

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

WEDNESDAY, OCTOBER 1ST, 2008

Present: Reeve Peter Skrupski
Councillor Bob Bodnaruk
Councillor Karen Lalonde
Councillor Brian Thompson
Councillor Ken Lucko
Councillor Lorne Vaags
Laurent Tétrault, CAO
Randall Znamirovski, CFO and Manager of
Administration

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

AGENDA

08-495 SKRUPSKI VAAGS BE IT RESOLVED THAT the Agenda be amended as follows:
Add: 1. Lorne Hill Road
2. Auditor Generals Report
3. Lester's Subdivision
4. Groundwater Tour
5. Anola issue (unsightly)
6. Ombudsman CARRIED (6-0)

MINUTES

08-496 SKRUPSKI LUCKO WHEREAS the minutes of the Council meeting held September 24th, 2008 have been previously distributed to Council;
BE IT RESOLVED THAT the same be and are hereby amended as follows:
1. Change Murdock Road and Symington Road to Pine Ridge Road and Demeyer Road.
2. Change Eastman Regional Development Inc. to Eastern Region Municipal Forum. CARRIED (6-0)

DELEGATIONS

Deborah Naaykens, as well as numerous Cypress Avenue residents in the Town of Oakbank, attended council in opposition to the building of a recreation complex on school grounds. Their concerns included:

- increased traffic will compromise the safety of the children walking to school
- losing valuable green space as well as room for school expansion when required
- survey indicates number one choice of location would be near Co-op
- vandalism may increase
- no sidewalks
- limited parking space available
- opposed to commercial development and activities near school complex, school area should be designated solely for school activities

Jake Buhler on behalf of the Cook's Creek Conservation District met with Council to discuss funding for the Centerline Drain and the Prairie Grove Drain reconstruction project. The District is requesting their share of the funding be split 50/50 with the RM of Springfield and the RM of Tache. (\$54,500 each) This is to secure \$150,000 in Disaster Financial Assistance Funding and \$327,000 in Infrastructure Funding. Total project cost is \$3,000,000.

PUBLIC HEARINGS UNDER THE PLANNING ACT

Variance 08-74 - Don & Lisa Nixon - NW 2-12-5E

Purpose: To permit the keeping of 4.0 Livestock Waste Waste Units (3 horses & 1 pony for personal use and the boarding of 4 horses) and related accessory buildings, having a site width frontage of 332.45 feet instead of the required 660 feet, within the "A20" Limited Agricultural District.

Representation:

In Support: Lisa Nixon
Maureen Demkey
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-497 THOMPSON
VAAGS

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Don & Lisa Nixon (Lot 5 Plan 15305 within NW ¼ 2-12-5EPM) for a variation of the Springfield Zoning By-law No. 85-26;

AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Variation Order No. 08 - 74 be granted subject to the following conditions:

1. That Variation Order 05-27 be void upon approval of this said variance order.
2. No livestock shall be permitted on the land other than up to a maximum of 4.0 livestock waste units, which are to be kept no closer than 100 feet to any well or septic field.
3. No hogs shall be permitted on the site.
4. This order shall expire if not acted upon within 12 months.

CARRIED (6-0)

Variance 08-75 - M5 Investments Inc. - SE 16-11-4E

Purpose: To permit the maintenance of the existing 70.6'x 100.45' 2-storey metal structure having a front yard setback of 49.85 feet and a North side yard setback of 9.8 feet instead of the required 50 feet and 10 feet respectively, as per registered Development Agreement under Caveat #3081420.

Representation:

In Support: Don Matheson
Gerald Matheson

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-498 BODNARUK
VAAGS

WHEREAS a Public Hearing has been conducted to consider an application filed by the owner M5 Investments Inc. (Lot 22 Block 2 Plan 43398 within SE ¼ 16-11-4EPM) for an amendment to Clauses 14.3.1 & 14.3.2 of the registered Development Agreement;

BE IT RESOLVED THAT Variation Order No. 08 - 75 be granted subject to the following condition:

1. That the applicant be responsible for all costs pertaining to an amending agreement, and registration of said agreement at Winnipeg Land Titles Office, by the municipal solicitor.

