

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

TUESDAY, October 3, 2006

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

Absent: Councillor Robert Osiowy

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

**AGENDA**

06-555 LALONDE BE IT RESOLVED THAT the Agenda be amended as follows:  
BODNARUK Add:  
• Special Events permit  
• Reconvene Subdivision 4189-05-5011  
CARRIED (5-0)

**MINUTES**

06-556 HOLLAND WHEREAS the minutes of the Council meeting held  
BODNARUK September 26, 2006 have been previously distributed to  
Council;  
BE IT RESOLVED THAT the same be and are hereby amended  
as follows:  
06-552 - Vote 5-1, recorded vote, Councillor Lalonde  
voting against  
06-541 - to read "Friday, Saturday and"  
06-545 - to read "\$10,000 advanced"  
CARRIED (5-0)

**REPORTS - ELECTED OFFICIALS**

Councillor Paulishyn reported on his attendance at the  
AMM meeting in Portage la Prairie September 29, 2006.

**UNFINISHED BUSINESS**

Council Meeting Schedule

06-557 HOLLAND BE IT RESOLVED THAT the Council Planning meeting  
BODNARUK scheduled for November 7, 2006 be cancelled.  
CARRIED (5-0)

Firefighter Recognition

06-558 PAULISHYN  
 SHAVER WHEREAS the Fire and Rescue Service logos have been prominently displayed on the doors at both fire halls; BE IT RESOLVED THAT Council acknowledge the extra effort of all those members of the Fire and Rescue Service, and volunteers, in painting the logos on the doors to fire halls in Oakbank and Anola; letter to be sent to the Department. CARRIED (5-0)

Staff Recognition

06-559 HOLLAND  
 BODNARUK WHEREAS correspondence has been received acknowledging the service provided by Susan Goertzen, Anne Burns-Bensch and Jennifer Wilson of Levine Tadman Gutkin Golub; BE IT RESOLVED THAT Council acknowledge the extra effort of these individuals in providing client service; letter to be sent to each individual. CARRIED (5-0)

Update Anola LID 3A

06-560 PAULISHYN  
 SHAVER BE IT RESOLVED THAT Council reconvene the Public Hearing for the Anola LID 3A October 10, 2006 in conjunction with the regular Council meeting and that participants from the September 13, 2006 Hearing be advised of the outcome of inquiries arising from the initial hearing. CARRIED (5-0)

CONSENT AGENDA

06-561 LALONDE  
 BODNARUK WHEREAS a consent agenda has been submitted consisting of 5 items; BE IT RESOLVED THAT the said consent agenda be adopted as circulated. CARRIED (5-0)

*Council took a short break and reconvened at 7:00 p.m.*

PUBLIC HEARINGS UNDER THE PLANNING ACT

Variance No. 06-57 - Clifford Habing

Purpose: To permit a temporary second dwelling (mobile home) on an existing yard site providing for the mother of Mr. Clifford Habing (Ms. Blanche Habing) within the "A" Rural & Agricultural District.

Representations:

In Support: Clifford and Margaret Habing  
In Opposition: None

The Development Officer read his report.

06-562 SHAVER  
BODNARUK

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Clifford Habing on behalf of the owners Clifford and Margaret Habing 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 - 57 be granted subject to the following conditions:

1. That only Blanche Habing, immediate family member, shall occupy the temporary second dwelling.
2. That the temporary second dwelling be removed from the site when no longer occupied by Blanche Habing.
3. That the temporary second dwelling be serviced by a holding tank for sewage disposal and approved by Manitoba Conservation.
4. That this order shall expire and become null and void December 31, 2011.

CARRIED (5-0)

Variance No. 06-58 - Edwin Redekopp

Purpose: To permit construction of a 45'x 85' accessory building (barn) prior to the erection of the main dwelling within the "A" Rural District.

Representations:

In Support: None  
In Opposition: None

The Development Officer read his report.

06-563 PAULISHYN  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Edwin Redekopp on behalf of the owners Allredkopp Ltd. 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 - 58 be granted subject to the following conditions:

1. No livestock shall be permitted on the land other than up to a maximum of 20 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.

CARRIED (5-0)

Deputy Reeve Bodnaruk assumed the chair.

