

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

WEDNESDAY, FEBRUARY 4th, 2009

Present: Reeve Peter Skrupski
Councillor Bob Bodnaruk
Councillor Karen Lalonde
Councillor Brian Thompson
Councillor Ken Lucko
Councillor Lorne Vaags
Laurent Tétrault, CAO
Colleen Draper, Recording Secretary

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

AGENDA

09-65 SKRUPSKI BE IT RESOLVED THAT the Agenda be amended as follows:
BODNARUK Add: 1. Chairs
2. Vic Toews
3. Access to Municipal Solicitor
4. Council members - not returning phone calls
5. Hazelridge Arena
6. Audio taping council meetings
CARRIED (6-0)

MINUTES

09-66 BODNARUK WHEREAS the minutes of the Public Hearing held November
SKRUPSKI 18, 2008 have been previously distributed to Council;
BE IT RESOLVED THAT the same be and are hereby
approved. CARRIED (4-0)
2 ABSTENTIONS

Councillor Thompson and Councillor Vaags abstained from the vote as they were not present at the November 18 hearing.

09-67 SKRUPSKI WHEREAS the minutes of the Council meeting held January
THOMPSON 28, 2009 have been previously distributed to Council;
BE IT RESOLVED THAT the same be and are hereby
approved. CARRIED (5-0)
1 ABSTENTION

Councillor Lalonde abstained from the vote as she was not present at the January 28 meeting.

UNFINISHED BUSINESS

Water Retention - Edie Creek

Councillor Lucko reported that he would like to meet with Manitoba Hydro regarding the Edie Creek project. He would like to apply for funding for this project. Dugald Drainage and road repairs at Hillside Road and Waugh Road were also discussed as possible projects eligible for funding.

Consent Agenda

09-68 THOMPSON
LALONDE

WHEREAS a consent agenda has been submitted consisting of 10 items;
BE IT RESOLVED THAT the said consent agenda be adopted as circulated. CARRIED (6-0)

NEW BUSINESS

Pine Ridge Wildlife Foundation

Correspondence from the MLA regarding permission to keep raccoons at the Pine Ridge Wildlife Foundation was discussed. Approval would be required from the Province not the municipality.

Anola Community Club Update

Councillor Lucko reported on his meeting at the Anola Community Club regarding the club expansion. The group would consider splitting the project into phases. They have approximately \$448,000.00 raised through grants and donations however approximately \$600,000.00 is required for phase one. It was suggested that the municipality cover the fees for having engineered plans drawn up.

Association for Community Living

09-69 VAAGS
BODNARUK

BE IT RESOLVED THAT the R.M. of Springfield agrees to provide a grant of \$2,520.00 towards the Association for Community Living for 2009. CARRIED (6-0)

Request to Audio Tape

Councillor Lucko asked Peter Williams if he has audio taped, without permission, council meetings previous to January 28, 2009 council meeting and Mr. Williams answered that yes he had.

09-70 SKRUPSKI
VAAGS

WHEREAS Janet Nysten and Peter Williams have made application to audio tape all February Council meetings (February 4, 11 and 25);
AND WHEREAS Springfield Council requires 72 hours notification in advance in order to approve audio taping of council meetings;
AND WHEREAS the January 28 Council meeting was recorded without any notification or council approval;
THEREFORE BE IT RESOLVED THAT Janet Nysten's and Peter William's request to audio tape be denied.

CARRIED (5-1)

PUBLIC HEARINGS UNDER THE PLANNING ACT

Variance 09-02 - Mary Kirkwood on behalf of (Oakbank) United Church of Canada - 582 Balsam Cres. Oakbank

Purpose: To permit an accessory use of instruction of group music lessons in the existing church basement, within the "RA" Suburban District.

Representation:

In Support: Mary Kirkwood

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-71 THOMPSON
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Mary Kirkwood on behalf of the owner (Oakbank) United Church of Canada (Lot 26/28 Block 2 Plan 7777 within NE ¼ 21-11-5E) for a variation of the Springfield Town Planning Scheme 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 - 02 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 8:00 a.m. to 8:00 p.m., Monday to Friday and 8:00 a.m. to 5:00 p.m. on Saturdays (excluding Public Holidays).
3. No advertising sign shall be displayed on 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.

