

RM of Springfield Planning Meeting
February 22, 2022

WITHOUT PREJUDICE (E&OE)

Length of Meeting: 37 minutes 24 seconds

NOTE: Of late, I have been pretty much transcribing the actual dialogue of meetings. The municipal elections will be held in October of this year and I think it is important that people, the majority of which do not have time in their busy schedules to attend the meetings or are still at work at the time they are being held, hear how their elected officials are conducting the business of the municipality. Then when they go to the polls, they have had an opportunity to assess the performance of their Mayor and Council members and can make informed decisions.

Adoption of the Minutes - Whereas the Minutes of the Planning Meeting held January 27th. have been previously distributed to Council, be it resolved that the same be and are hereby approved. **Mayor Fell** - Thank you. Council, is there any changes, Council, to the Minutes. **Councillor Williams** - Item 6.3.1 Comack is misspelled. Don't want a developer unhappy with us. Comack. **NOTE: Odd he should note the misspelling of a name but be alright with the Minutes that state for Item 6.1.1 Development Plan Amendment By-law 21-30 that there was none in opposition. While there may have been no one attending the meeting who objected, this amendment to the Development Plan adopted in 2019 was objected to by a large number of people whose letters were attached to the agenda, not to mention Provincial government departments as shown: Manitoba Agriculture, Agri-Ecosystems and Land Management Section objects from an agricultural perspective as the proposal is inconsistent with the RM of Springfield Development Plan and the Provincial Land Use Policies, and recommends that the by-law not proceed to second reading. RECOMMENDATION OF COMMUNITY PLANNING: 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 incompatible land use. The parcel also has no municipal road access and would negatively impact the provincial highway system and Manitoba Transportation and Infrastructure has identified the need for overall conceptual planning in this area with an internal road network. As such, Manitoba Municipal Relations, Community Planning objects to the proposed amendment and recommends that the by-law not proceed. REGARDLESS OUR COUNCIL APPROVED IT 3-2 WITH COUNCILLORS FUHL AND WILLIAMS IN OPPOSITION.** **Mayor Fell** - We'll make sure we make that change. Is there any other changes, Council? All those in favour? **CARRIED 5-0 NOTE: Members of Council had ample opportunity to question the minutes.**

PLANNING MATTERS

5.1. Development Plan Amendment By-law 22-05 - Agricultural Preserve to Employment - 10048288 MB Ltd. - 1st Reading - Be it resolved that First Reading be given to By-law 22-05 being a by-law of the RM of Springfield re re-designate all those lands under CT#3039119/1 described as west half of Lots 27, 28 and all of Lots 45, 46, 63 and 64 RCMP from Agricultural Preserve area to Employment. CARRIED 4-1 NOTE: There was absolutely no discussion and on Zoom one cannot always see who is the Councillor in opposition. Further the one who voted in opposition did not say one word about why they opposed the amendment.

5.2 Development Plan Amendment By-law 22-08 - Section 6.2 Text Amendment - 1st Reading - Be it resolved that First Reading be given to By-law 22-08 being a by-law of the RM of Springfield to amend the RM of Springfield Development Plan By-law 18-09 to include text amendment Section 6.2 General Residential Policies as follows: from 6.2.1 to ensure that residential development occurs in an planned and contiguous manner. Leapfrog development will not be allowed to 6.2.1 to ensure that residential development occurs in an planned and contiguous manner. Leapfrog development will not be allowed excluding all those lands identified within the Oakbank South Secondary Plan and the West Pine Ridge Secondary Plan areas. Councillor Williams - I am opposed to this text amendment. I don't believe we should allow poor planning practices to solve a problem, particularly in Oakbank South Secondary Plan where utilities are a big factor in how this area is going to be developed. Mayor Fell - Thank you. Is there any further discussion from Council? I would just like to say, like I, I hear what Councillor Williams is saying, we're actually working on Water & Waste. We're not going to allow development to develop without the proper services in place but because the Province required us to do a Secondary Plan, we are limited with what lands we can develop south of Oakbank. Um we are facing a housing crisis across Canada so we don't wanna compound the problem by driving up house prices because of lack of supply so as long as the proper services are in place to service those houses, NOTE: Really? The lands identified within the Oakbank South Secondary Plan and the West Pine Ridge Secondary Plan areas are serviced???? this seems like a reasonable accommodation to that. NOTE: This is the second time Mayor Fell has mentioned this recently. In actual fact, there has been nothing in the news to indicate there is a housing crisis across Canada. The only possible issue with housing is it's affordability and that would be a global concern, never mind just in Canada. The value of properties is a different matter and that has been artificially inflated over the last 25 or so years due to several different factors. IN ANY CASE, NEW HOUSING SHOULD BE LOCATED IN URBAN CENTRES ALREADY SERVICED BY SEWER AND WATER WITH ADEQUATE TRANSPORTATION CORRIDORS. Is there any other comments from Council? All those in favour? Opposed? **CARRIED 4-1 NOTE: Again, the opposer is not identified but at a guess, I would suggest it was Councillor Williams who stated at the January 27, 2022 Planning Meeting where the proposal by a very prominent and wealthy development company was Carried 5-0 - I am not opposed to increasing the number of accesses on that stretch of 206. To me the harder decision is, do we violate proper planning processes? Do we contravene our Development Plan? That's going to be a tougher case to make before the Municipal Board as both Provincial Departments of Highways and Community Planning recommended denial of the application. Mayor Fell is preempting the decision of the Municipal Board by changing the text of the Development Plan prior to the review by the Board. Once again she is demonstrating her complete lack of morals and ethics in putting the interests of developers and business before those of long time taxpaying residents.**

