

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

WEDNESDAY, DECEMBER 3<sup>rd</sup>, 2008

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Present: Reeve Peter Skrupski  
Councillor Bob Bodnaruk  
Councillor Karen Lalonde  
Councillor Brian Thompson  
Councillor Ken Lucko  
Councillor Lorne Vaags  
Laurent Tétrault, CAO  
Randall Znamirovski, CFO and Manager of  
Administration

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

**AGENDA**

08-592 SKRUPSKI THOMPSON BE IT RESOLVED THAT the Agenda be amended as follows:  
1. Dugald Seniors Housing - Unfinished  
2. Signing Authority - New Business  
3. Conduct of Council - New Business  
4. Betty Regula  
5. Council appointed Wellness Recreation Committee -  
New Business  
6. Federal Government - New Business  
CARRIED (6-0)

**MINUTES**

08-593 SKRUPSKI LALONDE WHEREAS the minutes of the Public Hearing held November 4, 2008 have been previously distributed to Council;  
BE IT RESOLVED THAT the same be and are hereby approved.  
CARRIED (6-0)

08-594 SKRUPSKI BODNARUK WHEREAS the minutes of the Council meeting held November 5 and November 12, 2008 have been previously distributed to Council;  
BE IT RESOLVED THAT the same be and are hereby amended as follows:  
November 5 - should say \$2,000.00 (not \$2,500.00) on page 2 in Ron Schuler's letter  
CARRIED (6-0)

**UNFINISHED BUSINESS**

LSL Aggregate

A request from LSL Contracting & Materials to extend their gravel purchasing contract in NW 24-11-7E was discussed. Prices to be negotiated.

Seniors Housing

Councillor Vaags met with representatives of North Eastman Health Association and advised that they would like to start construction in April of 2009. Locations for the new building were discussed.

**DELEGATIONS**

Valerie Ralke, met with Council on behalf of the Anola Community Expansion Committee to request an extended deadline for matching donations.

08-595 LUCKO  
LALONDE

BE IT RESOLVED THAT Council extend the Anola Community Club Expansion project fundraising deadline to December 31, 2009 from December 31, 2008 for a maximum matched amount of \$175,000.00. CARRIED (6-0)

**PUBLIC HEARINGS UNDER THE PLANNING ACT**

Variance 08-89 - Andrew Scott - SE 21-11-7E

Purpose: To permit a temporary second dwelling (mobile home) on an existing yard site providing accommodation for owner's parents, within the "A" Rural & Agricultural District. (Variation Order No. 03-34 expires December 31<sup>st</sup>, 2008)

Representation: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-596 LUCKO  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner Andrew Scott (Pt SE ¼ 21-11-7E) for a variation of the Springfield Zoning By-law No. 85-26 & 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. 08 - 89 be granted subject to the following conditions:

1. That immediate family members, Mr. David and/or Colleen Vander Aa, shall only occupy the temporary second dwelling (mobile home).
2. That the temporary second dwelling (mobile home) be removed from the site, when no longer occupied by Mr. David and/or Colleen Vander Aa.
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, 2013. CARRIED (6-0)

Variance 08-90 - Roland Hofer on behalf of 3215580 Manitoba Ltd. - NE 27-11-6E

Purpose: 1. Proposed Lot 4 - To permit the maintenance of the existing single-family dwelling having a rear yard setback of 19 feet instead of the required 25 feet;  
2. Proposed Lot 4 - To permit the maintenance of the existing 24.2'x 24.3' detached garage having a side yard setback of 2.8 feet instead of the required 25 feet, and  
3. Proposed Lot 4 - To permit the maintenance of the existing single-family dwelling & the 24.4'x 24.3' detached garage having a separation distance of 6 feet instead of the required 10 feet.  
within the "RR5" Rural Residential Zoning District. (re: subdivision 4189-07-5209)

Representation:

In Support: Roland Hofer  
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-597 THOMPSON  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Roland Hofer on behalf of the owner 3215580 Manitoba Ltd. (Pt NE ¼ 27-11-6E) for a variation of the Springfield Zoning By-law No. 85-26 & 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. 08 - 90 be granted subject to the following condition:  
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. 4189-07-5209. CARRIED (6-0)

Variance 08-91 - Hoeschen & Sloane Law Office on behalf of Waldemar & Ella Schmidt - SE 4-11-8E

