

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

WEDNESDAY, NOVEMBER 18<sup>th</sup>, 2009

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Present: Reeve Peter Skrupski  
Councillor Bob Bodnaruk  
Councillor Karen Lalonde  
Councillor Brian Thompson  
Councillor Ken Lucko  
Councillor Lorne Vaags  
Laurent Tétrault, CAO  
Randall Znamirovski, Chief Financial Officer  
Dan Doucet, Development Officer

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

**AGENDA**

09-566 SKRUPSKI VAAGS BE IT RESOLVED THAT the Agenda be amended as follows:  
Add: 1. Ward Appropriation - Ward 4  
2. Ward Appropriation - Ward 1  
3. Extension of Lease for Pineridge Pit to Mulder  
4. Gravel Crushing Tender  
5. Springfield Utility Communication Tower  
6. CP Agreement - Culvert Crossing  
7. List of Accounts  
8. Tax Penalties  
9. Library Rebate

CARRIED (6-0)

**DELEGATION**

Bruce Harding on behalf of Bruce Harding Consulting met with Council to give a brief history and overview of the Dugald and Edie Creek Drainage projects.

**MINUTES**

09-567 SKRUPSKI VAAGS WHEREAS the minutes of the Council meeting held October 28, 2009 have been previously distributed to Council;  
BE IT RESOLVED THAT the same be and are hereby amended as follows:  
(Page 2) Under Handivan - add including the potential to use 2 smaller units as suggested by the Reeve

CARRIED (4-0)

*Councillors Bodnaruk and Lucko abstained from the vote as they were not present at the October 28 meeting.*

**UNFINISHED BUSINESS**

Capital Region Mandate

09-568 SKRUPSKI THOMPSON WHEREAS the Partnership of the Manitoba Capital Region, formerly known as the Mayors and Reeves of the Capital Region, includes representation from 15 of the local government authorities within the area defined as the Capital Region;

AND WHEREAS the Partnership has carried out the mandate articulated in its 1999 Articles of Incorporation and refined in its 2004 Memorandum of Understanding and various motions since 1999;

AND WHEREAS the Province of Manitoba developed Bill c. 32, The Capital Region Partnership Act which lays out the creation of an organization to be known as the Capital Region Partnership and proclaimed it into force January 1, 2006;

AND WHEREAS the mandate of the Partnership of the Manitoba Capital Region duplicates the mandate of the Capital Region Partnership organization discussed in Bill c. 32;

AND WHEREAS funding from the Province of Manitoba for the Partnership of the Manitoba Capital Region is contingent upon preparation and submission of a report to the Minister respecting the membership, organization and governance structure of the Capital Region Partnership in accordance with section 3 of The Capital Region Partnership Act (Manitoba) (the "Act");

NOW THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Springfield endorses the report entitled "Membership, Organization and Governance Structure of the Capital Region Partnership", dated March 18, 2009 subject to the following amendments:

1. All references to the Regional Vision Framework include reference to the revised Vision Framework adopted by the municipalities of East St. Paul, West St. Paul, Springfield and Headingley.
2. The revised Vision Framework be included as an appendix to the report.
3. That the statement "and a regional plan for Manitoba's Capital Region," in Section 3.2 Objectives, be deleted.

CARRIED (4-2)

**PUBLIC HEARINGS UNDER THE PLANNING ACT**

Variance 09-78 - Wallace & Edith Frank - NW 17-11-7E

- Purpose:
1. To permit an approximate site area of 72.85 (+/-) acres instead of the required 80 acres,
  2. To permit the maintenance of an existing single-family dwelling having a front yard setback of 40.2 feet instead of the required 125 feet,
  3. To permit the maintenance of an existing 16.2'x 12.2' wood-sided shed having a front yard setback of 55.4 feet instead of the required 125 feet, and
  4. To permit the maintenance of an existing 14.2'x 12.2' wood-sided shed having a front yard setback of 106.4 feet instead of the required 125 feet,
- within the "A" Rural & Agricultural Zoning District. (re: subdivision 4189-07-5210)

Representations:

In Support: Wallace & Edith Frank  
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-569 LUCKO  
VAAGS

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Wallace & Edith Frank (NW ¼ 17-11-7E) 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 - 78 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. 4189-07-5210.

