

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

TUESDAY, OCTOBER 25, 2011

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Present: Reeve Jim McCarthy  
Councillor Karen Lalonde  
Councillor Ken Lucko  
Councillor Garry Brown  
Colleen Draper, Asst. CAO  
Kyle Giesbrecht, CFO  
Dan Doucet, Development Officer

Excused Absence: Councillor Bob Bodnaruk

Reeve McCarthy called the meeting to order at 6:35 p.m.

**AGENDA**

11-546 MCCARTHY BE IT RESOLVED THAT the Agenda be amended as follows:  
LUCKO Add: 1. E-waste roof repairs  
2. Water permit fees  
3. Utility Deficit  
4. New office temporary heat  
5. In Camera  
6. Meeting Delegation  
CARRIED (4-0)

**MINUTES**

11-547 LALONDE WHEREAS the minutes of the Council meeting held October  
LUCKO 18, 2011 have been previously distributed to Council;  
BE IT RESOLVED THAT the same be and are hereby  
approved. CARRIED (4-0)

**REPORTS - ELECTED OFFICIALS**

Councillor Lalonde reported on her attendance at a meeting with the municipal solicitor and a library board meeting.

Councillor Lucko reported on a tour of Edie Creek that Lake Winnipeg Foundation attended.

Reeve McCarthy reported on his attendance at meetings with the municipal solicitor regarding fire negotiations and Crystal Lake Development and a pre-planning meeting.

**UNFINISHED BUSINESS**

Anola and District Museum

11-548 LUCKO BE IT RESOLVED THAT the Anola and District Museum Board  
LALONDE Inc. be awarded a maintenance grant of \$1,447.82 for  
2011. CARRIED (4-0)

**NEW BUSINESS**

Resignation Acceptance

11-549 MCCARTHY BE IT RESOLVED THAT Council accepts the resignation of  
BROWN CAO, Laurent Tétrault effective Friday, October 14,  
2011. CARRIED (3-1)

**DELEGATION**

Rocky Chaika met with Council in regards to his applications for variance and conditional use. He advised Council that he was unable to attend the September 27 hearing for personal reasons. He advised that he has since removed three buildings from his property. The development officer advised that the applicant would have to reapply if Council were to reconsider his applications.

**Consent Agenda**

11-550 LUCKO WHEREAS a consent agenda has been submitted consisting  
LALONDE of 4 items;  
BE IT RESOLVED THAT the said consent agenda be adopted  
as circulated. CARRIED (4-0)

**NEW BUSINESS - CONT'D**

Red River Basin Commission

11-551 MCCARTHY BE IT RESOLVED THAT the 2012 Membership to the Red  
LUCKO River Basin Commission North Chapter be approved in the  
amount of \$100.00. CARRIED (4-0)

Vic Toews Banquet

11-552 MCCARTHY BE IT RESOLVED THAT all of council be delegated to  
LUCKO attend the dinner with Vic Toews on November 12, 2011  
if they so choose. CARRIED (4-0)

**PUBLIC HEARINGS UNDER THE PLANNING ACT**

Subdivision 4189-11-5442 - Michael & Theresa Kologie -  
NE 17-11-7E

Purpose: To subdivide:  
- an approximate 6-acre parcel from the  
approximate 82-acre holding (Ct #2526938, N ½  
of NE ¼ 17-11-7 EPM), and  
- an approximate 6-acre parcel from the  
approximate 79-acre holding (Ct #2526950, S ½  
of NE 17-11-7 EPM),  
for residential purposes.

Representation:  
In Support: Michael & Theresa Kologie  
In Opposition: None

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-553 LUCKO  
LALONDE

WHEREAS the owners Michael & Theresa Kologie (Pt NE ¼ 17-11-7E) have applied to subdivide:

- an approximate 6-acre parcel from the approximate 82-acre holding (CT #2526938, N ½ of NE ¼ 17-11-7E) and
- an approximate 6-acre parcel from the approximate 79-acre holding for residential purposes.

