

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

WEDNESDAY, MARCH 4th, 2009

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

Absent: Councillor Bob Bodnaruk (attending an FCM Board meeting)

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

Reeve Skrupski asked if anyone in the gallery was intending to audio tape the meeting. Janet Nylen advised that she was. Reeve Skrupski advised Ms. Nylen that Council would prefer she did not audio tape the meetings and was asked to leave if she continued to audio tape.

AGENDA

09-108 SKRUPSKI BE IT RESOLVED THAT the Agenda be amended as follows:
VAAGS Add: 1. Eastman Regional Development Inc. Membership - Unfinished Business
2. Anola Firehall/Public Works - Insulation
3. Millbrook Cemetery Fencing
4. Sale of Hazelridge property
5. In Camera - Legal issues
6. Gach Property CARRIED (5-0)

MINUTES

09-109 SKRUPSKI WHEREAS the minutes of the Council meeting held
VAAGS February 25, 2009 have been previously distributed to Council;
BE IT RESOLVED THAT the same be and are hereby amended as follows:
Page 2 - Remove second paragraph of Dugald Seniors Housing discussion CARRIED (5-0)

UNFINISHED BUSINESS

Fire Hall/Shop - Redonda Avenue

09-110 THOMPSON BE IT RESOLVED THAT Council authorize the CAO to
LALONDE negotiate the best price for the lease of property on 1227 Redonda Street for use as a #3 fire hall and a local public works shop for the industrial park and industrial area. Public Safety Officer can also be housed within. CARRIED (5-0)

DELEGATIONS

Jack Stafford on behalf of the Springfield Community Library Board met with Council to introduce the new head librarian, Vanessa Sobkovich-Wiebe. Jack gave a status report on renovations which he noted are moving along nicely. Vanessa advised that she is hoping to have the library open for May 8 with a grand opening being planned for May 23. Jack advised Council that he appreciates all the help he has received from Randy Znamirovski, Tony Zerucha and Doug Murray. Jack also advised Council that Vanessa has found a technological grant that the library can apply for yearly. Jack advised that he is hoping that the development planned for the West side of the library building goes ahead and will allow the library to connect to water and sewer. He also is hoping that with the plans to develop the Smart Park on PR 206, high speed internet may be available to them. Councillor Thompson noted that a sculpture from the Leo Mol collection may be available for the library. Contact information was passed on to Jack.

UNFINISHED BUSINESS CONT'D

Eastman Regional Development Inc.

09-111 SKRUPSKI THOMPSON BE IT RESOLVED THAT Council not renew the 2009 membership for Eastman Regional Development Inc. The fee of \$3,000.00 to be spent on promotional material for the RM of Springfield. CARRIED (5-0)

Consent Agenda

09-112 SKRUPSKI VAAGS WHEREAS a consent agenda has been submitted consisting of 2 items; BE IT RESOLVED THAT the said consent agenda be adopted as circulated. CARRIED (5-0)

NEW BUSINESS

Anola Firehall Insulation

09-113 THOMPSON LUCKO BE IT RESOLVED THAT Council approve the recommendation of the Maintenance Coordinator and accept the quote from Anola Construction for the insulation of the Anola Fire Hall and Public Works building at a cost not to exceed \$5,842.24 plus GST. CARRIED (5-0)

PUBLIC HEARINGS UNDER THE PLANNING ACT

Variance 09-09 - Howard & Pamela Bredin - NE 36-11-5E

Purpose: 1. Proposed Lot 1 - To permit an approximate site area of 5.29 acres & a site width of 352.4 (+/-) feet instead of the required 80 acres & 660 feet respectively, and

- 2. Proposed Lot 2 - To permit an approximate site area of 5.29 acres & a site width of 352.4 (+/-) feet instead of the required 80 acres & 660 feet respectively, as shown on Deposit No. 1496/2008, within the "A" Rural & Agricultural Zoning District. (re: subdivision 4189-08-5225)

Representation:

In Support: Howard Bredin
 In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-114 VAAGS
 SKRUPSKI

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Howard & Pamela Bredin (Pt NE ¼ 36-11-5E) 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 - 09 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. 4189-08-5225. CARRIED (5-0)

Variance 09-11 - Ruben & Ingrit Toews - NE 11-11-4E

Purpose: To permit the construction of a 30'x 50' accessory building (metal workshop) prior to erection of the main dwelling, providing storage of personal & business equipment and materials, within the "A" Rural District.