CARRIED (6-0)

Variance 09-79 - Duane & Rita Vaags - NW 2-11-5E

Purpose: To permit the construction of a 620 sq. ft. addition & deck attached to the pre-existing non-conforming single-family dwelling, having a:

1. Front yard setback of 85 (+/-) feet instead of the required 125 feet, and
2. A separation distance of 9 (+/-) feet instead of the required 10 feet between the addition & deck attached to the single-family dwelling & the existing detached garage, within the "A" Rural & Agricultural Zoning District.

Representations:

In Support: Duane Vaags  
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-570 VAAGS  
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Duane & Rita Vaags (NW ¼ 2-11-5E) for a variation of the Springfield Zoning By-law No. 85-25 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. 09 - 79 be granted.

CARRIED (6-0)

Variance 09-80 - Dennis Perfanick & Nicole Lambert - NW 26-11-4E

Proposal: To permit the establishment of a Limited Contracting Service business on the land, as a "Home Occupation", within the "A" Rural District.

Representations:

- In Support: Dennis Perfanick  
Dennis Perfanick Sr.  
Andy Kucznski
- In Opposition: Ray Zelinsky  
Mona Kroeker  
Brian Fey  
Greg Gavaga  
Ian Sutherland  
Jim France  
Myron Gavaga

A petition consisting of 26 names of residents who are against the application was submitted.

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-571 BODNARUK THOMPSON

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Dennis Perfanick & Nicole Lambert (Lot 7 Plan 15595 within NW ¼ 26-11-4E) for a variation of the Springfield Town Planning Scheme By-law 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 - 80 be denied. CARRIED (6-0)

Variance 09-82 - Walter & Manuella Belo - 101 Linden Lake Drive, Oakbank

Purpose: To permit the construction of a 320 sq. ft. attached deck to the existing single-family dwelling having a rear yard setback of 17 (+/-) feet instead of the required 25 feet, within the "RA" Suburban District.

Representations:

- In Support: Walter Belo
- In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-572 LALONDE  
THOMPSON

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Walter & Manuella Belo (Lot 12 Block 7 Plan 43725 within SW ¼ 22-11-5E) for a variation of the Springfield Town Planning Scheme By-law 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 - 82 be granted. CARRIED (6-0)

Variance 09-83 - Evans Plumbing & Heating on behalf of Diane Evans - SW 36-10-5E

Purpose: To permit the establishment of a Plumbing & Heating Contracting business on the land, as a "Home Occupation", within the "A" Rural & Agricultural District.

Representations:

In Support: Ronald & Diane Evans  
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-573 VAAGS  
LUCKO

WHEREAS a Public Hearing has been conducted to consider an application filed by Evans Plumbing & Heating on behalf of the owner Diane Evans (SW ¼ 36-10-5E) for a variation of the Springfield Zoning By-law No. 85-26 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. 09 - 83 be granted subject to the following conditions:

1. All business activities shall be conducted off-site, except for the housing of contracting services vehicles, parts related to the said business and office related duties.
2. There shall be no outdoor business activity, or outdoor storage of material and/or equipment, associated with the Home Occupation.
3. Not more than one advertising sign shall be permitted and displayed on the land and the size of the sign permitted shall not exceed 6 square feet in total area.
4. The Home Occupation Business shall be owned and operated by the member(s) of the family residing at the dwelling unit along with a maximum of five employees who do not reside at the subject site.

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 09-84 - Jorg & Olga Schumacher - NE 27-11-6E

Purpose: To permit the construction of a 470 sq ft addition to the existing single-family dwelling having a West side yard setback of 19.0 (+/-) feet and an East side yard setback of 9.0 (+/-) feet instead of the required 25 feet respectively; and having a separation distance of 6.0 (+/-) feet instead of the required 10 feet between the existing detached garage, within the "RR5" Rural Residential Zoning District.

