

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

TUESDAY, JUNE 28<sup>th</sup>, 2011

---

Present: Reeve Jim McCarthy  
Councillor Bob Bodnaruk  
Councillor Karen Lalonde  
Councillor Ken Lucko  
Councillor Garry Brown  
Laurent Tétrault, CAO  
Dan Doucet, Development Officer  
Colleen Draper, Recording Secretary

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

**AGENDA**

11-322 MCCARTHY BE IT RESOLVED THAT the Agenda be amended as follows:  
LUCKO Add: 1. Colony Road Bridge  
2. Meeting Delegations  
3. By-law 11-16 - Obsolete Plan  
4. By-law 11-17 - Expropriation of Land  
5. Beautification Committee  
6. In Camera - Personnel and Funding  
Delete 1. 6:45 p.m. delegation  
2. Item 9.3 Beaver Control Services  
CARRIED (5-0)

**MINUTES**

11-323 MCCARTHY WHEREAS the minutes of the Council meeting held June  
LALONDE 21, 2011 have been previously distributed to Council;  
BE IT RESOLVED THAT the same be and are hereby  
approved. CARRIED (4-0)

Councillor Lucko abstained from the vote as he was not present at the June 21 meeting.

**DELEGATIONS**

Don Forfar, on behalf of the Capital Region Partnership, met with Council to ask that Council accept the Governance, Organization and Governance Structure of the Capital Region Partnership report revised February 9, 2010 to be presented to the Minister of Local Government.

**REPORTS - ELECTED OFFICIALS**

Councillor Bodnaruk reported on his attendance at the Anola Community Club ribbon cutting ceremony.

Councillor Lalonde reported on her attendance at a Library Board meeting and the Anola Community Club ribbon cutting ceremony.

Councillor Lucko reported on his attendance at the Solid Waste Association of North America conference in

Saskatoon and the ribbon cutting ceremony at the Anola Community Club.

Councillor Brown reported on his attendance at the Anola Community Club ribbon cutting ceremony.

Reeve McCarthy reported on his attendance at a Animal Control By-law review meeting, Anola Community Club ribbon cutting ceremony, Canada Culvert tour in Brandon, Winnipeg River Community Futures annual general meeting in Lac du Bonnet, Springfield Collegiate graduation ceremony and the Richland Colony graduation ceremony.

**PUBLIC HEARINGS UNDER THE PLANNING ACT**

Conditional Use No. 11-16 - Brendan Coulter - SW 24-11-7E

Purpose: To permit the construction of a single family dwelling within 1000 feet of the property limits of a site zoned "MX" Industrial Extractive Zoning District (as per Section 54.4(1), within the "AG" Agriculture General Zoning District.

Representation:

In Support: Trisha Coulter

In Opposition: None

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-324 LUCKO  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner Brendan Coulter (SW ¼ 24-11-7 EPM) for a variation of the Springfield Zoning By-law No. 08-01, as amended;  
AND WHEREAS Council is satisfied that the requirements of Sections 103, 104 and 105 have been met;  
BE IT RESOLVED THAT Conditional Use Order No. 11 - 16 be granted subject to the following conditions:  
1. Upon transfer of land, all future landowners and or tenants must be informed of existing aggregate activities including some of the nuisances associated (i.e. noise & dust).  
2. The municipality will not be responsible for the replacement of any private water supply (i.e. Water wells) as a result of the existing aggregate operations.  
3. Prior to the issuance of any building permits, the owner shall provide the municipality with all copies of cross access easement agreements.

- 4. The owner shall remove all structures from the Gagne Gravel Company Ltd property.
- 5. Prior to the issuance of any building permits, the owner shall provide the municipality with a staking certificate with building control.

CARRIED (5-0)

Variance No. 11-37 - David & Tanya Foidart - NE 1-11-6E

Purpose: Residual Lot - To permit a site area of 66 (+/-) acres & a site width of 625 (+/-) feet instead of the required 80 acres & 660 feet respectively, within the "AG-1" Agriculture General Zoning District (site specific) re: subdivision 4189-08-5226

Representation:

In Support: David & Tanya Foidart

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

11-325 MCCARTHY  
BROWN

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners David & Tanya Foidart (Pt NE ¼ 1-11-6E) for a variation of the Springfield Zoning By-law No. 08-01, 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. 11 - 37 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. 4189-08-5226.

CARRIED (5-0)

Variance No. 11-38 - A & S Homes c/o John Brnjas on behalf of Aspen Lakes Development Corp. - 8 Cherry Tree Lane, Oakbank

Purpose: To permit the construction of a single family dwelling with attached garage having a rear yard setback of 23.6 (+/-) feet, and to permit a projection of the rear landing & stairs having a rear yard setback of 19.9 (+/-) feet instead of the required 25 feet respectively, within the "RS" Residential Single Family Zoning District.

