

RM of Springfield April 28, 2022
Planning Meeting

WITHOUT PREJUDICE (E&OE)

LENGTH OF MEETING: 1 hour 32 minutes 26 seconds

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WATCHDOG PROBES SPRINGFIELD OFFICER

THE Independent Investigation Unit of Manitoba is probing an alleged "careless discharge of a firearm" by a Springfield Police Service officer. The SPS notified the watchdog April 28, 2022 of the 2021 incident, which the service had only recently become aware of, the IIU said Monday. According to the notification, an on-duty officer discharged their service weapon in the office Feb. 14, 2021. No one was hurt. On the Global TV News, it apparently stated "the officer was shooting at". **NOTE: In other words, it took the Service that is there supposedly to serve and protect the public, that should be an icon of transparency and integrity, more than a year to make this information public and then only after it became public knowledge through the Winnipeg Free Press and Steinbach On Line articles. Even then the Clipper just copied the report from the other media outlets and made no attempt to add their own investigation to it. No report was forthcoming from the Police Board there to ensure the integrity of the Service. This is proof positive that eventually everything becomes public knowledge so evasion and covering up discredits all those involved. The RM must have been aware of the incident as repairs would have been required to whatever was damaged during the discharge.**

After approval of the agenda, Mayor Fell stated "I would also like to note that Councillor Williams will be away today. NOTE: Councillor Williams has a terrible attendance record at Council meetings. No explanation is required or given but it certainly raises questions as to his commitment and integrity.

5.1 Proposal to Subdivide 4189-22-7648 - 113 Marsh Road - 1 lot - Hildebrandt - Proposal is to create a new title for the existing yard site and then build a house on the residual property of 73.5 acres. Manitoba Agriculture has no concerns with the subdivision but notes that this will be the last subdivision for this property as per Policy 4.4.1 (f). *Whereas Michael and Heather Hildebrandt, the owners of the property legally described as part of the NW 1/4 of 1-11-7 have submitted an application for subdivision for the existing approximate 78.5 acres of land to create the following: The proposed Lot 1 being plus or minus 5 acres and the residual lot being 73.5 plus or minus acres, be it resolved that the application for subdivision, application no. 4189-22-7648 be approved subject to the following conditions. #1 Payment of the requisite fees as set out in the current municipal fee by-law. #2 That 10% of the property development be provided to the RM of Springfield in land or cash or a combination thereof to satisfy the municipal needs for recreation opportunities, open space and buffer zones as per the Planning Act, SS 135 6 (b) and 136 (1). #3 That variation orders be obtained as necessary to ensure compliance with the Zoning By-law. #4 That a detailed geotechnical engineering study be prepared by a professional engineer and approved by the Designated Officer to determine the type of suitable foundation, maximum depth of any structure, and the placement of any buildings due to the area known for its artesian wells and high water table levels. #5 That the Public Works Department will require a digital copy of the subdivision if approved geo-referenced and in AutoCad Civil 3D 2010 or more recent format. CARRIED 4-0*

5.2 Proposal to Subdivide 4189-22-7649 - Millbrook Road - 1 lot - Sampson & Penner - 144.26 acres of land under C.T. *Whereas Michael and Anthony Sampson on behalf of Boyd and Tybo Penner, the owners of the property legally described as part of the SE 1/4 of 33-10-6 have submitted an application to subdivide for the existing 144.26 acres of land to create the following: Proposed Lot 1 5.4 acres and the residual lot of 138.86 acres, be it resolved that the application for subdivision 4189-22-7649 be approved subject to the following conditions: #1 #1 Payment of the requisite fees as set out in the current municipal fee by-law. That 10% of the property development be provided to the RM of Springfield in land or cash or a combination thereof to satisfy the municipal needs for recreation opportunities, open space and buffer zones as per the Planning Act, SS 135 6 (b) and 136 (1). #3 That a zoning by-law amendment be obtained to re-zone the proposed 5.4 acre lot within the planned area to RR Rural Residential zoning district. #4 That the Public Works Department will require a digital copy of the subdivision if approved geo-referenced and in AutoCad Civil 3D 2010 or more recent format. NOTE: Terranet Canada requires a 3 lot plan of subdivision, Lot 1 as proposed, Lot 2 (CT 1454377/1) and Lot 3 (CT 2934235/1) under 117 5(b) and 9 and 128(3) of the RPA. CARRIED 4-0*

5.3 Zoning By-law Amendment By-law 22-12 - AG to RR - Sampson & Penner - 1st Reading - *Be it resolved that First Reading be given to By-law 22-12 being a by-law of the RM of Springfield to re-zone all the land as Lot 1 under Subdivision 4189-22-7649 deposit land within the SE 1/4 of 33-10-6, also described as the southerly 434 ft. of the 1,375.42 ft. in the easterly 525.42 ft. within the SE 1/4 of Section 33-10-6 from AG Agricultural General Zoning District to RR Rural Residential Zoning District. CARRIED 4-0*

