

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

TUESDAY, August 1, 2006

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Present: Reeve John D. Holland  
Councillor Bob Bodnaruk  
Councillor Karen Lalonde  
Councillor Robert Osiowy  
Councillor William F. (Bill) Paulishyn  
Dave Donaghy, CAO  
Anne Burns-Bensch, Manager of Administration  
& Finance  
Dan Doucet, Development Officer

Absent: Councillor Douglas Shaver

Reeve Holland called the meeting to order at 6:30 p.m.  
and began proceedings with invocation.

**AGENDA**

06-438 BODNARUK BE IT RESOLVED THAT the Agenda be approved.  
PAULISHYN CARRIED (5-0)

**MINUTES**

06-439 OSIOWY WHEREAS the minutes of the Council meeting held July  
LALONDE 25, 2006 have been previously distributed to Council;  
BE IT RESOLVED THAT the same be and are hereby  
approved. CARRIED (5-0)

**REPORTS - ELECTED OFFICIALS**

Councillor Paulishyn reported on progress of two  
projects Colony Bridge and Anola sewer and water  
connections.

**CONSENT AGENDA**

06-440 LALONDE WHEREAS a consent agenda has been submitted consisting  
OSIOWY of 8 items;  
BE IT RESOLVED THAT the said consent agenda be adopted  
as circulated. Council requested further information  
from Item 8.5. CARRIED (5-0)

**NEW BUSINESS**

2006 Municipal Election Costing

06-441 HOLLAND BE IT RESOLVED THAT the budget for the 2006 Municipal  
BODNARUK Election as proposed by the SEO totaling \$26,863 after  
recovery of \$10,410 from Sunrise School Division, be  
approved. Administration to inquire further regarding  
the use of school facilities.  
CARRIED (5-0)

**OTHER BUSINESS**

The CAO reported to Council on the DFA funding and Cooks Creek Conservation District.

Second Driveway Access

06-442 BODNARUK  
PAULISHYN

BE IT RESOLVED THAT the application for a second access to NW 28-11-4E from Hazelridge Road by Allredekopp Ltd., owner, be approved conditional to the approach being installed to the satisfaction and specifications of the Public Works Department.

CARRIED (5-0)

**PUBLIC HEARINGS UNDER THE PLANNING ACT**

Variance No. 06-35 - Lloyd & Helga Sampson

Purpose: To permit a site area of 4.4 acres and site frontage width of 300 feet instead of the required 80 acres and 660 feet respectively, within the "A" Rural & Agricultural District. (re: subdivision 4189-05-5009)

Representations:

In Support: Lloyd Sampson  
Opposed: None

The Development Officer read his report.

06-443 PAULISHYN  
BODNARUK

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Lloyd Sampson on behalf of the owners Lloyd and Helga Sampson for a variation of the Springfield Zoning By-Law #85-26 and amendments thereto;

AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Variation Order No. 06-35 be granted subject to the following conditions:

- 1. This Order shall come into force and take effect on the date of registration of a final certificate of approval on the matter of subdivision application No. 4189-05-5009.

CARRIED (5-0)

Variance No. 06-36 - Robert Galloway

Purpose: To permit the keeping of five (5) horses on a zoning site having a site area of 5.14 acres and site frontage width of 400 feet instead of the required 80 acres and 660 feet respectively, within the "A" Rural & Agricultural District.

Representations:

In Support: Robert Galloway

Opposed: Sheri Habing  
Allen Cooper & Family (via  
correspondence)

The Development Officer read his report.

06-444 OSIOWY  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Robert Galloway on behalf of the owners Robert and Margaret Galloway for a variation of the Springfield Zoning By-Law #85-26 and amendments thereto;

AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Variation Order No. 06-36 be granted subject to the following conditions:

1. No livestock shall be permitted on the land other than up to a maximum of 3 horses, which are to be kept no closer than 100 feet to any well or septic field.
2. No hogs shall be permitted on the site.
3. All livestock animals are to be owned by family members for personal use.

CARRIED (4-1)

Variance No. 06-37 - Amy Pokrant

Purpose: To permit a temporary second dwelling (16'x 72' mobile home) on an existing yard site providing accommodation for the owners daughter & her boyfriend (Amy Pokrant & Kenneth Frank) within the "A" Rural District.