CARRIED (6-0)

Variance 08-76 - M5 Investments Ltd. - SE 16-11-4E

Purpose: To permit the maintenance of the existing 65.45'x 75.55' 1-storey metal structure having a front yard setback of 49.8 instead of the required 50 feet, as per registered Development Agreement under Caveat #3081420.

Representation:

In Support: Don Matheson
Gerald Matheson

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-499 BODNARUK
VAAGS

WHEREAS a Public Hearing has been conducted to consider an application filed by the owner M5 Investments Inc. (Lot 23 Block 2 Plan 43398 within SE 16-11-4E) for an amendment to Clause 14.3.1 of the registered Development Agreement;

BE IT RESOLVED THAT Variation Order No. 08 - 76 be granted subject to the following condition:

1. That the applicant be responsible for all costs pertaining to an amending agreement, and registration of said agreement at Winnipeg Land Titles Office, by the municipal solicitor.

CARRIED (6-0)

Variance 08-77 - Ioan Boitiu - SW 18-11-6E

- Purpose:
1. Proposed Lot 1 - To permit a site area of 3.7 acres & site width frontage of 369 feet instead of the required 80 acres & 660 feet respectively
 2. Residual Lot - To permit a site area of 72 acres instead of the required 80 acres
 3. Proposed Lot 1 - To permit the maintenance of the existing single-family dwelling having a front corner yard setback of 117 feet instead of the required 125 feet
 4. Proposed Lot 1 - To permit the maintenance of the existing 72.21'x 34.25' accessory building (shed) having an East side yard setback of 15.3 feet instead of the required 25 feet, within the "A" Rural & Agricultural District. (re: subdivision 4189-07-5208)

Representation:

- In Support: Ioan Boitiu
- In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-500 VAAGS
BODNARUK

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Ioan & Valeria Boitiu (Pt SW ¼ 18-11-6E) for a variation of the Springfield Zoning By-law 85-26; AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Variation Order No. 08 - 77 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. 4189-07-5208.

CARRIED (6-0)

Variance 08-78 - Kelli Hayhurst on behalf of Gordon & Tracy Novoselnik - NE 22-12-5E

Purpose: To permit the keeping of 5 Livestock Waste Units (10 horses) and related accessory buildings having a site area of 10 acres instead of the required 20 acres within the "A20" Limited Agricultural District.

Representation:

In Support: Kelli Hayhurst
Gordon Novoselnik
In Opposition: Lillian Krowiak

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-501 THOMPSON
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Kelli Hayhurst on behalf of the owners Gordon & Tracy Novoselnik (Lot 13 Plan 15992 within NE ¼ 22-12-5EPM) for a variation of the Springfield Zoning By-law No. 85-26;

AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Variation Order No. 08 - 78 be granted subject to the following conditions:

1. That Variation Order 06-16 be void upon approval of this said variance order.
2. No livestock shall be permitted on the land other than up to a maximum of 4.5 livestock waste units, which are to be kept no closer than 100 feet to any well or septic field.
3. No hogs shall be permitted on the site.
4. All livestock animals are to be owned by family members for personal use.
5. This order shall expire if not acted upon within 12 months.

CARRIED (6-0)

Variance 08-79 - Alan & Leah Sholdra - 90 Olive Bay, Oakbank

Purpose: To permit the construction of a 14'x 12' accessory building (utility shed) having a rear yard setback of 3 feet and an East side yard setback of 3.5 feet instead of the required 10 feet respectively, as per registered Development Agreement under Caveat #1017271.