CARRIED (6-0)

Variance 09-03 - Aikins, MacAulay & Thorvaldson c/o Tasia Tracy on behalf of Courtney Anderson - 121 Maple Drive, Oakbank

Purpose: To permit a separation distance of 0.4 feet between the single-family dwelling and the 9.7'x 7.8' metal shed instead of the required 10 feet, within the "RA" Suburban District.

Representation: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-72 LALONDE
THOMPSON

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Akins MacAuley & Thorvaldson c/o Tasia Tracy on behalf of the owner Courtney Anderson (Lot 24 Block 4 Plan 13171 within SE ¼ 21-11-5E) for a variation of the Springfield Town Planning Scheme 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 - 03 be granted. CARRIED (6-0)

Variance 09-05 - R.M. of Springfield - SE 4-11-5E

Purpose: To permit a Municipal Public Library & Cultural Exhibit in the existing municipal building, within the "A" Rural District (under Section 97(2) of The Planning Act (Use Variance).

Representation: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

Reeve Skrupski requested a recorded vote.

09-73 VAAGS
SKRUPSKI

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner The Rural Municipality of Springfield (Lot 2 Block 1 Plan 16361 within SE ¼ 4-11-5E) for a variation of the Springfield Town Planning Scheme 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 - 05 be granted subject to the following conditions:

1. This order shall become null and void on the date that the new Zoning By-law No. 08-01 is adopted.
2. This order shall expire and become null and void within 5 years of the approval date of this variance order or when the land is transferred by the applicant or the business ceases to be in operation.

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

CARRIED (5-1)

Variance 09-06 - Leo & Lidia Guse - NE 31-12-6E

Purpose: To permit the establishment of a massage therapy practice business on the land, as a "Home Occupation" in the existing family-family dwelling, within the "A" Rural & Agricultural District.

Representation:

In Support: Leo & Lidia Guse

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-74 THOMPSON
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Leo and Lidia Guse (Lot 1 Plan 18389 within NE ¼ 31-12-6E) 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. 09 - 06 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 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. 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 (6-0)

Variance 09-07 - Doug Sawatzky & Helene Savard on behalf of Kurt & Anneliese Bakus - SE 25-11-4E

Purpose: To permit a horse boarding business on the land as a "Home Occupation" (keeping of seventeen (17) horses, 8.5 livestock waste units) within the "A" Rural District.

Representation:

In Support: Doug Sawatzky & Helene Savard

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-75 BODNARUK
VAAGS

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Doug Sawatzky and Helene Savard on behalf of the owners Kurt and Anneliese Bakus (SE ¼ 25-11-4E) for a variation of the Springfield Town Planning Scheme 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 - 07 be granted subject to the following conditions:

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 85 livestock waste units (17 horses) which are to be kept no closer than 100 feet to any well or septic field.
3. This order shall expire and become null and void on the date the land is transferred by the applicant (Doug Sawatzky and Helene Savard) or business ceases to be in operation.

CARRIED (6-0)

Variance 09-08 - Springfield Colony Co. Ltd. - NW 12-11-8E

- Purpose:
1. Proposed Lot 1 - To permit an approximate site area of 10.2 (+/-) acres instead of the required 80 acres,
 2. Proposed Lot 1 - To permit a separation distance of 5.9 feet between the 19.3'x 24.3' shed and the 8.7'x 16.4' shed instead of the required 10 feet, and
 3. Proposed Lot 1 - To permit a separation distance of 2.5 feet between the 19.3'x 24.3' shed and the 10.3'x 7.3' shed instead of the required 10 feet,
- within the "A" Rural & Agricultural Zoning District. (re: subdivision 4189-08-5243)

Representation:

In Support: Ruben Kleinsasser
Josh Wallmann

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-76 LUCKO
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner Springfield Colony Co. Ltd. (NW ¼ 12-11-8E) 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. 09 - 08 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. 4189-08-5243.

