

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

WEDNESDAY, MARCH 3rd, 2010

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
Dan Doucet, Development Officer

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

AGENDA

- 10-139 SKRUPSKI VAAGS BE IT RESOLVED THAT the Agenda be amended as follows:
Add: 1. Financial Analyst
2. Interim Budget
3. Leases - In Camera
4. Minutes correction - January 13
5. Notice to rescind
6. St. Clements letter
7. Budget meeting
8. Cooks Creek Conservation
- CARRIED (6-0)

MINUTES

- 10-140 SKRUPSKI BODNARUK WHEREAS the minutes of the Council meeting held February 24, 2010 have been previously distributed to Council;
BE IT RESOLVED THAT the same be and are hereby amended as follows:
Vote for Resolution #10-117 and #10-128 be corrected.
- CARRIED (6-0)

UNFINISHED BUSINESS

Financial Analyst

- 10-141 SKRUPSKI VAAGS WHEREAS there are and have been serious lengthy and ongoing health issues for several finance and administrative staff;
AND WHEREAS Springfield is a growing municipality - approximately 400 people a year;
AND WHEREAS there has not been an increase in administrative staff since 2006;
AND WHEREAS administration receives continuous requests from concerned citizens groups, public and private officials and agencies, business and community organizations;

AND WHEREAS there will be increased reporting required for PSAB (Public Sector Accounting Board), PUB (Public Utilities Board), FIPPA (Freedom of Information and Protection of Privacy Act) and other legislative requirements;
 AND WHEREAS there are several major capital projects and initiatives planned for the next several years;
 AND WHEREAS it is prudent to keep records and information up to date;
 AND WHEREAS it is prudent to engage in staff succession planning;
 AND WHEREAS the addition of this staff position will assist in economic development activities for the municipality;
 BE IT RESOLVED THAT Council authorize the hiring of a Financial Analyst. CARRIED (4-2)

Interim Budget

Reeve Skrupski said to keep expenses in line with the interim budget until the budget is adopted.

Consent Agenda

10-142 SKRUPSKI WHEREAS a consent agenda has been submitted consisting
 BODNARUK of 2 items;
 BE IT RESOLVED THAT the said consent agenda be adopted
 as circulated. CARRIED (6-0)

PUBLIC HEARINGS UNDER THE PLANNING ACT

Other Planning Matters

Caveat Removal - Hadder - NW 29-12-6E

10-143 THOMPSON WHEREAS Caveat #2679100 was placed on title as a
 LALONDE condition of Subdivision No. 4189-00-4560 (Hadder);
 BE IT RESOLVED THAT Caveat #2679100 be discharged from
 Lot 2 Plan 40148 W.L.T.O. within NW ¼ 29-12-6 EPM (CT
 #1849109) at the owner's expense subject to the
 following conditions:
 1. Payment of the Land Dedication Fee, and
 2. That the building area for a single family dwelling
 be limited within a distance of 300 feet off Poplar
 Road (see attached Schedule "A").
 3. Legal fees be included at the owner's expense.
 CARRIED (6-0)

Caveat Removal - Webster to Murray - SW 22-12-5E

10-144 VAAGS WHEREAS Caveat #84-107851 Agreement (By-Law No. 84-101)
 SKRUPSKI was placed on title as a condition of a previous
 Subdivision (Webster to Murray);
 BE IT RESOLVED THAT Caveat #84-107851 be discharged
 from Lot 1 Plan 18690 W.L.T.O. within SW ¼ 22-12-5 EPM
 (CT #2407326) at the owner's expense.
 CARRIED (6-0)

Caveat Removal - Kula - SW 34-11-7E

10-145 LUCKO
VAAGS

WHEREAS Caveat #2817816 was placed on title as a condition of Subdivision No. 4189-01-4708 (Kula); BE IT RESOLVED THAT Caveat #2817816 be discharged from Part SW ¼ 34-11-7 EPM CT #2423069) at the owner's expense subject to the following condition:
1. That the building area for a single family dwelling be limited to the existing yard site as per the attached Schedule "A".
2. Legal expenses to be paid by owner.

