

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

TUESDAY, March 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
Dan Doucet, Development Officer
Colleen Draper, Recording Secretary

Reeve Holland called the meeting to order at 3:30 p.m. and began proceedings with invocation.

AGENDA

- 06-94 HOLLAND BODNARUK BE IT RESOLVED THAT the Agenda be amended as follows:
Add: Meeting with City of Winnipeg regarding the closure of PR 207.
Attendance at closing ceremonies - Winter Games
CARRIED (6-0)

MINUTES

- 06-95 OSIOWY LALONDE WHEREAS the minutes of the Council meeting held February 14, 2006 have been previously distributed to Council;
BE IT RESOLVED THAT the same be and are hereby amended as follows:
- Delegations - Murchison and Rynar - reword as "due to moving of the girders for the construction of the floodway bridges".
CARRIED (6-0)
- 06-96 SHAVER PAUSHYN WHEREAS the minutes of the Special Council meeting held February 22nd, 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 Paulishyn reported on his attendance at ERDI in Pinawa, Legislative Finance and Personnel Committee meeting, Water and Waste Committee meeting, CCCD Expansion meeting, Manitoba Good Roads Banquet and awards ceremony, Municipal Officials Seminar, ERDI and Red River Basin Board meeting.

Councillor Shaver reported on his attendance at several committee meetings, AMM Seminar in Brandon, Emergency Preparedness meeting in St. Norbert and a meeting with the local wildlife association and Manitoba Conservation regarding near urban wildlife zone.

Councillor Bodnaruk reported on his attendance at the CCCD Expansion meeting, Council of the Whole meeting, Legislative Finance and Personnel Committee meeting, MGRA meeting AMM Seminar, Flood Preparedness meeting, Public Works Committee meeting, meeting with the City regarding closure of PR 207 and the Association of Rural Municipalities meeting which dealt with wastewater certification programs.

Reeve Holland reported on his attendance at a Public Works Committee meeting, Council of the Whole meeting, the Manitoba Good Roads Banquet and awards ceremony, Municipal Officials Seminar, AMM Education Seminar and a seminar which he hosted as president of the MGRA regarding geo textiles and dust control practices. Reeve Holland expressed appreciation for his role as President of the Manitoba Good Roads Association.

Councillor Osiowy reported on his attendance at the CCCD Expansion meeting, Municipal Officials Seminar and the Emergency Flood Preparedness seminar in St. Norbert.

Councillor Lalonde reported on her attendance at the Water and Waste Committee meeting, Council of the Whole meeting, Municipal Board Hearing, AMM Seminar in Brandon, and the Public Works Committee meeting.

STANDING COMMITTEE AND DEPARTMENT REPORTS

Springfield Recreation Commission - minutes of February 13th, 2006 were received as information.

Public Health, Safety and Protective Services Committee - minutes of February 8th, 2006 were received as information. It was noted that an invitation was given to Council for the Springfield Fire and Rescue awards night to be held April 18th.

DELEGATION

Mr. Len Semeniuk, of LSL Contracting and Materials, called on Council to discuss the terms and conditions of an agreement with Council regarding the extraction of materials.

06-97 HOLLAND WHEREAS notice was given at the February 14, 2006
BODNARUK meeting of Council to reconsider resolution 06-38;
BE IT RESOLVED THAT Resolution 06-38 be rescinded.

CARRIED (6-0)

06-98 PAULISHYN BE IT RESOLVED THAT Council agree to the request of LSL
BODNARUK Contracting and Materials to purchase the balance of
the material in the area designated for extraction in
2005, subject to the following conditions:

- balance of material to include not more than
58,000 cubic yards above the average depth of 35
feet;
- prices as established for 2005 to remain in effect
except for all material below 35 foot depth, which
shall be \$1.00 per tonne;
- payment of \$16,773.00 to be paid by no later than
March 15, 2006 to cover remaining material above
35 foot depth;
- extraction to be completed by no later than
October 31, 2006, full payment to be made within 2
weeks of completion of extraction, following a
cross section;
- RM to have access for testing purposes at their
discretion. LSL to notify the RM upon starting
extraction.

AND FURTHER BE IT RESOLVED THAT the Reeve and CAO be
authorized to execute the required agreement.

CARRIED (6-0)

UNFINISHED BUSINESS

RM of Tache Curling Bonspiel - Received as information.