5.4 Zoning By-law Amendment By-law 22-13 - AG to RR - Roeland - 1st Reading - *Be it resolved that First Reading be given to By-law 22-13 being a by-law of the RM of Springfield to re-zone all those lands described as Lots 1 to 5 within subdivision application 4189-21-7633 within the SE 1/4 of 33-10-6, also described as all that portion of the northerly 697 ft. perpendicular to the NW 1/4 of Section 5-10-4 lying east of the east limits of the Winnipeg Pipeline Company Ltd. easement plan 5125 Winnipeg Land Titles from AG Agricultural General to RR Rural Residential zoning district. CARRIED 4-0*

5.5 Request to Remove DA Caveat 82-33426 - CT# 2296367 (SE 12-11-5 EPM) - Stecy - *Be it resolved that full discharge be granted for Caveat No. 82-33426 from Title #2296367/1 being the southerly 167 ft. perpendicular of the westerly 467 ft. within the SE 1/4 of 12-11-5 subject to the following conditions: #1 That the owner shall be responsible for the \$200. municipal fee and all legal expenses for the full discharge of the said caveat. Councillor Fuhl - I have a question for 2(c) on the Caveat. Um just for clarity if I understand this right that um there was 5 years that they could come forward and ask for the caveat to be removed after it was erected, the building. Dan Doucet - After a building is erected there's a period of 5 years after that time...and they're way past the 5 years so...there is no dwelling on the site...it is currently vacant at this time. CARRIED 4-0*

Mayor Fell read out the rules of the Public Hearing portion of the meeting.

6.1 Development Plan Amendment By-law 22-09 - Agricultural Preserve Area to Rural Residential - Zhanel - Joanne Marin - Mr. & Mrs. Zhanel have made an application for a Development Plan amendment on Lot 3 Plan 18170 in Lot 138 RCMP and river lot 120 Parrish of St. Boniface in the SW 1/4 of 20-10-4 to re-designate the property from Agricultural Preserve Area to Rural Residential. The subject property is designated under the Development Plan 18-09 as Agricultural Preserve area. The Zhanel's would like to subdivide the 18 acre of land to create two 5 1/2 acre parcels. Under Agricultural Preserve policies, the minimum lot size is generally 80 acres and the clause under the Rural Subdivision Policy 4.4 do not allow for this type of subdivision. Under the Rural Residential policy 6.4.3 lots that are west of the floodway can be minimum lot sizes of 4 acres which would support the proposed subdivision. There are 5 lots that are 5 acres or less in the surrounding area and the property is close to Sage Creek Development in Winnipeg. **We have received multiple comments and concerns from government agencies. The City of Winnipeg has reviewed the proposal and their comment is:** If a Transportation Impact Study was completed for this proposed development, the City requests a copy be shared with the Public Works Department so that the city modeling and Transportation Master plans can be updated and this information can be incorporated. Also their other concern was that land drainage from the subject lands be conveyed to the Navin Drain within the City of Winnipeg. To manage the discharge to this facility, land drainage will need to be limited to the pre-development rate to the satisfaction of Water & Waste Department. The proponent is advised that the applicable rate will be 0.39 meters m³/s/km². We received no letters of objections from any of the residents and the RM of East St. Paul has indicated they have no concerns. In the Provincial Report submitted, **Manitoba Agriculture does not recommend proceeding with Second Reading of the By-law as it is inconsistent with the Provincial Land Use policy. Given the significant rural residential designated as part of the 2018 Development Plan review, there is enough supply of the rural residential areas such that an expansion at this time will be premature. The property proposed for re-designation is not contiguous with other rural residential area lands and will result in a new rural residential area that is directly adjacent to the City of Winnipeg.** The City of Winnipeg did not object to the proposed Development Plan amendment **NOTE: Why would they?** but as stated earlier, they are looking for a copy of the TIS for their Transportation Master Plan as well as the drainage. Manitoba Environment, Climate, Parks, Water Control Works and Drainage Licensing Section have no concerns but **wishes to remind the proponent that some subdivision developments may require an engineered drainage plan. RECOMMENDATION FROM PROVINCE: The proposal is not consistent with the Provincial Land Use policies or with Springfield Development Plan policies which protect and preserve prime agricultural land from unnecessary fragmentation and encroachment of compatible land use. In line with the Provincial Land Use policy, non resource related uses including rural residential development must be directed to existing urban centres or to other areas that have been designated for such areas. Whereas the general area bounded by Plessis Road to the west, Navin Road to the south, and Dawson Road to the east, it appears fragmented and may reflect a rural residential use patterns, the proposed rural residential designation is not contiguous with designated rural residential area. A recent Development Plan review designated significant land within the Municipality to accommodate rural residential development. Until it can be demonstrated that the supply of rural residential land available for development is now too low to warrant a re-designation of land currently protected under the Agricultural Preserve Area designation, rural residential development is best directed to existing rural residential areas and as such Community Planning recommended REFUSAL of proposed By-law 22-09.**

