

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

WEDNESDAY, AUGUST 12th, 2009

Present: Reeve Peter Skrupski
Councillor Bob Bodnaruk
Councillor Karen Lalonde
Councillor Ken Lucko
Laurent Tétrault, CAO
Randall Znamirovski, CFO
Dan Doucet, Development Officer

Absent: Councillor Brian Thompson
Councillor Lorne Vaags

Reeve Skrupski called the meeting to order at 6:30 p.m.

AGENDA

09-385 SKRUPSKI BE IT RESOLVED THAT the Agenda be amended as follows:
BODNARUK Add: 1. Zoning Agreement - R & M Penner Holdings Ltd.
2. By-law 08-20 - R & M Penner Holdings Ltd. (3rd
reading)
3. Q Collaborations
4. Gunn Road Project
5. Defer 9.7 - Meeting Delegation
6. Defer 9.1 - Appointment of Auditor
7. Defer 7.1 & 7.5 - Speed Restrictions & Engine
Retarder Brakes
8. July 9 Delegation
9. Development Agreement - R & M Penner Holdings
Ltd.
10. Ward Works
11. Fundraising supper
12. Blackberry
13. In Camera CARRIED (4-0)

MINUTES

09-386 SKRUPSKI WHEREAS the minutes of the Council meeting held July 8,
BODNARUK 2009 have been previously distributed to Council;
BE IT RESOLVED THAT the same be and are hereby amended
as follows:
1. Change Page 21 - Vote 3-2 (09-369) Asphalt Plant
2. Change Page 19 - Speed Restrictions should be Hunter
Road CARRIED (4-0)

09-387 SRKUPSKI WHEREAS the minutes of the Special Council meeting held
LUCKO July 22, 2009 have been previously distributed to
Council;
BE IT RESOLVED THAT the same be and are hereby amended
as follows:
1. Change Page 2 - 09-384 recorded vote requested by
Councillor Lucko CARRIED (4-0)

DELEGATION

Patricia Rivard, a resident on Pine Ridge Road, attended Council in opposition to the temporary asphalt plant. Ms. Rivard presented a previous petition as well as a revised petition and requested that an agreement be entered into prior to the plant being set up.

STANDING COMMITTEE REPORT

Animal Control - Reports for the month of June and July 2009 received as information.

UNFINISHED BUSINESS

Subdivision Policy

Councillor Bodnaruk advised that he would like the subdivision policy discussed at the next Economic Development and Planning meeting in regards to people waiting years for subdivisions.

ATV Signage

09-388 BODNARUK BE IT RESOLVED THAT Council authorize the use of
SKRUPSKI \$1,000.00 from Ward 1 Ward Appropriation to erect 4
signs to deter unauthorized off road vehicle use in
Ward 1. CARRIED (4-0)

PUBLIC HEARINGS UNDER THE PLANNING ACT

Variance 09-51 - Kevin & Lynn MacDonald - SE 2-12-5E

Purpose: To permit the establishment of a hair salon business on the land, as a "Home Occupation" in the existing single-family dwelling, within the "A20" Limited Agricultural Zoning District.

Representations:

In Support: Kevin & Lynn MacDonald

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-389 SKRUPSKI WHEREAS a Public Hearing has been conducted under The
LUCKO Planning Act to consider an application filed by the
owners Kevin & Lynn MacDonald (Lot 2 Plan 45830 within
SE ¼ 2-12-5E) for a variation of the Springfield Zoning
By-law No. 85-26 as amended;
AND WHEREAS Council is satisfied that the requirements
of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Variation Order No. 09 - 51 be granted subject to the following conditions:

1. All business activities shall be conducted within the existing dwelling.
2. 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 6:00 p.m. on Saturdays (excluding Public Holidays).
3. Not more than one advertising sign shall be displayed on the land and the size of the sign permitted shall not exceed 6 square feet in total area.
4. Approval is required from the Environmental Health Officer, prior to opening to the public.
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 (4-0)

Variance 09-52 - Robert & Susan Bulman - NW 5-11-7E

Purpose: To permit the construction of a 16'x 24' accessory building (detached garage) having a West side yard setback of 30 feet instead of the required 50 feet, as per registered Building Restriction & Development Agreement.