Representations:

In Support: Ruben Toews
 In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-115 SKRUPSKI
 THOMPSON

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Ruben & Ingrit Toews (Pt NE ¼ 11-11-4E) 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 - 11 be granted subject to the following conditions:

1. The use of the proposed accessory building shall be limited to the keeping of personal equipment and materials.
2. All personal equipment and materials to be stored inside the building. DEFEATED (2-3)

Variance 09-12 - David Blais on behalf of John Evanuiik
- NW 14-12-5E

Purpose: 1. Proposed Parcels A & B - To permit an approximate site width of 361 (+/-) feet instead of the required 660 feet,
 2. Proposed Parcels C & D - To permit an approximate site width of 361 (+/-) feet instead of the required 660 feet, and
 3. Proposed Parcels E & F - To permit an approximate site width of 361 (+/-) feet instead of the required 660 feet,
 within the "A20" Limited Agricultural Zoning District. (re: subdivision 4189-08-5244)

Representations: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-116 THOMPSON
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by David Blais on behalf of the owner John Evanuiik (Lots 5 & 11 Plan 18209 within NW ¼ 14-12-5E) 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 - 12 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. 4189-08-5244. CARRIED (5-0)

Variance 09-13 (Revised) - Kathy Asseiro on behalf of
Zoel & Jennifer Dufort - SW 34-12-5E

Purpose: 1. To permit the keeping of 5.6 Livestock Waste Units (5 horses, 5 miniature horses, 5 miniature sheep, 10 chickens) and related accessory buildings, having a site area of 20 acres & a site width frontage of 330 feet instead of the required 80 acres & 660 feet respectively, and

2. To permit the construction of an addition (attached garage & additional living space) to the pre-existing non-conforming single-family dwelling having a front yard setback of 89 (+/-) feet and a West side yard setback of 15 (+/-) feet instead of the required 125 feet & 25 feet respectively,
within the "A" Rural & Agricultural District.

Representation:

In Support: Kathy Asserio
Rick Dufort
Gordon & Wendy Mackie
In Opposition: Doloreen Hector
Don Murray

The Development Officer read his report.

Mr. Dufort addressed Council in support of the application. He advised that the property is 20 acres in total and that the yardsite takes up approximately 3 acres. The rest of the property is hayed and has good drainage appropriate for a small hobby farm.

Gordon and Wendy Mackie addressed Council in support of the application. Mrs. Mackie stated the area would be good for a small hobby farm and would improve the character of the neighbourhood. Mr. Mackie advised that the applicant currently boards horses on his property and is a very clean tenant.

Doloreen Hector addressed Council in opposition to the application. She advised that she has several concerns with the number of animals being proposed mainly attracting wildlife (deer, coyotes) excess smell will affect the enjoyment of the outdoors and excess flies.

Don Murray addressed Council in opposition to the application. His concerns are with the number of animals on property, the amount of waste that will be produced, well water contamination, increase in flies and coyotes will be attracted to the area. He questioned what recourse he would have if his well water was to become contaminated. He also noted that he has invested a lot of money into his property and this type of activity next door may lower his property value.

The Chair closed the evidentiary portion of the meeting.

09-117 THOMPSON
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Kathy Asseiro on behalf of the owners Zoel & Jennifer Dufort (Lot 3 Plan 18404 within SW ¼ 34-12-5E) 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 - 13 be granted subject to the following conditions:

1. No livestock shall be permitted on the land other than up to a maximum of 2.5 livestock waste units, which are to be kept no closer than 100 feet to any well or septic field.
2. No hogs shall be permitted on the site.
3. All livestock animals are to be owned by family members for personal use.
4. If a variance order is not acted upon within 12 months, it expires.

CARRIED (5-0)

Variance 09-14 (Revised) - Bhandal Law Office c/o Sukhjit Bhandal on behalf of Hien Vu Hguyen - SW 22-12-6E

Purpose: 1. To permit the maintenance of the existing 10.1'x 7.8' wood shed having a North side yard setback of 23.4 feet instead of the required 25 feet,
2. To permit the maintenance of the existing 9.6'x 6.7' metal shed having a North side yard setback of 22.4 feet instead of the required 25 feet, and
3. To permit the maintenance of the existing 10.1'x 7.8' wood shed and the existing 9.6'x 6.7' metal shed having a separation distance of 5.05 feet instead of the required 10 feet,
within the "A20" Limited Agricultural District.