Suzannah Zhanel (and husband George) - We live in the very far outskirts of Springfield municipality right adjacent to the City and I was hoping you would have an actual diagram of what we're talking about just for ... **Mayor Fell** - We do. **Suzannah Zhanel** - Should I just speak without that? **Mayor Fell** - Yup. We all have it in our packages. **NOTE: This information is not included in the material available to the public.**

Suzannah Zhanel - Ok, excellent, because as was pointed out, although this land is designated Agricultural Preserve, it is already fragmented and doesn't meet the criteria of the minimum 80 acres so I'm not quite sure why at the time it was subdivided, the designation for it was not changed but be it as it may, it now exists in this position where we have an 11 acre piece of property that we purchased 20 years ago and we have 2 sons, both of whom would like to build on the property which is adjacent to the property we live on and because it's designated Agricultural Preserve, we cannot put 2 houses on one property. The only way we can accommodate is to request subdivision which requires changing the designation from Agricultural Preserve to Rural Residential. So it's a long process but I'm advised that this is the only way to go through it. In answer...I would just like to address the different points that different government agencies made. I've actually called and spoken to every single one of those agencies after receiving the report yesterday and today and what struck me is that 3 out of the 4 of them were completely unaware that this is not a subdivision with multiple properties. I'm not quite sure how they didn't have that information but they were all surprised when I advised them that this was basically to add in one lot and to divide one lot into 2 to allow 2 houses to be put on one property. There's currently one property as opposed to just one house being there. Our one son is planning to build there regardless so that land is not going to be for agricultural use regardless in the future so regardless of what kind of decision is made, um it's not going to be agricultural use in the future. **NOTE: More to the point, such restrictions are imposed to prevent urban sprawl, silo development, and other undesirable development. Whether the land is just used for hay crop or some other purpose, silo development is not encouraged. I feel the Planning Department should have made that clear to these people so they would not waste their time and money on something that was not in the best interests of the Municipality. Had rural residential development been appropriate for this property, it would have been changed when the new Development Plan was worked on and approved a few years ago.** So the decisions that you make are essentially to allow us to put one additional house on that 11 acres. Um when I spoke with Larissa Sveinson of the, the Regional Manager in Manitoba Municipal Relations today **NOTE: Actually Larissa Sveinson is in Provincial Planning, not Municipal Relations.** um she pointed out to me that I should stress that they were unaware when they suggested refusal, um that this was not going to become a subdivision like with multiple lots so and then next time when it comes to them, I should make sure that that is kind of highlighted in some way I guess. I don't know, did you want to add something (talking to her husband) because he speaks better than me. **Mr. Zhanel** - My wife knows everything but she doesn't like to speak. Um we live in Springfield. We've got 5 acres. We built a house there 30 years ago. We bought this 11 acres with the hope that our kids would build a future in Springfield. It's 11 acres. One's going to build so it's going to go from agriculture to residential cause he's going to build. It's going to be treed and it's going to be grass. The other issue is the other son is what do we do with him. We'd like to push forward a second reading so both sons can build. Both have 5 1/2 acres and um go on with their lives, that's what we're asking. **Mayor Fell** - Thank you. Is there anybody in the gallery that's here for information....speak in favour...if you could come forward and state your name and address for the record please. **Al Sedo, 19019 Kotelko** - And I'm just in favour of it because it's a fragmented area full of 5 acre lots and what they're proposing to do isn't going to affect the agricultural land that's there because the total piece is only a 23 acre piece and it's mostly Hydro so ...**Mayor Fell** - Is there anybody else in the gallery to speak in favour of the application? If you could come forward and state your name and

address for the record please. **Mr. Roland, 299 Plessis Road** - I'm actually the fellow that works that land. That parcel of land originally has been split like 5 times already so how it is still agriculture sort of doesn't make any sense at all. It's backed by Hydro lines anyway so it's not really a, what I would call an agricultural piece of land, you know, and the family themselves are fantastic care givers to the property around so if their sons do half the job they do, I really can't see any objections. **Mayor Fell** closed the public hearing as there was no one else wishing to speak. **6.1.1 By-law 22-09 - 2nd Reading** - *Be it resolved that Second Reading be given to By-law 22-09 being a by-law of the RM of Springfield to re-designate all those lands described under CT #3107136/1 described as Lot 3 Plan 18170 within Lot 138 RCMP and river lot 120 of St. Boniface from Agricultural Preserve area to Rural Residential.* **CARRIED 3-1**

6.2 Conditional Use 22-12 - 26153 PTH 15 60N - Cannabis Sales - Springfield Wellness - Denise Loewen, owner of Springfield Wellness on behalf of P & H Ventures is requesting Council's approval to allow for a Cannabis Retail Sales store on the subject commercial site. Would like to sell as a controlled access along with the herbal retail section and the wellness facility. **CARRIED 3-1** **NOTE: On a previous meeting, Councillor Bredin was quite outspoken about his objections to cannabis and its sale at retail outlets. On this occasion, he said nothing but voted against it.**

