

**RM of Springfield Planning Meeting  
January 28, 2021**

**WITHOUT PREJUDICE (E&OE)**

This is a comment from a constituent upon seeing the recent publication from the RM of Springfield. "As I read this I'm saying to myself why is the rest of council okay with all this. I wish I had money to mail out a flyer to every household in Springfield, to let all know how our council is spending our tax dollars frivolously. And allowing our agricultural land to be used for industry. "

**These notes are 9 pages long and I only transcribed those items that were or could have been controversial. It is well worth the read in my opinion to demonstrate how this Council is performing inappropriately and how individual council members perform.**

**CONDITIONAL USES**

**CU20-33 - 23078 PTH 15 (Sangren) Home Industry - Angry Nick's Handy Shop Inc. (reconvene) - Dan Doucet** - Mr. Nick Grammond is requesting Council's approval to permit a "Home Industry" (handyman and automotive repair services) business from this property. Services will generally be performed at the customer's properties and this location will be used for administrative function and equipment storage. In future the scope of the business may be expanded to include a small number of used vehicle and equipment sales which would be subject to another Conditional Use application. **According to the Planning Officer, nothing has changed since the last time it came before Council.** The applicant, Mr. Grammond wanted Condition #5 to be changed to read customer vehicle, not passenger vehicle. **NOTE: My question is WHY? Are they planning on repairing vehicles that do not hold passengers? The definition of a passenger vehicle is a motor vehicle owned or leased and designed primarily to carry people that seats a driver and no more than eight passengers. It does NOT include a motor vehicle that you bought to sell, rent or lease.** **IN OPPOSITION: Wayne Edie, Edie Farms** - I am the owner of the adjacent property. Just a few things I'd like to know. Why is the applicant not applying for the permit on his own, he's got George and his wife, the former owners, why are they applying for the permit and not himself? That's the main thing I'd like to know. And I'd also like to know, what the RM is really thinking to let go here for a, you know, a home business because he's talking about fixing cars and fixing other vehicles and I guess right now he's got another setup somewhere else, I'm kind of curious how many employees he's thinking of bringing on and if he's living there because I don't think he's allowed to start a home business unless he's living on the property so if you can get that answered, that'd be great. **NOTE: This Conditional Use was tabled from the November 26, 2020 Planning Meeting and what follows is excerpts from my notes of that meeting. Apparently when listening to the recording I mistook the name of the new owner of the property to be Graham, when it is GRAMMOND. 5.9** **Conditional Use 20-33 - 23078 PTH 15 Rd. 60N (Sangren) - Home Industry - Angry Nick's Handy Shop Inc.** - The first issue was who owned the land. Although it states Sangren in the application, a Mr. Graham purchased the property a short time ago, took possession on November 10th, and has been there cleaning it up. His intention is to do his own auto repairs. **Wayne Edie** asked if a requirement of a home based business/industry was that the owner be residing on the property. Just another business being established on property zoned agricultural. Feels shouldn't be hearing application until business owner is living there. The land is currently zoned rural residential. **Dan Doucet** clarified that the owner of the business is required to reside on the property but does not necessarily need to own the property and that it is currently zoned rural residential. Application was for Lot 2 where the residence is located. **Mr. Graham** said the house is empty, owner of business did not live on the property because he found rental papers in the house. **Dan Doucet** said that if previous owner was running a business there and not living there, he was doing so illegally. **NOTE: Again, I question the amount of investigation done by Planning Department. Mr. Doucet seems to be lacking up to date information which is being provided by attendees and the applicant at the time of the meeting. MR. DOUCET CLEARLY STATES THAT THE OWNER OF A HOME BASED BUSINESS IS REQUIRED TO RESIDE ON THE SAME PROPERTY. HAS MR. DOUCET CONFIRMED THAT MR. GRAMMOND IS LIVING IN THE HOME ON THE PROPERTY?