

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

TUESDAY, February 7th, 2006

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

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

AGENDA

06-51 HOLLAND BE IT RESOLVED THAT the Agenda be approved.
BODNARUK CARRIED (6-0)

MINUTES

06-52 LALONDE WHEREAS the minutes of the Council meeting held
OSIOWY January 17, 2006 have been previously distributed to
Council;
BE IT RESOLVED THAT the same be and are hereby
approved.
CARRIED (6-0)

REPORTS - ELECTED OFFICIALS

Councillor Lalonde reported on her attendance at Public Works Committee meeting on February 6.

Councillor Osiowy reported on his attendance at the Public Works Committee meeting on February 6, and the Economic Planning and Development Committee meeting on February 7.

Councillor Bodnaruk reported on his attendance at the Association for Rural Municipalities at the RM of MacDonald on February 2, his attendance at the GIS Seminar on February 3, and at the Public Works Committee meeting and the Recreation Study for the Floodway on February 6.

Councillor Shaver reported on his attendance at the GIS Seminar on February 3, Public Works Committee meeting on February 6, and the Economic Planning and Development Committee meeting on February 7.

Councillor Paulishyn reported on his attendance at the Association for Rural Municipalities at the RM of MacDonald on February 2, at the GIS Seminar on February 3, and the Public Works Committee meeting on February 6. He advised Council that Mr. Ron Funk from ERDI has tendered his resignation effective March 3.

Reeve Holland reported on his attendance at the Association for Rural Municipalities at the RM of MacDonald February 2, and at the GIS Seminar on February 3.

UNFINISHED BUSINESS

Eastman Regional Development Inc.

06-53 PAULISHYN
OSIOWY

WHEREAS the Manitoba Municipal Act Section 181 establishes authorized investments within which a municipality may invest;
AND WHEREAS Clause 181(2)(h) permits a municipality to invest units in pooled funds of all or any of the investments described in clauses (a) to (g);
BE IT RESOLVED THAT the RM of Springfield participate in the Eastman Regional Economic Development Fund as per the proposal presented January 2006, making an investment of \$5000 in 2006 and \$5000 in 2007.
AND BE IT FURTHER RESOLVED THAT the Reeve and CAO be authorized to execute the required agreement.

CARRIED (6-0)

CONSENT AGENDA

06-54 HOLLAND
BODNARUK

WHEREAS a consent agenda has been submitted consisting of 8 items;
BE IT RESOLVED THAT the said consent agenda be adopted as circulated.

CARRIED (6-0)

NEW BUSINESS

Springfield 4H District Council Request

06-55 PAULISHYN
BODNARUK

BE IT RESOLVED THAT the Springfield 4H District Council be given a grant of \$125.00.

CARRIED (6-0)

Councillor Shaver advised Council their attendance was requested at the 4H event on March 4 starting at 1:00 p.m.

Oakbank Fire Chief Performance

06-56 PAULISHYN
SHAVER

BE IT RESOLVED THAT the letter of February 2, 2006 from Red River Valley Mutual commending Fire Chief Mike Purtill and the Fire Department be forwarded to Chief Purtill with a letter from Council, and placed in Mike Purtill's performance file.

CARRIED (6-0)

Subdivision Agreement Re: Brounstein

Administration was directed to refer to legal council.

Council took a short break at 6:55 p.m. and reconvened at 7:00 p.m.

PUBLIC HEARINGS UNDER THE PLANNING ACT

Variance No. 06-01 - Mr. Oui Eung NE ¼ 17-10-4 E

Purpose: To permit an automotive repair business on the land as a "Home Occupation" with the "A" Rural District within an existing 1400 sq. ft. accessory building.

Representations:

In Support: Mr. Oui Eung
In Opposition: None

The Development Officer read his report.

06-57 SHAVER
BODNARUK

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Oui Eung on behalf of the owners Oui and Saihoa Eung for a variation of the Springfield Town Planning Scheme 1959 and amendments thereto;
AND WHEREAS Council is satisfied that the requirements of Section 55 (2) and 55 (3)(b) have been met;
BE IT RESOLVED THAT Variation Order No. 06-01 be deferred until September planning meeting.

CARRIED (6-0)

Variance No. 06-02 Mr. Derk Dewitt Owner: H.J.S. Wholesale Ltd. SW 15-11-4 EPM

Purpose: To permit the maintenance of an existing 9750 sq. ft. industrial warehouse building having a rear yard setback of 55.67 feet instead of the required 75 feet as per Development Agreement.

Representations:

In Support: Mr. Derk Dewitt
In Opposition: None

The Development Officer read his report.