CARRIED (6-0)

Subdivision 4189-08-5272 - Hans & Sigrun Eysel and Robert Chernetz - NW 4-12-5E

Intent: To re-align the existing title boundaries by transferring 9.86 (+/-) acres from CT#1541664 and consolidating with CT#1522039 so that the re-aligned lots will be approximately 19.74 (+/-) acres for CT#1541664 and 39.49 (+/-) acres for CT#1522039;
(No new additional lots will be created)

Representation:

In Support: Hans & Sigrun Eysel
Robert Chernetz

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-77 VAAGS
BODNARUK

WHEREAS the owners Hans & Sigrun Eysel and Robert Chernetz (NW ¼ 4-12-5E) have applied to re-align the existing title boundaries by transferring 9.86 (+/-) acres from CT #1541664 and consolidating with CT #1522039 so that the re-aligned lots will be approximately 19.74 (+/-) acres for CT #1541664 and 39.49 (+/-) acres for CT #1522039; (No new additional lots will be created)

BE IT RESOLVED THAT application for subdivision No. 4189-08-5272 be approved subject to the following conditions:

1. Payment of requisite fees (administration).
2. Site area Variation Orders required for CT #1541664 allowing a site area of 19.74 acres(+/-).
3. A Surveyor's Building Location Certificate be prepared and submitted for both parcels showing location of all buildings and the waste water disposal systems in relation to the proposed lot lines.
4. Any other Variation Orders required as a result of the Surveyor's Building Location Certificate be obtained.

CARRIED (6-0)

Council took a short break.

NEW BUSINESS

Chairs

Councillor Lucko requested that Council consider purchasing new chairs for the council chambers. To be considered in the 2009 budget.

Vic Toews News Release

Councillor Lucko noted that Vic Toews would be holding a news release on Friday, February 6 at the Anola Community Club regarding infrastructure programs.

Access to Municipal Solicitor

Councillor Lucko noted that on a number of occasions he has not been able to get in touch with the municipal solicitor on urgent and time sensitive matters. The CAO will look into possibly getting an alternate contact ex. junior partner.

PUBLIC HEARINGS UNDER THE PLANNING ACT CONTINUED

BY-LAWS

By-law 09-01 - Rezoning - SE 4-11-5E

Representations: None

The Development Officer read his report.

Concerns with the proximity to the CN tracks and creation of a berm or installation of proper fencing was discussed.

The Chair closed the evidentiary portion of the meeting.

09-78	VAAGS BODNARUK	BE IT RESOLVED THAT second reading be given to By-law No. 09-01 being a by-law of the Rural Municipality of Springfield to rezone the most Westerly 352 feet of Lot 2 Block 1 Plan 16361WLTO within SE ¼ 4-11-5E from "A" Rural District to "R3" Multiple Family Dwelling District. CARRIED (6-0)
-------	-------------------	---

09-79	VAAGS BODNARUK	BE IT RESOLVED THAT third and final reading be given to By-law No. 09-01 being a by-law of the Rural Municipality of Springfield to rezone the most Westerly 352 feet of Lot 2 Block 1 Plan 16361WLTO within SE ¼ 4-11-5E from "A" Rural District to "R3" Multiple Family Dwelling District.
-------	-------------------	--

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

CARRIED (6-0)

By-law 09-03 - Rezoning - NE 23-12-5E

Representations: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-80 THOMPSON
LALONDE

BE IT RESOLVED THAT first reading be given to By-law No. 09-03 being a by-law of the Rural Municipality of Springfield to rezone Lot 2 Plan 18115 WLTO within NE ¼ 23-12-5E from "A" Rural & Agricultural District to "A20" Limited Agricultural District.

CARRIED (6-0)

NEW BUSINESS CONTINUED

Council Members

Councillor Lucko noted that he was unable to get in touch with council members regarding an urgent matter. He reminded council that they need to be able to be reached and be more available as part of their duties.

Hazelridge Arena

Councillor Thompson advised that Hazelridge Arena will not be going ahead with their plans for a new hall at the end of the existing rink. They would like to build a heated viewing area which is expected to cost \$65,000.00. Information to be forwarded to the Recreation Commission for consideration in the 2009 budget.

In Camera

09-81 SKRUPSKI
THOMPSON

BE IT RESOLVED THAT this meeting recess to in camera to discuss employee safety;
AND BE IT FURTHER RESOLVED THAT all matters shall remain confidential until a report is made public.

CARRIED (6-0)

09-82 SKRUPSKI
THOMPSON

BE IT RESOLVED THAT this meeting reconvenes from in camera.

CARRIED (6-0)

Adjournment

BODNARUK

THAT this meeting stand adjourned the time being 9:00
p.m.

Peter Skrupski
Reeve

Laurent Tétrault
Chief Administrative Officer