** **Dan Doucet** - I could answer the first question for Mr. Edie which is that the applicant, Mr. Grammond, is currently the owner of the property. At the time that the original application had gone out back in November, we did not have proof that he was the owner because there was that transition through land titles. The notice that had gone out was the same notice that was back in November. We do have copies of the status of title at this point in time. **NOTE: Mr. Doucet is being rather evasive. The issue was whether the business owner was residing on the property, not the status of the title. You can live there and operate a home based business without owning the property. Further Mr. Doucet has changed the conditions of this approval as follows: On the previous November 26th meeting Condition #7 stated: "must be owned and operated by members of the family residing at the dwelling unit". On this meeting Condition #8 states: "the Home Industry shall be owned and operated by the members of the family who are owners of the property." WHEREAS IN THE NOVEMBER MEETING A CONDITION WAS THAT THE FAMILY MUST RESIDE AT THE DWELLING UNIT, NOW HE HAS CHANGED THAT AND NOW THEY MUST ONLY OWN THE PROPERTY. I ASK YOU, IF IT IS A HOME BASED BUSINESS, WOULD THAT NOT IMPLY THE PEOPLE OPERATING THE BUSINESS MUST BE LIVING IN THE HOME. OTHERWISE THAT BUILDING IS NOT A HOME AND AS MR. DOUCET STATED IN NOVEMBER, THAT BUSINESS IS BEING OPERATED ILLEGALLY.** **Mayor Fell** - For clarification, can you tell us how many employees, is it yourself or just....? Just yourself. OK. We've looked into the rules and regulations in our Zoning and it's not super specific so there is latitude here that if we put, if Council chooses to put stricter conditions on it, we have the option to say you have to build your house within a certain period of time, we can permit something like this, it depends um on what the will of Council is. **Wayne Edie** - Ok, so is Nick living there now or are you living in the city? **Mayor Fell** - My understanding is he's not living there yet, he intends to build a house there and live on the property. **Wayne Edie** - Ok well right now it's an intent, like I don't think this should be OKed until he's actually there or in the process of getting there. A lot of this, I've seen 3 or 4 times already, the property's been sold and it ends up some renters running some business out of the shed there in the back but if he's going to be moving there, hats off to you. I don't have a problem with what he's doing there, I'd just like to see that he's going to be there. **Councillor Fuhl** - I was just wondering what the time frame was for you to be building a house at this time. **Mr. Grammond** speaks, I believe, but you can barely hear him....I think he said 6 or 7 months. Then I think I hear him saying "we weren't planning on building a house .. it had a house on there .. but now probably the business would ....we need to know where we could build and if that current house has to come down. Wants to know where they could build etc. **Councillor Fuhl** - Ok

so my question is, if we gave you 18 months would you be satisfied with that? **Mr. Grammond** now raises the issue of COVID and how they are having to deal with that. **Councillor Ralke** - Ya, I see in one of the conditions of the 10, um #9 this order shall expire and become null and void on December 31, 2022. Uh that's like, I guess, 23 months. **Mayor Fell** - So that would cover a house building by then.... **Councillor Ralke** - Right so that's what I'm hoping that by then, if not and the house isn't built then I could probably assure you that in all likelihood it wouldn't be re...re..... **Mayor Fell** - Renewed. **Councillor Ralke** - renewed if that's not done. **Mayor Fell** - So that condition outlines your time line that you would have to construct your home. **NOTE: Am I just missing something. The issue is that Home Based Businesses require that the owner of the business reside on the property where the business is being conducted. Mr. Grammond has more or less confirmed the existing residence is going to be used as an office and he does not intend to be living there. What does whether or not he intends to construct a brand new house have to do with the application for a home based business. HE IS NOT LIVING THERE, HE HAS PRETTY WELL CONFIRMED THAT FACT. HOW CAN YOU CONDUCT A HOME BASED BUSINESS FROM A HOME YOU ARE NOT LIVING IN????