

MINUTES OF THE REGULAR COUNCIL, DEVELOPMENT AND PLANNING MEETING HELD IN THE COUNCIL CHAMBERS OF THE RURAL MUNICIPALITY OF TACHÉ IN LORETTE, MANITOBA ON SEPTEMBER 10TH, 2009 AT 7:00 P.M.

MEMBERS PRESENT: Mayor Danylchuk, Councillors Trudeau, Koop, Menard, Tardiff, Deschambault, McLennan & Rivard.

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

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

ADOPTION OF AGENDA

912-2009 Trudeau – McLennan: Resolved that this Meeting's Agenda be adopted as amended.

Carried.

Councillor Tardiff arrived to the meeting at this time, the hour being 7:10 p.m.

FINANCIAL STATEMENTS – AUGUST 31ST, 2009

913-2009 Menard – Tardiff: Resolved that the Municipality's Financial Statements to August 31st, 2009 outlining Municipal and LUD operations and capital expenditures be adopted as presented.

Carried.

NOTICE OF PUBLIC HEARING (ZONING AMENDMENT BY-LAW NO. 11-2009)-R.M. OF RITCHOT; TOWN OF ST. ADOLPHE

914-2009 Trudeau – McLennan: Resolved that Council have no concerns respecting the R.M. of Ritchot Zoning Amendment By-law No. 11-2009 rezoning Lots 1 to 27, Block 1, Lots 3 to 16, Block 2, Lots 1 to 11, Block 3 located in the Village of St. Adolphe from "RG"; Residential General Zone to "RC"; Compact Residential Zone.

Carried.

LANDMARK COMMUNITY HALL – TENDER DISPOSITION

915-2009 Koop – Trudeau: Whereas the Landmark Local Urban District Committee has by resolution no. 200-2009 made recommendation to select the tender bid submitted by Heartwork Homes; and

Whereas council has been afforded the opportunity to review the tender bid submissions;

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Resolved that the tender bid submitted by Heartwork Homes at \$ 354,800.00 for the Landmark Community Hall construction project be selected.

Carried.

NOTICE OF PUBLIC HEARING (ZONING AMENDMENT BY-LAW NO. 09-13)-R.M. OF SPRINGFIELD

916-2009

Trudeau – Tardiff: Resolved that Council have no concerns respecting the R.M. of Springfield Zoning Amendment By-law No. 09-13 rezoning the west halves of legal subdivisions 1 and 8 of Section 33-12-5 EPM from “A”; Rural & Agricultural Zone to “A20”; Limited Agricultural District.

Carried.

NOTICE OF MOTION – RESOLUTION NO. 356-2009

917-2009

Trudeau – McLennan: Resolved that resolution no. 356-2009 designating the Board of Revision of the 2010 assessment roll be rescinded.

Carried.

BOARD OF REVISION – 2010 ASSESSMENT ROLL

918-2009

Deschambault – Menard: Resolved that the 2010 Assessment Roll Board of Revision be held Monday, November 30th, 2009 at 9:00 a.m. with the last day to appeal being Monday, November 16th, 2009; and

Be it further resolved that council be appointed as the Board of Revision; and

Be it further resolved that Mayor Danylchuk be appointed as the Presiding Officer of the Board and Deputy Mayor Trudeau be appointed as the Deputy Presiding Officer; and

Be it further resolved that the CAO be appointed secretary of the Board of Revision.

Carried.

AMM CONVENTION

919-2009

Trudeau – Menard: Resolved that Councillors interested at participating in the AMM Convention being held in Brandon November 23rd, 2009 to November 26th, 2009 be authorized.

Carried.

2009 RECREATION OPERATING GRANTS

920-2009

Deschambault – Trudeau: Resolved that the 2009 Recreation operating grants budgeted for the Complexe Communautaire de Lorette Community Complex & Landmark Arena be authorized for release excepting the equivalent due to the Municipality for insurance and the purchase of ice re-surfacers; and

Be it further resolved that the operating grants to the Ste. Genevieve Historical Site Museum, the Ste. Genevieve Community Centre and the Ross Community Centre be released; and

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Be it further resolved that the 2009 recreation grants to the Ile des Chenes, Niverville and Ste. Anne centers be authorized for release.

Carried.

OPEN OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. C.U. #43-09 (PT. NW ¼ OF SECTION 6-9-8E) – FRED YELINEK & MARIE TELLIER; OWNERS & APPLICANTS

921-2009 Trudeau – Koop: Resolved that the Public Hearing on Conditional Use Application No. C.U. #43-09 be opened.

Carried.

DELEGATION – CONDITIONAL USE APPLICATION NO. C.U. #43-09

922-2009 At 7:30 p.m., the time specified in the Notice, Council conducted the Public Hearing on Conditional Use Application No. C.U. #43-09 to allow for the placement of a Modular Home in Pt. NW ¼ of Section 6-9-8E for residency purposes.