6.3 Conditional Use 22-13 - Unit 5 - 56 Don Valley Parkway - Automotive Repairs & Sales - Brown's Auto Sales Ltd. - CARRIED 4-0

6.4 Conditional Use 22-14 - 67027 PR 206 27E - Temporary Additional Dwelling - Malone - *Mr. Malone is requesting Council's approval for a temporary additional dwelling from the existing accessory building on the land providing accommodation for his mother, Irene Malone, to allow Mr. Mike Malone and his family to move into the principal dwelling. The current accessory building is located on the west side of the property and to the south of the existing dwelling unit. Mr. Malone is planning to place an addition on the south side of the accessory making it suitable for living accommodations along with keeping the remaining portion of the building as the hobby glass studio. 18 acre site with mature trees.* **CARRIED 4-0**

6.5 Conditional Use 22-15 - 57065 Monominto Road 39E - Home Industry - Beddall - CARRIED 4-0

6.6 Conditional Use 22-16 - 67031 Vernon Road 26E - Temporary Additional Dwelling - Stephanie Keller - My parents are the ones that are requiring care. There is a shortage in the RM of suitable housing for seniors..long wait lists...it's expensive...probably going to continue to be a challenge. Going in treed area in front part. Least intrusive site for everyone. **Mayor Fell** - Please note we did get some letters of opposition and Council has read those (4 included on agenda). *Whereas a public hearing has been conducted under the Planning Act to consider an application filed by John and Stephanie Keller, owners of the property legally describe as Parcel A Plan 12453 within the SW 1/4 of 9-12-5 located at 67031 Vernon Road for a Conditional Use under the Springfield Zoning By-law 08-01 to permit a temporary additional dwelling and whereas Council is satisfied that the requirements of Part 7 Conditional Uses has been met, be it resolved that Conditional Use 22-16 be granted subject to the following 5 conditions: #1 That all applicable municipal permits shall be obtained from the municipality prior to the placement of the temporary additional dwelling. #2 That only Mr. Bruce and Mrs. Georgina Patterson shall occupy the temporary additional dwelling. #3 The temporary additional dwelling shall be removed from the site when no longer occupied by Mr. Bruce and Mrs. Georgina Patterson. #4 That if there is any land transfer excluding to family members then the temporary additional dwelling shall be removed from the site prior to the possession date. #5 This order shall expire and become null and void December 31, 2027.* **Councillor Ralke** - Yes, I guess listening to the assistant planning here, is there a way, there's a lot of complaints and objections due to drainage and the area being very low. Is there something that can be said that when they're putting the prop...the building or the mobile home into the location that it would take that into consideration? **Dan Doucet** - Anytime there's a building permit issued for a temporary mobile home or permanent dwelling, a lot grading permit is required and that elevation is set by our Public Works Department. **NOTE: Despite the objections from presumably neighbours, Mayor Fell calls for the vote and this Council goes ahead and unanimously approves the Conditional Use.** **CARRIED 4-0**

6.7 Variation 22-14 - 67031 Vernon Road 26E - Front Yard Setback & In front of Dwelling - Keller - Mr. & Mrs. Keller are requesting Council's approval to allow for the placement of an accessory building, temporary additional dwelling, to be located closer to the public roadway than the front wall of the principal dwelling and allow for a reduced front yard setback and this was subject to the approval of the Conditional Use which was just done and the site is well treed and the dwelling across the street is recessed back with a lot of covered trees within their front yard. Based on the site inspection, the Development Officer didn't have any issue with the placement of the accessory structure. *Whereas the Public Hearing has been conducted under the Planning Act to consider an application filed by Mr. John and Stephanie Keller, owners of the property legally describe as Parcel A Plan 12453 within the SW 1/4 of 9-12-5 EPM located at 67031 Vernon Road for a variation of the Springfield Zoning By-law 08-01 to permit an accessory structure, a temporary additional dwelling, to be located closer to a public roadway than the front wall of the principal dwelling as per Section 25.0-6(b) and a front yard setback of 68 ft. instead of the required 125 ft. for the temporary additional dwelling as per Section 83.4 3) within the AR Agricultural Restricted zoning district and Whereas Council is satisfied that the requirements of Part 6 Variances have been met, Be it Resolved that Variation Order 22-14 be granted subject to the following conditions. There's one condition and that reads "that all applicable municipal permits shall be obtained from the municipality prior to the placement of the temporary additional dwelling.* **Councillor Fuhl** - Yes, I'd just like to state that we heard from the applicant that uh it is a most treed area and we do have an aerial photo and it does look like it's going right into the tree line area. I'm thinking it is to be within that 68 feet because there looks like there's a little bit of an opening there to some degree uh so I'm thinking that that's what that's planned for and also we've heard from the Development Officer that Public Works will make sure that it's in the right place for the elevation so if there's a discrepancy there because of that reason then at least we can look at that and see if that still is the right place. Thank you. **NOTE: Councillor Fuhl appears to be pre-campaigning again as nothing he added was new information. Further I am glad he has so much confidence in our Development Officer and Public Works Department because I recall a case a few years ago where I advised them that a temporary dwelling was no longer in use and beyond the time approved for its placement and nothing was done for over a year following my advising them. In fact, they allowed the owners to put up a sign advertising the temporary additional structure for sale and it was not removed until it was sold, well more than a year after.** **Dan Doucet** - If Council does grant the 68 ft. variance and there is an issue, it could be moved back to 69, 70 further back without them coming back before Council. **CARRIED 4-0**