06-58 BODNARUK
SHAVER

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Derk Dewitt on behalf of the owner H.J.S. Wholesale Ltd. for a variation of the Development Agreement;
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 - 02 be granted subject to the following conditions:

- 1. none.

CARRIED (6-0)

Conditional Use No. 06-01 Mr. Curt Janzen Lot 4 Plan
2243 within SE ¼ 4-12-5

Purpose: To permit the operation/home based business (automotive sales) on the land, other than those defined as "Home Occupation", within the "RR5" Rural Residential District.

Representations:

In Support: Mr. Curt and Mrs. Heather Janzen

In Opposition: None

Concerns Expressed: Ms. Heather Nykoluk

The Development Officer read his report.

06-59 SHAVER
PAULISHYN

WHEREAS Curt Janzen on behalf of the owners Curt and Heather Janzen has applied for a Conditional Use Order to permit the operation/home based business (automotive sales) on the land, other than those defined as "Home Occupation", within the "RR5" Rural Residential District;

AND WHEREAS Council is satisfied that the requirements of Sections 103, 105 and 106 have been met;

BE IT RESOLVED THAT Conditional Use Order No. 06 - 01 be granted subject to the following conditions:

1. No more than two (2) unregistered automobiles or trucks under GVW of less than 4526 kg (10,000 lbs.), offered for sale, shall be allowed at this location at any single time.
2. Tractor-trailers, heavy equipment or similar vehicles, and parts, or trucks over GVW of 4526 kg (10,000 lbs.) shall not be allowed for sale at this site.
3. No display of automobiles or trucks under GVW of less than 4526 kg (10,000 lbs.) being offered for sale, nor advertising signs, shall be permitted on public property.
4. No display of automobiles or trucks under GVW of less than 4526 kg (10,000 lbs.) being offered for sale shall be permitted within 50 feet of any road allowance.
5. Not more than one advertising sign shall be displayed on the land and the size of the sign permitted shall not exceed 4 square feet in total area.
6. The owner to obtain the necessary approvals from Transportation and Government Services, if required.
7. The business shall comply with all environmental and public health standards of the Province of Manitoba.
8. The business permits automobiles or trucks under GVW of less than 4526 kg (10,000 lbs.) being offered for sale, and shall not include automotive service uses, tow-truck operations, etc.

9. 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).

10. 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)

Subdivision No. 4189-03-4893 (Reconvene) - Mr. Kevin Gibbons SE 3-12-4

Intent: To subdivide the existing 7 acre holding into two rural residential lots. Proposed Lot 1 having a site area of 3.49 acres and Lot 2 having a site area of 3.5 acres.

Representations:

In Support: Mr. Kevin Gibbons
In Opposition: None

The Development Officer read his report.

06-60 PAULISHYN
BODNARUK

WHEREAS Kevin Gibbons on behalf of the owners Kevin and Janice Gibbons has applied to subdivide the existing 7 acre holding into two rural residential lots. Proposed Lot 1 having a site area of 3.49 acres and Lot 2 having a site area of 3.5 acres, in an area designated Rural and Agricultural District;
BE IT RESOLVED THAT application for subdivision No. 4189-03-4893 be approved subject to the following conditions:

1. Payment of requisite fees;
2. A SBLC be prepared and submitted showing the relationship between existing buildings in relation to proposed lot lines;
3. Any variations be obtained as to the yards and alignments of buildings, determined by the SBLC, if required;
4. The owner satisfies the concerns of Manitoba Conservation regarding the existing sewage disposal system and submits confirmation to the municipality.

CARRIED (5-1)

Subdivision No. 4189-05-5036 - Mr. Kurt Bakus S.P. Lots 10 & 11 Plan 18302 within NE ¼ 25-11-4

Intent: To subdivide the 43.4-acre parcel into two (2) lots of approximately equal size.

Representations:

In Support: Mr. Kurt Bakus
Mr. Barry Enns
In Opposition: None

The Development Officer read his report.

06-61 BODNARUK
SHAVER

WHEREAS Kurt Bakus on behalf of the owners Kurt and Anneliese Bakus has applied to subdivide a 43.4-acre parcel into two (2) lots of approximately equal size, in an area designated Rural and Agricultural Area; BE IT RESOLVED THAT application for subdivision No. 4189-05-5039 be approved subject to the following conditions:

1. Payment of requisite fees;
2. A SBLC be prepared and submitted showing the relationship between existing buildings and proposed lot lines;
3. Any variances be obtained as to the yards and alignments of buildings, determined by the SBLC, if required;
4. The owner satisfies the concerns of Manitoba Conservation regarding the existing sewage disposal system and submits confirmation to the Municipality.

