

THE RURAL MUNICIPALITY OF SPRINGFIELD

COUNCIL MEETING

WEDNESDAY, OCTOBER 7th, 2009

Present: Reeve Peter Skrupski
Councillor Karen Lalonde
Councillor Brian Thompson
Councillor Ken Lucko
Councillor Lorne Vaags
Laurent Tétrault, CAO
Dan Doucet, Development Officer
Colleen Draper, Recording Secretary

Absent: Councillor Bob Bodnaruk

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

AGENDA

09-500 SKRUPSKI BE IT RESOLVED THAT the Agenda be amended as follows:
VAAGS Defer: Item 9.7 - Ward 2 Recreation Commission
Appointment
Add: 1. Vic Toews Supper
2. Meeting Delegations
3. Board of Revision Secretary
4. Purchase of Springfield Police Vehicle
5. Cemetery
6. Fundraising Committee
7. Unsightly Premises - In Camera
8. General Duties of Council - In Camera
CARRIED (5-0)

MINUTES

09-501 SKRUPSKI WHEREAS the minutes of the Council meeting held
LUCKO September 23, 2009 have been previously distributed to
Council;
BE IT RESOLVED THAT the same be and are hereby
approved. CARRIED (5-0)

CONSENT AGENDA

09-502 SKRUPSKI WHEREAS a consent agenda has been submitted consisting
VAAGS of 7 items;
BE IT RESOLVED THAT the said consent agenda be adopted
as circulated. CARRIED (5-0)

NEW BUSINESS

Anola Lucky Dollar

- 09-503 LUCKO WHEREAS the Anola Lucky Dollar is being sold and the
LALONDE Manitoba Liquor Control Commission is requesting the
support of the Council of the Rural Municipality of
Springfield for a liquor vendor in the community of
Anola;
BE IT RESOLVED THAT Council hereby supports the
presence of a licensed liquor vendor in the community
of Anola, specifically the Anola Lucky Dollar store.
CARRIED (5-0)

Springfield Minor Hockey Association

- 09-504 SKRUPSKI BE IT RESOLVED THAT Council provide a grant to
LUCKO Springfield Minor Hockey Association for the 2009-2010
Squirt & Novice Hockey Tournament, November 19-22,
2009, in the amount of \$100.00.
CARRIED (5-0)

March Financial Statement

- 09-505 SKRUPSKI BE IT RESOLVED THAT the Financial Statement for the
LALONDE month ending March 31, 2009 be accepted as presented.
CARRIED (5-0)

April Financial Statement

- 09-506 SKRUPSKI BE IT RESOLVED THAT the Financial Statement for the
VAAGS month ending April 30, 2009 be accepted as presented.
CARRIED (5-0)

Supplemental Taxes

- 09-507 SKRUPSKI BE IT RESOLVED THAT the list of assessment changes
LUCKO dated September 24, 2009 be accepted and that
supplemental tax demand statements be authorized with a
due date of January 29, 2010. CARRIED (5-0)

Springfield Archives

- 09-508 SKRUPSKI BE IT RESOLVED THAT a grand opening for the Springfield
LUCKO Archives be arranged and that the efforts of Jack and
Yvonne Mavins be recognized at that event for December
2009. CARRIED (5-0)

DELEGATION

Curwood Ateah and Roger Bouvier met with Council to
discuss ward boundary changes. Options were presented
both reducing 5 wards to 4 wards. Mr. Bouvier also
advised that wards names could be assigned to each ward
instead of the numbering system.

Councillor Lucko requested a recorded vote.

09-509 SKRUPSKI
VAAGS

WHEREAS recommendations were received by Landmark Planning for changes to ward boundaries (10 options); BE IT RESOLVED THAT Council accept in principal option #10, resulting in the change of 5 wards to 4, and proceed with preparation of the by-law and possible naming of wards.

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

CARRIED (4-1)

PUBLIC HEARINGS UNDER THE PLANNING ACT

Variance 09-69 - Emil Harrison - SE 15-11-7E

Purpose: Proposed Lot 1 - To permit a site area of approximately 9 acres & site width of 636 (+/-) feet instead of the required 80 acres and 660 feet respectively, within the "A" Rural & Agricultural Zoning District.
(re: subdivision 4189-09-5305)

Representations:

In Support: Emil Harrison
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-510 LUCKO
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner Emil Harrison (SE ¼ 15-11-7E) 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 - 69 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. 4189-09-5305.

CARRIED (5-0)

Variance 09-70 - Robert McGrath & Karen McCulloch - SE 11-11-7E

Purpose: To permit the construction of a 24'x 36' accessory building (storage building) prior to the erection of the main dwelling, within the "A" Rural & Agricultural Zoning District.

