

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

TUESDAY, May 9<sup>th</sup>, 2006

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Present: Reeve John D. Holland  
Councillor Bob Bodnaruk  
Councillor Karen Lalonde  
Councillor Robert Osiowy  
Councillor William F. (Bill) Paulishyn  
Councillor Douglas Shaver  
Dave Donaghy, CAO  
Dan Doucet, Development Officer  
Anne Burns-Bensch, Manager of Administration  
& Finance

Reeve Holland called the meeting to order at 6:30 p.m. and began proceedings with invocation.

**AGENDA**

06-219 HOLLAND OSIOWY BE IT RESOLVED THAT the Agenda be amended as follows:  
Add - Anola Forcemain easements  
- By-law 73-22  
CARRIED (6-0)

**MINUTES**

06-220 BODNARUK SHAVER WHEREAS the minutes of the Council meeting held April 25, 2006 have been previously distributed to Council;  
BE IT RESOLVED THAT the same be and are hereby approved.  
CARRIED (6-0)

06-221 LALONDE OSIOWY WHEREAS the minutes of the Council meeting held May 1, 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 Lalonde reported on her attendance and circulated notes from the Local Governance, George Cuff seminar on May 4.

Councillor Osiowy reported on his attendance at the Public Works Committee meeting on May 8, Brokenhead Restoration meeting on April 27 and Local Governance, George Cuff seminar on May 4.

Councillor Paulishyn reported on his attendance at the Volunteer Banquet April 26, 2006 in support of Sandie King. He also reported on his attendance at the Rural Forum in Brandon April 27 to April 29, Red River Basin Commission meeting and ARM meeting in St. Clements on May 4 and Public Works Committee meeting on May 8.

Councillor Shaver reported on his attendance at the Volunteer Banquet April 26, 2006 in support of Sandie King. He also reported on his attendance at committee meetings, Springfield Tache Weed District meeting on May 3 and Local Governance, George Cuff seminar on May 4.

Councillor Bodnaruk reported on his attendance at the ARM meeting in St. Clements on May 4 and Public Works Committee meeting on May 8.

Reeve Holland reported on his attendance at the Local Governance, George Cuff seminar on May 4. He also reported on his attendance at the ARM meeting in St. Clements on May 4 and noted the speaker was Honourable Ron Lemieux, Minister of Transportation and Government Services.

**STANDING COMMITTEE AND DEPARTMENT REPORTS**

Water & Waste Committee - deferred to next meeting.

Springfield Fire & Rescue - received as information.

Public Health & Safety & Protective Services - received as information.

Public Works Committee

06-222 SHAVER  
PAULISHYN BE IT RESOLVED THAT Council authorize the Municipality to recruit externally for and hire a parts room attendant at the skilled labourer salary range.

CARRIED (6-0)

06-223 OSIOWY  
BODNARUK BE IT RESOLVED THAT Council authorize the Public Works department to contract the reclamation and stabilization of Day Street as recommended as options 1 and 2 at a cost not to exceed \$56,000.00 plus applicable taxes.

CARRIED (6-0)

**BY-LAWS**

By-Law 06-08

06-224 BODNARUK  
SHAVER BE IT RESOLVED THAT second reading be given to By-Law No. 06-08 being a By-Law to authorize a Zoning Agreement and a Development Agreement with Lillian Sedo "Parcel D, Plan 28684 within NW ¼ 8-10-4EPM"

CARRIED (6-0)

06-225 BODNARUK  
PAULISHYN BE IT RESOLVED that third and final reading be given to By-Law No. 06-08 being a By-Law to authorize a Zoning Agreement and a Development Agreement with Lillian Sedo "Parcel D, Plan 28684 within NW ¼ 8-10-4EPM"

	For	Against	Absent	Abstain	Reason
Holland	x				
Bodnaruk	x				
Lalonde	x				
Osiowy	x				
Paulishyn	x				
Shaver	x				

CARRIED (6-0)

By-Law 06-11

06-226 HOLLAND BE IT RESOLVED THAT second reading be given to By-Law  
BODNARUK 06-11 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)

06-227 PAULISHYN BE IT RESOLVED that third and final reading be given to  
SHAVER By-Law No. 06-11 being a by-law of the Rural  
Municipality of Springfield to authorize the  
cancellation of taxes and debts owing to the  
Municipality.

