

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

TUESDAY, MARCH 27, 2012

Present: Reeve Jim McCarthy
Councillor Bob Bodnaruk
Councillor Karen Lalonde
Councillor Brian Thompson
Councillor Ken Lucko
Councillor Garry Brown
Colleen Draper, Asst. CAO
Dan Doucet, Development Officer

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

AGENDA

12-121 THOMPSON BE IT RESOLVED THAT the agenda be amended as follows:
BROWN Add: 1. Equipment Purchase
2. In Camera - Employee Issue
- Road Name Change
CARRIED (6-0)

MINUTES

12-122 LALONDE WHEREAS the minutes of the Council meeting held March
BODNARUK 20, 2012 have been previously distributed to Council;
BE IT RESOLVED THAT the same be and are hereby
approved. CARRIED (5-0)

Councillor Lucko abstained from the vote as he was not present at the March 20 Council meeting.

REPORTS - ELECTED OFFICIALS

Councillor Bodnaruk reported on his attendance at a Winnipeg River Community Futures meeting and a Planning meeting.

Councillor Lucko reported on his attendance at a North East Agassiz Watershed Management Association meeting, attended a fire in Vivian, Red River Basin Commission dinner and a Committee of the Whole meeting.

Councillor Lalonde reported on her attendance at a Blue Spruce Residents meeting regarding traffic concerns, Committee of the Whole meeting and a Planning meeting.

Reeve McCarthy reported on his attendance at a Mayors Reeve and CAO's meeting, Committee of the Whole meeting and a Planning meeting.

Councillor Thompson reported on his attendance at a Red River Basin Commission dinner, Committee of the Whole meeting and a Planning meeting.

Councillor Brown reported on his attendance at a Weed Seminar, Red River Basin Commission dinner, Committee of the Whole meeting and a Planning meeting.

BY-LAWS

By-law 12-02 - Hazelridge Arena

12-123 THOMPSON BROWN BE IT RESOLVED THAT second reading be given to By-law 12-02 being a by-law of the Rural Municipality of Springfield to amend By-law 09-19 to authorize the expenditure and borrowing of money for the improvements to the Hazelridge Arena. CARRIED (6-0)

12-124 THOMPSON BROWN BE IT RESOLVED THAT third and final reading be given to By-law 12-02 being a by-law of the Rural Municipality of Springfield to amend By-law 09-19 to authorize the expenditure and borrowing of money for the improvements to the Hazelridge Arena. CARRIED (6-0)

By-law 12-03 - Tax Cancellation

12-125 LUCKO LALONDE BE IT RESOLVED THAT second reading be given to By-law 12-03 being a by-law of the Rural Municipality of Springfield to authorize the cancellation of taxes and debts owing to the municipality. CARRIED (6-0)

12-126 LALONDE BODNARUK BE IT RESOLVED THAT third and final reading be given to By-law 12-03 being a by-law of the Rural Municipality of Springfield to authorize the cancellation of taxes and debts owing to the municipality. CARRIED (6-0)

PUBLIC HEARINGS UNDER THE PLANNING ACT

Subdivision 4189-11-5478 - Volker Wyrich - NW 13-11-5E

Intent: To re-align the existing yard site property boundary limits to fully encompass the yard site. The lot will be relocated to the North West corner of Section 13 off Springfield Road and Willowdale Road. No new titles will be created.

Representation:
In Support: Volker Wyrich
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

12-127 BROWN THOMPSON

WHEREAS the owner Volker Wyrich (NW ¼ 13-11-5E) has applied to re-align the existing yard site property boundary limits to fully encompass the yard site as per attached sketch. The lot will be relocated to the North West Corner of Section 13 off Springfield Road and Willowdale Road. No new titles will be created; BE IT RESOLVED THAT application for subdivision No. 4189-11-5478 be approved/denied subject to the following conditions:

1. Payment of requisite fees (administration fee),
2. That a Surveyor's Building Location Certificate be prepared by a Manitoba Land Surveyor for the existing yard site indicating the location of all structures & onsite wastewater management systems in relation to the proposed lot lines,
3. That any Variation Orders be obtained, if required as a result of the Surveyor's Building Location Certificate,
4. That the owner obtain a demolition permit and remove the original farm dwelling, prior to the municipality signing off on the subdivision,
5. That the abandoned holding tank, in front of the original farm dwelling be removed and/or secured with the proper collar and lid.