Purpose: 1. Proposed Lot 1 - To permit an approximate site area of 10 (+/-) acres and an approximate site width of 527.83 (+/-) feet instead of the required 80 acre and 660 feet respectively, and  
2. Residual - To permit an approximate site area of 36.51 (+/-) acres instead of the required 80 acres.  
within the "A" Rural & Agricultural Zoning District. (re: subdivision 4189-08-5232)

Representation: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-598 LUCKO THOMPSON

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Hoeschen & Sloane Law Office on behalf of the owners Waldemar & Ella Schmidt (Pt SE ¼ 4-11-8E) for a variation of the Springfield Zoning By-Law No. 85-26 & 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. 08 - 91 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. 4189-08-5232. CARRIED (6-0)

Variance 08-92 - Helene Savard & Doug Sawatzky - NE 32-11-5E

Purpose: To permit a horse boarding business on the land as a "Home Occupation" (keeping of eight (8) horses, 4 Livestock Waste Units) within the "A" Rural District.

Representation:

In Support: Helene Savard  
Doug Sawatzky

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-599 BODNARUK VAAGS

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Helene Savard & Doug Sawatzky (Lot 1 Plan 37701 within NE ¼ 32-11-5E) 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. 08 - 92 be granted subject to the following conditions:

- 1. No livestock shall be permitted on the land other than up to a maximum of four (4) livestock waste units, 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. This variance order shall expire if not acted upon within 12 months. CARRIED (6-0)

Variance 08-93 - Barry & Angela Enns - NE 25-11-4E

Purpose: To permit a horse boarding business on the land as a "Home Occupation" (keeping of eight (8) horses, 4 Livestock Waste Units) within the "A" Rural District.

Representation:

In Support: Barry & Angela Enns

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-600 BODNARUK  
VAAGS

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Barry & Angela Enns (Lot 2 Plan 46149 within NE ¼ 25-11-4E) 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. 08 - 93 be granted subject to the following condition:

1. No livestock shall be permitted on the land other than up to a maximum of seven and one half (7.5) livestock waste units, 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. This variance order shall expire if not acted upon within 12 months.

CARRIED (6-0)

Variance 08-94 - Real Denis on behalf of 4961723 Manitoba Ltd. - NE 20-10-4E

Purpose: 1. Proposed Lot 3 - To permit the maintenance of the existing 12.33'x 10.33' utility shed having a side yard setback of 14.59 feet instead of the required 25 feet.  
2. Proposed Lot 4 - To permit the maintenance of the existing 50.19'x 97.80' commercial building having a side yard setback of 19.98 feet instead of the required 25 feet.  
3. Proposed Lot 4 - To permit the maintenance of the existing 10.46'x 12.40' metal shed having a side yard setback of 20.80 feet instead of the required 25 feet, within the "C2B" Commercial Planned Building Group District. (re: subdivision 4189-08-5218)

Representation: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-601 BODNARUK  
VAAGS

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Real Denis on behalf of the owner 4961723 Manitoba Ltd. (Pt Block 82 Plan 433 within NE ¼ 20-10-4E) 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. 08 - 94 be granted subject to the following condition:

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. 4189-08-5218. CARRIED (6-0)

Variance 08-95 - Brad & Joyce Kirsch - NW 22-11-5E

Purpose: To permit the establishment of a hair salon business on the land as a "Home Occupation" within the existing single-family dwelling, within the "RA" Suburban District.

Representation:

- In Support: Brad & Joyce Kirsch
- In Opposition: None

The Development Officer read his report.

The Chair deferred the variance to January 7, 2009.

Variance 08-96 - R & B Properties on behalf of Lesley Battison - NW 34-11-4E

Purpose: To permit the construction of an approximate 4,142 (+/-) square foot addition to the pre-existing non-conforming single-family dwelling having a front yard setback of 56.5 (+/-) feet and a corner side yard setback of 53.8 (+/-) feet instead of the required 125 feet respectively, within the "A" Rural District.