	For	Against	Absent	Abstain	Reason
Holland	x				
Bodnaruk	x				
Lalonde	x				
Osiowy	x				
Paulishyn	x				
Shaver	x				

CARRIED (6-0)

By-Law 06-13

06-228 OSIOWY BE IT RESOLVED THAT first reading be given to By-Law  
LALONDE No. 06-13 being a By-Law to authorize a Development  
Agreement with Gordon and Mildred Regula "Lot 1 Plan  
18115 within N ½ 23-12-5 EPM described in Certificate  
of Title No. 2018601".

CARRIED (6-0)

By-Law 06-14

06-229 OSIOWY BE IT RESOLVED THAT Council give first reading to By-  
LALONDE law 06-14 being a Zoning By-law for the Rural  
Municipality of Springfield.

CARRIED (6-0)

*Council meeting adjourned to hear applications under  
The Planning Act.*

**PLANNING MATTERS/PUBLIC HEARINGS UNDER THE PLANNING ACT**

Variance No. 06-11 - Mr. Alvin & Ms. Natalie Suchoplas  
- obo Nat-Al Ltd. - NE 36-10-6E

Purpose:

1. To permit the maintenance of an existing 8.7'x18.6' metal freezer having a side yard setback of 3.2 feet instead of the required 5 feet;
2. To permit the maintenance of an existing 62.5'x 40.2' 1-storey commercial building having a rear yard setback of 4.8 feet and a front yard setback of 11.95 feet instead of the required 20 feet respectively;
3. To permit the maintenance of an existing 9.35'x 11.05' wooden porch having a front yard setback of 2.65 feet instead of the required 15 feet;
4. To permit the maintenance of an existing 3.9'x 13.85' gas pump island having a front yard setback of 0.95 feet instead of the required 20 feet;
5. To permit the maintenance of an existing 8.85'x 1.0' wood sign having a front yard setback of zero feet instead of the required 20 feet;
6. To permit the maintenance of an existing 18.25'x 32.25' accessory building (wooden shed) and an existing 8.1'x 12.1' accessory building (wood shed) having a separation distance of 0.75 feet instead of the required 10 feet;
7. To permit the maintenance of the existing 8.1'x 12.1' accessory buildings (wood sheds) having a separation distance of 1.3 feet instead of the required 10 feet; within the "GC" General Commercial District.

Representations:

In Support: Mr. Alvin Suchoplas  
Mr. Jacque Levesque

In Opposition: None

The Development Officer read his report.

06-230 PAULISHYN  
SHAVER

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Alvin and Natalie Suchoplas on behalf of the owner Nat-Al Ltd. 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 -11 be granted subject to the following conditions:

1. Removal of proposed variance #5.

CARRIED (6-0)

Variance No. 06-12 Ms. Donna Jaques - NW 22-11-5E

Purpose: To permit a "Home Occupation", home spa/massage therapist, on the land, within the "RA" Suburban District.

Representations:

In Support: Ms. Donna Jaques  
Opposed: Ms. Wendy Waite (via fax)

The Development Officer read his report.

06-231 LALONDE  
OSIOWY

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Donna Jaques, owner, 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 -12 be granted subject to the following conditions:

1. All business activities shall be conducted within the existing attached garage.
2. Business activities shall be limited to the hours of 9:00 a.m. to 5:00 p.m., Monday to Friday.
3. Not more than one advertising sign shall be displayed on the land and the size of the sign permitted shall not exceed 1.5 square feet in total area.
4. No additional employees (other than the owner) will work in the business.
5. This order shall expire within 3 years and /or 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. 06-14 Neighbors Landscaping & Construction Ltd. c/o Mr. George Jasper - NW ¼ 18-11-7E

Purpose: To permit the construction of a 30'x 40' addition to the existing 30'x 34' shop having a rear yard setback of 10 feet instead of the required 25 feet within the "M2" Heavy Industrial District.

Representations:

In Support: Mr. George Jasper  
Opposed: None

The Development Officer read his report.

06-232 BODNARUK  
SHAVER

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Neighbors Landscaping & Construction Ltd. c/o George Jasper 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 -14 be granted subject to the following conditions:

1. An application must be made to the Municipal Board of Manitoba, for an amendment to a Subdivision Agreement which is filed against the title in W.L.T.O. under caveat #1365324.