6.8 Variation 22-15 - 67082 Heatherdale Road 25E - Temporary Change in Land Use - 3641015 MB Ltd. - NOTE: Applicant is Jan Regehr of Pineridge Hollow. Ms. Jan Regehr of Pineridge Hollow is requesting Council's approval to allow for the continuation of a farmers or flea market on the proposed site. **NOTE: On the material provided, it states "to permit a temporary change of land use".** Pineridge Hollow has expanded to the facility with a Merchant's Village and Flea/Farmer's Market. The Flea/Farmer's Market will be located to the western limit of the Merchants Village allowing for additional parking in the original location of the Farmer's/Flea Market. In the proposed new Zoning By-law 21-25 this type of use, the Farmer's/Flea Market will be considered as a Permitted Use in the Commercial/Recreation Zoning District. **Darryl Speer, Oakbank** - I want to refer to the last page of the Planning Report. It shows by dotted lines future proposed development site, one of which on the left is a septic field. My question is, what part of the Pineridge Hollow complex will this be servicing? **Mayor Fell** - Is that relevant to this application, Dan? (NO) Ok. So if you have questions about their actual expansion and plans, you can direct those to Planning. Do you have any questions, Darryl, about the actual applications for the renewal of their lease? **Darryl Speer** - What my... it's a renewal of the lease I don't think is involved here. **Dan Doucet** - It's a Farmer's Market. **Mayor Fell** - Sorry, the Farmer's Market. Do you have any questions specifically about the Farmer's Market? **Darryl Speer** - Well, based on what I see from the report, is that there's going to be major demand for water and for sewer hookups which includes the Farmer's Market, the buildings A, B and C so washrooms etc. so what I want to know is, where and how is this septic going to be dealt with in this very sensitive zone here? **Mayor Fell** - Dan, I'll let you answer that. I believe it is a commercial jurisdiction but...whenever you're ready. **Dan Doucet** - Mr. Speer, in regards to the proposal, um what was Ms. Regehr had submitted to her conceptual plan. Uh there have been permits issued for the Merchants Village and at the far end there's another structure and that will be for the Farmers Market. Uh all uh septic concerns, well concerns are under the jurisdiction of the Provincial Government, Manitoba Environment. We have no control of septic fields or wells or even holding tanks for that matter for this proposal. **Darryl Speer** - I talked with Marguerite Reimer today, the Environment Officer with Environment Stewardship, and she confirmed to me what is stated in the J.R. Cousins Report that the Province has not designated the area sensitive but in point of fact the RM has the jurisdiction to bring measures that will actually confirm the concerns of J.R. Cousins about how septage is dealt with. **Mayor Fell** - So again if it has to do with sewer or water it is a Provincial jurisdiction. This application is not to do with sewer and water so do you have any specific questions that are relevant to the application that we're hearing? **Darryl Speer** - Just to confirm..... **Mayor Fell** - (interrupting) - You can go to the appropriate department and forward your questions there. **Darryl Speer** - Just to confirm what I said from Marguerite Reimer and J.R. Cousins that the RM has the option to provide appropriate..... **Mayor Fell** - (interrupting) We heard you, Darryl. Thank you. Do you have any other questions? **Darryl Speer** - No, that's my concern. **NOTE: The J.R. Cousins report was very specific that there was to be no new septic fields located in this area due to the porous nature of the soil and the threat to the underlying aquifer.** **Mayor Fell** - Is there anybody else in the gallery or on line that is here for information ...to speak in favour of the application....to speak in opposition of the application? Is there any questions of Council about the application? Can I have the consensus of Council to close the Public Hearing? **Mayor Fell** then closed the public hearing and called for the vote. *Whereas a Public Hearing has been conducted under the Planning Act to consider an application filed by Janice Regehr of Pineridge Hollow on behalf of 3641015 Manitoba Limited, owner of the property legally described as Lot 1 Plan 67732 within the SE 1/4 of 7-12-5 located at 67082 Heatherdale Road for a variation of the Springfield Zoning By-law 08-01 to permit a temporary change of land use to allow for a Farmer's Market, Flea Market business on the land within the Commercial Recreation Zoning District as per Section 1.3 1) c) of the Zoning By-law 08-01 and Section 97 2) a) Use Variance under the Manitoba Planning Act, and Whereas Council is satisfied that the requirements of Part 6 Variances have been met, Be it Resolved that Variance Order No. 22-14 be granted subject to the following condition: 1) That the owner shall obtain the required municipal permits. **CARRIED 4-0***

