

News Release: **TAXPAYERS FIGHT BACK: TAKE SPRINGFIELD COUNCIL TO COURT**

A group of Springfield Taxpayers have organized to fight City Hall, or the RM of Springfield Council in this case, because Springfield Council has permitted an industrial business to set up in their rural residential neighbourhood even though it was zoned for agricultural use.

Over 80 residential properties are situated within a mile and a half of Berger Peat Moss Processing facility and they will be facing the negative impact of an industrial business in their back yards. A industry that is designed to produce 3.5 to 4.5 million 50 pound bags of peat moss/ mineral blends per year. The facility will collect and hold enough loose peat to cover the equivalent of 8 Canadian football fields. The loose peat will be stored in 12 foot high bunkers and when fully complete the whole operation will cover 160 acres of what had been prime agricultural land. Traffic in the neighbourhood will see an increase of up to 35,000 trips annually by employees going to and from the plant 7 days a week as well as an estimated 6,500 loaded semi-trailer trucks hauling in the raw peat and taking out the processed products.

It became evident in the spring of 2020 when Springfield Council withheld any information about construction that was ongoing on Oakwood Road site, that Council was more interested in expediting Berger's business agenda than accommodating their electorate's concerns.

Council apparently did not want citizen involvement or to hold a Public Hearing to appropriately re-designate the land from agriculture to industrial use, because it would have resulted in a delay to Berger's construction plans for the processing plant. It is possible that the delay would not only have involved a local public hearing, because even if Council pushed the issue through their processes, the citizens would have been able to further appeal any unwarranted decision by Council to a higher authority such as the Minister of Municipal Relations or the Municipal Board. Springfield Council preferred to avoid any delays to Berger's construction plans over engaging their residents in the decision and they did it by circumventing Springfield's land use by-laws.

Council's conduct particularly on this issue led a number of concerned Springfield residents to come together and form a Corporation to fight for their rights and to protect their property values and their quality of life in Springfield. Springfield Taxpayer Rights Corp is prepared to challenge Council's failure to follow due process and act accountably in what they feel is the only legal avenue available to them. They have initiated legal action against the RM of Springfield, its Mayor and Councillors for "Acting in Bad Faith" and "Acting in excess of its jurisdiction". By permitting Berger Peat Moss Processing Plant to develop without any Public Hearing process, Council failed to comply with the Planning Act and the Municipality's own Development Plan and Zoning By-laws.

By-laws are the laws of a municipality and their purpose is to provide good and fair government to develop and maintain safe and viable communities. To be effective, municipal by-laws must be enforced and enforcement decisions and actions must be fair and consistent for everyone. There are a number of by-laws that govern an elected Council and it is felt that Springfield Council has failed to comply with a number of them including Springfield's Development Plan, Zoning By-law, Organizational By-law and Code of Conduct By-law.

The extraordinary step of taking a local government before the Court was not taken lightly. It was made only after months of exhausting every other avenue possible to remedy the exclusion of Springfield citizens in such a significant development process.

The Springfield Taxpayers Rights Corp. believes that the fundamental nature of municipal law is that zoning by-laws be put in place not only to regulate development but to also protect residents' existing property rights, property values as well as residents' quality of life. Citizens should have a reasonable expectation that their neighbourhood would not be unduly changed without having at the very least the opportunity to voice their concerns and objections at an appropriate Public Hearing and if necessary raise them again before the Minister of Municipal Relations and/or the Municipal Board for a further impartial ruling.

When a local government loses the confidence of its ratepayers and fails to put citizens' rights first, fails to follow Provincial Statutes and local by-laws, then it is clear that that in some way and by some group willing to challenge them, the local government will be held to account. That is what Springfield Taxpayer Rights Corp is standing for and wants to achieve.

The Chair of the Springfield Taxpayer Rights Corp is Allan Akins and can be contacted via email at springfieldratepayerscorp@gmail.com or 204-791-6270.