Representation:

In Support: Alan & Leah Sholdra
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-502 LALONDE
THOMPSON

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Alan & Leah Sholdra (Lot 18 Block 4 Plan 29889 within SW ¼ 22-11-5EPM) for a variation of the Springfield Town Planning Scheme By-law No. 1575 and amendments thereto and Clause 9.3(j) of registered Development Agreement;

AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;

BE IT RESOLVED THAT Variation Order No. 08 - 79 be granted subject to the following conditions:

1. If there are any problems with drainage along the north (rear) and or east side property limits at any time, as determined by the Development Officer, the owner shall be responsible to construct and maintain the required swales. If a drainage swale is required, the swale design and construction shall be reviewed and approved by the Public Works Department.
2. That the applicant be responsible for all costs pertaining to an amending agreement, and registration of said agreement at Winnipeg Land Title Office, by the municipal solicitor.

CARRIED (6-0)

Variance 08-80 - Ralph Eschenwecker and Monica Ptak - NW 4-12-5E

- Purpose:
1. To permit the maintenance of the existing 10'x 17' gazebo on wood deck having a rear yard setback of 22.5 feet instead of the required 25 feet,
 2. To permit the maintenance of the existing three 23.7'x 8.0' metal-sided storage sheds having separation distances of 1.6 feet and 1.4 feet respectively, instead of the required 10 feet,
 3. To permit the maintenance of the existing 23.7'x 8.0' metal-sided storage shed and the existing 23.65'x 7.75' pole shelter having a separation distance of 4.0 feet instead of the required 10 feet,
 4. To permit the maintenance of the existing 23.65'x 7.75' pole shelter and the existing 37.0'x 9.3' wood-sided caboose having a separation distance of 1.0 foot instead of the required 10 feet,
 5. To permit the maintenance of the existing 23.65'x 7.75' pole shelter having an East side yard setback of zero feet instead of the required 25 feet,

08-504 LUCKO
SKRUPSKI

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner Matt Epp (Pt SE 24-11-8E) for a variation of the Springfield Zoning By-law 85-26;
AND WHEREAS Council is satisfied that the requirements of Sections 94, 96 and 97 have been met;
BE IT RESOLVED THAT Variation Order No. 08 - 82 be denied. CARRIED (6-0)

BY-LAWS

By-law 08-18 - SW 22-11-5E

Representations:

In Support: Mike Falk
Manfred Pflug
In Opposition: Peter Williams
Janet Nylen
Christy Ploegman
Kevin Ploegman
Holly Pow-Williams

08-505 LALONDE
THOMPSON

BE IT RESOLVED THAT second reading be given to By-law No. 08-18 being a by-law of the Rural Municipality of Springfield to re-designate the lands generally located within the South Eastern 232.0 feet by 343.0 feet of Lot 21 Block 1 Plan 43725 within SW ¼ 22-11-5EPM from Commercial to Residential. CARRIED (5-1)

By-law 08-19 - SW 22-11-5E

Representations:

In Support: Mike Falk
Manfred Pflug
In Opposition: Peter Williams
Janet Nylen
Christy Ploegman
Kevin Ploegman
Holly Pow-Williams

08-506 LALONDE
THOMPSON

BE IT RESOLVED THAT second reading be given to By-law No. 08-19 being a by-law of the Rural Municipality of Springfield to rezone the East 232.0 feet of Lot 21 Block 1 Plan 43725 within SW ¼ 22-11-5EPM from "RA" Suburban District to "RS" Special Residential District. CARRIED (5-1)

By-law 08-20 - SW 21-10-4E

Representations:

In Support: Russ Penner
In Opposition: None

08-507 BODNARUK
VAAGS

BE IT RESOLVED THAT second reading be given to By-law No. 08-20 being a by-law of the Rural Municipality of Springfield to rezone all that portion of Lot 44 Plan 433 which lies to the North East of the South Western limit of Public Road Plan 5394 exc firstly road plan 5394 and secondly road plan 28412 within SW ¼ 21-10-4E from "A" Rural District to "C2" Commercial District.