CARRIED (6-0)

Variance No. 06-15 Mr. Dennis Boles - SW 35-12-5E

Purpose: To permit the keeping of seven (7) horses and construction of a 30'x 40' barn on an existing yard site having a site width of 330 feet instead of the required 660 feet respectively, within the "A20" Limited Agricultural District.

Representations:

- In Support: Mr. Dennis Boles
- In Opposition: Mr. Glen Stobbe
- Ms. Edith Grasby

Both Mr. Stobbe and Ms. Grasby expressed concerns about the condition of the property in the past and the potential of neglect on the property if seven horses are permitted.

The Development Officer read his report.

06-233 OSIOWY  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Dennis Boles, owner, 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 -15 be granted subject to the following conditions:

1. No livestock shall be permitted on the land other than up to a maximum of (7) horses, which are to be kept no closer than 100 feet to any well or septic field, or within the front 125 feet of the lot.
2. No hogs shall be permitted on the site.
3. All livestock animals are to be owned by family members for personal use.

CARRIED (6-0)

Variance No. 06-16 - Mr. Gordon Novoselnik Lot 13 Plan 15992 within NE ¼ 22-12-5E

Purpose: To permit a "Home Occupation", small horse boarding business, not exceeding seven (7) horses, and to vary a site area of 10 acres instead of the required 20 acres, within the "A20" Limited Agricultural District.

Representations:

In Support: Mr. Gordon Novoselnik  
 Mr. Glen Kowalchuk  
 In Opposition: None

The Development Officer read his report.

06-234 OSIOWY  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Gordon Novoselnik on behalf of the owners Gordon and Tracy Novoselnik 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 -16 be granted subject to the following conditions:

1. There shall be no retail sale of goods from within the dwelling unit and or any accessory building.
2. No livestock shall be permitted on the land other than up to a maximum of (7) horses, which are to be kept no closer than 100 feet to any well or septic field.
3. The horse boarding business shall not create or become a nuisance by the way of noise, fumes, dust, odour, and traffic or otherwise interfere with the use and enjoyment of adjacent lands.
4. This order shall expire and become null and void on the date the land is transferred by the applicant.

CARRIED (6-0)

Variance No. 06-17 - Ms. Lavina N. Rattai - Lot 9 Block 3 Plan 29889 within NE ¼ 22-11-5E - 209 Elm Drive

Purpose: To permit the maintenance of a 16.3'x 12.3' accessory building (vinyl-sided shed) having a 3.5-foot side yard setback and a 0.4-foot rear yard setback instead of the required 10 feet respectively, within the "RA" Suburban District and registered Development Agreement.

Representations:

In Support: Ms. Lavina N. Rattai  
 In Opposition: Mr. Greg Bilyk

The Development Officer read his report.

06-235 SHAVER  
PAULISHYN

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Lavina N. Rattai, owner, 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 -17 be granted subject to the following conditions:

1. That the applicant obtains a building permit for the accessory building and the permit fees be doubled.
2. That the owner relocated the accessory building a minimum of 3.5 feet from the rear yard property lines.
3. 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)

Variance No. 06-17 Mr. George Krahn & Ms. Rosanna Enns-Krahn - Part NW ¼ 5-12-6E, 31 068 Hillside Road 67N

Purpose: To permit a proposed operation of a kennel, not exceeding thirty (30) animals, on the land having a site area of 39.44 acres instead of the required 80 acres, within the "A" Rural & Agricultural District.

Representations:

In Support: Mr. George Krahn & Ms. Rosanna Enns-Krahn

In Opposition: Vince Harkness  
 Cindy Payment  
 Marg Skibo  
 Violet Romaniuk  
 Joyce Tchir  
 Dave Tchir  
 Janice Tchir  
 Bill Kane  
 Doug Skibo  
 Tara Skibo  
 K. Kit  
 M. Magura  
 D. Magura  
 Bernard Magura  
 William Kane  
 Gordon Mackie  
 Fred Plante  
 Dawn Berrie  
 Daniel King  
 Alison Wishnonski  
 Heather Johnson  
 Elaine Gregg  
 C. Redekopf

All those in opposition expressed concerns in particular to noise, smell and waste and land value.

The Development Officer read his report.