Representation:

In Support: John Brnjas

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

Reeve McCarthy requested a recorded vote.

11-326 LALONDE  
BODNARUK

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by A & S Homes c/o John Brnjas on behalf of the owner Aspen Lake Development Corp. (Lot 7 Block 6 Plan 43725 within SW ¼ 22-11-5 EPM) for a variation of the Springfield Zoning By-law No. 08-01, 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. 11 - 38 be granted.

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

DEFEATED (2-3)

Variance 11-39 - Sherwood Developments Ltd.  
- SE 16-11-4E

Purpose: To permit the construction of a 2,562 sq. ft. addition to the existing 5,985 sq. ft. metal-clad industrial building having a front yard setback of 47.85 feet instead of the required 50 feet, as per registered Development Agreement.

Representation:

In Support: Fausto Pereira  
Lewis Pereira

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting

11-327 BODNARUK  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner Sherwood Developments Ltd. (Lot 15 Block 1 Plan 43398 within SE ¼ 16-11-4 EPM) for a variation of the Springfield Zoning By-law No. 08-01, 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. 11 - 39 be granted.

CARRIED (5-0)

Variance No. 11-40 - Bradley and Sandra Joseph - 47 Willow Avenue East

Purpose: To permit the construction of a 36'x 36' accessory building (detached garage) having:  
1. an East side yard setback of 3 (+/-) feet instead of the required 10 feet as per registered Development Agreement,  
2. a total building area of 1,396 (+/-) sq. ft. instead of the maximum accessory building area of 800 sq. ft., and  
3. a maximum building height of 15.6 (+/-) feet instead of the required 15 feet, within the "RS" Residential Single Family Zoning District.

Representation:  
In Support: Bradley Joseph  
In Opposition: Walter Beck  
Ron Wauner  
Les Howard  
Colleen Beck

The Development Officer read his report.

The Chair adjourned the hearing and tabled the decision until the next Planning meeting.

Variance 11-34 - Claudia Gavran - NW 22-12-5E

Purpose: 1. To permit the keeping of 17.29 Animal Units (13 horses) on the land instead of the permitted maximum 10.0 Animal Units (8 horses) as per Section 50.3), and  
2. To permit the maintenance of a 24'x 25' livestock shelter (barn) having an East side yard setback of 15 feet instead of the required 25 feet, within the "AR" Agriculture Restricted Zoning District.

Representation:  
In Support: Claudia Gavran  
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

11-328 MCCARTHY  
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner Claudia Gavran (Pt Parcel B & Parcel C Plan 18218 within NW ¼ 22-11-5 EPM) for a variation of the Springfield Zoning By-law No. 08-01, 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. 11 - 34 be granted subject to the following conditions:

1. No livestock shall be permitted on the land other than up to a maximum of 17.29 Animal Units, which are to be kept no closer than 100 feet to any well or septic field.
2. All livestock animals are to be for personal use.
3. No boarding of livestock is allowed unless an application is made to accommodate for a home-based business.
4. This order shall become null & void on the date of transfer or sale of land by either party (Ms. Claudia Gavran under CT #1881809 and/or Mr. Marcel & Joanne Laberge under CT #1790429).
5. If there are any problems with drainage along any property limits at any time, as determined by the Development Officer, the owner shall be responsible to construct and maintain common swales. If a drainage swale is required, the swale design and construction shall be reviewed and approved by the Public Works Department.
6. A copy of the signed Lease Agreement with Mr. & Mrs. Laberge is to be submitted annually to the Planning Office.
7. A copy of the signed Hydro Lease Agreement is to be submitted upon renewal date.
8. Variation Order No. 04-53 becomes null & void upon approval of Variation Order No. 11-34.
9. No stockpiling of manure shall be permitted from May 1<sup>st</sup> to November 30<sup>th</sup> annually.
10. This order shall become null and void if either the Hydro or Laberge lease is terminated.

CARRIED (4-1)

Conditional Use 11-18 - J-D Enterprises - SE 1-11-6E

Purpose: To permit the construction of a 2,562 sq. ft. addition to the existing 5,985 sq. ft. metal-clad industrial building having a front yard setback of 47.85 feet instead of the required 50 feet, as per registered Development Agreement. To permit the construction of a conventional single family dwelling on the land, within the "DR" Development Reserve Zoning District. (Variation Order No. 10-30 expired June 7<sup>th</sup>, 2011 for the proposed mobile home)

Representation:

In Support: Susan Suderman

In Opposition: None

The Development Officer read his report.