School Bus Drop Off - Symington Road and Dawson Road

Councillor Bodnaruk reported that currently the school
bus stops at the stop sign and children have to cross
the street kitty corner. The bus does not block the
road and cars are still speeding by because they are
unable to see the crossing arm of the bus. He
suggested that a 4-way stop would be effective or a
reduced speed limit. Councillor Bodnaruk requested
that administration send a letter to Sunrise School
Division advising them of the situation.

CONSENT AGENDA

06-99 HOLLAND WHEREAS a consent agenda has been submitted consisting
BODNARUK of 8 items;
BE IT RESOLVED THAT the said consent agenda be adopted
as circulated.

CARRIED (6-0)

NEW BUSINESS

Agassiz Festival of the Arts - received as information.

January List of Accounts

06-100 HOLLAND
LALONDE WHEREAS disbursements have been reviewed for the month of January, 2006;
BE IT RESOLVED THAT all accounts listed on the attached printout totaling \$1,684,715.12 be approved.

CARRIED (6-0)

February List of Accounts

06-101 OSIOWY
LALONDE WHEREAS disbursements have been reviewed for the month of February, 2006;
BE IT RESOLVED THAT all accounts listed on the attached printout totaling \$416,792.18 be approved for payment.

CARRIED (6-0)

Manitoba Weed Supervisors Association

06-102 SHAVER
LALONDE BE IT RESOLVED THAT the following members of Council be delegated to attend the Manitoba Weed Supervisors Association seminar on March 22, 2006 at the Holland Community Hall in Holland at 9:00 a.m.:
Reeve Holland
Councillor Osiowy
Councillor Shaver

CARRIED (5-1)

Council broke from 5:30 p.m. to 6:30 p.m.

Application for third access

06-103 SHAVER
HOLLAND BE IT RESOLVED THAT the application for a third approach at 30 019 Oakwood Road (64N) by David Matwychuk on behalf of the owners David and Marianne Matwychuk be approved conditional to the new approach being installed to the satisfaction and specifications of the Public Works Department.

CARRIED (6-0)

UNFINISHED BUSINESS CONT'D

Springfield Women's Institute

06-104 PAULISHYN
SHAVER BE IT RESOLVED THAT the RM of Springfield agrees to provide a grant of up to \$2,000.00 on a matching basis, to the Springfield Women's Institute towards fund raising for the Dugald Train Wreck of September 1st, 1947.

DEFEATED (3-3)

06-105 LALONDE
SHAVER

BE IT RESOLVED THAT the RM of Springfield agrees to provide a grant of up to \$1,600.00 on a matching basis, to the Springfield Women's Institute towards fund raising for the Dugald Train Wreck of September 1st, 1947.

CARRIED (5-1)

Council meeting adjourned to hear applications under The Planning Act.

PUBLIC HEARINGS UNDER THE PLANNING ACT

Variance No. 06-03 - Mr. William Murray, Murray & Kovnats on behalf of Ms. Johanna Schnurrer - NW 35-11-4E

Purpose:

1. To permit a site area of 0.23 acres and site width of 60 feet instead of the required 5 acres and 300 feet respectively;
2. To permit the maintenance of a single family dwelling having a front yard setback of 46.4 feet with a front yard projection (eaves) of 45.05 feet instead of the required 125 feet and 122 feet respectively;
3. To permit the maintenance of a single family dwelling having a side yard setback of 14.35 feet with a side yard projection (eaves) of 13 feet instead of the required 25 feet and 22 feet respectively;
4. To permit the maintenance of the existing 24.15'x 24.15' accessory building (detached garage) having a side yard setback of 2 feet with a side yard projection (eaves) of 0.75 feet instead of the required 25 feet and 22 feet respectively;
5. To permit the maintenance of the existing 24.15'x 24.15' accessory building (detached garage) having a rear yard setback of 19 feet with a rear yard projection (eaves) of 17.6 feet instead of the required 25 feet and 22 feet respectively;

within the "A" Rural District.
(re: subdivision 4189-05-4996)

Representations:

In Support: Ms. Johanna Schnurrer - owner
In Opposition: None

The Development Officer read his report.