06-236 OSIOWY  
SHAVER

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by George Krahn and Rosanna Enns-Krahn on behalf of the owners

Alan and Marie Kornago 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 -18 denied.  
CARRIED (6-0)

*Council took a short break at 9:40 p.m.*

Subdivision No. 4189-05-5062 - Levene Tadman Gutkin Golub c/o Orvel L. Currie, obo Mr. Roger & Ms. Irene Vaags - Part SE ¼ 3-11-5E

Intent: To subdivide a 2-acre parcel from a 74-acre holding to service municipal infrastructure (sewage forcemain).

Representations:

In Support: None

Concerns: Mr. Allan & Ms. Sheryl Stephen

The Development Officer read his report.

06-237 SHAVER  
PAULISHYN

WHEREAS Levene Tadman Gutkin Golub, c/o Orvel L. Currie, have applied on behalf of the owners Roger and Irene Vaags to subdivide a 2-acre parcel from a 74-acre holding to service municipal infrastructure (sewage force main) in an area designated Agricultural Preserve;

BE IT RESOLVED THAT application for subdivision No. 4189-05-5062 be approved subject to the following conditions:

1. That the municipality enters into an easement agreement with the owners to allow access to the site for the installation and maintenance of the sewage force main line.

CARRIED (6-0)

Subdivision No. 4189-05-5063 - Levene Tadman Gutkin Golub c/o Orvel L. Currie, obo Mr. Dale & Ms. Frances Ward - Part NW ¼ 1-11-6E

Intent: To subdivide an approximate 1-acre parcel from approximately 39 acres to service municipal infrastructure (lift station).

Representations:

In Support: None

Concerns: Mr. Allan & Ms. Sheryl Stephen

The Development Officer read his report.

06-238 PAULISHYN  
SHAVER

WHEREAS Levene Tadman Gutkin Golub, c/o Orvel L. Currie, on behalf of the owners Dale and Frances Ward have applied to subdivide an approximate 1-acre parcel from approximately 39 acres to service municipal infrastructure (lift station) in an area designated Mixed Rural and Agricultural;  
BE IT RESOLVED THAT application for subdivision No. 4189-05-5063 be approved subject to the following conditions:

- 1. Lot grading of the site be designed and constructed by the Public Works Department.

CARRIED (6-0)

Subdivision No. 4189-05-5065 - Levene Tadman Gutkin Golub c/o Orvel L. Currie, obo Mr. John W. Murrell

Intent: To subdivide a 1-acre parcel from a 74-acre holding to service municipal infrastructure (lift station).

Representations:

In Support: None

Concerns: Mr. Allan & Ms. Sheryl Stephen

The Development Officer read his report.

06-239 PAULISHYN  
SHAVER

WHEREAS Levene Tadman Gutkin Golub, c/o Orvel L. Currie have applied on behalf of the owner John W. Murrell to subdivide a 1-acre parcel from a 74-acre holding to service municipal infrastructure (lift station) in an area designated Agricultural Preserve;  
BE IT RESOLVED THAT application for subdivision No. 4189-05-5065 be approved subject to the following conditions:

- 1. Lot grading of the site be designed and constructed by the Public Works Department.

CARRIED (6-0)

Second Driveway Access

06-240 SHAVER  
BODNARUK

BE IT RESOLVED THAT the application for a second driveway by W. and D. Vaughan to SE 23-11-6E from Springfield Road be approved conditional to the approach being installed to the satisfaction and specifications of the Public Works Department.

CARRIED (6-0)

**UNFINISHED BUSINESS**

Drainage - 12 Poplar Drive

Administration to reply with Public Works decision for repair.

Mulder Agreement

- 06-241 BODNARUK HOLLAND BE IT RESOLVED THAT the Reeve and Chief Administrative Officer be authorized to enter into an agreement with Mulder Construction and Material Ltd. for the lease of Pineridge Pit in accordance to the terms and conditions as outlined in Schedule "A".
- CARRIED (6-0)

CONSENT AGENDA

- 06-422 OSIOWY LALONDE WHEREAS a consent agenda has been submitted consisting of 15 items;  
BE IT RESOLVED THAT the said consent agenda be adopted as circulated.
- CARRIED (6-0)

NEW BUSINESS

R.M. of St. Clements - Aggregate Fees

- 06-243 BODNARUK PAULISHYN WHEREAS the Municipal Act allows municipalities to levy a fee for mining of aggregate;  
AND WHEREAS regulation 48/97 fixes this amount at \$0.044 per tonne;  
AND WHEREAS regulation 48/97 as amended by regulation 216/2004 limits the additional amount that can be levied for municipal road repairs and shortening of the lifespan of municipal roads to \$0.0246 in 2006;  
AND WHEREAS this is insufficient for Municipal purposes in dealing with aggregate related costs;  
BE IT RESOLVED THAT the Province of Manitoba be requested to set the maximum allowed fee for mining of aggregate at \$0.20 per tonne.
- CARRIED (6-0)

Manitoba Town & Country Advertising - received as information.