Representations:

In Support: Robert McGrath
Karen McCulloch
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-511 LUCKO
LALONDE

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owners Robert McGrath & Karen McCulloch (SE ¼ 11-11-7E) 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 - 70 be granted subject to the following conditions:

1. The use of the proposed accessory building shall be limited to the keeping of personal goods, supplies and personal vehicles.

CARRIED (5-0)

Variance 09-73 - Eulalia Swiderski - SE 4-11-8E

Proposal: To permit the placement of an accessory building (storage building) prior to the erection of the main dwelling, within the "A" Rural & Agricultural Zoning District.

Representations:

In Support: Eulalia Swiderski
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting and tabled the decision to November 18.

Variance 09-74 - Idalina Giesbrecht - NW 31-11-5E

Purpose: To permit the construction of a 780 sq. ft. attached garage to the single-family dwelling, having a front yard setback of 96 (+/-) feet instead of the required 125 feet, within the "A" rural District.

Representations:

In Support: Fred Giesbrecht
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-512 SKRUPSKI
VAAGS

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by the owner Idalina Giesbrecht (Lot 1 Plan 16868 within NW ¼ 31-11-5E) 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 - 74 be granted. CARRIED (5-0)

Variance 09-75 - John Keller & Stefanie Rudd -
SW 24-12-5E

Purpose: To permit the keeping of 1.5 Livestock Waste Units (3 horses) and related accessory buildings, having a site area of 4.99 acres & site width of zero feet instead of the required 20 acres & 660 feet respectively, within the "A20" Limited Agricultural Zoning District.

Representations:

In Support: Stefanie Rudd
In Opposition: None

The Development Officer read his report.

The Applicant distributed pictures and signatures of support from neighbours.

The Chair closed the evidentiary portion of the meeting.

09-513 THOMPSON
VAAGS

WHEREAS a Public Hearing has been conducted to consider an application filed by the owners John Keller & Stefanie Rudd (Parcel C Plan 14201 within SW ¼ 24-12-5E) 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 - 75 be granted subject to the following conditions:

1. No livestock shall be permitted on the land other than up to a maximum of 1.5 Livestock Waste Units (3 adult horses), which are to be kept no closer than 100 feet to any well or septic field.
2. All livestock animals are to be owned by family members for personal use.

CARRIED (5-0)

Variance 09-76 - Brent Van Ryssel on behalf of Van Ryssel Enterprises Ltd. - NE 29-11-5E

Purpose: To permit the construction of a 28'x 30' accessory building (detached garage) having a separation distance of 12 (+/-) feet between the single-family dwelling instead of the required 25 feet, within the "A" Rural District.

Representations:

In Support: Brent Van Ryssel
Neil Van Ryssel

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-514 SKRUPSKI
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Brent Van Ryssel on behalf of the owner Van Ryssel (NE ¼ 29-11-5E) 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 - 76 be granted. CARRIED (5-0)

Variance 09-77 - Aikins, MacAulay & Thorvaldson c/o Harley C. Boles on behalf of Thomas & Penny Brown - SW 22-11-5E, 6 Magnolia Drive

Purpose: 1. To permit the maintenance of an existing single-family dwelling having a West side yard setback of 9.85 feet instead of the required 10 feet, and
2. To permit the maintenance of an existing deck attached to the single-family dwelling having a West side yard setback of 6.15 feet instead of the required 10 feet, within the "RA" Suburban District.

Representations:

In Support: Penny Brown
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-515 LALONDE
LUCKO

WHEREAS a Public Hearing has been conducted under The Planning Act to consider an application filed by Aikins, MacAulay & Thorvaldson c/o Harley C. Boles on behalf of the owners Thomas & Penny Brown (Lot 3 Block 4 Plan 43725 within SW ¼ 22-11-5E) 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 - 77 be granted. CARRIED (5-0)

Councillor Lalonde declared a conflict of interest and left the Council Chambers.

Subdivision 4189-09-5314 - Neil Birkett on behalf of 5525447 Manitoba Ltd. - NE 11-10-4E

Intent: To subdivide an existing 41.4-acre holding into 3 parcels:
Proposed Lot 1 - 18.56 (+/-) acre parcel (commercial site);
Proposed Lot 2 - 3.56 (+/-) acre parcel (yard site), and
Residual Lot - 19.34 (+/-) acre parcel (agricultural site).