5.3 Proposal to Subdivide 4189-21-7616 - Kotelko Dr/St. Joseph Rd/Symington Rd - 11 New Lots - 10019690 MB Ltd. - Whereas Bluestem Development on behalf of 10019690 Manitoba Ltd., the owner of the property legally described as part of Block 74 and 107, Plan 433 RCMP has submitted an application to subdivide the existing approximate 60.74 acres of land to create the following: proposed Parcel A to J between 4 and 4.41 acres, proposed Parcel K 2.46 acres, proposed Parcel L 9.96 acres, proposed Parcel M 10.67 acres, be it resolved that application for

subdivision number 4189-21-7616 be subject to the following conditions: 1) Payment of requisite fees 2) That any variance orders be obtained as necessary to ensure compliance with the Zoning By-law 3) The Developer shall enter into a Development Agreement with the Municipality regarding the following but not limited to: land drainage, water retention, off site drainage improvements, driveway access, location and shared driveways, public utilities, private sewer and water systems, building and structure restrictions with Parcels K, L & M as per the Manitoba Infrastructure Function Design Plan relating to future intersection improvements at PTH 100 and Symington Road and/or any other public works deemed necessary by Council 4) That 10% of the property development is provided to the Municipality in land or cash or combination thereof to satisfy municipal needs for recreational opportunities, open space and buffer zones. 5) The Developer shall provide a hydro-geological report of the groundwater resource potential for the employment area provided by a professional hydro-geological engineer to include but not limited to: a review existing hydro-geological literature and data base to obtain information that pertains to the study area, highlight relevant site background and historical groundwater development in the area, review available well logs and delineate the local geology and hydro-geological conditions and generate a report to summarize the expected availability and geochemistry of groundwater supplies in the planned area **NOTE: That does not sound like a current and actual study of the groundwater availability but only a hypothesis based on past studies.**

6) The Developer shall provide a Drainage Plan prepared by a professional engineer for the proposed subdivision as per the Municipality's Drainage policy and shall be submitted to the Public Works Department for review and approval and any drainage improvements shall be constructed prior to the issuance of any building permits for the property. 7) Shared driveway access approaches shall be installed for proposed Parcels A, B, C, D, E, F and G, H 8) 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. **Mayor Fell** - Thank you. Is there any further discussion from Council? **Dan Doucet** - I understand I'm not Council but I noticed on #5, sentence 2, there was an error and it says "the employment area" which should read "the rural residential area. Sorry about...the error... **Mayor Fell (speaking right over him)** - Thank you for the clarification. Any other comments or questions from Council? All those in favour? **CARRIED 5-0**