11-329 BROWN  
LUCKO

The Chair closed the evidentiary portion of the meeting WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner J-D Enterprises Ltd. (SE ¼ 1-11-6 EPM) for a variation of the Springfield Zoning By-law No. 08-01, as amended;

AND WHEREAS Council is satisfied that the requirements of Sections 103, 104 and 105 have been met;

BE IT RESOLVED THAT Conditional Use Order No. 11 - 18 be granted subject to the following conditions:

1. That the single family dwelling shall be connected to municipal water & sewer.

CARRIED (5-0)

Conditional Use 11-17 - P & H Ventures - SE 4-11-5E

Purpose: To permit a "Mini Warehouse & Self Storage" use on the land, within the "CC" Commercial Central Zoning District.

Representation:

In Support: Harvey Penner  
Pam Van Achte

In Opposition: None

For Information: Janet Nysten

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting

11-330 BROWN  
MCCARTHY

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner P & H Ventures Dugald Manitoba Ltd. c/o Harvey Penner (Lot 2 Block 2 Plan 16361 within SE ¼ 4-11-5 EPM) for a variation of the Springfield Zoning By-law No. 08-01, as amended;

AND WHEREAS Council is satisfied that the requirements of Sections 103, 104 and 105 have been met;

BE IT RESOLVED THAT Conditional Use Order No. 11 - 17 be granted subject to the following conditions:

1. That all outside storage of vehicles, goods and materials is allowed, subject to the following:
  - a) the storage shall be located to the rear of a line adjacent to and parallel with the front wall of the rental unit building;
  - b) the front yard be limited to the customer parking only;
  - c) the storage compound shall be fenced as approved by the designated officer.

CARRIED (4-1)

Conditional Use 11-19 - Smith & Hughes Enterprises on behalf of Moehan Ventures - NE 33-10-5E

Purpose: To permit an "Automotive & Recreational Vehicle Sales" business on the land, within the "MB" Industrial Business Zoning District.

Representation:

In Support: Ryan Hughes

In Opposition: None

For Information: Jeff Steendam

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting

11-331 BROWN  
MCCARTHY

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Smith and Hughes Enterprises on behalf of the owner Moehan Ventures Inc. (Pt NE ¼ 33-10-5 EPM) for a variation of the Springfield Zoning By-law No. 08-01, as amended;

AND WHEREAS Council is satisfied that the requirements of Sections 103, 104 and 105 have been met;

BE IT RESOLVED THAT Conditional Use Order No. 11 - 19 be granted subject to the following conditions:

1. Approval from the Highway Traffic Board for a change-in-use is required.
2. The storage compound shall be fenced as approved by the designated officer.

CARRIED (5-0)

Conditional Use 11-20 - RM of Springfield - SW 25-11-7E

Purpose: To permit the municipal Public Works Department to operate a "Natural Resource Development" (gravel extraction) for municipal aggregate requirements, within the "AG" Agriculture General Zoning District.

Representation: None

For Information: Connie Chura  
Janet Nylen

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting

11-332 LUCKO  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner Rural Municipality of Springfield c/o Public Works Department (SW ¼ 25-11-7 EPM) for a variation of the Springfield Zoning By-law No. 08-01, as amended; AND WHEREAS Council is satisfied that the requirements of Sections 103, 104 and 105 have been met; BE IT RESOLVED THAT Conditional Use Order No. 11 - 20 be granted. CARRIED (5-0)

Caveat Removal

11-333 BROWN  
MCCARTHY

WHEREAS Caveat #2926654 was placed on title as a condition of Subdivision No. 4189-00-4566 (Bzdell); BE IT RESOLVED THAT Caveat #2926654 be discharged from Lot 1 & 2 Plan 42179 within SW ¼ 25-12-6 EPM (Ct #2488414 & Ct #2300243) subject to the following conditions:

1. The subject site shall be serviced by a holding tank only;
2. The owner shall be responsible for the costs incurred for the discharge of the existing caveat;
3. The owner shall be responsible for the costs incurred for the creation and registration of the new development agreement;
4. Prior to the issuance of a building permit, the applicant shall provide the municipality with a geotechnical report on the sub-soil;
5. The placement of the dwelling be located at a suitable location on the subject site;
6. That no livestock be permitted on the subject site.