** Otherwise you would not be able to operate your business there anymore. **Mr. Grammond** - Ok, I don't have an issue with that. **NOTE: Why would he have an issue with that when Council has just proven to him that from November to January they have completely reversed their reluctance because he is not living there and decided to let him operate a HOME BASED business NOT from his home but from a house he owns but does not live in. IT IS PRETTY OBVIOUS TO ME AT LEAST FROM THEIR CONVERSATION THAT WHEN IT IS TIME TO RENEW, AGAIN COUNCIL WILL GRANT HIM ANOTHER EXTENSION.** **Councillor Wilson** - I'd like to ask the Development Officer and/or the proponent, it seems like having storage for 5 vehicles when there's one employee is pretty excessive uh for something in a residential area and so I'm wondering if you can get by with maybe 2 outside stored vehicles because if there's going to be something inside being worked on as well, that seems to be excessive to me. **Mayor Fell** - Dan, when you say 5 vehicles just for clarification, is that outdoor storage or indoor storage....exterior storage ok so we're going to pose that question to you if you don't mind um is 2 or 3 vehicles enough or is 5..... **Mr. Grammond** - I would be happy with 5 but I'll settle for 3, the reason being I don't have a lot of room in the shop so if I have to push a car outside and wait for parts, it could be depending on what is broken down, it could be a number of days, it could be....I mean if I have 5 appointments in one day and they all drop them off first thing in the morning that's 5 vehicles on the lot and then in the evening I have 5 vehicles leaving the lot....**NOTE: I cannot wait ....this man is describing a full time business on land that is not zoned Commercial/Industrial. Why is Council even contemplating such an application. The man has already stated he does not live there so this is NOT A HOME BASED BUSINESS. You don't start the Home Based Business and then have 2 years to build the home from which to operate your business. Am I just crazy??? The Development Officer should be dealing with these applications at the counter of the Planning Department, telling the proposed applicant that he does not meet the requirements of the Zoning By-law and providing him with the salient sections of the Zoning By-law. They should not be coming to Council for decisions.** **Councillor Ralke** - I think again in one of these 10 conditions uh there is something about um was there anything about an area being covered or like a fenced in area that is, that you're not seeing above it or something? **Dan Doucet** - Uh if Council .. **Councillor Ralke** - **(interrupting)** a storage area should be fenced or screened from the public view? **Dan Doucet** - There is, there already is an existing fence uh .. **Councillor Ralke** - **(interrupting)** So that is the 5 would be screened from public view? **NOTE: Why is Councillor Ralke commenting on a location she obviously is not familiar with? Perhaps if she was that vested in this application, she should have taken a drive over there so she could understand what she was talking about. Doucet is not there to give a geography lesson.** **Dan Doucet** - That the vehicles would have to be parked behind that fencing area. Um if Council would look at the uh page 5 of the report there's an aerial photo. **Councillor Ralke** - There's trees there too. **Dan Doucet** - There's uh a large cluster of trees on the west side or sorry the east side and along the looped driveway you'll notice a line coming east-west, that's the uh about 4 to probably 6 ft. high wood fence. **Councillor Ralke** - Uh ok so it's screened from view. **Mayor Fell** - Rick, once we close the public hearing, Council will discuss if we want to change that. Is there any other questions for the proponent from Council? **Councillor Fuhl** - I have one more question. Um for signage it says you would like to put up signage...no signage, ok very good. **Dan Doucet** - As for condition 2, there really wasn't much discussion but we did allow the limits of 8 total square feet which is allowed right now in a home based business but if Council wants to remove that condition to allow for no signage that's an option as well. **Mayor Fell** - Do you have another question for the proponent? **Councillor Fuhl** - No it's for the Development Officer on the signage. Um my question is, is then, my concern was I believe that's a shared