6.1 Variation 22-05 - 67082 Heatherdale Road 25E - Side Yard Setback - Pineridge Hollow - Dan Doucet - We have Zoning Variance 22-05. The proposal is to permit a north side yard setback of 10 ft. instead of the required 25 ft. for an addition to Building A as per Section 66 46 within the CR Commercial Recreation Zoning District. This is located at 67082 Heatherdale Road within the SE 1/4 of 7-12-5. Ms. Regehr of Pineridge Hollow is requesting approval to allow the reduced north side yard setback for the addition of some walk-in coolers on the north side of the building A. There are some tenants that require this additional space for their walk-in coolers and as indicated on their site plan provided, the walk-in coolers will be approximately 10 ft. from the north property line...the north property line, the adjacent property is also owned by Pineridge Hollow. Based on the submission provided, and the photos taken on site, I have no concerns with the reduced north side yard setback. Um if Council were to consider approval, I had one condition and that one condition is that the owner shall obtain the required municipal and provincial permits. **Mayor Fell** - Is the proponent here and would you like to add anything to the application? Is there anyone in the gallery that's here for information? ...that would like to speak in favour of the application? ...that would like to speak in opposition to the application? Can I have the consensus to close the Public Hearing? I will then close the Public Hearing. Can I have a mover and a seconder please? *Whereas a Public Hearing has been held 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 located at 67082 Heatherdale Road for a variation of the Springfield Zoning By-law and whereas Council is satisfied that the requirements of Part 6 Variances has been met, be it resolved that Variation Order No. 22-05 be granted subject to the following condition: that the owner shall obtain the required municipal and provincial permits.* **Mayor Fell** - Thank you. Is there any further ??? discussion from Council? All those in favour? **CARRIED 5-0**

Mayor Fell - Next we have Variation 22--06, can I have a, **sorry wrong meeting**. Dan, if you could read out the application please. **NOTE: What is Mayor Fell talking about as the next one is Variation 22-06...what was she looking at on her phone which is what she uses to conduct meetings. Using her phone begs the question as to why all on Council were provided with new laptops when this Council took office.**

6.2 Variation 22-06 - 60040 Marsh Rd 41E - Side Yard Setback - Hildebrandt - Dan Doucet - ... The dwelling was recently constructed in 2020 but not visible on the aerial photos provided to Council. **NOTE: I will not elaborate on this or some other items on the agenda as they are inconsequential except to say in the case of this one, and perhaps many others, it does not appear that the Development Officer visits the sites in question before making his decisions but rather relies on the information provided to him by the applicant. I do not find that particularly reassuring when no verification is being done by our Development Officer or his staff.**

6.5 Conditional Use 22-06 - 999 Redonda St. - General Storage & Industrial Vehicle & Equipment Sales and/or Rentals - Williams Scotsman Inc. - Dan Doucet - The proposal ..is to permit a general storage and an industrial which is vehicle and equipment sales or rentals in accordance with Section 69(3)(15) and number 10 within the MG Industrial General Zoning District located at 999 Redonda Street. **NOTE: This is the same location where in the August 2019 Planning Meeting there was strong opposition to the locating of a Hazardous Waste Facility known as Tervita at the site. Attached is an extract from my notes of that meeting and a newspaper article. Now they are proposing having a vehicle and equipment sales/rentals at the same site.** Mr. Andy Wright of William Scot Incorporated is requesting Council's approval to operate a general storage and industrial vehicle and equipment sales and/or rentals from the site. William Scot Incorporated intends to use the property for the storage, sale and rentals of modular units ..which have a foundation of either a wheeled or a skid type foundation. The modular units will comprise of offices, bathrooms and guard houses that are often used at construction sites or business sites that require temporary building accommodations. There will be approximately 150 units stored in the winter and as low as 50 units in the summer. Williams Scotsman will operate the business 24 hours a day, 7 days a week, 365 days a year. The owner of the land, Xpotential, is leasing the north east corner of the property to Williams Scotsman Inc. umm for the proposed business. Based on the submission provided and the site photos taken, I have no concerns with this proposed business at this location. **Mayor Fell** - Is the applicant on line? **Allan Hazard** - I'm with Williams Scotsman. I'm the General Manager for western Canada. **Mayor Fell** - Hi, did you have anything to add to what Mr. Doucet read out? **Allan Hazard** - No you've outlined it very well. This is really just a drop lot. It's a lot where we're looking to have units sit. We're not really producing or doing any work at that facility. **Mayor Fell** - Is there anyone in the gallery that's here for information...you can please unmute yourself and state your name and address for the record. **Janet Nysten, Oakbank** - My question about this is, in the Development Officer's report it doesn't indicate any other uses or conditional uses on this property. What is the status use of Permit No. 19-18 Tervita Corporation, the hazardous waste recycling and