CARRIED (6-0)

Variance 12-08 - W. Batstone and Neeme Aquino-Batstone - SE 18-12-6E

Purpose: To permit the construction of a 540 sq. ft. addition & attached deck to the pre-existing non-conforming single family dwelling having a front yard setback of 71(+/-) feet and an East side yard setback of 40(+/-) feet instead of the required 125 feet & 50 feet respectively, within the "AR" Agriculture Restricted Zoning District.

Representation:

In Support: Mr. and Mrs. Batstone
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

12-128 THOMPSON BROWN

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner W. Batstone & Neeme Aquino-Batstone (Lot 13 Plan 16298 within SE ¼ 18-12-6E) 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. 12-08 be granted.

CARRIED (6-0)

Variance 12-09 - Brent Driedger & Marie Cinq-Mars

Purpose: To permit a separation distance of 6 inches between the proposed single family dwelling addition & the existing detached garage instead of the required 10 feet clear of all projections, within the "RR" Rural Residential Zoning District.

Representation:
In Support: Brent Driedger
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

12-129 THOMPSON
BROWN

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner Brent Driedger & Marie Cinq-Mars (Lot 2 Plan 36270 within NW ¼ 27-12-5E) 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. 12-08 be granted subject to the following conditions:
1. Building Permit No. BP 2008/138 and BP 2004/53 to be finalized prior to issuance of the building permit for the proposed addition to the structure.

CARRIED (6-0)

Conditional Use 12-07 - Ryan & Marie Hunter - NE 36-11-4E

Purpose: To permit a "Car Broker" business on the land, within the "AR" Agriculture Restricted Zoning District.

Representation:
In Support: Marie Hunter
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

12-130 BODNARUK
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner Ryan & Marie Hunter (Lot 1 Plan 47176 within NE ¼ 36-11-4E) 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. 12-07 be granted subject to the following conditions:

1. The Car Broker operation shall be limited to the purchase and sale of used passenger vehicles only.
2. All passenger vehicles that are for sale shall be parked or stored at the rear of the dwelling unit on the site so as to be entirely screened from public view.
3. The Car Broker operation shall be operated solely by the members of the family residing on site.
4. The maximum number of passenger vehicles for sale on-site at any one time shall be limited to two vehicles.
5. No storage of partial stripped and/or wrecked vehicles be allowed anywhere on the subject site.
6. That an annual Municipal Home Industry Business License be obtained.
7. This order shall expire and become null and void on the date the land is transferred or business ceases to be in operation.

CARRIED (6-0)

Conditional Use 12-09 - 5602646 Manitoba Ltd. - NE 20-10-4E

Purpose: To permit an "General Contractor Service" business on the land, within the "CH" Commercial Highway Zoning District.

Representation:

In Support: Thomas Hofer
In Opposition: None

The Development Officer read his report.

The application was deferred to allow the applicant up to 90 days to complete site clean-up and fencing requirements.

Conditional Use 12-10 - Ross Pokeza on behalf of Wayne King Sales Ltd. - SW 15-11-4E

Purpose: To permit an "Automotive & Equipment Repair Shop" business on the land, within the "MG-1" Industrial General Zoning District (site specific).

Representation:

In Support: Ross Pokeza
Wayne King
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

12-131 BODNARUK
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Ross Pokeza on behalf of the owner Wayne King Sales Ltd. (Lot 8 Block 1 Plan 35572 within SW ¼ 15-11-4E) 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. 12-10 be granted subject to the following conditions:

1. That building permit No. BP 2001/87 for the industrial building be finalized prior to issuance of an Occupancy Permit.
2. That the lessee and/or owner obtain the required Development Permits for the proposed signage.
3. That the lessee shall obtain an annual municipal business license.
4. This order shall expire and become null and void on the date the business ceases to be in operation.
5. This order shall not be transferable to any other lessee.