BE IT RESOLVED THAT application for subdivision No. 4189-11-5442 be approved subject to the following conditions:

1. Payment of requisite fees (administration fee, & capital lot levies),
2. That a Surveyor's Building Location Certificate be prepared for the yard site parcel by a Manitoba Land Surveyor indicating the location of all structures and the well & 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 a Lot Grade Plan be prepared for Lot 1 only, which shall be sealed by a professional engineer and approved by the Public Works Engineering Dept., as per the municipal drainage policy; and any drainage improvements shall be constructed prior to the issuance of any building permits for the property.
5. An additional 17 feet (5.0m) of property be acquired from the northern limit of CT 2526938 for the entire length of the property located within NE 17-11-7E to allow for any future public road widening and or drainage improvements along the south side of Springfield Road as per attached Schedule "A".
6. That the plan of subdivision be reconfigured as per attached Schedule "A", allowing the proposed Lot 1 and Lot 2 to have an approximate frontage width of 450 feet and an approximate depth of 580 feet.

CARRIED (4-0)

Subdivision 4189-11-5439 - Doug & Kristine Penner - SE 20-11-7E

Purpose: To subdivide two (2) approximate 5-acre parcels from the existing approximate 80-acre holding, for residential purposes.

Representation:

- In Support: Doug & Kristine Penner  
Ernie Yakubicka
- In Opposition: Heather Erickson  
Tangi Bell  
Peter Williams  
Lorraine Boitson

For Information: Janet Nysten

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-554 LUCKO  
LALONDE

WHEREAS the owners Doug & Kristine Penner (Pt SE ¼ 20 -11-7E) have applied to subdivide two (2) approximate 5-acre parcels from the existing approximate 80-acre holding, for residential purposes;  
BE IT RESOLVED THAT application for subdivision No. 4189-11-5439 be approved subject to the following conditions:

1. Payment of requisite fees (administration fee, land dedication fees & capital lot levies),
2. That a Lot Grade Plan be prepared and sealed by a professional engineer and approved by the Public Works Dept., as per the municipal drainage policy; and any drainage improvements shall be constructed prior to the issuance of any building permits for the property.
3. That Lot 1 and Lot 2 share one common driveway access approach off Pleasant Road and be installed by the Developer.
4. That the owners enter into a declaration of right of way for the common driveway approach.

CARRIED (4-0)

Variance 11-64 - Keith Sanheim - 30 Aspen Drive, Oakbank

Purpose: To permit the construction of an addition to the existing single family dwelling (attached garage with living space above) having a West side yard setback of 6 (+/-) feet instead of the required 10 feet, with an eave projection of 4.5 (+/-) feet instead of the required 8 feet, within the "RS" Residential Single Family Zoning District.

Representation:

- In Support: Keith Sanheim
- In Opposition: None

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-555 LALONDE  
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner Keith Sanheim (Lot 1 Plan 13730 within SE ¼ 21-11-5 EPM) for a variation of the Springfield Zoning By-law No. 08-01, 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. 11 - 64 be granted subject to the following conditions:

1. If there are any problems with drainage along the West side yard property limits at any time, as determined by the Development Officer, the owner shall be responsible to construct and maintain the common swales. If a drainage swale is required, the swale design and construction shall be reviewed and approved by the Public Works Department.

CARRIED (4-0)

Variance 11-65 - Robert Marusyk and Sylvia Yaeger - NW 31-11-6E

- Purpose:
1. To permit the construction of a 45'x 26' accessory building (detached garage) having a front yard setback of 65(+/-) feet instead of the required 125 feet, within the "AG" Agriculture General Zoning District, and
  2. To permit the proposed 45'x 26' accessory building (detached garage) to be located closer to a public roadway than the front wall of the principal building, as per Section 25.6 b).

Representation:

In Support: Robert Marusyk and Sylvia Yaeger

In Opposition: None

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-556 LALONDE  
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Robert Marusyk & Sylvia Yaeger (Pt NW ¼ 31-11-6 EPM) for a variation of the Springfield Zoning By-law No. 08-01, 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. 11 - 65 be granted.

CARRIED (4-0)

Variance 11-66 - Hanover Homes Ltd. c/o Corwin Penner on behalf of 5889775 Manitoba Ltd. - 8 Hanover Place, Oakbank

Purpose: To permit the construction of a single family dwelling (condo unit) having a rear yard setback of 19.83 (+/-) feet instead of the required 25 feet, within the "RC" Residential Comprehensive Zoning District.