Representations:

In Support: Jorg Schumacher

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-574 VAAGS  
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Jorg & Olga Schumacher (Lot 4 Plan 48770 within NE ¼ 27-11-6E) for a variation of the Springfield Zoning By-Law No. 85-26, 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. 09 - 84 be granted. CARRIED (6-0)

Variance 09-85 - Spartech Canada Inc. c/o Aikins MacAulay & Thorvaldson on behalf of Treadstone Properties Inc. - NE 16-11-4E

Purpose: 1. To permit the maintenance of a 5.0'x 8.3' accessory building (metal-clad shed) & the one-storey metal-clad commercial building having a separation distance of 0.25 feet instead of the required 25 feet, and  
2. To permit the maintenance of two (2) 12-foot diameter silos & the one-storey metal-clad commercial building having separation distances of 2.7 feet & 2.6 feet respectively, instead of the required 25 feet, within the "M2" Heavy Industrial District.

Representations: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-575 BODNARUK  
THOMPSON

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Spartech Canada Inc. c/o Aikins, MacAulay & Thorvaldson on behalf of the owner Treadstone Properties Inc. (NE ¼ 16-11-4E) 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 - 85 be granted. CARRIED (6-0)

Variance 09-86 - Robert Tucker & Lisa Ilchyshyn - NW 3-12-5E

Purpose: To permit a "Home Occupation" on the land, to include the following:  
- Music & Art Classes, and  
- Production of Art Furnishings & Sales, within the "A20" Limited Agricultural District.

Representations:

In Support: Robert Tucker & Lisa Ilchyshyn

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-576 VAAGS  
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Robert Tucker & Lisa Ilchyshyn (Lot 2 Plan 15824 within NW ¼ 3-12-5E) 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 - 86 be granted subject to the following conditions:

1. All business activities, including musical performances, shall be conducted indoors within the 24'x 36' accessory buildings.
2. Business activities shall be limited to the hours of 8:00 a.m. to 9:00 p.m., Monday to Friday and 8:00 a.m. to 8:00 p.m. on Saturdays (excluding Public Holidays).
3. A building inspection shall be conducted for the accessory building to ensure that all life safety building and fire code requirements are met based on the maximum occupant load.
4. Not more than one advertising sign shall be displayed on the land and the size of the sign permitted shall not exceed 6 square feet in total area.

- 5. All personal and business related vehicles shall be parked on site.
- 6. The Home Occupation Business shall be owned and operated by the member(s) of the family, residing within the dwelling unit.
- 7. 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 09-87 - Robert Klann & Jennifer Andre - NE 31-11-7E

Purpose: To permit the establishment of a contracting services business on the land, as a "Home Occupation", within the "A" Rural & Agricultural District.

Representations:

In Support: Robert Klann & Jennifer Andre

In Opposition:

Presented a petition of 6 neighbours in favor of the variance

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-577 LUCKO  
VAAGS

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Robert Klann & Jennifer Andre (NE ¼ 31-11-7E) 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 - 87 be granted subject to the following conditions:

- 1. All business activities shall be conducted off-site, except for the housing of limited contracting services vehicles (up to 2 heavy pieces of equipment) and office related duties.
- 2. Not more than one advertising sign shall be permitted and displayed on the land and the size of the sign permitted shall not exceed 6 square feet in total area.
- 3. The Home Occupation Business shall be owned and operated by the member(s) of the family residing at the dwelling unit.
- 4. 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)

09-73 Eulaluia Swiderski (SE 4-11-8E) reconvened, tabled to December 2<sup>nd</sup>.

By-law 09-14 - Koreman - NE 14-12-5E

Representations: Gerry Korman Sr. & Gerry Korman Jr.