Representation:

- In Support: R & B Properties
- In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-602 BODNARUK  
VAAGS

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by R & B Properties on behalf of the owner Lesley Battison (Parcel E Plan 10537 within NW 34-11-4E) 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. 08 - 96 be granted. CARRIED (6-0)

Variance 08-98 - Wayne & Irma Barnett - NE 13-12-5E

Purpose: 1. To permit the construction of a 30.2'x 50.5' addition to the existing agricultural building (barn).  
2. To permit the construction of a 72'x 190' riding arena (fabric arch building).  
3. To permit a dressage training & boarding establishment on the land as a home occupation, having a site area of 19.88 acres and site width of 330.08 feet instead of the required 20 acres and 660 feet respectively, within the "A20" Limited Agricultural District. (Variation Order No. 07-42 expired August 1<sup>st</sup>, 2008)

Representation:

In Support: Wayne Barnett  
In Opposition: None  
For Information: Jess Cockerill  
Cliff Carlson

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-603 THOMPSON  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Wayne & Irma Barnett (Lot 1 Plan 23219 within NE ¼ 13-12-5E) for a variation of the Springfield Zoning By-law No. 85-26 & 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. 08 - 98 be granted subject to the following condition:

1. No livestock other than horses shall be permitted on the land.
2. No livestock shall be permitted on the land other than up to a maximum of 8.0 livestock waste units, which are to be kept no closer than 100 feet to any well or septic field.
3. No horses shall be permitted or be allowed to remain in the front yard limits of the land.

- 4. 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.
- 5. Variation Order 08-98 replaces Variation Order 97-56 & 07-42. CARRIED (5-1)

Subdivision 4189-08-5262 - Mark & Sheila Stupak - NW 12-12-4E

Intent: To subdivide the approximate 30-acre holding into two (2) equal lots for rural residential purposes.

Representation:

In Support: Vern Stupak  
 In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-604 BODNARUK  
 VAAGS

WHEREAS the owners Mark & Sheila Stupak (SP Lot 15 Plan 18015 within NW 12-12-4E) have applied to subdivide an approximate 30-acre holding into two (2) equal lots for rural residential purposes;

BE IT RESOLVED THAT application for subdivision No. 4189-08-5262 be approved subject to the following conditions:

- 1. That the front 100 feet of the entire lot be dedicated as Public Road, as shown in schedule "A; attached.
- 2. Payment of requisite fees (administration, land dedication, capital levies fees),
- 3. That site area & site width variation orders be obtained,
- 4. That a Lot Grade Plan be prepared and sealed by a professional engineer and approved by the Public Works Dept., as per the municipal drainage policy; and any drainage improvements shall be constructed prior to the issuance of any building permits for the property.

CARRIED (6-0)

**BY-LAWS**

By-law 08-23 - Johnston - SE 3-11-5E

In Attendance:

In Support: None  
 In Opposition: Roger Laplume  
 Kelvin Shirtliff

For Information: Garry Brown

08-605 VAAGS  
 BODNARUK

BE IT RESOLVED THAT second reading be given to By-law No. 08-23 being a by-law of the Rural Municipality of Springfield to rezone SP Lot 6 Plan 17808 within SE ¼

3-11-5EPM from "M1" Light Industrial District to "C2"  
Highway Commercial District. CARRIED (6-0)

Subdivision Condition Removal - 4189-07-5208

In Attendance:

In Support: Garry Brown  
Valeria Boitiu  
In Opposition: None

08-606 SKRUPSKI THOMPSON BE IT RESOLVED THAT Resolution No. 08-355 be rescinded.  
CARRIED (5-1)

Building Restriction Agreement - 4189-08-5219

08-607 VAAGS BODNARUK BE IT RESOLVED THAT Robert and Gladys Cook be authorized to enter into a Building Restriction Agreement with the R.M. of Springfield for the area within Part NE ¼ 32-10-6E;  
AND BE IT FURTHER RESOLVED THAT the CAO and Reeve be authorized to sign the Building Restriction Agreement.  
CARRIED (6-0)

Zoning Agreement - 5498075 Manitoba Ltd.

08-608 BODNARUK VAAGS BE IT RESOLVED THAT 5498075 Manitoba Ltd. (Industrial Trail Sales Ltd.) 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 (6-0)

**BY-LAWS CONT'D**

By-law 08-24 - Public Drain - SE 32-10-6E

08-609 VAAGS BODNARUK BE IT RESOLVED THAT first reading be given to By-law 08-24 being a by-law of the Rural Municipality of Springfield to open a Public Drain across part of SE ¼ 32-10-6EPM.  
CARRIED (6-0)

By-law 08-25 - Public Drain - E ½ 8 and 17-11-5E

08-610 VAAGS BODNARUK BE IT RESOLVED THAT first reading be given to By-law No. 08-25 being a by-law of the Rural Municipality of Springfield to open a Public Drain across part of E ½ 8 and 17-11-5EPM.  
CARRIED (6-0)