Representation:  
In Support: Corwin Penner  
In Opposition: None

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-557 LUCKO  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Hanover Homes Ltd. c/o Corwin Penner on behalf of the owner 5889775 Manitoba Ltd. (Lot 4 Plan 49089 within NW ¼ 22-11-5 EPM) for a variation of the Springfield Zoning By-law No. 08-01, 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. 11 - 66 be granted subject to the following conditions:  
1. That no decks or future additions be allowed to encroach within the 19.8 feet rear yard setback.  
CARRIED (4-0)

Variance 11-67 - Marc Beaudette & Claire Rioux - SW ¼ 21-10-4E

Purpose: To permit the construction of a 10' x 32' sunroom addition to the pre-existing non-conforming single-family dwelling having a North side yard setback of 9 (+/-) feet instead of the required 25 feet within the "HA" Hamlet Zoning District.

Representation:  
In Support: Marc Beaudette  
In Opposition: None

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-558 LALONDE  
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Marc Beaudette & Claire Rioux (Parcel 5 Plan 8019 within SW ¼ 21-10-4 EPM) for a variation of the Springfield Zoning By-law No. 08-01, 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. 11 - 67 be granted subject to the following conditions:

1. If there are any problems with drainage along the north and/or south property limits at any time, as determined by the Development Officer, the owner shall be responsible to construct and maintain the a common swale. If a drainage swale is required, the swale design and construction shall be reviewed and approved by the Public Works Department.

CARRIED (4-0)

Variance 11-69 - Sergej and Veronika Hartfelder - SW ¼ 5-10-5E

Purpose: To permit the construction of an approximate 22'x 22' attached garage to the pre-existing non-conforming single-family dwelling having a front yard setback of 99 (+/-) feet instead of the required 125 feet within the "AG" Agriculture General Zoning District.

Representation:

In Support: Sergej Hartfelder  
In Opposition: None

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-559 LALONDE  
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Sergej & Veronika Hartfelder (Pt SW ¼ 5-10-5 EPM) for a variation of the Springfield Zoning By-law No. 08-01, 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. 11 - 69 be granted.

CARRIED (4-0)

Variance 11-70 - Brendan & Tricia Coulter - SW ¼ 24-11-7E

Purpose: To permit the construction of a single family dwelling having a front yard setback of 50 (+/-) feet instead of the required 125 feet, within the "AG" Agriculture General Zoning District.

Representation:

In Support: Brendan & Tricia Coulter

In Opposition: None

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-560 LUCKO  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner Brendan Coulter (Pt SW ¼ 24-11-7 EPM) for a variation of the Springfield Zoning By-law No. 08-01, 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. 11 - 70 be granted. CARRIED (4-0)

Variance 11-71 - Signs Are Us on behalf of John Holland and Richard Holland - NW ¼ 33-10-5E

Purpose: To permit the placement of a 16' x 8' free-standing billboard sign (for Oak Bank Credit Union) on a site not related to any commercial business as per Section 33.4.d), within the "AG" Agriculture General Zoning District.

Representation:

In Support: Les Baker  
Curtis Brown

In Opposition: None

For Information: Robert Reinink

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-561 LUCKO  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Signs Are Us on behalf of the owners John Holland and Richard Holland (Pt NW ¼ 33-10-5 EPM) for a variation of the Springfield Zoning By-law No. 08-01, 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. 11 - 71 be granted subject to the following conditions:

1. That this site be limited to an overall signage square footage of 256.
2. That the owner and or developer obtain the required permits and approvals from Manitoba Infrastructure and Transportation.
3. That the area around the sign be maintained to the satisfaction of the Development Officer at the sign owner's expense.

CARRIED (4-0)

Variance 11-72 - Signs Are Us on behalf of John Holland and Richard Holland - NW ¼ 33-10-5E

Purpose: To permit the placement of a 16'x 8' free-standing billboard sign (for Wayne Johnston Autobody & Glass) on a site not related to any commercial business as per Section 33.4.d), within the "AG" Agriculture General Zoning District.

Representation:

In Support: Les Baker

In Opposition: None

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-562 MCCARTHY  
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Signs Are Us on behalf of the owners John Holland and Richard Holland (Pt NW ¼ 33-10-5 EPM) for a variation of the Springfield Zoning By-law No. 08-01, 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. 11 - 72 be granted subject to the following conditions:

1. That this site be limited to an overall signage square footage of 256.
2. That the owner and or developer obtain the required permits and approvals from Manitoba Infrastructure and Transportation.
3. That the area around the sign be maintained to the satisfaction of the Development Officer at the sign owner's expense.

