGATION – CONDITIONAL USE APPLICATION NO. CU
#17-14**

333-2014 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 #17-14 for the purpose of placing a Garden Suite on the property to provide temporary residency to the Applicant.

Crystal Ricketts; Applicant 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 #17-14

334-2014 **Trudeau – Menard:** Resolved that the Public Hearing on Variation Order Application No. VO #17-14 be closed.

Carried.

335-2014 **OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2014-7341 (PT. RL 20/21); MARCEL & DIANE RAYNAUD**
Trudeau – Koop: Resolved that the Public Hearing on Subdivision File No. 4194-2014-7341 be opened.

Carried.

336-2014 **DELEGATION – SUBDIVISION FILE NO. 4194-2014-7341**
At 8:20 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2014-7341 currently registered under same ownership realigning the boundaries between 2 titles for the purpose of separating a former old yard site for a Family Member.
Marcel Raynaud; Owners and Applicants attended the Delegation Chair in support of the Application.
The following Provincial Department comments were received:

Community & Regional Planning Branch:	Comment the Proposed Subivision conforms with the Development Plan & Zoning By-law. Address no concerns.
Winnipeg Land Title Office:	Requires a 1 lot plan of Subdivision.
Manitoba Water Stewardship:	No concerns.
Manitoba Conservation: Historic Resources Branch:	No concerns. Not yet replied.
Manitoba Infrastructure & Transportation:	No concerns.
Manitoba Hydro:	No concerns.
MTS:	Require easement agreement.
Flood Forecasting:	Address the proposed location of the 2 Acre lot would be affected by flood waters. No objection filed.
Manitoba Agriculture, Food & Rural Initiatives:	Express concern over this proposed boundary realign-ment resulting in the creation of a 2 acre lot (old yard site) and 1 acre of cultivated land. No policies support creation of non-agricultural rural residential yards in General Agriculture Area; however with the consolidation of the residual agricultural land; MAFRI is not objecting to the overall plan.

Correspondence was received from A.J. Louis Wittinger; Owner & Resident of 47039 MUN 25E addressing no concerns.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2014-7341

337-2014 **Trudeau – Heather:** Resolved that the Public Hearing on Subdivision File No. 4194-2014-7341 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2014-7341 (PT. RL’S 20/21); MARCEL & DIANE RAYNAUD

338-2014 **Menard – Trudeau:** Resolved that Council **APPROVE** Subdivision Application No. 4194-2012-5432 subject to the following conditions:

- A Plan of Subdivision Survey be prepared by a Manitoba Land Surveyor and submitted to the Municipality addressing site area and site width of the Proposed Lot; and
- If warranted by the Subdivision Survey all necessary variation order applications be obtained.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2014-7344 (PT. SE¼ OF SECTION 12-8-4E); JOHN W. VOTH

339-2014 **Trudeau – Koop:** Resolved that the Public Hearing on Subdivision File No. 4194-2014-7344 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2014-7344

340-2014 At 8:30 p.m.; the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2014-7344 currently registered under same ownership realigning the boundaries between 3 titles for the purpose of increasing the size of the 2 smaller holdings in order to comply with the regulations/requirements of Provincial & Municipal Policies.
Francis & Steven Voth; Representatives on behalf of John Voth ; Owner and Applicant attended the Delegation Chair in support of the Application.

The following Provincial Department comments were received:

Community & Regional Planning Branch:	Comment the Proposed Subdivision conforms with the Development Plan & Zoning By-law. Address no concerns.
Winnipeg Land Title Office:	Requires a 2 lot plan of Subdivision.
Manitoba Hydro:	Require easement agreement.
MTS: Historic Resources Branch:	Require easement agreement. Not yet replied.
Manitoba Conservation:	No concerns.
Manitoba Water Stewardship:	No concerns.

Manitoba Agriculture, Food & Rural Initiatives:	No concerns.
Flood Forecasting:	Address any and all future permanent structures be constructed to an elevation protecting from flooding. No objection filed.

No other correspondence or communication has been received to date.

CLOSE OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2014-7344

341-2014	<u>Trudeau – Heather:</u>	Resolved that the Public Hearing on Subdivision File No. 4194-2014-7344 be closed.
----------	---------------------------	--

Carried.