Representation: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-118 THOMPSON
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Bhandal Law Office c/o Sukhjit Bhandal on behalf of the owner Hien Vu Nguyen (Lot 6 Plan 18391 within SW ¼ 22-12-6E) 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 - 14 be granted.

CARRIED (5-0)

Variance 09-15 - Seasons Funeral Services c/o Holly Fjeldsted on behalf of Oakbank-Springfield Kinsmen Club - NE 21-11-5E

Purpose: To permit a funeral chapel and reception centre, including professional office support services (funeral planning) in the existing structure, within the "RA-1" Suburban District - Special Provisions, (under Section 97(2) of The Planning Act (Use Variance).

Representation:

In Support: Holly Fjeldsted
Jim McCarthy
In Opposition: None

For Information: Janet Nysten

The Development Officer read his report.

Janet Nysten questioned whether the youth centre will still operate out of the building and what would become of the agreement between the Springfield Kinsmen and the municipality. Ms. Nysten was advised that the youth centre would still operate and that the agreement will be amended as required.

The Chair closed the evidentiary portion of the meeting.

09-119 LALONDE
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Seasons Funeral Services c/o Holly Fjeldsted on behalf of the owner Oakbank-Springfield Kinsmen Club (Lot 11/12 Block 5 Plan 7777 within NE ¼ 21-11-5E) for a variation of the Springfield Town Planning Scheme By-law No. 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 - 15 be granted subject to the following conditions:

1. No parking shall be permitted on Cedar Avenue during regular school hours.
2. This order shall become null and void on the date that the new Zoning By-law No. 08-01 is adopted.
3. 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.

CARRIED (5-0)

Conditional Use No. 09-01 - Sone Hansana on behalf of
Paul & Gail Warywoda - SE 32-11-7E

Purpose: To permit the use of a religious institute and permit the construction of a Buddhist Temple & two (2) mobile homes providing living accommodations on the land, within the "A" Rural & Agricultural District.

Representation:

In Support: Sone Hansana
Steve Warywoda
Bounnhong Thongvankhan

In Opposition: Dana Trapp
Julie & Guy Douville
Frances & Steve Warywoda
Sharon & Murray Burton
Craig & Lorraine Boitson
Paulette Douville
Stu Armstrong
Linda & Rick Santa
Ed Gatey
C.R. McCutcheon
Janice Bernardin
Peter Kula
Kevin Kalinski
Jerry Kalinski
Pat & Herb Skipper
Rob Eisbrenner
Jan & Chris Bujan

For Information: Audrey Gatey
Gerry Palidwor
Art & Sylvia Dillabough
Peter Williams
Janet Nylen

The Development Officer read his report.

Mr. Hansana advised that the current temple in Winnipeg is too small and that they need a bigger space to expand. Currently only 50 people would be attending once a month for meditation. Any bigger activities would still take place in Winnipeg. Their plans include teaching dance for Folklorama, chanting, meditation and a place to teach the culture to the younger generation. In the summer they would plant gardens. They had tried to locate closer to the city but no affordable land was available.

Chris Bujan addressed Council in opposition to the application. Her main concerns were increase in traffic and dust, safety concerns, damage to roads, flooding on the property and wildlife concerns.

Lorraine Boitson addressed Council in opposition to the application. Her main concerns were increased traffic, potential for further flooding in the area and that the proposal has nothing to do with the local community and is not needed.

The Chair deferred the public hearing to May 6 to give those in opposition a chance to meet with the applicants to discuss further. It was suggested that the May 6 meeting take place in a bigger venue.

Subdivision 4189-04-4964 (Reconvene) - Bob & Margaret Crockett - NE 2-10-4E

Intent: To subdivide a 0.68-acre parcel from the existing 6.59-acre holding, for residential purposes.

The Development Officer advised that he was contacted by the owners and asked to put the application for subdivision in abeyance.

BY-LAWS

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

Representations: Allen Kaplen

09-120 THOMPSON LALONDE BE IT RESOLVED THAT second 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 (5-0)

09-121 THOMPSON LALONDE BE IT RESOLVED THAT third and final 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.