Representations:

In Support: Robert Bulman
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-390 LUCKO
LALONDE

WHEREAS a Public Hearing has been conducted to consider an application filed by the owners Robert & Susan Bulman (Lot 9 Block 2 Plan 13908 within NW ¼ 5-11-7E) for an amendment to Clause 4.10 of registered Building Restriction & Development Agreement;

BE IT RESOLVED THAT Variation Order No. 09 - 52 be granted subject to the following conditions:

1. The use of the proposed accessory building shall be limited to the keeping of personal goods, supplies and personal vehicles, unless an application is made to utilize the proposed accessory building to accommodate for a "Home Occupation".

CARRIED (4-0)

Variance 09-54 - George Chuckry, Olga Chuckry and Mary Chuckry - NE 11-12-4E

Proposal: To permit the construction of a permanent single-family dwelling on the land as a staff dwelling under Section 7.2.2(a)(ii), within the "A20" Limited Agricultural Zoning District.

Representations:

In Support: George Chuckry
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-391 BODNARUK
SKRUPSKI

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners George Chuckry, Olga Chuckry and Mary Chuckry (Lot 1 Plan 28318 within NE ¼ 11-12-4E) for a variation of the Springfield Zoning By-Law No. 85-26 as amended; AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met; BE IT RESOLVED THAT Variation Order No. 09 - 54 be granted. CARRIED (4-0)

Variance 09-55 - Robert & Marthe Hoehn - SE 3-10-4E

Purpose: To permit the construction of a 32'x 42' accessory building (metal-clad storage building) prior to the erection of the main dwelling, within the "RA" Suburban District.

Representations:

In Support: Robert Hoehn
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-392 BODNARUK
SKRUPSKI

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Robert & Marthe Hoehn (Lot 1 Block 3 Plan 17535 within SE ¼ 3-10-4E) for a variation of the Springfield Town Planning Scheme By-law No. 1575 & 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. 09 - 55 be granted subject to the following conditions:
1. The use of the proposed accessory building shall be limited to the keeping of personal goods, supplies and personal vehicles. CARRIED (4-0)

Variance 09-56 - Abrams George Tweed Wawrykow c/o
Dennis Wawrykow on behalf of Peter Post, Orville Post
and Margaret Post - NW 36-12-5E

Purpose: To permit the maintenance of the existing
12.3'x 24.2' wood shed having a North side
yard setback of zero feet instead of the
required 25 feet, within the "A" Rural &
Agricultural Zoning District.

Representations:

In Support: Dennis Wawrykow
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the
meeting.

09-393 SKRUPSKI
LUCKO

WHEREAS a Public Hearing has been conducted to consider
an application filed by Abrams George Tweed Wawrykow
c/o Dennis Wawrykow on behalf of the owners Peter Post,
Orville Post and Margaret Post (Lot 1 Plan 37971 within
NW ¼ 36-12-5E) for a variation of the Springfield
Zoning By-Law No. 85-26 as amended;
AND WHEREAS Council is satisfied that the requirements
of Sections 94, 96 and 97 have been met;
BE IT RESOLVED THAT Variation Order No. 09 - 56 be
granted. CARRIED (4-0)

Variance 09-57 - Lloyd & Geri Mozel - SE 6-11-7E

Purpose: To permit the establishment of a Small Animal
(household pets) Grooming & Bathing business
on the land, as a "Home Occupation" in the
existing accessory building, within the "A"
Rural & Agricultural District.

Representations:

In Support: Lloyd & Geri Mozel
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the
meeting.

09-394 LUCKO
LALONDE

WHEREAS a Public Hearing has been conducted under The
Planning Act to consider an application filed by the
owners Lloyd & Geri Mozel (Lot 13 Plan 17916 within SE
¼ 6-11-7E) for a variation of the Springfield Zoning
By-Law No. 85-26 as amended;
AND WHEREAS Council is satisfied that the requirements
of Sections 94, 96 and 97 have been met;
BE IT RESOLVED THAT Variation Order No. 09 - 57 be
granted subject to the following conditions:

1. All business activities shall be conducted within the existing building.
2. Business activities shall be limited to the hours of 7:00 a.m. to 8:00 p.m., Monday to Friday and 8:00 a.m. to 6:00 p.m. on Saturdays (excluding Public Holidays).
3. Not more than one advertising sign shall be displayed on the land and the size of the sign permitted shall not exceed 6 square feet in total area.
4. That the owners shall apply for a change in use permit for the existing second dwelling to be converted to an accessory building.
5. The Home Occupation shall be owned and operated by the member(s) of the family residing at the dwelling unit with a maximum of two on-site employees.
6. 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 (4-0)

Variance 09-58 - Artur & Marina Schmidt - SE 3-10-4E

Purpose: To permit the construction of a 1377 sq. ft. accessory building (detached shop) having a front yard setback of 60 feet instead of the required 125 feet, as per registered Development Agreement under Caveat #2141471.