CARRIED (6-0)

NEW BUSINESS

Planning Conference

10-146 SKRUPSKI
LUCK

BE IT RESOLVED THAT the following people be authorized to attend the Canadian Institute of Planners Conference in Quebec, October 2-5, 2010:
Dan Doucet
Christina Discher

CARRIED (6-0)

2011 Board of Revision

10-147 SKRUPSKI
BODNARUK

WHEREAS the Organizational By-Law requires the appointment of a Board of Revision to hear assessment appeals composed entirely of members of Council or a combination of Council and others;
AND WHEREAS the 2011 Board of Revision will be held October 6, 2010;
BE IT RESOLVED THAT the Board of Revision of the RM of Springfield be composed of the following:
Robert (Bob) Bilenki - Chairman
Garry Brown
Ray Boily
Colleen Draper - Board Secretary

CARRIED (6-0)

PUBLIC HEARINGS UNDER THE PLANNING ACT CONT'D

Conditional Use No. 10-02 - John Muller - NW 13-12-5E

Purpose: To permit:
1. an "Equestrian Establishment" requesting a total of 33.25 Animal Units (25 horses),
2. a "Home Industry" (small equipment rental business), on the land, within the "AR" Agriculture Restricted Zoning District.

Representation:
In Support: John Muller
Amber Reitmen
In Opposition: None

For Information: Janet Nylén
Jim Protasiewicz

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

10-148 THOMPSON
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner John Muller (Lot 5 Plan 18109 within NW¼ 13-12-5E) for a variation of the Springfield Zoning By-law No. 08-01;

AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Conditional Use Order No. 10 - 02 be granted subject to the following conditions:

1. No livestock shall be permitted on the land other than up to a maximum of 33.25 Animal Units (25 adult horses), which are to be kept no closer than 100 feet to any well or septic field.
 2. No livestock other than horses shall be permitted on the land.
 3. That the owner provides the municipality with a copy of the signed lease agreement with the adjoining neighbour regarding the 10 acres.
 4. Equestrian Establishment may have one identification sign not exceeding 8.00 sq ft in area and shall not be placed within the municipal right-of-way.
 5. This order shall expire and become null and void on the date the land is transferred or business ceases to be in operation or the lease is revoked.
 6. That Variation Order 10-3 becomes null and void on the date of the passing of this Conditional Use Order.
- CARRIED (5-1)

Conditional Use No. 10-03 - John Muller - NW 15-12-5E

Purpose: To permit an "Equestrian Establishment" requesting a total of 33.25 Animal Unit (25 horses), on the land, within the "AR" Agriculture Restricted Zoning District.

Representation:

In Support: John Muller

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

10-149 THOMPSON
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner John Muller (Lots 4/6 Block 2 Plan 18084 within NW ¼ 15-12-5E) for a variation of the Springfield Zoning By-law No. 08-01;

AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Conditional Use Order No. 10 - 03 be granted subject to the following conditions:

1. No livestock shall be permitted on the land other than up to a maximum of 33.25 Animal Units (25 adult horses), which are to be kept no closer than 100 feet to any well or septic field.
2. No livestock other than horses shall be permitted on the land.
3. 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 No. 10-04 - Cornalius & Adele Wipf - SE 23-12-6E

Purpose: To permit a "Home Industry" (vehicle safeties repair business), on the land, within the "AG" Agriculture General Zoning District.

Representation:

- In Support: Cornalius Wipf
- In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

10-150 THOMPSON
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Cornalius and Adele Wipf (SE ¼ 23-12-6E) for a variation of the Springfield Zoning By-law No. 08-01;

AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Conditional Use Order No. 10 - 04 be granted subject to the following conditions:

1. A building inspection shall be conducted for the related accessory building to ensure that all life safety building, building and fire code requirements are met.
2. Not more than one advertising sign shall be displayed on the land, with a maximum area of 8.00 sq ft.
3. The Home Industry business shall be owned and operated by the member(s) of the family residing at the dwelling unit along with a maximum of five (5) employees who do not reside at the subject site.