CARRIED (6-0)

By-law 08-22 - NW 4-12-5E

Representations:

In Support: David Blais
John Evanuk
In Opposition: None

08-508 THOMPSON
LALONDE

BE IT RESOLVED THAT first reading be given to By-law No. 08-22 being a by-law of the Rural Municipality of Springfield to re-designate SP Lots 5 & 11 Plan 18209 within SE ¼ 14-12-5EPM from "A" Rural & Agricultural District to "A20" Limited Agricultural District.

CARRIED (6-0)

Subdivision 4189-08-5246 - Gary W. Carrette c/o Aikins, MacAulay & Thorvaldson on behalf of William Carrette, Executor - SE 16-10-4E

Intent: To subdivide approximately 44.61 acre from the existing approximate 228.39-acre holding and consolidate the 44.61 acres with the applicant's adjacent holding to the North.

Representation:

In Support: Gary Carrette
William Carrette
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-509 BODNARUK
VAAGS

WHEREAS Gary W. Carrette c/o Aikins, MacAulay & Thorvaldson on behalf of the owner William R. Carrette, Executor, has applied to subdivide approximately 44.61 acre from the existing approximate 228.39-acre holding and consolidate the 44.61 acres with the applicant's adjacent holding to the North;

BE IT RESOLVED THAT application for subdivision No. 4189-08-5246 be approved subject to the following conditions:

1. Payment of requisite fees (administration).
2. That a Lot Grade Plan be prepared and sealed by a professional engineer and approved by the Public Works Department as per the municipal drainage policy and any drainage improvements if required, shall be constructed prior to the issuance of any building permits for the property.

- 3. That proposed Lot 1 be consolidated with the applicant's holding to the North of the subject lands (Ct# 1206086). CARRIED (6-0)

Subdivision 4189-08-5250 - Donald & Violet Creek - NW & NE 27-12-6E

Intent: To subdivide the existing yard site (approximately 12.04 acres from the existing approximate 199.66-acre holding).

Representation: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

08-510 THOMPSON
LALONDE

WHEREAS the owners Donald & Violet Creek have applied to subdivide the existing yard site of approximately 12.04 acres from the existing approximate 199.66-acre holding;

BE IT RESOLVED THAT application for subdivision No. 4189-08-5250 be approved subject to the following conditions:

1. Payment of requisite fees (administration & capital lot levy).
2. A Surveyor's Building Location Certificate be prepared by a Manitoba Land Surveyor and submitted, showing all existing buildings and the sewage disposal systems in relation to the proposed lot lines.
3. That any other variation order be obtained, if required as a result of the Surveyor's Building Location Certificate.
4. That a building restriction agreement be placed on the residual land. CARRIED (6-0)

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

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

Representation: None

Councillor Bodnaruk advised that he was contacted by the owners and asked to put the application for subdivision in abeyance.

Variance 08-67 - Ken & Lorraine Turchen - 8 Juniper Drive, Oakbank

Purpose: To permit the establishment of an automotive detailing & minor repair business on the land as a "Home Occupation" within the existing detached garage, within the "RA" Suburban District.

Representation: None

08-511 LALONDE
THOMPSON

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Ken & Lorraine Turchen (Lot 2 Block 1 Plan 12583 within SE ¼ 21-11-5EPM) for a variation of the Springfield Town Planning Scheme 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. 08 - 67 be denied. CARRIED (4-2)

ELECTED OFFICIALS

Councillor Bodnaruk reported on his attendance at a Red River Basin Commission meeting on September 25 and a Manitoba Conservation District Association meeting on September 29.

Councillor Vaags reported on his attendance at a Cook's Creek Conservation District Board meeting on September 25 and an Economic Development and Planning meeting on September 30.