Representations:
In Support: Neil Birkett
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-516 SKRUPSKI
VAAGS

WHEREAS Neil Birkett on behalf of the owner 5525447 Manitoba Ltd. (NE ¼ 11-10-4E) have applied to subdivide an existing 41-4-acre holding into 3 parcels: Proposed Lot 1 - 18.56 (+/-) acre parcel (commercial site), Proposed Lot 2 - 3.56 (+/-) acre parcel (yard site) and Residual Lot - 19.34 (+/-) acre parcel (agricultural site);

BE IT RESOLVED THAT application for subdivision No. 4189-09-5314 be approved subject to the following conditions:
1. Payment of requisite fees (Administration Fee, Land Dedication Fees & Capital Lot Levy).
2. Proposed Lot 1 be rezoned to "C2" under the Springfield Town Planning Scheme or "CH" Highway Commercial Zoning District pending the passing of the new zoning by-law.
3. That a Surveyor's Building Location Certificate be prepared showing all existing buildings and structures, including the onsite wastewater system, in relation to the proposed property lines.

- 4. That variation orders be obtained for the following:
 - a) site area for proposed Lot 2
 - b) and any other variation orders be obtained, if required, as a result of the Surveyor's Building Location Certificate.

CARRIED (4-0)

Councillor Lalonde returned to Council Chambers.

Subdivision 4189-09-5320 - Charles & Cheryl Devisser - SE 34-10-6E

Purpose: To subdivide an approximate 5.0-acre parcel from the approximate 35.89-acre holding for rural residential purposes.

Representations:

In Support: Charley & Cheryl Devisser

In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-517 VAAGS
THOMPSON

WHEREAS the owners Charles & Cheryl Devisser (Lot 5 Plan 17562 within SE ¼ 34-10-6E) have applied to subdivide an approximate 5.0-acre parcel from the approximate 35.89-acre holding for rural residential purposes;

BE IT RESOLVED THAT application for subdivision No. 4189-09-5320 be approved subject to the following conditions:

- 1. Payment of requisite fees (administration fee, land dedication and Capital levy fees).
- 2. That a Surveyor's Building Location Certificate be prepared showing all existing buildings and structures, including the onsite wastewater system, in relation to the proposed property lines.
- 3. That variation orders be obtained for the following:
 - a) site area for proposed Lot 1
 - b) site area for the residual Lot
 - c) site width for proposed Lot 1
 - d) and any other variation orders be obtained, if required, as a result of the Surveyor's Building Location Certificate
- 4. 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 shall be constructed prior to the issuance of any building permits for the property.

CARRIED (5-0)

Subdivision 4189-09-5322 - Ian & Kimberley Reid - SE 15-10-5E

Purpose: To realign property boundaries for the approximate 159-acre holding under CT #1990956 & CT #1992961 resulting in the following lots:
Proposed Lot 1 - 27.55 (+/-) acre parcel, and
Residual Lot - 132.33 (+/-) acre parcel

Representations:
In Support: Ian & Kimberley Reid
In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-518 VAAGS
THOMPSON

WHEREAS the owners Ian & Kimberley Reid (SE ¼ 15-10-5E) have applied to realign property boundaries for the approximate 159-acre holding under C.T. #1990956 & #1992961 resulting in the following lots: Proposed Lot 1 - 27.55 (+/-) acre parcel and Residual Lot - 132.33 (+/-) acre parcel;
BE IT RESOLVED THAT application for subdivision No. 4189-09-5322 be approved subject to the following conditions:
1. Payment of requisite fees (administration).
2. That a Surveyor's Building Location Certificate be prepared for the yard site parcel and submitted showing the location of all buildings and the sewage disposal systems in relation to the proposed property lines.
3. Any Variation Orders required as a result of Surveyor's Building Location Certificate.
CARRIED (5-0)

BY-LAWS

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

09-519 THOMPSON
VAAGS

BE IT RESOLVED THAT first reading be given to 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.
CARRIED (5-0)

By-law 09-13 - McLeod - SE 33-12-5E

09-520 THOMPSON
VAAGS

BE IT RESOLVED THAT second reading be given to By-law No. 09-13 being a by-law of the Rural Municipality of Springfield to rezone the west halves of legal subdivisions 1 and 8 within Section 33-12-5E from "A" Rural & Agricultural Zone to "A20" Limited Agricultural District.
CARRIED (5-0)

09-521 THOMPSON
VAAGS

BE IT RESOLVED THAT third and final reading be given to By-law No. 09-13 being a by-law of the Rural Municipality of Springfield to rezone the west halves of legal subdivisions 1 and 8 within Section 33-12-5E from "A" Rural & Agricultural Zone 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 (5-0)

VARIANCES CONT'D

Variance 09-72 - Judite McLeod - SE 33-12-5E

Purpose:

1. Proposed Lot 1 - To permit a site width of 330 (+/-) feet instead of the required 660 feet.
2. Proposed Lot 2 - To permit a site width of 330 (+/-) feet instead of the required 660 feet, and
3. To permit the keeping of 5 Livestock Waste Units (maximum 10 horses), on each lot, and related accessory building(s) for personal use, having a site width of 330 (+/-) feet instead of the required 660 feet, within the "A20" Limited Agricultural Zoning District. (re: subdivision 4189-08-5283)

Representations:

In Support: Judite McLeod
 In Opposition: None

The Development Officer read his report.