CARRIED (6-0)

Subdivision No. 4189-05 Mr. Wayne Johnston S.P. Lot 6 Plan 17808 within SE ¼ 3-11-5

Intent: To subdivide the 6.77-acre parcel into six (6) lots for highway commercial purposes.

Representations:

In Support: Mr. Wayne Johnston

In Opposition: Mr. Roger Laplume

Mr. Roger Laplume questioned road access and was opposed to sharing access with the applicant.

The Development Officer read his report.

06-62 SHAVER
PAULISHYN

WHEREAS Wayne Johnston, owner, has applied to subdivide a 6.77-acre parcel into six (6) lots for highway commercial purposes, in an area designated Commercial; BE IT RESOLVED THAT application for subdivision No. 4189-05-5036 be approved subject to the following conditions:

1. The proposed subdivision to be modified to include the extension of the service road completely in front of the proposed subdivision, including the westerly 110' that is left out and that the service road could be connected to the existing service road west of the proposed subdivision,
2. Payment of requisite fees;
3. A SBLC be prepared and submitted showing the relationship between existing buildings and proposed lot lines;
4. Any variations be obtained as to the yards and alignments of buildings, determined by the SBLC, if required;

5. The site be rezoned from "M1" to "C2", or other highway commercial designation;
6. Obtain the necessary permit(s) from Highway Traffic Board;
7. The owner submits the required traffic and drainage information to Manitoba Transportation and Government Services;
8. Enter into a development and/or servicing agreement regarding lot grades, drainage, roads, utilities, landscaping and any other public works deemed necessary by Council;
9. Enter into a zoning agreement regarding permitted uses for the proposed development;
10. That a drainage plan be prepared for the area by a professional engineer, showing how and where surface runoff for this development will be accommodated;
11. The proposed development be serviced by water and sewer as specified within the development and/or service agreement.

CARRIED (6-0)

The Development Officer advised Mr. Laplume that he would be able to take his concerns regarding shared road access to the Highway Traffic Board hearing.

BY-LAWS

By-Law No. 05-31

Representations:

- | | |
|----------------|----------------------------|
| In Support: | Mr. Dave Sellen, Solicitor |
| | Mr. Edgar Scheurer |
| | Mr. Neil Van Ryssel |
| | Mr. Bob Anderson |
| In Opposition: | Ms. Susan Shefchyk |
| | Mr. Jack McCombe |
| | Mr. Gerald Steendam |

Most of the concerns expressed by the opposition were based on increase of traffic by automobiles, trucks and trains.

Reeve Holland closed the evidentiary portion of the hearing.

06-63 SHAVER
PAULISHYN

BE IT RESOLVED THAT second reading be given to By-Law #05-31 being a by-law to amend the Rural Municipality of Springfield Development Plan By-Law No. 98-22, by changing the designation from partially Recreation and partially Agricultural Preserve Area to Industrial.

CARRIED (6-0)

By-Law No. 06-06

06-64 BODNARUK PAULISHYN BE IT RESOLVED THAT first reading be given to By-Law No. 06-06 (Payette) to amend the Rural Municipality of Springfield Development Plan By-law No. 98-22, as amended.

CARRIED (5-1)

By-Law No. 06-01

Representations:

In Support: Mr. Pedden
 In Opposition: None

06-65 PAULISHYN SHAVER BE IT RESOLVED THAT second reading be given to By-Law #06-01 (Pedden) being a by-law to amend By-Law No. 85-26 as amended, being the Rural Municipality of Springfield Zoning By-Law.

CARRIED (6-0)

06-66 LALONDE BE IT RESOLVED that third and final reading be given to By-Law #06-01 (Pedden) being a by-law to amend By-Law No. 85-26 as amended, being the Rural Municipality of Springfield Zoning By-Law.

	For	Against	Absent	Abstain	Reason
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Holland	x				
Bodnaruk	x				
Lalonde	x				
Osiowy	x				
Paulishyn	x				
Shaver	x				

CARRIED (6-0)

By-Law No. 06-05

06-67 HOLLAND BODNARUK BE IT RESOLVED THAT first reading be given to By-Law No. 06-05 (Omeniuk). being a By-law to amend By-law No.1575, being the Rural Municipality of Springfield Planning Scheme 1959.

CARRIED (6-0)

By-Law No. 06-07

06-68 BODNARUK SHAVER BE IT RESOLVED THAT first reading be given to By-Law No. 06-07 (Edie) being a By-law to amend By-law No.1575, being the Rural Municipality of Springfield Planning Scheme 1959.

CARRIED (6-0)

ADJOURNMENT

BODNARUK
PAULISHYN

THAT this meeting stand adjourned the time being 9:50
p.m.

CARRIED (6-0)

John D. Holland
Reeve

D. I. Donaghy
Chief Administrative Officer