6.9 Variation 22-16 - 125 Bismarck St. - Side Yard Setback - Copp Holdings Co. Ltd. - Justin Copp on behalf of Copp Holdings is requesting Council's approval to allow for a reduced side yard setback for the construction of a 32,000 sq. ft. addition to the existing industrial building. The purpose of the expansion is to connect buildings 1 and 2 as shown on the site plan. This will allow new equipment to be installed within the facility, allowing for new manufacturing processes along with increasing the manufacturing capabilities. **CARRIED 4-0**

6.10 Variation 22-17 - 23046 Hillside Road 67N - Maximum Area on Accessory Buildings - Borys - Mr. & Mrs. Borys are requesting Council's approval to allow for an increased maximum building area for the construction of an approximate 576 sq. ft. accessory building being a pool shed bringing the total area for accessory structures to 2,976 sq. ft. As indicated on their letter of intent, would be located to the east of the pool, approximately 40 ft. from the south side property line and approximately 22 ft. from the dwelling. **CARRIED 4-0**

6.11 Variation 22-18 - 26141 Hillside Road 67N - Accessory in front of Dwelling - Kreviazuk - Mr. & Mrs. Kreviazuk are requesting Council's approval to allow for the placement of an accessory structure being an in ground pool to be located closer to the public roadway than the front wall of the principal building. The accessory structure would be located just to the south of the dwelling. **CARRIED 4-0**

6.12 Variation 22-19 - St. Joseph Road & Kotelko Drive - Site Width & Area - 10019690 MB Ltd. - Bluestem Development on behalf of 10019690 Manitoba Limited is requesting Council's approval to allow for a reduced site area and site width for the proposed parcels A to K as a requirement of Subdivision Application 4189-21-7616 which has been granted approval on February 22nd and conditionally approved by Community Planning on March 11th of this year. **Unidentified Male** - So my first question is regarding Parcels K, L and M. Um if they all have building restrictions put on them by Manitoba Infrastructure, why are they being made into 3 lots. Why shouldn't they just be left as one lot complete if Manitoba Infrastructure is going to need all of that in the future? **Dan Doucet** - So if Council would like to go to Page 4 of my report, you'll see a layout of the subdivision. You had mentioned K, L and M. **Unidentified Male** - The two, the 80 ft. strip and the 10 acre lots. **Dan Doucet** - Department of Highways had requested...they have a conceptual plan for that intersection. Uh they only require a portion of the property, not the entire property. They weren't going to expropriate any of that property at this point in time or even pay the owners for that. So we are going to set up a Development Agreement to restrict development in a certain portion of...obviously no dwellings at all on K because that's the 80 ft. strip that they want for a future service road, uh L they'll be limited to development on the west portion of the lot near the easements of the gas line. Obviously they're going to be away from the gas line, that'll be part of....and then the same thing for parcel M. So we're going to coordinate the Development Agreement **Unidentified Male** - Parcel M is going to be like 90% taken up. **Dan Doucet** - Correct. **Unidentified Male** - So why develop it now, why not leave it and let Highways develop it for you and then there'll be a parcel left