Fred Yelinek & Marie Tellier; Owners & Applicants attended the Delegation Chair in support of the Application. No other correspondence nor communications were received.

CLOSE OF PUBLIC HEARING – CONDITIONAL USE APPLICATION NO. C.U. #43-09

923-2009 Trudeau – McLennan: Resolved that the Public Hearing on Conditional Use Application No. C.U. #43-09 be closed.

Carried.

COUNCIL DISPOSITION – CONDITIONAL USE APPLICATION NO. C.U. #43-09 (PT. NW ¼ OF SECTION 6-9-8E)- FRED YELINEK & MARIE TELLIER; OWNERS & APPLICANTS

924-2009 Rivard – Tardiff: Resolved that Council APPROVE Conditional Use Application No. C.U. #43-09 subject to the following conditions:

- Appropriate Building Permits be obtained from the R.M. of Tache Building Inspector prior to the placement of the Modular Home.

Carried.

CITY OF WINNIPEG DEVELOPMENT PLAN

925-2009 Trudeau – Menard: Resolved that Mayor Danylchuk be authorized to attend the September 24th, 2009 meeting being hosted by the City of Winnipeg to review and discuss the new Development Plan under review for the City of Winnipeg.

Carried.

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MMAA DISTRICT 3 MEETING

926-2009 **Trudeau – Koop:** Resolved that the CAO be authorized to attend the annual Manitoba Municipal Administrators Association District meeting being held September 21st, 2009 in Rosenort.

Carried.

OPEN OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. V.O. #44-09 (PT. RL 11, PARISH OF LORETTE); TYLER & JODY MARTIN

927-2009 **Trudeau – McLennan:** Resolved that the Public Hearing for Variation Order Application No. VO #44-09 be opened.

Carried.

DELEGATION – VARIATION ORDER APPLICATION NO. V.O. #44-09

928-2009 At 7:40 p.m.; the time specified in the Public Notice, Council conducted the Public Hearing on Variation Order Application No. VO #44-09 for the purpose of varying site areas of Proposed Parcels A, B, C & D, site width of Proposed Parcel F (Private Roadway) & front yard distance from an existing Accessory Building (Shop) located on Proposed Parcel C to the property front site line which are conditions of a Subdivision Application currently being processed by Community Planning Services Branch under File No. 4194-2008-4739.

Tyler Martin, Owner & Applicant attended the Delegation Chair in support of the Application. In addition Mr. Martin addressed Council the purpose of varying the front yard distance on proposed Parcels A, B, C & D.

CLOSE OF PUBLIC HEARING – VARIATION ORDER APPLICATION NO. VO #44-09

929-2009 **Trudeau – Menard:** Resolved that the Public Hearing on Variation Order Application No. V.O. #44-09 be closed.

Carried.

COUNCIL DISPOSITION – VARIATION ORDER APPLICATION NO. V.O. #44-09 (PT. RL 11, PARISH OF LORETTE); TYLER & JODY MARTIN

930-2009 **Menard – Trudeau:** Resolved that Council **APPROVE** Variation Order Application No. V.O. #44-09 as applied for.

Carried.**RECREATION NEEDS ASSESSMENT**

931-2009 **Tardiff – Trudeau:** Whereas the Municipality is currently in the process of undertaking a recreation needs assessment for the entire area including the Ile des Chenes area;
Resolved that the Ile des Chenes recreation centre board be invited to participate in the process & discussions.

Carried.

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OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2009-4882 (PT. RL 40)-MVP DEVELOPMENTS INC.; VIC BLACK & MATTHEW AKINS

932-2009 Trudeau – Menard: Resolved that the Public Hearing on Subdivision File No. 4194-2009-4882 be opened.

Carried.

933-2009 **DELEGATION – SUBDIVISION FILE NO. 4194-2009-4882**

At 8:00 p.m., the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision File No. 4194-2009-4882 for the purpose of creating 9 Rural Residential Lots in total and a Public Roadway from an existing parcel of land currently measuring 21.18 acres in size.

The following Provincial Departments submitted their comments:

Community Planning Office: Recommend Council acknowledge comments from Water Stewardship & Transportation. Further to Water Stewardship comments; will not object if Council is satisfied that the flood hazard for the subject parcel is mitigated.

Infrastructure & Transportation: Recommend relocating/modifying the existing Driveway to service the Proposed Public Roadway. Otherwise no concerns.

Water Stewardship: Recommend not to Approve.

Culture Heritage & Tourism: No concerns.

Conservation – Lands: No concerns.

Industry, Economic Development & Mines: No concerns.

Manitoba Conservation, School Division & Canada Post: No response to date.