- 4. The Home Industry shall operate as a secondary use and be carried out in a building that is accessory and shall not exceed the floor area set out under Variation Order 10-14.
- 5. Outside storage of goods and materials is allowed as part of the Home Industry, 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 building;
 - b) the storage area shall be fenced or screened from public view to the satisfaction of Council; and
 - c) the storage shall not project above the height of the fence or screening.
- 6. Business activities shall be limited to the hours of 7:00 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)
- 7. This order shall expire and become null and void on the date the land is transferred or business ceases to be in operation.
- 8. Shall be limited to 10 vehicles not including personal vehicles.

CARRIED (6-0)

Variance 10-14 - Cornalius & Adele Wipf - SE 23-12-6E

Purpose: To permit a maximum floor area of 2800 (+/-) square feet for the accessory building to be used for the "Home Industry" (vehicle safeties repair business), instead of the required 2500 square feet under Section 43.2 of the Special Land Use Regulations.

Representation:

In Support: Cornalius Wipf

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

10-151 THOMPSON
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Cornalius & Adele Wipf (SE ¼ 23-12-6E) for a variation of the Springfield Zoning By-law No. 08-01; AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met; BE IT RESOLVED THAT Variation Order No. 10 - 14 be granted.

CARRIED (6-0)

Variance 10-13 - Edie Farms Ltd. - NW 6-11-5E

Purpose: To permit an approximate site area of 60.21 (+/-) acres and an approximate site width of 578.87 feet, for the residual lot, instead of the required 80 acres and 660 feet within the "AG" Agriculture General Zoning District.
(re: subdivision 4189-09-5302)

Representation: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

10-152 BODNARUK
THOMPSON

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner Edie Farms Ltd. (NW ¼ 6-11-5E) for a variation of the Springfield Zoning By-law No. 08-01;
AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;
BE IT RESOLVED THAT Variation Order No. 10 - 13 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. 4189-09-5302. CARRIED (6-0)

Variance 10-15 - Stacy Phillips - SW 11-12-4E

Purpose: To permit the construction of a 30'x 30' rear addition to the pre-existing non-conforming single-family dwelling having a front yard setback of 68(+/-) feet instead of the required 125 feet, within the "RR" Rural Residential Zoning District.

Representation:
In Support: Stacy Phillips
In Opposition: None

For Information: Janet Nylén

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

10-153 BODNARUK
THOMPSON

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner Stacy Phillips (Lots 24 Plan 28318 within SW ¼ 11-12-4E) for a variation of the Springfield Zoning By-law No. 08-01;
AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Variation Order No. 10 - 15 be granted. CARRIED (6-0)

Variance 10-16 - Doug & Kristine Penner - NE 20-11-7E

Purpose:

1. Proposed Lot 1 - To permit the maintenance of a 8'x 12.1' accessory building (wood shed) having a front yard setback of 88.1 feet instead of the required 125 feet,
2. Proposed Lot 1 - To permit the maintenance of a 30.4'x 42.5' accessory building (metal-clad building) having a rear yard setback of 38.3 feet instead of the required 50 feet,
3. Proposed Lot 1 - To permit the maintenance of a 14-foot diameter silo having an East side yard setback of 16.4 feet and a rear yard setback of 20.2 feet instead of the required 50 feet respectively,
4. Proposed Lot 2 - To permit the maintenance of a 10.1' x 12.1' accessory building (wood shed) having a West side yard setback of 2 feet and a rear yard setback of 25.2 feet instead of the required 50 feet respectively,
5. Proposed Lot 2 - To permit the maintenance of a 10.1'x 12.1' accessory building (wood shed) having a West side yard setback of 18.3 feet and a rear yard setback of 32.9 feet instead of the required 50 feet respectively,
6. Proposed Lot 2 - To permit the maintenance of two (2) 10.1'x 12.1 accessory buildings (wood sheds) having a separation distance of 8 feet instead of the required 9.84 feet,
7. To permit a site area of 32.66 (+/-) acres within the residual of CT #2116340 instead of the required 80 acres, and
8. To permit a site area of 69.93 (+/-) acres within the residual of CT #2116863 instead of the required 80 acres, within the "AG-1" Agriculture General Zoning District (Site Specific). (re: subdivision 4189-08-5257)

Representation:

In Support: Doug & Kristine Penner

In Opposition: Tangi Bell

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting and deferred the decision until the next planning meeting.