that can be possibly built into a 5 acre lot or a 4 acre lot or used as development. **Dan Doucet** - That's true. We haven't even touched the Development Agreement at this point. We may put some restrictions on Parcel M, restrict no development, we still have to have those discussions with Department of Highways to see how much of a buffer zone they need as well. **Unidentified Male** - Cause if you look on the opposite side of the highway how much they've withheld from that development. **Dan Doucet** - And they're going to be probably needing a little more of that property as well. We try to negotiate, Allison and myself, with Highways for them to acquire this property at the point in time. They weren't interested. So we didn't want that to be a municipal road. Parcel K at this point in time cause if we dedicate it as a municipal road, the municipality nor the developer wanted to pay for that infrastructure if it's a Highway's requirement so that was a compromise with Highways that they would put Parcel K and Parcel L together and in the future acquire Parcel K and make that a future road. **Unidentified Male** - So then why not put all 3 ..put them there too. **Mayor Fell** - So that's all discussion that the applicant and Planning and MI had...it's their application. If they feel this is the best way to move forward, that's the application they're going to put in. **Unidentified Male** - Ok but I'm just on record that I think the 3 should either be put together or left as one. Like you could still do the subdivision in the 9 lots and leave the rest as one. It's done lots of times. **Dan Doucet** - I agree but the subdivision has sailed already. That got approved by Council. Tonight we're dealing with the zoning variance on the parcels. **Unidentified Male** - Ok, but we can put restrictions on it, right? On K, L and M. **Dan Doucet** - Well, Council can do that with the Development Agreement where there's no public involvement. **Unidentified Male** - Ok I have another question. It is also regarding Highways and I think Dan probably knows about this but as I understand it, there is a 75 ft. control zone all along that service road Kotelko which is The Highway Traffic Act and I would like to make some sort of requirements in the Development Agreement that there's a 200 ft. limit where they can build their house, like a permit, so ...in the Municipality of Springfield you have to build 125 ft. away from the property line, correct? (Correct) Well, there's that 75 ft. control zone so along Kotelko those 5 lots should have something in them written that they have to be 200 ft. minimum. **Dan Doucet** - If I could add to that, the controlled zone along the south perimeter highway is actually 250 ft. including the service road of Kotelko. And a controlled zone is only uh an area where Department of Highways gets involved with commenting before we even issue a building permit. They can still allow for the placement of that dwelling within the zoning of 125 ft. if that makes sense cause that's what in our zoning..... **Unidentified Male** - That's not the way it was explained to me by the Highways personnel at the meetings we were in. **Dan Doucet** - Then we should have a meeting with Highways, just you, me and Department of Highways. **Unidentified Male** - Cause it was explained to me that that was a 75 ft. control zone and if we did anything in that 75 ft. we had to go and get a permit from Highways. **Dan Doucet** - I wouldn't doubt it but right now I'm saying that service road, Kotelko Road, if they do anything 250 ft. in north, not 70 ft., 250 ft., they still have to go to Highways. **Unidentified Male** - Ya, Ok, well we didn't have to. We didn't have to do anything when we were 250 cause I went 250 for my house. **Dan Doucet** - It's not a setback, it's just a control zone. **Unidentified Male** - Right, I understand. **Mayor Fell** - Do you have any other questions? **Unidentified Male** - Yep. Ok. So can we have some sort of meeting regarding that because I don't want somebody...because the last person that built in the last 4 or 5 years, he built 125 ft. and then Highways comes to us a year later after he built and they're telling us that they're going to buy **Mayor Fell - (interrupting)** Even though **Dan has most of the answers, you still have to direct your questions to me**, not talk to Dan. **Unidentified Male** - Ok, sorry, anyways Highways told us that they're going to buy approximately anywhere from 55 to 75 ft. off of everybody and if your house is within 50 ft. of that 75 that they're taking, that they're either going to buy us out completely or they're going to move ...our dwellings back. That's what they told us in the meeting. And they didn't give us any ETA that this could happen, next year, this could happen many years from now but it's going to happen apparently. It's on the drawing, it's on the blueprints cause they want a 6 lane perimeter highway is what they want to do. That's the development. Um ok so my next one is, in the Development Agreement that you set forth with the applicant, does the applicant know they have to go to Highways for driveways, culverts? **Dan Doucet** - They should. Anytime there's a driveway, anytime there's...that'll all be part of the Development Agreement uh and before we release any building permits at all, uh they will have to get approvals for...the driveway permit I believe is the municipality's responsibility...now just hear me out because anytime a new service road is being constructed ...I'm going to have to confirm this with Highways but anytime a new service road is constructed, Highways wants us to maintain it and take care of it. **Unidentified Male** - I think we're talking about different things here. I'm talking the flat lots along Kotelko. The applicant has to go to Highways and make an application permit for a culvert for those 5 lots, ok, and it has to be approved in front of a board. So what I'm asking is that the Development Agreement approves the variance only after those culverts are approved ..the Highways cause I had to do that. I had to go and get approval from Highways in front of a Board for my 3 culverts. **Dan Doucet** - That Board is dissolved now. They don't have a Highway Traffic Board **Mayor Fell - (speaking over top of Doucet)** - The Highway Traffic Board no longer exists. It's been dissolved a year and a half ago??? **Dan Doucet** - Ya, recently. ...Just recently...about a year, a year and a half ago. They have to still file an application with Highways **Mayor Fell - (interrupting)** It's all done internally now. It's no longer a Board representation. **Unidentified Male** - And my next one is, this is with the Municipality, um I'm reading here about, this is a recommendation from Public Works. Shared driveway access approaches shall be installed for proposed Parcels A, B, C, D, E, F and G, H. **Mayor Fell** - Those were actually noted in the last Planning Meeting so that's already done by resolution and part of the approvals that have already been given. **Unidentified Male** - Ok but can we not speak about those? **Mayor Fell** - Well, it's not going to change cause it's already been approved. So you can speak about it but like you're not going to go back **Unidentified Male - (interrupting)** So for information I would like to know what is the reasoning Public Works wants shared driveways and why Council voted for that. **Mayor Fell** - Um well if you want to know the rationale from Public Works, I would ...the best way to get that answer is to contact Public Works or we can also get Public Works to contact you on why they recommended that and I'm not going to go into details on why Council voted last cause I don't have those details. We actually don't have to give out reasons why we vote a certain way but generally if it comes to drainage, uh our Administrative experts tell us this is what needs to be done for drainage. We generally defer to them because that's their job. **Unidentified Male** - I'm not really in agreement with that but it's not really an answer but ... **Mayor Fell - (interrupting)** Sorry it's not the answer you want to hear but it was done the last Planning Meeting by resolution so it's part of the approval that's already there. **Unidentified Male** - Also regarding the Drainage Plan, once the Drainage Plan is approved, do you ever or can you as a Municipality put a caveat on that Drainage Plan that people cannot do anything within 10 feet of that property line or the centre of that drainage? You understand why I'm asking that? **Dan Doucet** - Yes, I understand what you're talking about. Within the subdivision there was conditions placed, a number of them on this one. One was driveway accesses that you speak of, the other one was a required Drainage Plan. The Drainage Plan forms part of the Development Agreement and is registered at Land Titles and is a caveat to the property. So it doesn't matter who owns it. Within the Drainage Plan we look at it and if it's a shared drive, a shared drain, there might be easements required so then the easements are placed on the title as well. And the easement, it could be a 10 ft. easement along the property line where nobody touches it, nobody could disturb those elevations to block water from flowing from one property to the other. So it is regulated, it is registered on title and before we issue any