driveway so if we're allowing signage there, where would it go because it's a shared driveway. **Dan Doucet** - It would not be allowed whatsoever on the road right of way, it would have to be only on his own personal property. **Mayor Fell** - Then called the question and Colleen Draper read the resolution. **Mayor Fell** - So there was a couple of questions, first one was number of cars. Is every Council member comfortable with leaving it at 5 or do we want to lessen the amount of vehicles? **Dan Doucet** is heard whispering something about ..."is no longer the property owner so we have to take that out" but **Mayor Fell** just carries on talking "are you ok based on that fact that there's tree coverage and a fence there". **Councillor Wilson** - Ah, well if it sounds like there's not concerns from the neighbours I personally have concerns with the, with the size of the business as a home industry um 5-6 vehicles a day sounds like a fair number to me and uh it, to me that's a shop uh so..... **Mayor Fell** - The other one was the signage, I know the proponent says he won't be putting up a sign so did we want to remove that or do we want to leave it in with um the parameters that's within the zoning. (Somebody is heard speaking in the background but is not identified and I cannot hear exactly what is said.) **Mayor Fell** comments "that was funny" ... signage, do we want to leave it in cause it follows the zoning or would you like to remove that? **Councillor Ralke** - We could leave it in even though the proponent had gone ahead and said that he wasn't interest in signage um or else we remove it until 2022 when this comes back up again. **Councillor Williams** - Yes, I'm for removing the signage if he has to come back for a Conditional Use to allow him sales of vehicles, we can consider it at that time. **Councillor Bredin** - So my understanding was is that he is not putting up a sign and even if he put up, nobody would see it because it's going to be way down the back of the ...so I don't think he needs the sign there right now and if he comes back in 2 years time to expand the business and a sign is needed we could deal with it then possibly so I guess I am saying "no sign". **Councillor Fuhl** - Ya, I'm good with no sign. **Councillor Ralke** - I was just going to ask if we were going to modify according to the Development Officer #5. There was one you said you wanted to make changes to. And then the Department had said to change it from passenger to customer vehicles? **Mayor Fell** - Ya, I've got 3 more. I'm not done yet. (laughing) Um it ends at the end of 2022 so what is the consensus of Council about that deadline, 23 months to build, for this gentleman to build a home. Um from passenger to customer vehicle, are we ok with that wording change? And the last one is um our Planning Officer had asked for a change as well um and he'd read out that change. Is Council ok with that change as well? **Colleen Draper** - *Be it resolved that Conditional Use Order No. 20-33 be granted subject to the following conditions: 1) The Home Industry business be limited to handyman services and automotive repair services only. 2) Business activities relating to customer pick-up and drop-off shall be limited to the hours of 7 a.m. to 7 p.m. Monday to Friday. 3) Service and repair of vehicles shall be conducted within the existing accessory building. 4) Outside storage to a maximum of 5 customer vehicles is allowed as part of the home industry subject to the*

following: a) the storage area shall be fenced or screened from public view to the satisfaction of Development Officer; and b) the storage shall not project above the height of the fence or screening. This does not include personal vehicles. 5. No storage of partial stripped and/or wrecked vehicles be allowed anywhere on the subject site. 6. That our municipal building inspector and fire chief conduct a building and fire inspection for the existing accessory building (1260 sq. ft. shop) to ensure that all life safety, building, and fire code requirements are met and that any required code upgrades and/or infractions be corrected prior to the operation of the business and the issuance of any correspondence for MPI. 7. The home industry shall be owned and operated by the member(s) of the family who are the owners of the subject property. 8. This order shall expire and become null and void on December 31, 2022. 9. That the owner shall obtain an annual municipal business license.