Representations:

In Support: Artur & Marina Schmidt
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-395 BODNARUK
SKRUPSKI

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Artur & Marina Schmidt (Lot 1 Block 1 Plan 45559 within SE ¼ 3-10-4E) for an amendment to Clause 8.2.j) of registered Development Agreement;

BE IT RESOLVED THAT Variation Order No. 09 - 49 be granted subject to the following conditions:

1. The use of the proposed accessory building shall be limited to the keeping of personal goods and supplies and personal vehicles, unless an application is made to utilize the proposed accessory building to accommodate for a "Home Occupation".
2. The proposed accessory building shall not be permitted for the housing of animals.

CARRIED (4-0)

Variance 09-59 - Allan & Carrie Rayner - SE 28-11-4E

Purpose: To permit the construction of a 24'x 24' accessory building (detached garage) having an East side yard setback of 10 feet instead of the required 25 feet, within the "A" Rural District.

Representations:

In Support: Allan & Carrie Rayner
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-396 SKRUPSKI
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Allan & Carrie Rayner (Lot 1 Plan 36559 within SE ¼ 28-11-4E) for a variation of the Springfield Town Planning Scheme By-law 1575 & 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. 09 - 59 be granted subject to the following conditions:

1. The use of the proposed accessory building shall be limited to the keeping of personal goods and supplies and personal vehicles, unless an application is made to utilize the proposed accessory building to accommodate for a "Home Occupation".
2. If there are any problems with drainage along the east property limits at any time, as determined by the Development Officer, the owner shall be responsible to construct and maintain the common swales. If a drainage swale is required, the swale design and construction shall be reviewed and approved by the Public Works Department.

CARRIED (4-0)

Variance 09-60 - James Mojelsky & Linda Ireland - NW 2-12-6E

Purpose: To permit the establishment of a vehicle sales business on the land, as a "Home Occupation", within the "A" Rural & Agricultural District.

Representations:

In Support: James Mojelsky & Linda Ireland
In Opposition: None

For Information: Ernest Spewak

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-397 LALONDE
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners James Mojelsky & Linda Ireland (Pt NW ¼ 2-12-6E) for a variation of the Springfield Zoning By-law 85-26 as amended;

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

BE IT RESOLVED THAT Variation Order No. 09 - 60 be granted subject to the following conditions:

1. The vehicle sales business shall be limited to the purchase and sale of used passenger vehicles only.
2. The maximum number of passenger vehicles for sale on site at any one time shall be limited to six (6) vehicles.
3. A maximum of two passenger vehicles may be put on display for sale in the front yard of the site.
4. The passenger vehicles that are for sale shall be parked or stored at the side or rear of the dwelling unit.
5. Not more than one advertising sign shall be displayed on the land and the size of the sign permitted shall not exceed 4.0 square feet in total area and shall not be illuminated.
6. 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 6:00 p.m. on Saturdays (excluding Public Holidays).
7. This order shall expire and become null and void on the date the land is transferred by the owner or business ceases to be in operation.

CARRIED (4-0)

Variance 09-61 - Barry, Christianne & Jeff Taras - NW 31-11-5E

Purpose: To permit a temporary second dwelling (mobile home) as a reverse granny flat, on an existing yard site providing living assistance & accommodations for the son (Mr. Jeff Taras), within the "A" Rural District.

Representations:

- In Support: Barry Taras
Christianne Taras
- In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-398 BODNARUK
SKRUPSKI

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Barry, Christianne & Jeff Taras (Pt NW ¼ 31-11-5E) for a variation of the Springfield Town Planning Scheme By-law No. 1575 & 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. 09 - 61 be granted subject to the following conditions:

1. That immediate family member, Mr. Jeff Taras, shall only occupy the temporary second dwelling (mobile home) and shall be removed from the site, when it is no longer occupied by Mr. Jeff Taras.
2. That the mobile home be serviced by a holding tank for sewage disposal and approved by Manitoba Conservation.
3. That the second dwelling (mobile home) shall be considered temporary and for occupancy only as a garden apartment or granny flat as described in Springfield Development Plan 1998.
4. That this order shall expire and become null and void December 31, 2014.