Subdivision 4189-10-5348 - Verner & Jennifer Johnson -
N ½ 8-10-6E

Intent: To subdivide an approximate 20-acre parcel from the existing approximate 80-acre holding.

Representation:

In Support: Verner & Jennifer Johnson

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

10-154 VAAGS
LUCKO

WHEREAS the owners Verner & Jennifer Johnson (N ½ 8-10-6E) have applied to subdivide an approximate 20-acre parcel from the existing approximate 80-acre holding; BE IT RESOLVED THAT application for subdivision No. 4189-10-5348 be approved subject to the following conditions:

1. Payment of requisite fees (administration fee, capital lot levies),
2. That a Surveyor's Building Location Certificate be prepared by a Manitoba Land Surveyor indicating the location any structures, the onsite wastewater management systems and Manitoba Hydro facilities, if any, in relation to the proposed lot lines,
3. That a Variation Order be obtained for both proposed lots, allowing for substandard site areas, required under the zoning by-law.
4. That any Variation Orders be obtained, if required, as a result of the Surveyor's Building Location Certificate,
5. That an Easement Agreement (cross access) be registered against the required titles, to allow access to the site within the existing private driveway.
6. 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, if required, shall be constructed prior to the issuance of any building permits for the property.

CARRIED (6-0)

BY-LAWS

By-law 10-01 - R & M Penner Holdings Ltd. - SW 21-10-4E

Intent: To rezone all those lands described under Ct #2356133 within SW ¼ 21-10-4E from "AG" Agricultural General Zoning District to "CH" Commercial Highway Zoning District.

For Information: Janet Nylen

NEW BUSINESS CONT'D

Correction of Minutes

10-155 SKRUPSKI
VAAGS

BE IT RESOLVED THAT the minutes of January 13, 2010 be corrected as follows:
Page 2 - Resolution 10-32 - add "a portion of" the SW ¼
Resolution 10-33 - add "a portion of" the NW ¼
CARRIED (6-0)

Notice to Rescind

Councillor Lucko gave written notice to rescind Resolution 10-117 of February 24, 2010.

St. Clements Letter

Councillor Lucko discussed a letter from St. Clements regarding their objections to the Southeast Groundwater Management Plan. Next meeting is March 8. It was suggested that regional well drillers be asked if water is rising in Springfield because of plant shut downs (Packers, Burns). Ground water levels are now higher now than 1960. Councillor Lucko advised that he will request a recorded vote and vote on behalf of the municipality.

Budget Meeting

A budget meeting was discussed for March 19. A second meeting will be held for department heads to attend.

PUBLIC HEARINGS UNDER THE PLANNING ACT CONT'D

By-law 10-01 - R & M Penner Holdings Ltd. - SW 21-10-4E

The Chair closed the public hearing.

10-156 BODNARUK
THOMPSON

BE IT RESOLVED THAT second reading be given to By-law No. 10-01 being a by-law of the Rural Municipality of Springfield to rezone all those lands described under Ct#2356133 within SW ¼ 21-10-4E from "AG" Agricultural General Zoning District to "CH" Commercial Highway Zoning District.
CARRIED (6-0)

10-157 BODNARUK
THOMPSON

BE IT RESOLVED THAT third and final reading be given to By-law No. 10-01 being a by-law of the Rural Municipality of Springfield to rezone all those lands described under Ct#2356133 within SW ¼ 21-10-4E from "AG" Agricultural General Zoning District to "CH" Commercial Highway Zoning 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)

Cooks Creek Conservation District

Councillor Lucko provided information to Council regarding Cooks Creek Conservation District and work being done near St. Genevieve.

In Camera

- 10-158 SKRUPSKI VAAGS BE IT RESOLVED THAT this meeting recess to in camera to discuss personnel and legal issues.
AND BE IT FURTHER RESOLVED THAT all matters shall remain confidential until a report is made public.
CARRIED (5-1)
- 10-159 SKRUPSKI BODNARUK BE IT RESOLVED THAT this meeting reconvenes from in camera.
CARRIED (6-0)

Adjournment

SKRUPSKI THAT this meeting stand adjourned the time being 9:15 p.m.

Peter Skrupski
Reeve

Laurent Tétrault
Chief Administrative Officer