**CARRIED 6-0** **NOTE: Council spent in excess of 20 minutes during this meeting and at least the same amount of time at the November Planning meeting considering an application for a business on land not zoned Commercial/Industrial, calling it a Home Industry in spite of the fact that it was clearly stated the owner of the business is not living at present on the property, is using the existing residence as an office, and might be building a new home there in future. In my opinion, neither Mr. Doucet of the Planning Department or Council should even be entertaining such an application as its veracity is clearly in question. YET THEY APPROVED THE APPLICATION! It is evident the residents of this municipality are not getting "good service" from the staff and elected officials considering how much of their tax dollars are being expended on salaries and allotments. They have just approved an INDUSTRIAL USE on land zoned rural residential and surrounded by land zoned agricultural. In the Development Plan that cost taxpayers a large sum, it clearly outlines the various land uses and zones. This business belongs in land zoned Commercial/Industrial. As it exists right now, it CANNOT be considered a HOME INDUSTRY. If you were the adjacent resident, how would you feel?**

**CU 21-06 - 57039 Murdock Road - Home Industry - Boyko - Dan Doucet** - Mr. & Mrs. Boyko are requesting Council's approval to permit a "Home Industry", a concrete and excavation business and related signage on the land, from their rural residential property. The application is mainly to allow for storage of materials and equipment on the site which would include: 2 highway tractors, several highway trailers, a large amount of construction equipment, a large amount of construction materials, and approximately 4-5 passenger vehicles. Their plan is to build a new accessory building to store personal items so the current accessory structure can be used to store some of the construction materials. No work is done on the site. The hours of operation would be Monday - Friday, 7 a.m. to 6 p.m. year round. He has concerns from his inspection when he observed two highway tractors and construction equipment and 4 to 5 passenger vehicles on the site. The character and appearance of the business appears to be "offensive" and to have objectionable impacts on the adjoining neighbourhood within the rural residential area. He feels due to the size of the operation, it should be located in the Industrial Area. He had **10 conditions** if Council considers it. When they sent out the circulation of the notification of this application, up until today at 4:30 we have received 7 letters of objection both for the Conditional Use and for the Variance. **IN OPPOSITION: On the agenda of this meeting: Woodbeck, Palidwor, Robb, Oakes, Kristensen & Workman, Druwe & Berard, and Sobkovich. On the Recording of the meeting: Wayne Baldwin - 57031 Murdock Road** just to the south of the property in question. If I could, I'd like to submit a couple of pictures of my place just looking to the southeast. In the beginning I thought this RR Residential was actually rural residential and residential only. I had no idea it could be something other than that so I'm definitely against any Home Industry starting up next to my property of course and I'm against the second part as well. I feel this Home Industry would negatively affect my property and the property surrounding this area. Over the years I've watched my neighbour build his business to what it is today and he worked out of his back yard, he worked hard, he worked with his employees, he worked out of his shed, you know and year after year he would bring in a little bit more building and construction building material and construction and building machinery up to the point of what it is today as you've seen by the aerial shots there. I believe what my neighbour should be looking for something that's already zoned light industry or home industry use and that way he could grow his business as big and as fast as he would like to, not affecting the rural residential area I'm in as well as negatively impacting my property and others in the area. Going back to the pictures I submitted, these are pictures of my back deck looking east and northeast and this is what I have to look at right now and I've looked at for many years and I believe that the pictures speak for themselves. When my wife looks out the kitchen window or I'm on the deck, my wife is undecided right now whether she's looking at a lumber yard or whether she's looking at a construction site next door to us. I do not know of any family that would want to buy a rural residence next to this commercial concrete and excavation business if it was to start up next to him. **Chuck Palidwor?