CARRIED (6-0)

Conditional Use 12-11 - Harvey Penner on behalf of P & H Ventures Dugald Manitoba Ltd. - SE 4-11-5E

Purpose: To permit a "Service Station" use on the land, within the "CC" Commercial Central Zoning District.

Representation:

In Support: Harvey Penner

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

12-132 BROWN
THOMPSON

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Harvey Penner on behalf of the owner P & H Ventures Dugald Manitoba Ltd. (Lot 2 Block 2 Plan 16361 within SE ¼ 4-11-5E) 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. 12-11 be granted subject to the following conditions:

1. That all outside storage of vehicles, goods and materials is allowed, subject to the following:
 - i. Storage shall be located to the rear of the building.
 - ii. The front yard be limited to the customer parking only.

- 2. Outdoor lighting shall be subject to the following:
 - i. Shall be low-glare in nature and located and arranged so that no direct rays of light are directed at any adjoining properties, or interfere with the effectiveness of any traffic control devices.
 - ii. Wall-mounted lights must have fully shielded luminaries to direct all light downward.
- 3. That building permit No. BP 2011/141 for the commercial building be finalized prior to the issuance of an Occupancy Permit.
- 4. That the piles of earth at the rear of the site be removed or leveled from the site.
- 5. That the lessee shall obtain an annual municipal business license.
- 6. This order shall expire and become null and void on the date of business ceases to be in operation.
- 7. This order shall not be transferable to any other lessee.

CARRIED (6-0)

Development and Servicing Agreement

12-133 LALONDE BE IT RESOLVED THAT the RM of Springfield be authorized
 LUCKO to enter into a Development and Servicing Agreement
 with 5045861 Manitoba Ltd.;

AND BE IT FURTHER RESOLVED THAT the Reeve and Action
 CAO be authorized to sign the Development and Servicing
 Agreement. CARRIED (6-0)

NEW BUSINESS

December Financials

12-134 LALONDE BE IT RESOLVED THAT the Financial Statement for the
 BODNARUK month ending December 31, 2011 be accepted as
 presented. CARRIED (6-0)

Deficit Approval

12-135 LALONDE WHEREAS it is possible that the fiscal year, ending
 BODNARUK December 31, 2011, may result in a deficit;
 AND WHEREAS under section 165(1) of the municipal act
 of Manitoba, it is required that council advise the
 minister in writing if a deficit may occur;
 BE IT RESOLVED THAT council authorize the CFO to
 request approval for a deficit from the Minister of
 Local Government for the year ending December 31, 2011.
 CARRIED (6-0)

Zora Community Club

12-136 THOMPSON BE IT RESOLVED THAT 2011 taxes in the amount of \$720.38
BROWN for the former Zora Community Club property be
cancelled. CARRIED (6-0)

Aerial Orthophotography

12-137 THOMPSON BE IT RESOLVED THAT Council authorizes the completion
BROWN of aerial orthophotography updates up to an amount of
\$45,000.00. CARRIED (6-0)

Equipment Purchase

12-138 THOMPSON BE IT RESOLVED THAT Council accept the recommendation
BROWN of the Water and Waste Director, authorizing the Water
and Waste Director to proceed with the purchase of used
equipment to be used primarily for compacting at the
Waste Transfer Station with the total sum not to exceed
\$65,000.00. CARRIED (6-0)

In Camera

12-139 THOMPSON BE IT RESOLVED THAT this meeting recess to in camera to
BROWN discuss personnel and legal issues.
AND BE IT FURTHER RESOLVED THAT all matters shall
remain confidential until a report is made public.
CARRIED (6-0)

12-140 THOMPSON BE IT RESOLVED THAT this meeting reconvenes from in
BROWN camera. CARRIED (6-0)

Adjournment

THOMPSON THAT this meeting stand adjourned the time being 9:50
P.M.

Jim McCarthy
Reeve

Colleen Draper
Assistant CAO