By-law 08-26 - Public Drain - N ½ 8-10-5E

08-611 VAAGS BODNARUK BE IT RESOLVED THAT first reading be given to By-law No. 08-26 being a by-law of the Rural Municipality of Springfield to open a Public Drain across part of N ½ 8-10-5EPM.  
CARRIED (6-0)

By-law 08-27 - Public Drain - NW 3-10-5E

08-612 VAAGS BE IT RESOLVED THAT first reading be given to By-law  
BODNARUK No. 08-27 being a by-law of the Rural Municipality of  
Springfield to open a Public Drain across part of NW ¼  
3-10-5EPM. CARRIED (6-0)

By-law 08-28 - Public Drain - N ¼ and W ½ 19-11-7E

08-613 VAAGS BE IT RESOLVED THAT first reading be given to By-law  
BODNARUK No. 08-28 being a by-law of the Rural Municipality of  
Springfield to open a Public Drain across part of N ¼  
18 and W ½ 19-11-7EPM. CARRIED (6-0)

By-law 08-29 - Public Drain - NW 34-10-5E

08-614 VAAGS BE IT RESOLVED THAT first reading be given to By-law  
BODNARUK No. 08-29 being a by-law of the Rural Municipality of  
Springfield to open a Public Drain across part of NW ¼  
34-10-5EPM. CARRIED (6-0)

Consent Agenda

08-615 SKRUPSKI WHEREAS a consent agenda has been submitted consisting  
THOMPSON of 11 items;  
BE IT RESOLVED THAT the said consent agenda be adopted  
as circulated. CARRIED (6-0)

**NEW BUSINESS**

Reconsideration of Resolution 08-569

(08-569)BODNARUK WHEREAS there is only one main source of funding for  
VAAGS infrastructure or services;  
AND WHEREAS the taxes collected must satisfy all the  
municipal needs;  
BE IT RESOLVED THAT the attached survey be sent to all  
ratepayers in the R.M. of Springfield to determine the  
direction for the current and future municipal  
councils. CARRIED (4-2)

Councillor Bodnaruk requested a recorded vote.

08-616 LALONDE BE IT RESOLVED THAT Resolution No. 08-569 be rescinded.  
THOMPSON

	For	Against	Absent	Abstain	Reason
Reeve	x				
Ward 1		x			
Ward 2	x				
Ward 3	x				
Ward 4		x			
Ward 5	x				CARRIED (4-2)

Ward 4 Appropriation

08-617 LUCKO SKRUPSKI BE IT RESOLVED THAT \$2,000.00 of the 2008 Ward 4 Ward Appropriation be reprioritized to the Anola Over 50 Club Building Fund and Anola Community Club Expansion Project (\$1,000.00 each) and \$2,000.00 for railings for Colony Road Bridge. CARRIED (6-0)

Kin Canada Magazine - Received as information.

Garven Road Culvert and Ditch Modification

Received as information. Public Works will monitor the drainage in the area.

Red River Basin Commission

08-618 SKRUPSKI LUCKO BE IT RESOLVED THAT the funding for the 2009 Red River Basin Commission Program in the amount of \$3,247.50 be approved and further that payment be made upon request. CARRIED (6-0)

Silent Auction Prizes

Council was reminded to bring their donations to the office for the silent auction.

Credit Cards

08-619 LUCKO BODNARUK BE IT RESOLVED THAT Council authorizes a municipal credit card for the following people:  
Blaine Moffat  
Grant Sellen  
Ray Janzen  
Terry DeSousa  
Colleen Draper  
Tony Zerucha  
Richard Faucher CARRIED (5-1)

Signing Authority

08-620 SKRUPSKI THOMPSON BE IT RESOLVED THAT Deputy Reeve Lorne Vaags be added to the signing authority for the R.M. of Springfield and Councillor Brian Thompson be removed due to the change in Deputy Reeve. CARRIED (5-1)

Conduct of Council

Concerns from Councillor Bodnaruk were discussed.

Betty Regula

The history of the ecological zoned property was discussed.

Wellness Committee

Reeve Skrupski asked Council to submit names for the Fundraising Committee.

Federal Government

The impact of the potential coalition government was discussed.

Adjournment

SKRUPSKI

THAT this meeting stand adjourned the time being 10:45 p.m.

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Peter Skrupski  
Reeve

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Laurent Tétrault  
Chief Administrative Officer