COUNCIL DISPOSITION – SUBDIVISION FILE NO. 4194-2014-7344 (PT. SE¼ OF SECTION 12-8-4E); JOHN W. VOTH

342-2014	<u>Trudeau – Heather:</u>	Resolved that Council <u>APPROVE</u> Subdivision Application No. 4194-2014-7344 subject to the following conditions:
----------	---------------------------	--

- A Plan of Subdivision Survey be prepared by a Manitoba Land Surveyor and submitted to the Municipality addressing site area and site widths of the Proposed Lots;
- If warranted by the Subdivision Survey all necessary variation order applications be obtained,
- Building Location Certificates be prepared by a Manitoba Land Surveyor addressing the location of all buildings/structures and wastewater facilities on Proposed Lots 1 & 2 and be submitted to the Municipality, and
- If warranted by the Building Location Certificates the appropriate Variation Order Applications be applied for.

Carried.

ARENAS – INSPECTION (ROOF REPAIRS)

343-2014	<u>Heather – Koop:</u>	Resolved that Councillor Menard be authorized to obtain services to conduct an inspection on the Lorette and Landmark Arena Roofs.
----------	------------------------	--

Carried.

CORRESPONDENCE & COMMUNICATIONS

344-2014	<u>Writer</u>	<u>Subject</u>	<u>Disposition</u>
	Red River Basin Commission	Devil’s Lake Tour	Rec’d as info.
	Manitoba Hydro	Open House – Manitoba Minnesota Transmission Project	Rec’d as info.

Councillor Koop left the Meeting at this time.

**COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION
NO. CU #13-14 & VARIATION ORDER APPLICATION NO. VO
#14-14; DSTK HOLDINGS INC.; LARRY REIMER & KARLEE
PETERS (PT. LOT 7, PLAN 7011 – 210 MAIN STREET;
LANDMARK)**

345-2014 **Stein – Heather:** Resolved that Conditional Use Application No. CU #13-14 and Variation Order Application No. VO #14-14 be **DENIED.**

Carried.

Councillor Koop returned to the Meeting at this time.

**COUNCIL DISPOSITION – VARIATION ORDER APPLICATION
NO. VO #16-14; ERNEST & CLAIRE LAJOIE (PCL A, PLAN 54378
ORIGINALLY PCL J, PLAN 3036 IN PT. SW ¼ OF SECTION 9-9-
6E)**

346-2014 **Menard – Trudeau:** Resolved that Variation Order Application No. VO #16-14 be **APPROVED** subject to the following conditions:

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

Carried.

**COUNCIL DISPOSITION – VARIATION ORDER APPLICATION
NO. VO #17-14; DAVID & AMANDA LIND-OWNERS/ CRYSTAL
RICKETTS/APPLICANT (LOT 7, BLOCK 1, PLAN 11614)**

347-2014 **Heather – Menard:** Resolved that Variation Order Application No. VO #16-14 be **APPROVED** subject to the following conditions:

- VO #44-13 for the proposed Accessory Building/Shop be cancelled;
- A Garden Suite Agreement be entered into between all affected parties prior to obtaining the necessary Building Permits, and;
- All necessary Building Permits be obtained from the Municipal Building Inspector prior to the placement of the Garden Suite.

Carried.

Councillor Koop left the Meeting at this time.

IN CAMERA

348-2014 **Trudeau – Heather:** Resolved that Council convene in camera as Committee of the Whole.

Carried.

IN CAMERA MEETING

349-2014 The Committee of the Whole convened in camera to discuss matters that may impact future negotiation positions of the Municipality.

OUT OF CAMERA

350-2014 **Trudeau – Menard:** Resolved that the in camera meeting is closed and that the Committee of the Whole report its recommendations to Council.

Carried.

351-2014	ADJOURNMENT <u>Rivard – Trudeau:</u> hour being 9:45 p.m.	Resolved the meeting be adjourned, the Carried.
----------	---	---

<hr/> Ross Deschambault, Deputy Mayor.	<hr/> Daniel Poersch, Chief Administrative Officer.
---	--