building permits we look and see if the drain works and...it works on paper but we be sure that what is designed is verified in the field before any building permits are issued. So our Public Works would confirm that. **Unidentified Male** - You don't put a caveat on it ... you don't put a caveat on that actual Drainage Plan ...so they can't plant a tree in the middle of it or.... **Dan Doucet** - Yes, that is the caveat or the easement. It's a drainage easement. There's 2 things that are registered, the Development Agreement and there's a Schedule of the Drainage Plan at the back of the ...and there's verbiage inside the Development Agreement that speaks of what you can and can't do on the drainage and the easements protects that area where the Municipality can go in and remove, clean up uh if anybody disturbs it and you know, within that easement also nobody can put a fence, nobody can plant trees or.... **Unidentified Male** - Also regarding this, it's kind of a combination of your Drainage Plan and your shared driveway. How are you supposed to do a proper Drainage Plan with shared driveways? Cause it's going to be right smack in the middle **Dan Doucet** - Yup, it's been done and if you want to visit me tomorrow, I could show you some of the engineering that has been done on some of the other subdivisions. **Unidentified Male** - I have a good idea how you are doing it. But then so you're forcing the Developer to do it? **Dan Doucet** - That's correct. **Unidentified Male** - He's going to put in a culvert for each individual and a culvert for the Municipality. **Dan Doucet** - Yes, that's part of the Development Agreement that the culverts were installed ...especially with the shared driveway approach. **Unidentified Male** - Ok that's my questions. **Dan Doucet** - Hopefully I've answered your questions. **Unidentified Male** - Ya, no. Mayor Fell then closed the Public Hearing and called the vote. *Whereas a Public Hearing has been conducted under the Planning Act to consider an application filed by Bluestem Developments on behalf of 10019690 Manitoba Limited, owner of the property legally described as Lots 74 and 107 Plan 433 RCMP which stands for the Roman Catholic Mission Parish within the SE 1/4 of 17-10-4 located south of St. Joseph Road and north of Kotelko Drive for a variation order of the Springfield Zoning By-law 08-01 to allow for the following proposed Parcels A to K: a minimum site area of 2.46 to 4.41 acres and a minimum site width between 80 ft. and 248 ft. instead of required 5 acres and 330 ft. width as per Section 62-4-1 and 2 within the RR Rural Residential Zoning district as a condition of subdivision application 4189-21-7611 and whereas Council is satisfied that the requirements of Part 6 Variances have been met, be it resolved that Variation Order #22-19 be granted subject to the following condition: That this order shall come into force and take effect on the date of registration of the final certificate of approval on the matter of subdivision application 4189-21-7616. ?? Why 2 subdivision numbers.* **Councillor Fuhl** - I'd just like to make a comment on the shared driveways, um you know I take the recommendation from Public Works. I need to understand this more um you know with the drainage and how that works properly. I know they are wanting these shared driveways but I would like to still get a better explanation so I understand fully that there won't be no concerns down the road because I am concerned that residents will end up having issues having a shared driveway and I just would like that noted. Thank you. **CARRIED 4-0**

7.1 Variation 22-20 - 60113 Marsh Road - Site Area (4189-22-7648) - Hildebrandt - This is for their subdivision application that you guys approved earlier. They are requesting Council's approval to allow for a reduced site area of the residual lot to comply with the subdivision application and Zoning By-law due to the substandard site area. *Whereas a Public Hearing has been conducted under the Planning Act to consider an application filed by Michael and Heather Hildebrandt, owners of the property legally described as part of the NW 1/4 of 1-11-7 located at 60113 Marsh Road for a variation of the Springfield Zoning By-law 08-01 to allow for the following: A minimum site area of 73.5 acres on the residual lot instead of the required 80 acres as per Section 84-4-1 within the AG-1 Agricultural General Zoning District as a condition of subdivision application 4189-22-7648 and whereas Council is satisfied the requirements of Part 6 Variances has been met, be it resolved that Variation Order 22-20 be granted subject to the following condition. The condition reads that "this order shall come into force and take effect on the date of the registration of the final certificate of approval on the matter of subdivision application 4189-22-7648.* **CARRIED 4-0**

MEETING ADJOURNED **NOTE: There was no Closed Meeting as shown on the agenda.**