Variance No. 06-59 - John Holland

Purpose:

1. Lot 1 - To permit a site area & site width of 2.99 acres and 243.6 feet instead of the required 5 acres and 300 feet respectively;
2. Lot 1 - To permit the maintenance of a 12.3' x 22.25' accessory building (frame shed) having a side yard setback of 0.80 feet with a side yard projection (eaves) of 0.15 feet instead of the required 25 feet and 22 feet respectively;
3. Lot 1 - To permit the maintenance of a 20.25' x 30.35' accessory building (frame shed) having a rear yard setback of 24 feet instead of the required 25 feet;
4. Lot 1 - To permit the maintenance of a 20.25' x 30.35' accessory building (frame shed) having a side yard setback of 17.3 feet with a side yard projection (eaves) of 16.8 feet instead of the required 25 feet and 22 feet respectively;
5. Lot 2 - To permit the maintenance of a 16.45' x 22.35' accessory building (frame shed) having a side yard setback of 0.80 feet with a side yard projection (eaves) of 0.30 feet instead of the required 25 feet and 22 feet respectively;
6. Lot 2 - To permit the maintenance of a 81.95' x 51.15' accessory building (metal quonset) having a rear yard setback of 9.9 feet instead of the required 25 feet respectively;
7. Lot 3 - To permit a site area & site width of 4.98 acres and 285 feet instead of the required 5 acres and 300 feet respectively; within the "A" Rural District. (re: subdivision 4189-02-4758)

Representations:

In Support: John Holland  
 In Opposition: None

The Development Officer read his report.

06-564 SHAVER  
PAULISHYN

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by John Holland on behalf of the owner Diane Holland 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 - 59 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. 4189-02-4758.

CARRIED (3-1)

Reeve Holland resumed as chair.

Variance No. 06-60 - Les Habing

Purpose: To permit construction of a 42' x 72' agricultural storage building prior to the erection of the main dwelling within the "A" Rural & Agricultural District (as per section 3.3.19. d).

Representations:

In Support: Stanley and Olga Chura  
Leslie Habing and Judy Chura-Habing

In Opposition: None

The Development Officer read his report.

06-565 PAULISHYN  
SHAVER

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Les Habing on behalf of the owner Stanley Chura 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 - 60 be granted subject to the following conditions:

- 1. None

CARRIED (5-0)

Variance No. 06-62 - John & Judith Klaverkamp

Purpose:

- 1. Lot 1 - To permit a site area of 5 acres and site width of 250 feet instead of the required 80 acres and 660 feet respectively; and
- 2. Balance of the holding - To permit a site area of 30 acres and site width of 600 feet instead of the required 80 acres and 660 feet respectively, within the "A" Rural & Agricultural District. (re: subdivision 4189-05-5028)

Representations:

In Support: Judith Klaverkamp  
In Opposition: None

The Development Officer read his report.

06-566 PAULISHYN  
SHAVER

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by John and Judith Klaverkamp, owners 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 - 62 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. 4189-05-5028.

CARRIED (5-0)

Conditional Use - Inland Aggregates

Purpose:

To permit the establishment of a mineral extraction operation of a pit or quarry for extraction of aggregate and stone which may also include crushing, processing, screening and washing operation, within the "A" Rural & Agricultural District.

Representations:

In Support: Mike Smith  
Les Cels  
Stan Redcliffe  
Sharon Redcliffe

In Opposition: Sherry Desourcy  
Phil Desourcy  
Rene Chaput  
Betsy Chaput  
Richard Hume  
Chris Bowker  
Don Bowker  
Grant Riedel  
Mike Gavin  
Candice Perry  
Ian Broadbent  
Rob Corden  
Donna Honer  
Carol Hard  
Garry Brown  
Terry Jasper  
John Brown

Mr. Les Cels presented a written and verbal report. He invited residents to form a community committee where representatives from Inland Aggregate could meet for concerns and questions.

Mr. Richard Hume presented a written and verbal report expressing residents concerns and questions regarding the conditional use application.

The Reeve and members of Council participated in questions and concerns with the applicant.

The Development Officer read his report.

Reeve Holland closed the evidentiary portion of the meeting at 9:35 p.m.