CARRIED (4-0)

Conditional Use 11-34 - Adrian & Marie Stroet - SE ¼ 11-12-4E

Purpose: To permit a temporary additional dwelling (mobile home) on the land providing accommodation for the owner's son & his family, within Section 83.3.22) of the "AR" Agriculture Restricted Zoning District.

Representation:

In Support: Adrian & Marie Stroet

In Opposition: None

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-563 MCCARTHY  
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Adrian & Marie Stroet (Lot 17 Plan 28318 within SE ¼ 11-12-4 EPM) for a variation of the Springfield Zoning By-law No. 08-01, as amended;

AND WHEREAS Council is satisfied that the requirements of Sections 103, 104 and 105 have been met;

BE IT RESOLVED THAT Conditional Use Order No. 11 - 34 be granted subject to the following conditions:

1. That immediate family members, Mr. Jeffery & Amber Stroet & their family, shall only occupy the temporary second dwelling (mobile home) and the mobile home shall be removed from the site, when no longer occupied by Mr. Jeffery and/or Amber Stroet & their family.
2. That the mobile home be serviced by a sewage disposal system approved by Manitoba Conservation.
3. If there is any land transfer, the temporary second dwelling (mobile home) must be removed from site prior to possession date.
4. That this order shall expire and become null and void December 31, 2016.

CARRIED (4-0)

Variance 11-68 - Adrian & Marie Stroet - SE ¼ 11-12-4E

Purpose: To permit a West side yard setback of 25 feet for the proposed second dwelling (mobile home) instead of the required 50 feet, within the "AR" Agriculture Restricted Zoning District.

Representation:

In Support: Adrian & Marie Stroet

In Opposition: None

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-564 LALONDE  
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Adrian & Marie Stroet (Lot 17 Plan 28318 within SE ¼ 11-12-4 EPM) for a variation of the Springfield Zoning By-law No. 08-01, 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. 11 - 68 be granted subject to the following conditions:

1. If there are any problems with drainage along the east side yard property limits at any time, as determined by the Development Officer, the owner shall be responsible to construct and maintain the common swales. If a drainage swale is required, the swale design and construction shall be reviewed and approved by the Public Works Department.

CARRIED (4-0)

Conditional Use 11-30 - Cornelia Seeholzer - NW ¼ 6-12-6E

Purpose: To permit a "Child Care Service" (licensed home daycare) on the land, within the "RR" Rural Residential Zoning District.

Representation:

- In Support: Cornelia Seeholzer
- In Opposition: None

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-565 LUCKO  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner Cornelia Seeholzer (Lot 3 Plan 18244 within NW ¼ 6-12-6 EPM) for a variation of the Springfield Zoning By-law No. 08-01, as amended;  
AND WHEREAS Council is satisfied that the requirements of Sections 103, 104 and 105 have been met;  
BE IT RESOLVED THAT Conditional Use Order No. 11 - 30 be granted subject to the following conditions:

1. That the building inspector conduct an inspection of the single family dwelling to ensure all building code safety issues are confirmed and addressed. (i.e. smoke alarms, hand rails, bedroom window sizes, etc)
2. That the above ground pool be fenced with a gate, as per the requirements of the building code.

- 3. That when the business ceases to be in operation and/or when the land is transferred or sold, that this conditional use order will expire and become null & void.

CARRIED (4-0)

Conditional Use 11-33 - Corey Lidgett & Nadine (Komadowski) Lidgett - SW 18-10-7E

Purpose: To permit a "Child Care Service" (licensed home daycare) business on the land, as per Section 7.0.4), within the "AG" Agriculture General Zoning District.

Representation:

In Support: Nadine Lidgett  
 In Opposition: None

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-566 MCCARTHY  
 LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Corey Lidgett & Nadine (Komadowski) Lidgett (Lot 2 Plan 17731 within SW ¼ 18-10-7 EPM) for a variation of the Springfield Zoning By-law No. 08-01, as amended;  
 AND WHEREAS Council is satisfied that the requirements of Sections 103, 104 and 105 have been met;  
 BE IT RESOLVED THAT Conditional Use Order No. 11 - 33 be granted subject to the following conditions:

- 1. That the building inspector conduct an inspection of the single family dwelling to ensure all building code safety issues are confirmed and addressed. (i.e. smoke alarms, hand rails, bedroom window sizes, etc).
- 2. That when the business ceases to be in operation and/or when the land is transferred or sold, that this conditional use order will expire and become null & void.