06-106 BODNARUK
SHAVER

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by William R. Murray, Murray and Kovnats, on behalf of the owner Johanna Schnurrer for a variation of the Springfield Town Planning Scheme 1959 and 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. 06-03 be granted subject to the following conditions:

- 1. None

CARRIED (6-0)

Variance No. 06-04 Mr. Douglas and Teresa Newton - NE 7-11-7E

Purpose: To permit an auto-glass and minor automotive repair business on the land as a "Home Occupation" with the "A" Rural & Agricultural District within an existing 960 sq. ft. accessory building.

Representations:

In Support: Douglas and Teresa Newton,
owners

In Opposition: None

The Development Officer read his report.

06-107 PAULISHYN
SHAVER

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Douglas Newton on behalf of the owners Douglas and Teresa Newton for a variation of the Springfield Zoning By-Law #85-26 and 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. 06-04 be granted subject to the following conditions:

- 1. All business activities shall be conducted within the existing 960 square foot accessory building.
- 2. That no outside storage or display of parts or unregistered vehicles shall be permitted on the land.
- 3. 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).
- 4. Not more than one advertising sign shall be displayed on the land and the size of the sign permitted shall not exceed 8 square feet in total area.
- 5. 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)

Variance No. 06-05 David R. Sellen, Deeley Fabbri
Sellen obo Viktor and Nadeschda Hergert - NW 22-11-5E

Purpose: To permit the maintenance of a 3.0m x 3.02m accessory building (shed) having a 1.57 foot side yard setback and a 2.03 foot rear yard setback instead of the required 10 feet respectively, within the "RA" Suburban District and registered Development Agreement.

Representations: None

The Development Officer read his report.

06-108 LALONDE
OSIOWY

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by David R. Sellen, Deeley Fabbri Sellen on behalf of the owners Viktor and Nadeschda Hergert for a variation of the Springfield Town Planning Scheme 1959 and 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. 06-05 be granted subject to the following conditions:

1. An application must be made to the Municipal Board of Manitoba, for an amendment to a Development Agreement which is filed against the title in W.L.T.O. as caveat #1017271.

CARRIED (6-0)

The Council meeting was reconvened.

NEW BUSINESS CONT'D

Springfield Tache Weed District

06-109 SHAVER
OSIOWY

WHEREAS the Springfield-Tache Weed Control District has requested an interim installment of the 2006 operation levy pending finalization of their 2006 budget;

BE IT RESOLVED THAT the RM of Springfield authorize an interim payment in the amount of \$10,000 to the Springfield-Tache Weed Control District.

CARRIED (6-0)

Rescind Resolution 05-736

06-110 HOLLAND
BODNARUK

WHEREAS notice to rescind Resolution No. 05-736 has been given;
BE IT RESOLVED THAT Resolution No. 05-736 be rescinded and;
BE IT RESOLVED THAT the designated year for the RM of Springfield tax sale shall be 2003 and older;
AND BE IT FURTHER RESOLVED THAT should a tax sale be required the date will be September 12, 2006.

CARRIED (6-0)

RM of Lac du Bonnet Curling Bonspiel - received as information.

Springfield Youth Parliament

06-111 HOLLAND
BODNARUK

BE IT RESOLVED THAT Springfield Youth Parliament be granted \$250.00 towards organization of the event being held on March 17 and 18, 2006.

CARRIED (6-0)

Aspen Lakes Development Corporation

06-112 LALONDE
OSIOWY

WHEREAS the Municipality has entered into Development and Servicing Agreements with Aspen Lakes Development Corporation pertaining to Aspen Lakes residential development; and
WHEREAS it is deemed appropriate to enter into further specific agreements under the umbrella of these Agreements; and
WHEREAS the Developer has requested an agreement allowing the construction of 2 display and 2 speculation homes in Phase II;
BE IT RESOLVED THAT Council authorize the Municipality to enter into the following agreement, and that the Reeve and CAO be authorized to execute this agreement on behalf of the Municipality:

- Indemnity Agreement for Phase II Construction

CARRIED (6-0)

Community Festival Planning Workshop - referred to the Recreation Director.

Municipal Board Re: By-Law No. 01-17 - information regarding date and time was received.

Council meeting adjourned to hear applications under The Planning Act.

PUBLIC HEARINGS UNDER THE PLANNING ACT

Subdivision No. 4189-05-5051 - Ms. Blanche E. Habing - NE 22-11-6E

Intent: Realignment of properties lines by transferring 175 feet of her property to adjacent owners, the end result will create a 5-acre parcel for owner and an 8.6-acre parcel to adjacent owners.