disposal facility? **Dan Doucet** - If I may answer...um the Tervita conditional use was approved by Council and they had entered into a Development Agreement and they are...they met all their obligations and they are fully operational. They are leasing the land from Xpotential uh to the south of this leased land which is to the north. They are leasing the large commercial building at the back and a portion of the front for their office spaces. The back of the property still is vacant as a potential for future leases. **NOTE: When I was a Councillor, Mr. Lazareck took me on a tour of the property. There is a driveway toward the south of the property and one further to the north. The building of which Mr. Doucet speaks dominates the southern front portion but there is or was a little old house in front by the southern driveway with a garden at the rear. However, it is just one big piece of property with no way of delineating portions of it from others. Further what was also not mentioned is that there have been several major fires on the property over the years, at least one of which required residents of adjacent homes and businesses to evacuate the area. A train track, I believe CP runs along the southern side and rear of the property at a diagonal which may or may not have been the cause of the fires. Now there is this proposal to introduce even more flammable structures to the northerly portion of the property. In the second aerial photo can be seen structures to the north of the property. A disaster in our Industrial area just waiting to happen!!!** **Mayor Fell** - Thank you. Did you have any other questions. **Janet Nylen** - Yes I do because in the lease agreement it appeared to be for the entire parcel. There doesn't seem to be any limitations to the site so how can two operations be on the same site unless they're somehow differentiated by some type of geographical limitation? **Dan Doucet** - We don't have copies of the lease agreement but we had gone based on the site plan that was submitted within their package. **NOTE: Again, is this the way in which a responsible Development Officer, the senior person in the Planning Department, conducts business...based solely on information provided by the applicant without verifying it with a site visit at the very least?** We are not to dictate what the lease agreement states. We're not party to that lease agreement. **NOTE: Not to the lease agreement but Mr. Doucet is evading the issue of the Development Agreement and the obligations they met to which he referred. The Development Agreement should contain details of the site and their use of the property etc. because it is with the RM of Springfield.** **Mayor Fell** - Thank you, Dan. Do you have any other questions? **NOTE: At least 2 others on this Council, the Mayor and Councillor Fuhl (and it is his ward) were offered a tour of the facility when I was on Council. They are the ones that should be asking the questions as they also should be well aware of the history of the fires on this property.** **Janet Nylen** - I have the application here before me and the affected area is described as Lot 1, Plan 29953 and it doesn't say any portion of that lot so if you're going to move forward with this particular application and I don't have a problem with this application, I think somehow you have to kind of make some kind of area delineation.....you can't have two things on the same site if you haven't identified different areas of the site and this does not do that... **Mayor Fell** - Thank you for your suggestion. Do you have any other questions? **Janet Nylen** - The other isn't a question, it's a suggestion is that you either defer this and work with the other conditional use application and come back with some kind of area that they're on and then identify this application as a separate area on the same property. **Mayor Fell** - Thank you for the suggestion. Do you have any other questions? (No) Thank you. Is there anyone else in the gallery that's here for information? ...to speak in favour of the application? ...to speak in opposition to the application? Yes, if you could unmute yourself and state your name and address for the record please. **Janet Nylen** - Well I think I have already ...I think Council is on a risky path here if they don't understand that you can't have two conditional uses on a property without having some kind of descriptive limitation for those properties. I don't want to object to this particular application but I suggest again, before you approve it, that you go back to the other conditional use and tie them in... **Mayor Fell** - (interrupting) Thank you for the suggestion. **Janet Nylen** - It's not a suggestion, it's an objection. **Mayor Fell** - Is there any other people in the on line gallery that would like to speak in opp...against the application? Is there any questions from Council to the applicant? Glen, do you have a question for the applicant? **Councillor Fuhl** - Ya, Al, my question is, do you have a problem with having a designated area that is a conditional use? **NOTE: Did Councillor Fuhl not look at the drawing of the proposed units overlaying the third photo in the package, followed by another schematic drawing of the placement of the trailers?** **Allan Hazard** - I mean, the way I understand it from the people leasing it, there will be a fenced area around the property, around the area where we're housing our modular units. I mean as far as speaking the access to the facility, I mean, it's not my land. I don't have that but my understanding is we'll have a 6 foot fence around the area that we'll be storing our modular buildings in. **NOTE: And who will be building this fence? That is a fairly expensive proposition and unless Mr. Lazareck has previously agreed to it, I sincerely doubt he would be willing to bear the cost. I question what kind of professional Mr. Hazard is to not be better informed as to the conditions of the lease.** **Councillor Fuhl** - Thank you. **Mayor Fell** - Thank you. Is there any other questions for the applicant? Ok so if we have some suggestions to amend the resolution, we can do that after. **NOTE: What? They are voting on the resolution that is being read out, not some future version of it.** Can I have the consensus of Council to close the Public Hearing? I will then close the public hearing. Can I have a mover and seconder, please. ... *Whereas a public hearing has been conducted under the Planning Act to consider an application filed by Andy Wright of Williams Scotsman Inc. on behalf of Xpotential Products Inc., the owner of the property legally described as Lot 1, Plan 29953 within the northwest 1/4 of 16-11-4 for a Conditional Use under the Springfield Zoning By-law No. 08-01 and whereas Council is satisfied that the requirements of Part 7 Conditional Uses has been met, be it resolved that Conditional Use Order No. 22-06 be granted subject to the following conditions: 1) That a Development Permit be obtained for any future signage prior to installation. 2) This order shall expire and become null and void on the date the business ceases to be in operation. 3) This order shall not be transferable to any other owner and/or lessee.* **Mayor Fell** - Thank you. Is there any other suggestions from Council? **Councillor Fuhl**? **Councillor Fuhl** - Ya, I have a question actually for the Development Officer. Al had mentioned about a designated area fenced in. In this being two conditional uses, do you have a way we can word it that there is an actual designated area for the applicant? **Dan Doucet** - Yes, we can do that based on their site plan that is permitted..or submitted which shows within the north east corner of the property uh 463 ft. by 511 ft. We could go a little larger if the fence encroaches there but I'd just like to add to Council, we've had multiple properties or single properties with multiple conditionals uses on it. Give you an example, Matheson with his multi unit structures that have multiple different businesses within their structures and we've never allocated say the parking pad or the parking area. That's done through a leasing agreement with the landowners but in this circumstance, Council could add an additional condition that they are restricted to this area if they wish. Thank you. **Councillor Ralke** - Ya, I just wanted to ask the Development Officer if we would consider not having the two different renters and maybe there's going to be a third and a fourth and a fifth, we don't know and a sixth, that there'd be a different access point or something or some way cause the big concern of anybody accessing Tervita going by their building was always a concern so is it a separate access that doesn't interfere with their production? **NOTE: Did anyone on Council look at the material provided? There is obviously two accesses, one to the south and one to the north in the pictures.** **Dan Doucet** - Based on the site plan that was part of the overall report on Page 5 I have shown an aerial photo of the site. There is a separate access to the south which leads to the Tervita section and then there is a separate driveway access to the north which is this kind of like Atco trailer modular unit facility. **Councillor Williams** - Yes, I got an answer to one of the issues or a part answer. That was from Mr. Hazard identifying a