News Release Re: Disaster Financial Assistance/Spring Flood 2006

- 06-244 BODNARUK PAULISHYN WHEREAS the R.M. of Springfield was identified as an area at high risk for possible severe flooding in the spring of 2006; and  
WHEREAS these conditions necessitated costly pre-emptive action to minimize overland flooding and potential damage to private and public properties; and  
WHEREAS actions taken by the R.M. of Springfield were successful in mitigating damage in 2006;  
BE IT RESOLVED THAT the R.M. of Springfield hereby submits, as prescribed under the Disaster Financial Assistance Agreement, a request to the Executive Director of the Manitoba Emergency Measures Organization for assistance for the public and private sector.
- CARRIED (6-0)

Financial Plan

06-245 HOLLAND BE IT RESOLVED THAT the Financial Plan be revised as  
 BODNARUK presented.  
 CARRIED (6-0)

SCI - Graduation Education Award

06-246 PAULISHYN BE IT RESOLVED THAT the R.M. of Springfield Council  
 SHAVER provide a scholarship in the amount of \$500.00 for  
 awards recognizing academic achievement for the  
 Springfield Collegiate.  
 CARRIED (6-0)

Red River Floodway Appeal to Cabinet

06-247 HOLLAND WHEREAS the Province has initiated action of the appeal  
 BODNARUK process relative to the Environment Licence No. 2691  
 for the Expanded Floodway;  
 BE IT RESOLVED THAT the Reeve and CAO be authorized to  
 provide additional supporting information regarding the  
 appeal letter previously submitted and respond as  
 required to responses that may be raised in the appeal  
 process.  
 CARRIED (6-0)

Selo Ukrainian Dancers Grant Application - deferred to  
next meeting.

Municipal Board Hearing

CAO reported the Municipal Board Hearing concerning  
objection to proposed Zoning By-law No. 05-28 will be  
held June 14, 2006 at the R.M. of Springfield Municipal  
Office at 9:30 a.m. CAO advised that any evidence must  
be submitted by June 1, 2006.

Springfield Parents for Performing Arts - Scholarship  
Request

Councillor Paulishyn requested a recorded vote.

06-248 PAULISHYN BE IT RESOLVED THAT the R.M. of Springfield provide a  
 SHAVER grant of \$500 towards a music Scholarship as part of  
 the Springfield Parents for Performing Arts Program.

	For	Against	Absent	Abstain	Reason
Holland		x			
Bodnaruk		x			
Lalonde	x				
Osiowy		x			
Paulishyn	x				
Shaver	x				

DEFEATED (3-3)

Councillor Paulishyn requested a recorded vote.

06-249 HOLLAND  
SHAVER

BE IT RESOLVED THAT the R.M. of Springfield provide a grant of \$350.00 towards a music scholarship as part of the Springfield Parents for Performing Arts Program.

	For	Against	Absent	Abstain	Reason
Holland	x				
Bodnaruk		x			
Lalonde	x				
Osiowy	x				
Paulishyn		x			
Shaver	x				

CARRIED (4-2)

Anola Easement

06-250 PAULISHYN  
SHAVER

WHEREAS it is desirable to obtain approval to run a force main across private property along the South side of SW 1-11-6E where the property line juts into the highways right-of way a distance of 9.144 metres for a length of 42.672 metres;

BE IT RESOLVED THAT the CAO and Manager Operations and Services be directed to negotiate an easement agreement across these two properties and return to Council for approval of the agreements.

CARRIED (6-0)

By-Law 73-22 - deferred to next meeting.

ADJOURNMENT

LALONDE

THAT this meeting stand adjourned the time being 11:15 p.m.

CARRIED (6-0)

\_\_\_\_\_  
John D. Holland  
Reeve

\_\_\_\_\_  
D. I. Donaghy  
Chief Administrative Officer