Council took a short break and reconvened at 9:45 p.m.

Subdivision No. 4189-06-5084 - Garry & Bernice Bartman & Trevor Bartman

Intent: To consolidate two (2) 10-acre parcels, then subdivide into 16 lots for Industrial use.

Representations:

In Support: Garry & Trevor Bartman  
In Opposition: None

The Development Officer read his report.

06-567 SHAVER  
LALONDE

WHEREAS Garry and Bernice Bartman, and Trevor Bartman, owners, have applied to consolidate two 10-acre parcels, then subdivide into 16 lots for Industrial use in an area designated Industrial;  
BE IT RESOLVED THAT application for subdivision No. 4189-06-5084 be postponed until the municipality and approving authority have reviewed and are satisfied with a revised layout of the subdivision.

CARRIED (5-0)

Subdivision No. 4189-06-5089 - Edwine & Gloria Brown

Intent: To re-align title boundaries: - the existing 5-acre parcel to be consolidated with the title for the farm property (so that the residence and out-buildings are located on the farm property), and - create a vacant 5-acre lot South of the existing yard site.

Representations:

In Support: Garry Brown  
In Opposition: None

The Development Officer read his report.

06-568 PAULISHYN  
SHAVER

WHEREAS Edwine and Gloria Brown, owners, have applied to re-align title boundaries to consolidate an existing 5-acre parcel with the title for the farm and create a vacant 5-acre lot South of the existing yard site in an area designated Agricultural Preserve;

BE IT RESOLVED THAT application for subdivision No. 4189-06-5089 be approved subject to the following conditions:

1. Payment of requisite fees (Administration Fee);
2. That CT #1074032 be consolidated into a single title with all those lands described in CT #1075271;
3. A surveyor's building location certificate be prepared for the existing yard site showing the location of all buildings and the sewage disposal field in relation to the proposed lot lines;
4. Site area and site width variation order be obtained for the new 5-acre lot;

- 5. Any other variation orders be obtained if required, as a result of the building location certificate;
- 6. Lot Grade Plan be prepared for both lots, and approved by the municipality;
- 7. That the owner submit confirmation from Manitoba Conservation that the existing sewage disposal field conforms to its regulations.

CARRIED (5-0)

Subdivision No. 4189-06-5090 - Robert & Karen Springett

Intent: To subdivide the approximate 17.7 acres into two (2) lots (4 acres & 13.7 acres) for rural residential purposes.

Representations:

In Support: Robert Springett  
In Opposition: None

The Development Officer read his report.

06-569 PAULISHYN  
SHAVER

WHEREAS Robert and Karen Springett, owners have applied to subdivide an approximate 17.7 acres into two lots (4 acres and 13.7 acres) for rural residential purposes in an area designated Mixed Rural and Agricultural;  
BE IT RESOLVED THAT application for subdivision No. 4189-06-5090 be approved subject to the following conditions:

- 1. Payment of requisite fees (Administration Fee, Capital Lot Levy, Land Dedication Fees);
- 2. Site area variation orders be obtained for both proposed lots;
- 3. Lot Grade Plan be prepared for both lots, and approved by the municipality and Cooks Creek Conservation District;
- 4. Obtain a Crossing Permit from Cooks Creek Conservation District for the proposed access onto Springfield Road.

CARRIED (5-0)

Subdivision No. 4189-06-5106 - Smith Neufeld Jodoin c/o Mr. Gerard Simard on behalf of Mr. David Futros

Intent: To re-align title boundaries to accommodate an existing access currently on Ms. Futros' property, for access to Mr. Futros' accessory building.

Representations:

In Support: David Futros  
In Opposition: None

The Development Officer read his report.

WHEREAS Smith Neufeld Jodoin, c/o Mr. Gerard Simard on behalf of the applicant David Futros and the owner, Josephine Futros, has applied to re-align title boundaries to accommodate an existing access to an accessory building, in an area designated Agricultural Preserve;

BE IT RESOLVED THAT application for subdivision No. 4189-06-5106 be approved subject to the following conditions:

- 1 Payment of requisite fees (Administration Fee);
- 2 That the proposed parcel be consolidated into a single title with all those lands described in CT #1813020 and be shown as a single lot on the prepared plan of subdivision;
- 3 A building location certificate be prepared for the consolidated parcel showing the location of all buildings in relation to the proposed lot lines;
- 4 Site area variation order be obtained for the balance of CT #1723561; and
- 5 Any other variation orders be obtained if required, as a result of the building location certificate.