Vic Black and Matthew Akins; Owners and Applicants for MVP Developments Inc. attended the Delegation Chair in support of the Application.

The following persons made representation:

Bobby Jo Fox-Decent – 22 Candace Drive opposed to development because of flooding issues.

Mark Grossman – 20 Grossman Road made suggestion that the road be re-configured to alleviate the potential of flooding. A request that if the development is approved that timeframes whereby homes are built be included in the development agreement.

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Norm Grossman – 26 Grossman Road has requested to see the drainage plan when available.

Dave Mayer – 45 Candace Drive opposed to the development and commented on the lot widths proposed. Opposed because of flooding issues.

The applicants were requested to re-attend the delegation chair to comment on opposing views.

No other communications or correspondence was received.

ADJOURNMENT OF PUBLIC HEARING - SUBDIVISION FILE NO. 4194-2009-4882 (PT. RL 40)-MVP DEVELOPMENTS INC.; VIC BLACK & MATTHEW AKINS

934-2009

Trudeau – Menard: Resolved that the Public Hearing on Subdivision File No. 4194-2009-4882 be adjourned to October 15th, 2009 at 7:30 p.m.

Carried.

OPEN OF PUBLIC HEARING – SUBDIVISION FILE NO. 4194-2009-4904 (IN PT. NW ¼ OF SECTION 14-8-5E)-LUD LANDMARK; ERWIN & TAMMY LUTZER (OWNERS & APPLICANTS)

935-2009

Trudeau – Koop: Resolved that the Public Hearing on Subdivision File No. 4194-2009-4904 be opened.

Carried.

DELEGATION – SUBDIVISION FILE NO. 4194-2009-4904

936-2009

At 8:15 p.m., the time specified in the Notice required to be circulated; Council conducted the Public Hearing on Subdivision Application under File No. 4194-2009-4904 for the purpose of subdividing a parcel of land measuring 244 ft. x 220 ft. into 2 separate titles. Each lot will measure approximately 122 ft. x 220 ft.

The following Provincial Departments submitted their comments:

<u>Community Planning Office:</u>	No concerns
<u>Infrastructure & Transportation:</u>	Address their setback requirement of 75 feet from the edge of PR #206 Right-of-Way and proposed Driveway onto Arena Road.
<u>Water Stewardship:</u>	May require a Water Rights License.
<u>Culture, Heritage and Tourism:</u>	No concerns.
<u>Conservation – Lands:</u>	No concerns.
<u>Manitoba Conservation:</u>	No concerns.

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Industry, Economic Development & Mines: No concerns.

The LUD of Landmark Committee had no concerns and recommended Council approve the Subdivision as applied for.

No other communications nor correspondence was received.

CLOSE OF PUBLIC HEARING – SUBDIVISION APPLICATION NO. 4194-2009-4904

937-2009

Trudeau – McLennan: Resolved that the Public Hearing on Subdivision Application File No. 4194-2009-4904 be closed.

Carried.

COUNCIL DISPOSITION – SUBDIVISION APPLICATION NO. 4194-2009-4904 (ERWIN & TAMMY LUTZER); PT. NW ¼ OF SECTION 14-8-5E (LUD LANDMARK)

938-2009

Koop – Trudeau: Resolved that Council **APPROVE** Subdivision Application File No. 4194-2009-4904 subject to the following conditions:

- A Building Location Certificate conducted by a Manitoba Land Surveyor be obtained by the Applicant for Proposed Lot 2 identifying the location of all buildings and/or structures in relation to the new proposed property lines;
- If warranted by the Survey Certificate a Variation Order Application be applied for varying the yard distance setbacks; and
- Dedication Fees in the amount of \$3,000.00 for the creation of 1 additional Residential Lot be paid to the Municipality.

Carried.

FREEDOM OF INFORMATION & PROTECTION OF PRIVACY WORKSHOP

939-2009

Trudeau – Deschambault: Resolved that the Assistant CAO be authorized to attend a Freedom of Information & Protection of Privacy workshop being held October 2nd, 2009 in Winnipeg.

Carried.

SEPTEMBER 15TH, 2009 COUNCIL MEETING

940-2009

Trudeau – Deschambault: Resolved that the regularly scheduled Council meeting to be held September 15th, 2009 be cancelled.

Carried.

INVITATION TO MEET WITH MP VIC TOEWS

941-2009

Trudeau – Rivard: Resolved that Mayor Danylchuk and Councillor Tardiff be authorized to attend a meeting with MP Vic Toews September 11th, 2009 in Winnipeg.

Carried.

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942-2009

ADJOURNMENT
Trudeau – Rivard:
hour being 9:00 p.m.

Resolved that the meeting be adjourned, the

Carried.

William Danylchuk,
Mayor.

Daniel Poersch,
Chief Administrative Officer.