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

CARRIED (5-0)

Variance 09-10 - Allen & Donna Kaplen - NE 23-12-5E

- Purpose:
1. Proposed Lot 1 - To permit an approximate site width of 331.55 (+/-) feet instead of the required 660 feet,
 2. Proposed Lot 2 - To permit an approximate site width of 331.55 (+/-) feet instead of the required 660 feet, and

3. Proposed Lot 3 - To permit an approximate site width of 331.55 (+/-) feet instead of the required 660 feet, within the "A20" Limited Agricultural Zoning District. (re: subdivision 4189-08-5254)

Representation:

In Support: Allen Kaplen
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-122 THOMPSON
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Allen & Donna Kaplen (Lot 2 Plan 18115 within NE ¼ 23-12-5E) 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 - 10 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. 4189-08-5254.

CARRIED (5-0)

Canadian Institute of Planners

09-123 SKRUPSKI
VAAGS

BE IT RESOLVED THAT the following be delegated to attend the 2009 Canadian Institute of Planners Conference in Niagara Falls, September 30 to October 3, 2009:
Dan Doucet
Marilyn Van Dorp

CARRIED (5-0)

2010 Re-Assessment

The CAO advised that the assessor would be attending the June 10 Council meeting to discuss the 2010 re-assessment and tax impact.

Grounds Keeping Contracts

09-124 SKRUPSKI
THOMPSON

BE IT RESOLVED THAT the CAO be authorized to enter into the following contracts:
- Crystal Mcleod for the Caretaker contract position at Evergreen Lodge
- Jean Groch for the Caretaker contract position at Pleasant View Lodge
- GTR Services for the Groundskeeper contract position at Evergreen Lodge
- GTR Services for the Groundskeeper contract position at Pleasant View Lodge

CARRIED (5-0)

Cooks Creek Conservation District

Councillor Vaags advised that Cooks Creek Conservation District would like to make arrangements to contract the municipal surveyor when available.

Millbrook Cemetery Fencing

- 09-125 VAAGS SKRUPSKI BE IT RESOLVED THAT the Cemetery Committee be authorized to utilize the services of Amcor Fencing for the installation of chain link fencing at the Millbrook Cemetery in the amount of \$4,351.39 (taxes included) upon approval of the 2009 financial plan.
CARRIED (5-0)

Hazelridge Community Club

- 09-126 THOMPSON SKRUPSKI BE IT RESOLVED THAT Council approve the sale of the Hazelridge Community Club lot after consultation with the community and Hazelridge Sports Complex Executive. Council to provide a grant to Hazelridge Sports Complex equal to the amount of the sale price.
CARRIED (5-0)

Gach Property

The Development Officer distributed a report regarding an issue to demolish an abandoned building encroaching on neighbouring property. Council agreed that it is not a municipal issue. Item received as information.

Library Grant

- 09-127 LALONDE THOMPSON WHEREAS the Province of Manitoba has established a Rural Library Technological Sustainability Grant Program;
AND WHEREAS funds for this program will be provided annually through the Building Manitoba Fund;
AND WHEREAS the purpose of the program is to enable rural public libraries to meet the demand for new library technology;
AND WHEREAS municipalities recognize that fund are in addition to the annual provincial operating grants and municipal contributions paid to public libraries;
NOW THEREFORE BE IT RESOLVED THAT the Rural Municipality of Springfield hereby agrees to accept these funds as an annual conditional grant and will transfer these funds in full, within 60 days of receipt to the Springfield Community Library.
CARRIED (5-0)

In Camera

09-128 SKRUPSKI BE IT RESOLVED THAT this meeting recess to in camera to
VAAGS 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)

09-129 SKRUPSKI BE IT RESOLVED THAT this meeting reconvenes from in
VAAGS camera.
CARRIED (5-0)

Legal Issue

09-130 SKRUPSKI BE IT RESOLVED THAT Council further move towards legal
THOMPSON action against the slanderous comments against council
in 2008 and the unapproved audio taping of council
meetings.
CARRIED (4-1)

Adjournment

SKRUPSKI THAT this meeting stand adjourned the time being 10:30
p.m.

Peter Skrupski
Reeve

Laurent Tétrault
Chief Administrative Officer