The Chair closed the evidentiary portion of the meeting.

09-522 THOMPSON
VAAGS

WHEREAS a Public Hearing has been conducted to consider an application filed by the owner Judite McLeod (SE ¼ 33-12-5E) 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 - 72 be granted subject to the following conditions:

1. No livestock shall be permitted on the land other than up to a maximum of 5.0 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.
- 4. 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. 4189-08-5283.

CARRIED (5-0)

BY-LAWS CONT'D

By-law 09-15 - Board of Revision

09-523 SKRUPSKI
LUCKO

BE IT RESOLVED THAT third and final reading be given to By-law No. 09-15 being a by-law of the Rural Municipality of Springfield to provide remuneration for members appointed to the Board of Revision.

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

CARRIED (5-0)

OTHER PLANNING MATTERS

Waiving of Building Permit Fees

09-524 LALONDE
LUCKO

WHEREAS Resolution No. 07-153 states when building permit(s) and reconstruction renovating permits are required due to fire or other natural disaster on a residence in Springfield they may be waived on an individual basis presented to Council;

BE IT RESOLVED THAT the cost of a building permit be waived for Ken Turchen (Lot 2 Block 1 Plan 12583 within SE ¼ 21-11-5E).

CARRIED (5-0)

Development Agreement - NE 8-11-7E

09-525 LUCKO
LALONDE

BE IT RESOLVED THAT Derek & Christine Giles (NE 8-11-7E) be authorized to enter into a Development Agreement with the R.M. of Springfield;

AND BE IT FURTHER RESOLVED THAT the CAO and Reeve be authorized to sign the Development Agreement.

CARRIED (5-0)

Reeve Skrupski noted a thank you letter was received by a local realtor thanking office staff for the services provided.

NEW BUSINESS CONT'D

Vic Toews Supper

- 09-526 SKRUPSKI LUCKO BE IT RESOLVED THAT the following people be delegated to attend an evening with Senator Mike Duffy and MP Vic Toews in Niverville, October 16, 2009:
- All of Council CARRIED (5-0)

Meeting Delegations

- 09-527 LALONDE SKRUPSKI BE IT RESOLVED THAT Councillor Lucko be delegated to attend the following meetings:
July 31 - tour of asphalt plant at Seddon's Corner
August 7 - Meeting with Municipal Solicitor
September 30 - Meeting with Manitoba Ombudsman
CARRIED (5-0)

Board of Revision

- 09-528 SKRUPSKI VAAGS BE IT RESOLVED THAT Colleen Draper be appointed Secretary for the 2010 Board of Revision.
CARRIED (5-0)

Police Vehicle

- 09-529 THOMPSON VAAGS BE IT RESOLVED THAT Council award the purchase of a 2010 Ford 4 x 4 V8 4-door Public Safety / Police Truck to Fairway Ford for the sum of \$30,525.00 plus applicable taxes.
CARRIED (5-0)

Cemetery - Ward Appropriation

- 09-530 SKRUPSKI VAAGS BE IT RESOLVED THAT an additional \$1,000.00 be taken from Ward 4 Ward Appropriation for fence repairs at Monominto Cemetery.
CARRIED (5-0)

Fundraising Committee

- 09-531 THOMPSON SKRUPSKI BE IT RESOLVED THAT Council form a fund raising committee for the Springfield Recreation Centre with recommendations coming from Councillors and reeve.
CARRIED (5-0)

In Camera

- 09-532 SKRUPSKI LUCKO BE IT RESOLVED THAT this meeting recess to in camera to discuss personnel and legal issues.
AND BE IT FURTHER RESOLVED THAT all matters shall remain confidential until a report is made public.
- Evergreen Lodge
- Unsightly Premise
- General Duties of Council
CARRIED (5-0)

09-533 SKRUPSKI BE IT RESOLVED THAT this meeting reconvenes from in
VAAGS camera. CARRIED (5-0)

Evergreen Lodge

Councillor Lucko requested a recorded vote.

09-534 THOMPSON BE IT RESOLVED THAT Council authorize the CAO to
LALONDE proceed with the sale of Evergreen Lodge to Harvey
Penner subject to conditions satisfactory to Council
for the price of \$200,000.00.

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

CARRIED (4-1)

Adjournment

SKRUPSKI THAT this meeting stand adjourned the time being 9:50
p.m. CARRIED (5-0)

Peter Skrupski
Reeve

Laurent Tétrault
Chief Administrative Officer