** - I'm 57011 Murdock Road. I've lived in the area for well over 35 years and when we moved there it was for the agrarian agricultural and somewhat residential area of the neighbourhood and it remained so up until recently despite the proximity to Winnipeg. Mr. Boyko's 21-06 proposal for his property seems to contravene the nature of the neighbourhood of Navin. We are a farming agricultural agrarian nature by and large. It's dominated by many people who enjoy green space, horses, you can in the summertime I mean all the time there are people walking, riding their bikes, riding horses, using the roads in the neighbourhood. Green space is a feature of most acreages in Navin. Some of the larger properties are in fact farms so there is a lot of hay land and it's very green. Construction equipment and a business is not in keeping with the overwhelming majority of residents of the Navin community who regularly enjoy green space. My wife and I, we object to the variance as well as it's still not in keeping with the ambiance of our community. I suggest that an alternative would be to locate the construction business off Gunn Road in the Business Park. It appears he has already begun a lot of his home business up until today as he has stored many pieces of equipment and construction materials there presently and in the past such as skid steers, motors, trucks and I'd just like to say that I expect that traffic would be increased as a result of this and it is a concern for me that we're going to lose the quietness of our neighbourhood and our community. I don't think it's right that you locate any kind of commercial enterprise of that nature in a residential community. **Danny Woodbeck - Murdock Road** - I've been there since 2004 and we saw the property, it's like a gem, you know so close, 10 minutes from the Mint, beautiful residential quiet area and Wayne said it right, you know who would choose to build their home in the middle of an industrial park. And I think no one here in the room for sure you know. And yet we find a commercial/industrial park being built right beside our homes. We take a lot of pride in our yard, we have 2 1/2 - 3 acres of manicured lawn, features gazebos and we entertain a fair bit and like I said, we treat it like a resort and now to have this commercial industrial park right beside us, for sure, definitely the property value ... but not only that is we have the gazebos and patios out back that we in the mornings like to go and sit and now I imagine sitting there in the morning having your coffee and looking at this. There's wheel loaders, track loaders, there's bulldozers, excavators and low beds to haul this equipment in and out, it stays there, there's an ATCO trailer set up there as an office, there's employees coming and going, 6 to 10 vehicles every day you know, coming in, they're staging there. This isn't a small business and if any of this goes ahead it's going to explode into 10 times worse. Frankly I have no idea how it got to the point it is now. **I know it's been brought to the attention of the RM and nothing has been done. NOTE: If the neighbours have complained to the Planning Department or staff of the RM prior to now, why was nothing done about it before now. Why**

**is this just coming up now when Mr. Boyko has been put in a position of having to apply because he is wanting to put up another accessory building.** I spoke to Christina when I called, I was telling her a bit, saying you know when I moved here unbeknownst to me you can't push snow across the road in a little pile in the wintertime. I got a call the day I pushed a pile of snow across my laneway and they said that it's going to cost me \$380. or else you're going to move that right now. That's a pile of snow. I don't understand how 3 acres of construction materials that can be seen from the air in under the radar, like I say, bulldozers, large excavators, this is not small. And I think it belongs in the Industrial Park. Why isn't it located there? This is a residential area for families and small children. I think it's absurd that we're even considering it, how it's even come to this point. **Rick Workman** - My sister Janice and myself are the owners of the undeveloped farm land that is adjacent to the Boyko property. I don't go out and see the farm very much because we have James Farms look after it and it's our intention to leave it as farmland. When I got the notice in the mail about this application for variance, I spent some time walking around the property and I was shocked. I am shocked that the municipality has allowed this type of heavy construction to be built in a residential area. And I actually really feel sorry for the property owners along Murdock Road who have had to endure this type of development going on and I don't know why the municipality has even let it get to this point. So my sister and I strongly feel this should never have been allowed. I believe the Boykos are taking advantage of the whole situation. I'll give you one fact. Imagine they want to build 4400 sq. ft. of storage, you're only allowed 2,000 as an adjacent building. This is for their personal use. Who has 4400 sq. ft. of personal use that they're storing their equipment in. I mean, they must have a lot of boats and ATVs. If you walk by there, I don't believe any single council member would ever want that type of business next to your property. And we should just shut it down and not allow it to continue and I feel very strongly, I believe my sister who is located in Calgary does as well. **Mayor Fell** - Do I have the consensus of Council to close the public hearing? **NOTE: No vote was taken because there were still people wishing to speak to the application.