CARRIED (4-0)

Conditional Use 11-31 - Joe Zaretski & Anna Pawlowicz - SE ¼ 3-12-4E

Purpose: To permit a "Home Industry" (automotive & heavy industrial vehicle repairs business) on the land, within the "RR" Rural Residential Zoning District.

Representation:

In Support: Joe Zaretski & Anna Pawlowicz  
 In Opposition: None

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-567 LUCKO  
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Joe Zaretski & Anna Pawlowicz (Lot 2 Plan 23907 within SE ¼ 3-12-4 EPM) for a variation of the Springfield Zoning By-law No. 08-01, as amended; AND WHEREAS Council is satisfied that the requirements of Sections 103, 104 and 105 have been met; BE IT RESOLVED THAT Conditional Use Order No. 11 - 31 be granted subject to the following conditions:

1. The Home Industry operation shall be operated solely by the members of the family residing at the same dwelling unit on the site where the Home Industry operation is located.
2. The maximum number of vehicles for repair on-site at any one time shall be limited to a maximum of three vehicles.
3. That all outside storage of vehicles, goods and materials is allowed, subject to the following:
  - a) the storage shall be located to the rear of a line adjacent to and parallel with the rear wall of the accessory building;
4. This order shall expire and become null and void on the date the land is transferred or business ceases to be in operation.

CARRIED (4-0)

Conditional Use 11-32 - Sergei Zaitchikov on behalf of Olga Plotnikova - NW ¼ 36-10-4E

Purpose: To permit a "Car Broker" business on the land, within the "RR" Rural Residential Zoning District.

Representation:

In Support: Sergei Zaitchikov  
In Opposition: None

For Information: Robert Reinink

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-568 LALONDE  
MCCARTHY

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Sergei Zaitchikov on behalf of the owner Olga Plotnikova (Lots 60/69 Plan 1506 within NW ¼ 36-10-4 EPM) for a variation of the Springfield Zoning By-law No. 08-01, as amended;

AND WHEREAS Council is satisfied that the requirements of Sections 103, 104 and 105 have been met;  
 BE IT RESOLVED THAT Conditional Use Order No. 11 - 32 be granted subject to the following conditions:

1. The Car Broker operation shall be limited to the purchase and sale of used passenger vehicles only.
2. All passenger vehicles that are for sale shall be parked or stored within the existing accessory buildings.
3. The Car Broker operation shall be operated solely by the members of the family residing at the same dwelling unit on the site where the Car Broker operation is located.
4. The maximum number of passenger vehicles for sale on-site at any one time shall be limited to six vehicles.
5. This order shall expire and become null and void on the date the land is transferred or business ceases to be in operation.

CARRIED (4-0)

Conditional Use 11-35 - 6292535 MB Ltd. c/o Troy Ash on behalf of 5275602 MB Ltd. - SW 21-10-4E

Purpose: To permit an Agricultural & Heavy Construction Equipment Sales, Service & Rentals business on the land, as per Section 7.0.4), within the "CH" Commercial Highway Zoning District.

Representation:  
 In Support: Troy Ash  
 In Opposition: None

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-569 MCCARTHY  
 LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by 6292535 Manitoba Ltd. c/o Troy Ash on behalf of the owner 5275602 Manitoba Ltd. (Lot 3 Plan 44367 within SW ¼ 21-10-4 EPM) for a variation of the Springfield Zoning By-law No. 08-01, as amended;  
 AND WHEREAS Council is satisfied that the requirements of Sections 103, 104 and 105 have been met;  
 BE IT RESOLVED THAT Conditional Use Order No. 11 - 35 be granted subject to the following conditions:

1. This order shall expire and become null and void on the date the business ceases to be in operation.

CARRIED (4-0)

Conditional Use 11-36 - MMM Group Ltd. c/o Laura Dainard on behalf of The TDL Group Corp. (Tim Horton's) on behalf of 5045861 MB Inc. c/o Thomas Peake on behalf of 5275602 MB Ltd. - SW 21-10-4E

Purpose: To permit a "Drive-In Food Service" business on the land, within Section 64.3.9) which includes a gross floor area of approximately 400 sq. ft. for a outdoor dining area, within the "CC" Commercial Central Zoning District.