Representations: None

The Development Officer read his report.

06-113 SHAVER
PAULISHYN

WHEREAS Blanche E. Habing owner has applied to realign property lines by transferring 175 feet of her property to adjacent owners, the end result being to create a 5-acre parcel for the owner and an 8.6-acre parcel for adjacent owners, in an area designated Agricultural Preserve;

BE IT RESOLVED THAT application for subdivision No. 4189-05-5051 be approved subject to the following conditions:

1. Payment of requisite fees (Administration Fee);
2. A Surveyor's Building Location Certificate be prepared and submitted showing all existing buildings and the sewage disposal systems in relation to the proposed lot lines;
3. A site width and site area variation be obtained for Lot 1;
4. A site width and site area variation be obtained for Lot 2;
5. That any other variation orders be obtained, if required as a result of the Surveyor's Building Location Certificate;
6. The owner satisfies the concerns of Manitoba Conservation regarding the existing sewage disposal system and submits confirmation to the municipality;
7. That the proposed parcel (175'x 450') be consolidated with all those lands described in Ct# C 99450 and be shown as a single lot on the prepared plan of subdivision

CARRIED (6-0)

Subdivision No. 4189-05-5037 - Ms. Rose Marie Ratté - NE 9-10-4E

Intent: To realign the title boundaries to create a 20-acre parcel and a 9.4-acre parcel.

Representations:

In Support: Ms. Rose Marie Ratté

In Opposition: None

The Development Officer read his report.

06-114 BODNARUK
SHAVER

WHEREAS Rose Marie Ratté owner has applied to realign the title boundaries to create a 20-acre parcel and a 9.4-acre parcel in an area designated Rural and Agricultural;

BE IT RESOLVED THAT application for subdivision No. 4189-05-5037 be approved subject to the following conditions:

1. Payment of requisite fees (Administration Fee);
2. A Surveyor's Building Location Certificate be prepared and submitted showing all existing buildings and the sewage disposal systems in relation to the proposed lot lines;
3. 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;
4. That any variation orders be obtained, if required as a result of the Surveyor's Building Location Certificate;
5. That the owner obtain the required permit from the Highway Traffic Board, if required;
6. That the owner obtain a Water Rights License, if required.

CARRIED (6-0)

Subdivision No. 4189-05-5057 - Centra Gas Manitoba Inc. obo Estate of Margaret Peadson - SW 4-10-4E

Intent: To subdivide 0.3 acres from a 67-acre parcel to construct an above-grade natural gas valve.

Representations:

In Support: Mr. Marc Wankling obo of owner and applicant

In Opposition: None

The Development Officer read his report.

It was noted that the Public Works Department recommended a drainage plan be submitted.

06-115 BODNARUK
HOLLAND

WHEREAS Marc Wankling, Centra Gas Manitoba Inc., on behalf of the Estate of Margaret Peadson, owner, c/o Larry Peadson, Executor, has applied to subdivide 0.3 acres from a 67-acre parcel to construct an above-grade natural gas valve, in an area designated Agricultural Preserve;

BE IT RESOLVED THAT application for subdivision No. 4189-05-5057 be approved subject to the following conditions:

1. Payment of requisite fees (Administration Fee);
2. That the applicant enter into a flood protection agreement to flood proof the site;
3. That a standard identification sign with an Emergency Number be located on site for the above-grade natural gas valve.

CARRIED (6-0)

Subdivision No. 4189-05-5055 - Terry and Jackie Cole - SW 27-11-5E

Intent: To subdivide the 5-acre parcel into two (2) lots of approximately equal size:

Lot 1 - yard site; and

Lot 2 - two (2) 3-storey buildings (total 56-unit condominium)

Representation:

In Support: Jackie Cole - Owner/applicant
Lanny Silver - architect

In Opposition: None

The Development Officer read his report.