Representations:

In Support: Amy Pokrant  
Opposed: Hal Enns (via correspondence)

The Development Officer read his report.

06-445 BODNARUK  
PAULISHYN

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Amy Pokrant on behalf of the owners Mark and Ingrid Pokrant for a variation of the Springfield Town Planning Scheme 1959 and amendments thereto;

AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Variation Order No. 06-37 be granted subject to the following conditions:

1. That the owner and/or applicant must obtain the required permits from Manitoba Transportation and Government Services;
2. That only the immediate family members, Amy Pokrant and Kenneth Frank, shall occupy the temporary second dwelling.
3. That the temporary second dwelling be removed from the site, when no longer occupied by Amy Pokrant and/or Kenneth Frank.

- 4. That the temporary second dwelling be serviced by a holding tank for sewage disposal and approved by Manitoba Conservation.
- 5. That this order shall expire and become null and void December 31, 2011.

CARRIED (5-0)

Variance No. 06-38 - Doug Newton

Purpose: To permit the construction of a 12' x 12' office addition and a 24' x 34' shop addition (spray paint booth) to the existing 960 sq. ft. accessory building for an existing auto-glass and minor automotive repair "Home Occupation" business on the land (Variation Order No. 06-04 approved March 7<sup>th</sup>, 2006), within the "A" Rural & Agricultural District.

Representations:

In Support:	Doug Newton
Opposed:	None

The Development Officer read his report.

06-446 PAULISHYN  
BODNARUK

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Douglas Newton on behalf of the owners Douglas and Teresa Newton for a variation of the Springfield Zoning By-Law #85-26 and amendments thereto;

AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Variation Order No. 06-38 be granted subject to the following conditions:

- 1. All business activities shall be conducted within the 1920 square foot accessory building.
- 2. That no outside storage or display of parts or unregistered vehicles shall be permitted on the land.
- 3. Business activities shall be limited to the hours of 8:00 a.m. to 8:00 p.m., Monday to Friday and 8:00 a.m. to 4:00 p.m. on Saturdays, excluding Public Holidays.
- 4. Not more than one advertising sign shall be displayed on the land and the size of the sign permitted shall not exceed 8 square feet in total area.
- 5. This order shall expire and become null and void on the date the land is transferred by the applicant or business ceases to be in operation

CARRIED (5-0)

Variance No. 06-41 - Richard Byle

Purpose: To permit the construction of a barn (approximately 36'x 36') and the keeping of five (5) horses on a zoning site having a site area of 15 acres and site frontage width of 490 feet instead of the required 20 acres and 660 feet respectively, within the "A20" Limited Agricultural District

Representations:

In Support: Richard & Joyce Byle  
Opposed: None

06-447 OSIOWY  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Richard Byle on behalf of the owners Richard and Joyce Byle for a variation of the Springfield Zoning By- Law #85-26 and amendments thereto;

AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Variation Order No. 06-41 be granted subject to the following conditions:

1. No livestock shall be permitted on the land other than up to a maximum of 5 horses, which are to be kept no closer than 100 feet to any well or septic field.
2. No hogs shall be permitted on the site.
3. All livestock animals are to be owned by family members for personal use.

CARRIED (5-0)

Variance No. 06-42 - Deeley Fabbri Sellen c/o Dana Kochan obo Ken & Maryelle Klippenstein

Purpose: 1. To permit the maintenance of a 10.3' x 16.25' accessory building (wood-sided shed) having a 2-foot North side yard setback instead of the required 5 feet; and  
2. To permit a separation distance of 9.4 feet between the single-family dwelling and the 18' x 31.5' in-ground pool instead of the required 10 feet; within the "RA" Suburban District.

Representations:

In Support: Ken Klippenstein  
Opposed: None

06-448 LALONDE  
OSIOWY

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Deeley Fabbri Sellen c/o Dana Kochan on behalf of the owners Ken and Maryelle Klippenstein for a variation of the Springfield Town Planning Scheme 1959 and amendments thereto;

AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Variation Order No. 06-42 be granted subject to the following conditions:

1. That the applicant obtains a building permit for the accessory building and the permit fees be doubled.

CARRIED (5-0)

Variance No. 06-43 - Blanche Habing

Purpose:

1. Lot 1 - To permit a site area & site width of 5 acres and 485 feet instead of the required 80 acres and 660 feet respectively;
2. Lot 1 - To permit the maintenance of a 10.15' x 11.5' accessory building (shed) having a front yard setback of 90.75 feet with a front yard projection (eaves) of 90.55 feet instead of the required 125 feet and 120 feet respectively;
3. Lot 1 - To permit the maintenance of a 14.1' x 20.15' accessory building (shed) having a front yard setback of 84.3 feet with a front yard projection (eaves) of 83.5 feet instead of the required 125 feet and 120 feet respectively;
4. Lot 1 - To permit the maintenance of the 14.1' x 20.15' and the 10.15' x 11.5' accessory buildings (sheds) having a separation distance of 3.35 feet instead of the required 10 feet;
5. Lot 1 - To permit the maintenance of a 9.5' x 12.1' accessory building (shed) having a front yard setback of 90.15 feet with a front yard projection (eaves) of 89.15 feet instead of the required 125 feet and 120 feet respectively;
6. Lot 1 - To permit the maintenance of a 7.4' x 9.6' accessory building (shed) having a front yard setback of 66.15 feet with a front yard projection (eaves) of 65.55 feet instead of the required 125 feet and 120 feet respectively;
7. Lot 1 - To permit the maintenance of a 16.2' x 24.25' accessory building (shed) having a side yard setback of 3.15 feet with a side yard projection (eaves) of 2.15 feet instead of the required 25 feet and 15 feet respectively;
8. Lot 2 - To permit a site area of 8.26 acres instead of the required 80 acres; within the "A" Rural & Agricultural District.(re: subdivision 4189-05-5051)

Representations:

In Support:	Clifford Habing Blanche Habing
Opposed:	None

The Development Officer read his report.

06-449 PAULISHYN  
BODNARUK

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Blanche Habing, owner, for a variation of the Springfield Zoning By- Law #85-26 and amendments thereto;

AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Variation Order No. 06-43 be granted subject to the following conditions:

- 1 This Order shall come into force and take effect on the date of registration of a final certificate of approval on the matter of subdivision application No. 4189-05-5051.

CARRIED (5-0)

Variance No. 06-44 - Brian Woods

Purpose: To permit the construction of a 20' x 14' attached sunroom, to a pre-existing non-conforming single-family dwelling, having a separation distance of 6.5 feet between the existing detached garage instead of the required 10 feet, within the "C1" General Commercial District.

Representations:

In Support:	Brian Woods
Opposed:	None

The Development Officer read his report.

06-450 LALONDE  
OSIOWY

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Brian Woods, owner, for a variation of the Springfield Town Planning Scheme 1959 and amendments thereto;

AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Variation Order No. 06-44 be granted subject to the following conditions:

- 1. none

CARRIED (5-0)

Variance No. 06-45 - Dave Radey obo Richard Radey

Purpose: To permit the construction of an accessory building (24' x 30' detached garage) having a front yard setback of 65 feet instead of the required 125 feet, within the "A20" Limited Agricultural District.

Representations:

In Support:	Richard Radey
Opposed:	None

The Development Officer read his report.

06-451 OSIOWY  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Dave Radey on behalf of the owner Richard Radey for a variation of the Springfield Zoning By-Law #85-26 and amendments thereto;

AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Variation Order No. 06-45 be granted subject to the following conditions:

- 1. none

CARRIED (5-0)

Subdivision No. 4189-06-5085 - Jeffrey Van Ryssel

Intent: To subdivide a 14.8-acre parcel from a 76-acre holding for rural residential purposes.

Representations:

In Support: None

In Opposition: None

WHEREAS Jeffrey Van Ryssel, owner, has applied to subdivide a 14.8-acre parcel from a 76-acre holding for rural residential purposes in an area designated Agricultural Preserve;

BE IT RESOLVED THAT application for subdivision No. 4189-06-5085 be approved subject to the following conditions:

- 1. Payment of requisite fees (Administration Fee);
- 2. That all required variation orders be obtained, if required;
- 3. That the balance of CT #1936756 be consolidated into a single title with all those lands described in CT#1936765.
- 4. That the developer enters into development agreement pertaining to any road upgrades and drainage, if required.

CARRIED (5-0)

ADJOURNMENT

PAULISHYN That this meeting stands adjourned the time being 8:40 p.m. CARRIED (5-0)

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John D. Holland  
Reeve

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D. I. Donaghy  
Chief Administrative Officer