fenced in area and I'm wondering if the condition for the Tervita operation has fencing around that operation? **Dan Doucet** - No it does not. There is fencing along the front of the property limits but not, uh not to my knowledge surrounding that property. **NOTE: In the Development Agreement with Tervita, our Planning Department should have ensured that the property, which at that time was going to include storage of fluids and other hazardous waste, would be fenced to discourage pedestrian and other traffic on the property due to safety and liability concerns. That was particularly a concern of former Fire Chief Jeff Hudson.** **Councillor Williams** - Ya I have an issue with the security of that operation um and I don't know how to resolve it because we've already granted a conditional use to that operation but anybody moving through the uh application for the new tenant uh would be restricted from accessing the Tervita operation. My concern is people wandering on to the Tervita property where there is temporary storage of hazardous materials. **Mayor Fell** - You mean the storage that's locked in the building or the metal containers? **Councillor Williams** - Well ya. Any of that. **Mayor Fell** - Well I think if we want to address that with Tervita, we need to talk with Tervita, I don't think that applies uh to this agreement. Perhaps we can um send that with our Development Officer for later. Um we heard the Development Officer uh speak about lease agreements, how this has happened before so are we comfortable with the resolution as written on the recommendation of the Development Officer or do we want to add to it? **Councillor Williams** - No, I'm happy with that. **Councillor Fuhl** - I'm good. **NOTE: Councillors Fuhl and Williams should have stuck to their guns and insisted that the Development Agreement between the Municipality and Tervita be reviewed to ensure that site security and fencing were requirements of the contract.** **Mayor Fell** - Is there any other comments or questions from Council? All those in favour? **CARRIED 5-0**

ADJOURNED