Representation:  
In Support: Laura Dainard  
In Opposition: None

The Development Officer read out his report.

The Chair closed the evidentiary portion of the meeting.

11-570 LALONDE LUCKO WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by MMM Group Limited c/o Laura Dainard obo the TDL Group Corp. (Tim Horton's) on behalf of the owner 5045861 Manitoba Ltd. c/o Thomas Peake (Lot 1 Plan 51523 within SW ¼ 22-11-5 EPM) for a variation of the Springfield Zoning By-law No. 08-01, as amended;  
AND WHEREAS Council is satisfied that the requirements of Sections 103, 104 and 105 have been met;  
BE IT RESOLVED THAT Conditional Use Order No. 11 - 36 be granted subject to the following conditions:  
1. That the Developer enters into a Development & Servicing agreement with the municipality.  
CARRIED (4-0)

**NEW BUSINESS CONT'D**

Unpaid Weed Accounts

11-571 LUCKO LALONDE BE IT RESOLVED THAT Council authorize the unpaid weed control invoices be added to the following tax rolls, as per the Springfield-Tache Weed Control District:  
Roll 132210 \$ 462.50  
Roll 691400 & 521000 \$3,670.00  
Roll 108710 \$ 245.00  
\$4,377.50  
CARRIED (4-0)

E-waste Roof Repairs

11-572 LUCKO LALONDE BE IT RESOLVED THAT Council accept the recommendation of the Water and Waste Director, authorizing the Water and Waste Director to proceed with Hillside Transfer Station E-Waste building, roof repairs, with the total sum not to exceed \$4,200.00. CARRIED (4-0)

Water Meter Permits

11-573 LUCKO BE IT RESOLVED THAT, as per By-Law 97-06, and as  
 LALONDE recommended by the Water and Waste Director, the Rental  
 of the Water Meter for residential dwellings be  
 increased to the actual costs of the equipment and  
 Administration costs, which are currently determined to  
 be Five Hundred and ten dollars (\$510.00) for the  
 equipment, plus the permit fee of Fifty dollars  
 (\$50.00), for a total water meter permit fee of Five  
 Hundred and Sixty dollars (\$560.00).  
 CARRIED (4-0)

Utility Deficit

Temporary Heat

Councillor Lucko requested a recorded vote.

11-574 LALONDE BE IT RESOLVED THAT Council approve the installation of  
 MCCARTHY two temporary furnaces for the new administration  
 office at a cost of \$5,000.00 including hook up and  
 disconnection fees.

|        | For | Against | Absent | Abstain | Reason            |
|--------|-----|---------|--------|---------|-------------------|
| Reeve  | x   |         |        |         |                   |
| Ward 1 |     |         | x      |         | (Excused Absence) |
| Ward 2 | x   |         |        |         |                   |
| Ward 4 |     | x       |        |         |                   |
| Ward 5 | x   |         |        |         |                   |

CARRIED (3-1)

Meeting Delegation

11-575 LUCKO BE IT RESOLVED THAT the following meeting delegation be  
 MCCARTHY approved: Reeve McCarthy and Councillor Lalonde,  
 October 21, meeting with municipal solicitor.  
 CARRIED (4-0)

In Camera

Councillor Lucko requested a recorded vote.

11-576 MCCARTHY BE IT RESOLVED THAT this meeting recess to in camera to  
 LALONDE discuss personnel and legal issues.  
 AND BE IT FURTHER RESOLVED THAT all matters shall  
 remain confidential until a report is made public.

|        | For | Against | Absent | Abstain | Reason            |
|--------|-----|---------|--------|---------|-------------------|
| Reeve  | x   |         |        |         |                   |
| Ward 1 |     |         | x      |         | (Excused Absence) |
| Ward 2 | x   |         |        |         |                   |
| Ward 4 |     | x       |        |         |                   |
| Ward 5 | x   |         |        |         |                   |

CARRIED (3-1)

11-577 LALONDE BE IT RESOLVED THAT this meeting reconvenes from in  
MCCARTHY camera. CARRIED (4-0)

Adjournment

MCCARTHY THAT this meeting stand adjourned the time being 11:10  
P.M.

\_\_\_\_\_  
Jim McCarthy  
Reeve

\_\_\_\_\_  
Colleen Draper  
Asst. Chief Administrative Officer