CARRIED (4-0)

Subdivision 4189-09-5315 - Rural Municipality of
Springfield - SE 4-11-5E

Intent: To subdivide the approximate 7.26-acre parcel into four (4) parcels. Parcel A - 3.86 (+/-) acres (proposed development of seniors' housing) Parcel B - 1.35 (+/-) acres (existing municipal library) Parcel C - 0.43 (+/-) acres (proposed 60-foot right of way) Parcel D - 1.60 (+/-) acres (existing heritage house).

Representations: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-399 SKRUPSKI
LALONDE

WHEREAS the owner The Rural Municipality of Springfield (Lot 2 Block 1 Plan 16361 within SE ¼ 4-11-5E) have applied to subdivide an approximate 7.26-acre parcel into four (4) parcels. Parcel A-3.86 (+/-) acres (proposed development of seniors' housing) Parcel B - 1.35 (+/-) acres (existing municipal library) Parcel C - 0.43 (+/-) acres (proposed 60-foot right of way) Parcel D - 1.60 (+/-) acres (existing heritage house); BE IT RESOLVED THAT application for subdivision No. 4189-09-5315 be approved.

CARRIED (4-0)

BY-LAWS

By-law 09-09 - Organizational By-law

The by-law was deferred to investigate whether an organizational chart needs to be attached.

OTHER PLANNING MATTERS

Development Agreement - Premier Home Builders Ltd.

09-400 SKRUPSKI BE IT RESOLVED THAT Premier Home Builders Ltd. (SE 3
LALONDE -10-4E) be authorized to enter into a Development Agreement with the R.M. of Springfield;
AND BE IT FURTHER RESOLVED THAT the CAO and Reeve be authorized to sign the Development Agreement.
CARRIED (3-1)

Variance Extension Request

09-401 LUCKO WHEREAS Variation Order No. 08-73 will expire on
LALONDE September 3, 2009;
AND WHEREAS Walter & Helene Schmidt are requesting a one-year extension;
BE IT RESOLVED THAT Variance Order No. 08-73 be extended for one year. CARRIED (4-0)

Zoning Agreement - R & M Penner Holdings Ltd.

09-402 SKRUPSKI BE IT RESOLVED THAT R & M Penner Holdings Ltd. (SW 21
BODNARUK -10-4E) be authorized to enter into a Zoning Agreement with the R.M. of Springfield;
AND BE IT FURTHER RESOLVED THAT the CAO and Reeve be authorized to sign the Zoning Agreement.
CARRIED (4-0)

By-law 08-20 - R & M Penner Holdings Ltd.

09-403 BODNARUK BE IT RESOLVED THAT third and final reading be given to
SKRUPSKI By-law No. 08-20 being a by-law of the Rural Municipality of Springfield to rezone all that portion of Lot 44 Plan 433 which lies to the North East of the South Western limit of Public Road Plan 5394 exc firstly road plan 5394 and secondly road plan 28412 within SW ¼ 21-10-4E from "A" Rural District to "C2" Commercial District.

	For	Against	Absent	Abstain	Reason
Reeve	x				
Ward 1	x				
Ward 2	x				
Ward 3			x		
Ward 4	x				
Ward 5			x		

CARRIED (4-0)

UNFINISHED BUSINESS

Infrastructure Funding Resolution

Councillor Bodnaruk requested that Council pass a resolution regarding an increase in funding from the Federal Government for the FCM as was done for the AMM. He will bring forth a motion at a future meeting.

Wenzel Road

- 09-404 BODNARUK SKRUPSKI BE IT RESOLVED THAT Council approve chip seal on Wenzel Road starting at Hazelridge Road to 350 metres North with funding to come from Gas Tax Reserve.
CARRIED (4-0)

Purchase of Fire Truck

- 09-405 SKRUPSKI LUCKO BE IT RESOLVED THAT Council accept the recommendation of the Fire Chief and approve the purchase of a crew cab fire apparatus from Carriere Fire & Safety Ltd. for the price of \$284,200.00. Funds to come from the General Reserve (2009 Capital Budget is \$250,000.00)
CARRIED (4-0)

Consent Agenda

- 09-406 LALONDE LUCKO WHEREAS a consent agenda has been submitted consisting of 3 items;
BE IT RESOLVED THAT the said consent agenda be adopted as circulated.
CARRIED (4-0)

NEW BUSINESS

Springfield Kinsmen Youth Centre - Item to be discussed in camera.

Pandemic Planning

Councillor Lucko advised that Public Works has done some pandemic planning and that the CFO had hand sanitizers installed in all facilities. The CFO stated PCs should be able to be used for working at home. The CAO was asked to create a policy regarding staying at home if employee or their family is ill. To be discussed at Department Head meeting.