06-116 LALONDE
OSIOWY

WHEREAS Terry and Jackie Cole, owners, have applied to subdivision a 5-acre parcel into two lots of approximately equal size: Lot 1 - yard site; Lot 2 - two 3-storey buildings (total 56-unit condominium) in an area designated Residential;

BE IT RESOLVED THAT application for subdivision No. 4189-05-5055 be approved subject to the following conditions:

1. Payment of requisite fees (administration, land dedication, capital lot levy fees).
2. That Lot 1 (north site) be rezoned from 'A' to 'RA' Suburban District.
3. That Lot 2 (south site) be rezoned from 'A' to 'R3' Multiple Family Dwelling District.
4. The proposed subdivision shall include a Declaration of Right of Way for Public Road access along the western limit on Lot 1 of a distance of 10.9 metres.
5. A Surveyor's Building Location Certificate be prepared and submitted, showing all existing

- buildings and the sewage disposal systems in relation to the proposed lot lines.
6. That any variation orders be obtained, if required as a result of the Surveyor's Building Location Certificate.
 7. That a development agreement be completed regarding lot grades, drainage, roads, utilities, landscaping, and any other public works deemed necessary by Council.
 8. That all outstanding property taxes be paid in full, prior to entering into a development agreement.
 9. 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.
 10. The proposed development shall be serviced by water and municipal sewer.
 11. That the existing sewage ejector system, located on proposed Lot 1 within the Planned Area, shall be replaced with a private sewage disposal system (holding tank) as determined by Manitoba Conservation.
 12. That a Water Rights License be obtained from Manitoba Conservation should the water supply be obtained by a well.
 13. That the owner and/or developer obtain the required permits from Manitoba Transportation and Government Services, and that the required information regarding traffic generated, and drainage from this development be submitted to the said department and the municipality.

CARRIED (6-0)

The Council meeting was reconvened.

NEW BUSINESS

City of Winnipeg - 207 Closure

A meeting was held between the RM , City of Winnipeg, and CCCD regarding the closure of PR 207 to complete repair work on a cross culvert. The closure is expected during June or July for approximately one month. Alternate routes, dust control, and school bus routes were all discussed. Administration was directed to draft a letter listing potential scenarios and concerns.

Winter Games

Information regarding tickets for the closing ceremonies was received.

Council took a break at 8:25 p.m. and resumed at 9:00 p.m. to hear applications under The Planning Act.

PUBLIC HEARINGS UNDER THE PLANNING ACT

By-Law No. 06-05 - Rezoning - SW 22-11-4E

Representations: None

The Development Officer read his report.

06-117 HOLLAND
SHAVER

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

CARRIED (4-2)

By-Law No. 06-07 - Rezoning - SE 1-11-4E

Representations:

In Support: David Sellen

Garth Kristiansen

For Information: Frank Shefchyk

Harvey Kehler

Mr. Kristiansen, an area farmer, spoke in support of the application. He noted that the produce would be grown locally, the plant will be centrally located, and no emissions, pollution or waste water will be created by the plant.

Mr. Shefchyk submitted a letter with his concerns to Council and Mr. Sellen responded to his concerns.

Q. Why does the entire parcel have to be rezoned?

A. The rail line or spur line may be required in the future. The plant itself will be located in the center of the site. It was noted the current zoning is recreational and the previous proposal of a golf course is not economically viable. It is expected only 15 cars a day will be going in and out of the plant.

Q. Where the access will be placed?

A. They will be told by highways where the access will go. Highways will deal with the safety issues on PR 207 and Highway 15.

Q. How will drainage issues be resolved?

A. Drainage on the parcel has never been proper. It will be a condition of the development to resolve the drainage issue.

Q. What types of power and water sources are expected?

A. The plant will run on electricity. There will be zero impact on draw and discharge of water. The only water used will be for staff use.

Q. Will the plant be esthetically pleasing?

These issues will be dealt with through the development agreement and building permits.

Q. What will be in place for fire and rescue services?
A. Regulations would have to be in place before the plant would be approved. There will be an onsite water source that will be used by the fire department. Staff will be on site seven days a week, 24 hours a day.

Mr. Kehler was concerned with noise and odour. It was explained to him that the entire process will take place in the building so there will be no excess noise produced. The plant is strictly for crushing of the canola. It will be done by a cold press process and no odour will be created. These issues are all covered within the environmental licensing. The only noise that will be created is by the trucks hauling the product in and out.

Reeve Holland closed the evidentiary portion of the hearing.

06-118 BODNARUK
SHAVER

BE IT RESOLVED THAT second 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

SHAVER
PAULISHYN

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

CARRIED (6-0)

John D. Holland
Reeve

D. I. Donaghy
Chief Administrative Officer