CARRIED (5-0)

Subdivision No. 4189-05-5011 - Heather Florence Nykoluk

Intent: To subdivide a 9.57 acre parcel into two (2) lots.

Representations:

In Support: Florence Nykoluk  
In Opposition: None

06-571 HOLLAND  
BODNARUK

WHEREAS Heather Florence Nykoluk, owner, has applied to subdivide a 9.57 acre parcel into two lots in an area designated Rural and Agricultural;  
BE IT RESOLVED THAT application for subdivision No. 4189-05-5011 be deferred until the Development Plan is amended or altered to allow the proposal to conform with the Development Plan. CARRIED (5-0)

BY-LAWS

By-Law No. 06-24

06-572 LALONDE  
HOLLAND

BE IT RESOLVED THAT first reading be given to By-Law #06-24 being a By-Law to authorize a Zoning Agreement and a Development/Service Agreement with 5257060 Manitoba Ltd. and Federated Co-operatives Ltd. pertaining to "Lot 2 Plan \_\_\_\_\_ WLTO (Deposit No. 1236/05) in NW ¼ 15-11-5 EPM". CARRIED (5-0)

By-Law No. 06-23

06-573 PAULISHYN BE IT RESOLVED THAT second reading be given to By-Law  
 SHAVER #06-23 being a By-Law to authorize a Development Agreement with JAMES BERNARD KOSHELUK, RAYMOND KOSHELUK, CHRISTINE GOLEMBIOSKI, MARILYN ELAINE MCLEOD, JOSEPH GREGORY SITARZ, and BEVERLEY SITARZ of all that portion of Part SE ¼ 2-12-5 EPM described in Certificate of Title Nos. 1476666, 1477148, 1477149, 1477150, and 1482407.

06-574 SHAVER BE IT RESOLVED that third and final reading be given to  
 BODNARUK By-Law #06-23 being a By-Law to authorize a Development Agreement with JAMES BERNARD KOSHELUK, RAYMOND KOSHELUK, CHRISTINE GOLEMBIOSKI, MARILYN ELAINE MCLEOD, JOSEPH GREGORY SITARZ, and BEVERLEY SITARZ of all that portion of Part SE ¼ 2-12-5 EPM described in Certificate of Title Nos. 1476666, 1477148, 1477149, 1477150, and 1482407.

	For	Against	Absent	Abstain	Reason
Holland	x				
Bodnaruk	x				
Lalonde	x				
Osiowy			x		
Paulishyn	x				
Shaver	x				CARRIED (5-0)

**NEW BUSINESS**

Oakbank Pumphouse Expansion Project

06-575 LALONDE BE IT RESOLVED THAT Council authorize the Manager of  
 SHAVER Operations and Services to accept the September 19, 2006 proposal from Stantec Consulting Ltd. for the expansion of the Oakbank Pumphouse at a cost of \$186,363.00 plus applicable taxes for engineering fees and disbursements. CARRIED (4-1)

MPI Offer to Purchase

06-576 BODNARUK BE IT RESOLVED THAT Council reject the offer submitted  
 PAULISHYN on behalf of MPI for the purchase of Parcel B Plan 12569, and direct the CAO to respond indicating that a purchase price of \$30,000 would be acceptable, purchaser to be responsible for all costs associated with the sale of the property, including the Municipality's legal costs. CARRIED (5-0)

Pineridge Pit

Request Shawn Tosh, Manager of Operations and Service to attend the next meeting.

Special Event Permit

06-577 LALONDE  
SHAVER

BE IT RESOLVED THAT the Public Safety Officer be authorized to issue a Special Events permit for a community show and shine, October 7<sup>th</sup>, 2006, 2 p.m. - 6 p.m. CARRIED (5-0)

ADJOURNMENT

BODNARUK

That this meeting stands adjourned the time being 11:15 p.m. CARRIED (5-0)

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John D. Holland  
Reeve

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D. I. Donaghy  
Chief Administrative Officer