Accounts Payable

- 09-407 SKRUPSKI LALONDE WHEREAS disbursements have been reviewed for the period of July 23, 2009 to August 12, 2009;
BE IT RESOLVED THAT all accounts listed on the attached printout from cheque #126261 to #126401 totalling \$1,237,411.78 be approved for payment.
CARRIED (4-0)

Renovations to Evergreen Lodge

09-408 SKRUPSKI LUCKO BE IT RESOLVED THAT Council accept the recommendation of the Maintenance Coordinator and complete renovations at Evergreen Lodge in Dugald for a cost of \$10,168.00 plus taxes. CARRIED (4-0)

Reimbursement for Dust Control

09-409 BODNARUK SKRUPSKI WHEREAS Sedo Drive receives dust abatement from Manitoba Infrastructure and Transportation at a cost of \$200.00 per site; BE IT RESOLVED THAT the following residents receive 50% reimbursement for dust abatement costs: Joseph & Veronica Cormier Elsie Deger Kevin & Alanna Kull Karl & Madeleine Lang Patricia Sedo CARRIED (4-0)

Early Payment Tax Discount

A discussion took place regarding early payment tax discount. It was noted that there was no real benefit.

Notice to Rescind 09-369

Councillor Bodnaruk gave written notice to rescind Resolution of Council 09-369.

Public Building Reserve

Councillor Lucko requested a recorded vote.

09-410 SKRUPSKI LALONDE BE IT RESOLVED THAT up to \$200,000.00 of the 2008 Operating Surplus be transferred to the Public Building Reserve.

	For	Against	Absent	Abstain	Reason
Reeve	x				
Ward 1		x			
Ward 2	x				
Ward 3			x		
Ward 4		x			
Ward 5			x		

DEFEATED (2-2)

Regional Utility Reserve

09-411 SKRUPSKI LALONDE BE IT RESOLVED THAT up to \$35,000 of the 2008 Operating Surplus of the utility fund be transferred to the Regional Utility Reserve. CARRIED (4-0)

Dugald Utility Capital Fund - Item was deferred.

December 31, 2008 Financial Statement - Deferred to August 26 meeting.

January 31, 2009 Financial Statement - Deferred to August 26 meeting.

February 28, 2009 Financial Statement - Deferred to August 26 meeting.

Q Collaborations

09-412 LUCKO WHEREAS Resolution of Council No. 09-373 approved
LALONDE payment to Q Collaborations in the amount of \$54.00 per
hour for the development and administration of the 2009
Disaster Financial Assistance Claim;
AND WHEREAS it has been brought to the attention of
Council that an error was found upon invoicing;
BE IT RESOLVED THAT Resolution No. 09-373 be amended to
increase the hourly rate to \$63.00 per hour plus
mileage of \$0.49 per kilometre. CARRIED (4-0)

Gunn Road

09-413 BODNARUK BE IT RESOLVED THAT Council authorize the Reeve and CAO
SKRUPSKI to enter into a Memorandum of Understanding with the
City of Winnipeg for the reconstruction of Gunn Road
and that the Manager of Operations and Services or
delegate be authorized to represent the RM of
Springfield as a member of the technical and project
steering committees.
BE IT FURTHER RESOLVED THAT the Manager of Operations
and Services be authorized to approve the RM of
Springfield's share of up to \$900,000 in expenditures
for the project. The project is funded by a LID for
the Industrial Park. CARRIED (4-0)

Ward Works

Councillor Lucko advised that he was contacted by a
Ward 5 resident regarding a project that was not
started.

Vic Toews Fundraiser

09-414 LUCKO BE IT RESOLVED THAT Council be delegated to attend the
SKRUPSKI September 24, 2009 Vic Toews event. CARRIED (4-0)

Blackberry

Councillor Lucko requested a new blackberry as his
scrolling wheel works sporadically.

In Camera

09-415 SKRUPSKI BE IT RESOLVED THAT this meeting recess to in camera to
LUCKO discuss personnel and legal issues.
AND BE IT FURTHER RESOLVED THAT all matters shall
remain confidential until a report is made public.
CARRIED (4-0)

09-416 SKRUPSKI BE IT RESOLVED THAT this meeting reconvenes from in
LUCKO camera. CARRIED (4-0)

Adjournment

SKRUPSKI THAT this meeting stand adjourned the time being 10:30
p.m. CARRIED (4-0)

Peter Skrupski
Reeve

Laurent Tétrault
Chief Administrative Officer