For Information: Janet Nylén

09-578 THOMPSON BE IT RESOLVED THAT second reading be given to By-law  
 LALONDE No. 09-14 being a by-law of the Rural Municipality of  
 Springfield to rezone Lots 1 & 2 Plan 35293 within NE ¼  
 14-12-5E from "A" Rural & Agricultural District to  
 "A20" Limited Agricultural District.  
 CARRIED (6-0)

09-579 THOMPSON BE IT RESOLVED THAT third and final reading be given to  
 LALONDE By-law No. 09-14 being a by-law of the Rural  
 Municipality of Springfield to rezone Lots 1 & 2 Plan  
 35293 within NE ¼ 14-12-5E 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 (6-0)

Variance 09-81 - Gerardus Koreman Jr., Gerardus Koreman Sr. & Fernande Tardiff - NE 14-12-5E

- Purpose:
1. Proposed Lot 1 - To permit an approximate site area of 15.03 (+/-) acres and site width of 503.99(+/-) feet instead of the required 20 acres and 660 feet respectively,
  2. Proposed Lot 2 & Lot 3- To permit an approximate site width of 656 (+/-) feet instead of the required 660 feet, and
  3. Proposed Lot 1 - To permit the maintenance of a 40.1'x 24.5' frame quonset having a South side yard setback of 21.85 feet instead of the required 25 feet, within the "A20" Limited Agricultural Zoning District. (re: subdivision 4189-06-5135)

Representations:

In Support: Gerry Korman Sr. & Gerry Korman Jr.  
 In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-580 THOMPSON  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Gerardus Koreman Jr., Gerardus Koreman Sr. & Fernande Tardiff (Lots 1 & 2 Plan 35293 within NE 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 - 81 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. 4189-06-5135.

CARRIED (6-0)

Subdivision 4189-09-5332 - Jim & Linda Holubowich - NE 28-11-5E

Intent: To subdivide an existing yard site (approximate 5 acres) from the residual agricultural land.

Representations:

- In Support: Jim & Linda Holubowich
- In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-581 LALONDE  
THOMPSON

WHEREAS the owners Jim & Linda Holubowich (NE ¼ 28-11-5E) have applied to subdivide an existing yard site (approximate 5 acres) from the residual agricultural land;

BE IT RESOLVED THAT application for subdivision No. 4189-09-5332 be approved subject to the following conditions:

1. Payment of requisite fees (administration fee, land dedication fees, capital lot levies),
2. That a Surveyor's Building Location Certificate be prepared by a Manitoba Land Surveyor indicating the location of the single family dwelling and all accessory structures and the onsite wastewater management systems in relation to the proposed lot lines, and
3. That any variation orders be obtained, if required, as a result of the Surveyor's Building Location Certificate,
4. That the existing ejector be decommissioned and replaced with an alternative onsite waste water management system acceptable to Manitoba Conservation. Written confirmation is required to be submitted to the municipality from Manitoba Conservation of the acceptable solution.

CARRIED (6-0)

Extension of Meeting

09-582 SKRUPSKI BE IT RESOLVED THAT the Council meeting be extended to  
VAAGS 11:30 p.m. CARRIED (5-1)

Subdivision 4189-08-5266 - Springfield Lot Developers  
c/o Bob Handler, Darryl Bredin & Howard Bredin - W ½  
21-11-5E

Purpose: To subdivide the approximate 148-acre parcel to create 364 lots for single-family, two-family or multi-family residential purposes and 54 condominium lots.

Representations:

In Support: Bob Handler  
In Opposition: Janet Nylen

For Information: Janet Nylen  
David Naaykens  
Ron Farmer  
Bruce MacLean  
Louise Todd  
Edward Janas  
Sharon Arnold  
Lorne Ralph

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-583 SKRUPSKI BE IT RESOLVED THAT application for subdivision No.  
LALONDE 4189-08-5266 (Revised) be approved subject to the following conditions:

1. Payment of requisite fees (Administration Fee, Capital Lot Levy, Land Dedication Fees);
2. The proposed development shall be serviced by municipal water & municipal sewer.
3. A Surveyor's Building Location Certificate be prepared, by a Manitoba Land Surveyor, for proposed Lots 1 & 2 Block 4 showing all existing buildings and structures, including the onsite wastewater system, in relation to the proposed property lines;
4. That any variation orders be obtained, if required, for site width, site area and also an other items identified as a result of the Surveyor's Building Location Certificate;
5. That the site be rezoned from 'A' Rural District to 'RA' Suburban District for sites designated for single-family dwellings;
6. That the site be rezoned from 'A' Rural District to 'RS' Special Residential District for sites designated for two & multi-family dwellings;

- 7. That a Development Agreement be entered into with the municipality regarding the following but not limited to: lot grades, drainage, public roads & walkways, municipal sewer & water, waste removal, street lighting, traffic control, access, connections to existing services, fencing, landscaping and/or any other public works deemed necessary by Council;
- 8. That land dedication in the amount of 10% of the land being subdivided or cash be taken for public reserve;
- 9. That a drainage plan be prepared by a professional engineer for the area, showing how and where surface runoff for this development will be accommodated.
- 10. That a sidewalk pathway be provided South of the lake between streets "C" and "D".
- 11. Revised Draft "B" Plan be approved.
- 12. Land immediately West of Cypress Street be changed from multi dwelling to single family dwelling.
- 13. That Revised Draft "B" as attached be accepted, subject to any changes listed above.

CARRIED (5-1)

**BY-LAWS**

By-law 09-24 - 5776661 Manitoba Ltd. - NE 15-11-5E (Commercial Site)

09-584 SKRUPSKI VAAGS

BE IT RESOLVED THAT first reading be given to By-law No. 09-24 being a by-law of the Rural Municipality of Springfield to rezone the entire 4.3 acre (330 ft by 579 ft) directly below Lot 1 Plan 45662 within NW ¼ 15-11-5E, as described within Ct #2345439, from Agricultural Preserve Area to Commercial. As shown with Appendix "A".

CARRIED (6-0)

By-law 09-25 - 5776661 Manitoba Ltd. - NE 15-11-5E (Residential Site)

09-585 SKRUPSKI LALONDE

BE IT RESOLVED THAT first reading be given to By-law No. 09-25 being a by-law of the Rural Municipality of Springfield to redesignate from agricultural preserve area to residential within NW 15-11-5E as partially described within Ct# 234539 as shown on Appendix "A".

CARRIED (6-0)

By-law 09-26 - RM of Springfield / H & D Farm & Auto Supply - NE 9-11-5E

09-586 SKRUPSKI VAAGS

BE IT RESOLVED THAT first reading be given to By-law No. 09-26 being a by-law of the Rural Municipality of Springfield to redesignate Lot 1 Plan 49212 within NE ¼ 9-11-5E, as described under CT# 2401344 and CT# 2401342, from Agricultural Preserve Area to Industrial.

CARRIED (6-0)

By-law 09-27 - Ward Boundaries

A petition of 64 names was presented by Councillor Bodnaruk, Reeve Skrupski read out the petition

09-587 SKRUPSKI THOMPSON

BE IT RESOLVED THAT first reading be given to By-law No. 09-27 being a by-law of the Rural Municipality of Springfield to establish a revised ward system for the purpose of electing municipal Councillors.

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

CARRIED (4-2)

09-588 SKRUPSKI VAAGS

BE IT RESOLVED THAT second reading be given to By-law No. 09-27 being a by-law of the Rural Municipality of Springfield to establish a revised ward system for the purpose of electing municipal Councillors.

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

CARRIED (4-2)

**NEW BUSINESS**

List of Accounts

09-589 SKRUPSKI THOMPSON

WHEREAS disbursements have been reviewed for the period of October 14, 2009 to November 18, 2009;  
BE IT RESOLVED THAT all accounts listed on the attached printout from cheque #126679 & #126807 to #127064 totalling \$9,645,396.09 be approved for payment.

CARRIED (6-0)

Ward 4 Ward Appropriation

09-590 LUCKO VAAGS

BE IT RESOLVED THAT \$4,000.00 of the Ward 4 Ward Appropriation be reprioritized for the construction of a storage garage at the Anola Community Club.

CARRIED (6-0)