CARRIED (5-0)

**BY-LAWS**By-law 11-15 - Water Treatment and Distribution

- 11-334 BROWN LUCKO BE IT RESOLVED THAT first reading be given to By-law 11-15 being a by-law of the Rural Municipality of Springfield to amend By-law 97-06 to provide for the establishment of regulations related to the Water Treatment and Distribution System within the Rural Municipality of Springfield.
- CARRIED (5-0)

By-law 11-16 - Obsolete Plan

- 11-335 LUCKO BODNARUK BE IT RESOLVED THAT first reading be given to By-law 11-16 being a by-law of the Rural Municipality of Springfield to declare Plan of Subdivision No. 1799 obsolete.
- CARRIED (5-0)

By-law 11-17 - Expropriation of Land

- 11-336 BODNARUK LUCKO BE IT RESOLVED THAT first reading be given to By-law 11-17 being a by-law of the Rural Municipality of Springfield to expropriate Lots 30, 31 and 32 Block 4 Plan 1799 within Section 16-11-4E for municipal purposes.
- CARRIED (5-0)

**NEW BUSINESS**Draft Audited Financial Statement

- 11-337 MCCARTHY LALONDE BE IT RESOLVED THAT the 2010 Draft Audited Financial Statements be accepted as presented.
- CARRIED (4-1)

Public Works and Planning Renovations

- 11-338 LUCKO LALONDE BE IT RESOLVED THAT Council authorize renovations to the Public Works and Planning Department with the total sum not to exceed \$100,000.00 plus applicable taxes.
- CARRIED (5-0)

2 Post Vehicle Lift

- 11-339 LUCKO BODNARUK BE IT RESOLVED THAT Council accept the recommendation of the Public Works Committee to purchase a 2 post vehicle lift from Hofmann Canada for \$13,265.40 plus installation and applicable taxes.
- CARRIED (5-0)

Grader Mount Mulcher

- 11-340 LUCKO LALONDE BE IT RESOLVED THAT Council accept the recommendation of the Public Works Committee to purchase one Grader Mount Mulcher from Capital I Industries for \$27,875.00 plus applicable taxes.
- CARRIED (5-0)

Cold Storage Building

- 11-341 BROWN LUCKO BE IT RESOLVED THAT Council accept the recommendation of the Public Works Committee for the purchase of a cold storage building from Olympic Builders Supply and Construction with the total sum not to exceed \$100,000.00. CARRIED (5-0)

Truck Service Body

- 11-342 LUCKO BODNARUK BE IT RESOLVED THAT Council accept the recommendation of the Public Works Committee for the purchase of one truck service body from Fort Garry Industries with the total sum not to exceed \$40,000.00. CARRIED (5-0)

Sewage Lift Station

- 11-343 BROWN MCCARTHY BE IT RESOLVED THAT Council accept the recommendation of the Water and Waste Committee authorizing the Utility Manager to proceed with Sewage Lift Station Repairs with the total sum not to exceed \$100,000.00. CARRIED (5-0)

American Public Works Conference

- 11-344 MCCARTHY LALONDE BE IT RESOLVED THAT Council authorizes the Public Works Director, Director of Engineering and Councillor Lucko to attend the American Public Works Association Congress and Exposition in Denver, Colorado from September 18-21, 2011. CARRIED (5-0)

Office Furnishings

- 11-345 MCCARTHY BROWN BE IT RESOLVED THAT Council authorizes the Administration Department to proceed with the purchase of office furnishings for the new administration building with the total sum not to exceed \$100,000.00. CARRIED (3-2)

Colony Road Bridge

- 11-346 LUCKO LALONDE BE IT RESOLVED THAT Council authorizes proposal for Engineering Services from Bruce Harding Consulting Ltd. for the bridge survey and the Hydrologic and Hydraulic Assessment of the Colony Road Bridge Crossing over the Brokenhead River for the sum of \$7000 plus applicable disbursements, fees and taxes. CARRIED (5-0)

Meeting Delegation

- 11-347 MCCARTHY LALONDE BE IT RESOLVED THAT the following meeting delegations for Councillor Bodnaruk and Lucko be approved:  
East St. Paul meeting - June 13  
Triple M meeting - June 17  
CARRIED (5-0)

In Camera

11-348 LUCKO BE IT RESOLVED THAT this meeting recess to in camera to  
LALONDE discuss personnel and legal issues.  
AND BE IT FURTHER RESOLVED THAT all matters shall  
remain confidential until a report is made public.  
CARRIED (5-0)

11-349 MCCARTHY BE IT RESOLVED THAT this meeting reconvenes from in  
LUCKO camera.  
CARRIED (5-0)

Adjournment

MCCARTHY THAT this meeting stand adjourned the time being 11:00  
P.M.

---

Jim McCarthy  
Reeve

---

Laurent Tétrault  
Chief Administrative Officer