Councillor Thompson reported on his attendance at a Cook's Creek Conservation District Board meeting and Eastern Manitoba Tourism Association meeting on September 25, a Fundraiser at Cook's Creek Columbus Community Centre on September 27, Walk for Guide Dog's in Birds Hill Park on September 28 and an Economic Development and Planning meeting on September 30.

Councillor Lalonde reported on her attendance at an Eastern Manitoba Tourism Association meeting and the first Library Board meeting on September 25 and an Economic Development and Planning meeting on September 30.

Councillor Lucko reported on his attendance at a Cook's Creek Conservation District Board meeting and a Red River Basin Commission meeting on September 25, a Groundwater tour and Anola & District Museum fundraiser on September 28 and an Economic Development and Planning meeting on September 30.

UNFINISHED BUSINESS

Mayors and Reeves Membership

08-512 SKRUPSKI
LALONDE

BE IT RESOLVED that the R.M. of Springfield renew its membership with the Mayors and Reeves of the Capital Region for a cost of \$1,666.67 for 2008. CARRIED (6-0)

Consent Agenda

- 08-513 SKRUPSKI VAAGS WHEREAS a consent agenda has been submitted consisting of 6 items;
BE IT RESOLVED THAT the said consent agenda be adopted as amended to remove 8.6 for clarification.
CARRIED (6-0)

NEW BUSINESS

AMM Convention Meeting Request

Council asked the CAO to arrange meetings with various Ministers at the AMM Convention regarding several issues.

Anola & District Museum Grant

- 08-514 LUCKO SKRUPSKI BE IT RESOLVED THAT the Anola and District Museum Board Inc. be awarded a maintenance grant of \$3,653.39 for 2008.
CARRIED (6-0)

Seine-Rat River Conservation District

- 08-515 LUCKO SKRUPSKI BE IT RESOLVED THAT Councillor Bodnaruk and Councillor Vaags (alternate) be appointed to the Seine-Rat River Conservation District sub-district committee.
CARRIED (6-0)

Recreation Conference - Received as information.

Border Chemical

- 08-516 BODNARUK VAAGS BE IT RESOLVED THAT the R.M. Solicitor be instructed to move forward with the expropriation of three lots (30, 31, and 32) in Block 4 registered in the name of the Estate of John Wilson.
CARRIED (6-0)

Intersection of Hwy 15 and PR 207

Safety issues at the intersection of Hwy 15 and PR 207 were discussed. Council indicated that traffic lights are the preferred method of traffic regulation due to the number of accidents.

Garven Road Project

- 08-517 VAAGS BODNARUK BE IT RESOLVED THAT \$20,000.00 of the 2008 Ward 5 Ward Appropriation be reprioritized to ditching work and culvert replacement within Sections 1 & 2-12-5E (Garven Road).
CARRIED (6-0)

Ward Appropriation Changes

08-518 BODNARUK
VAAGS

BE IT RESOLVED THAT 2008 Ward 1 Ward appropriation funds in the amount of \$29,500.00 be reprioritized from Waugh Road and Lornehill Road Drainage projects to drainage projects on Navin Road, Pineridge Road, Hazelridge Road and Plessis Road. CARRIED (6-0)

Lornehill Road

Councillor Bodnaruk discussed safety concerns on the washouts on Waugh Road and Lornehill Road.

Auditor General Report

Councillor Bodnaruk asked for clarification on the municipal solicitor's activities.

Lester's Subdivision

Councillor Bodnaruk requested clarification on subdivision discussions.

South East Ground water tour

Councillor Lucko informed Council of the upcoming bus tour regarding ground water issues in Springfield.

Ombudsman

It was noted that there are several informational seminars being presented by the Ombudsman.

Anola Unsightly Premise

Discussion arose on a specific location and the unsightly premises by-law.

Adjournment

SKRUPSKI

THAT this meeting stand adjourned the time being 10:45 p.m. CARRIED (6-0)

Peter Skrupski
Reeve

Laurent Tétrault
Chief Administrative Officer