** **Boyko** - When I bought the property in 2005, I was told I could put two buildings up there, one building for horses and one building for my accessories. I talked to the Planning Department and I requested a building permit for an accessory building. The building that I have right now was going to be for horses. The intent is to buy a couple of horses there. I have property at Grande Pointe that the construction company is going to go to but because you guys took a picture overhead and saw the equipment there, I was told that I had to make a Conditional Use Application for having a home industry there. So this is the reason that I've applied to have the building, the construction company I know that we've been growing considerably. I want that to sort of be out of here, that's why I purchased property in Grande Pointe. We're in the, what do you call it there, the Industrial Park there. Now we're just into the negotiations right now and intend on moving there shortly and I haven't been taking advantage of the situation here. The majority of the time my equipment is on construction sites but because of this COVID, two of the sites got shut down. So I had to bring that equipment to my home. There's one large excavator, you've got the list of equipment that's there and there's been a couple of guys there with their vehicles that have been sort of been cleaning up the forms so we can get them ready to move. We're not here trying to take advantage of our neighbours but from my understanding the Planning Department told me that I had to make an application for a Conditional Use because there's a couple of vehicles there. All I wanted was a Building Permit for the Accessory Building. Now nobody told me when I purchased the lot, I have the agreement right here, we're supposed to be able to build a stable and an accessory building. It doesn't tell me what size. The first one was 2400 sq. ft. Now I'm told you're only allowed to build 2,000 sq. ft. I don't understand when that changed. It doesn't say anything in here in my Agreement that was sent to me from Springfield in 2005 in regards to what size of building I can build there. So I'm not sure how this got to this point, like I said this company is in the process of moving but I was sort of told that I had to run a variance through here or a Conditional Use I should say so that because of the picture from Google they saw some trucks there. **Mayor Fell** - Ok, I have a couple of questions now. So the building that's there now is 2400 sq. ft.? **Boyko** - Correct, I have the original building permit. **Mayor Fell** - Ok so if you're transitioning your business and by the way, I'd like to say I'm glad your business is doing well, like I think that's really great, but that 2400 sq. ft. building that you have there, once you move your business to Grande Pointe, can you not use that for your accessory building that you're applying right now to build? **Boyko** - Well, where do I put the horses? In your barn? **NOTE: Where are the horses now? Where is all the equipment now? Why are we even contemplating another accessory building of approximately the same size when the total of accessory buildings as I understand it in the Zoning By-Law is in the neighbourhood of 2,000 sq. ft.** **Mayor Fell** - So you said, you mentioned that you're going to build..... **Boyko** - (interrupting) It's going to have stalls in it. **Mayor Fell** - For horses? **Boyko** - Yes. I'm allowed to build a stable and I'm allowed to build an accessory building. All I want to build is the accessory building. **Mayor Fell** - Ok I'm going to ask Council a question, if that is the plan ... and I'm going to take you at your word that that's the plan, I would feel much more comfortable deferring this until all the business has been moved off. I would much rather defer this until we can confirm the building's moved off and there's horses in there? And then talk about an additional building cause I think that's going to raise some serious concerns with the neighbours but...I don't know...Council? **Councillor Fuhr** - If he has the property over at Grande Pointe I suggest that that business be moved out there a.s.a.p. and then we defer this and then we have an inspection if there's horses in that building or there's stalls for horses ...that it looks the horses are going there and then we can bring this back once that's all completed. **Councillor Ralke** - Ok this is for the Development Officer. Is that a 5 acre lot? **Boyko** - It's a 6 acre lot. It's 255,000 sq. ft. and my building will be 6,000 sq. ft. **Councillor Ralke** - Does the Zoning By-law that we that you can have how much square foot of building on it? **Dan Doucet, Development Officer** - Let me start from the beginning. This subdivision started in 2003, it was a 5 lot subdivision. There's a Development Agreement in 2003 that was registered on title that is attached to Council's packages and it states that you can have uh a barn and accessory structures. It doesn't indicate sizes, uh to my knowledge. Let me open up that Agreement and have a quick look. So there's land use restrictions and the land use restrictions say no building shall be constructed on the land other than a single family dwelling of not less than 1100 sq. ft. of living area and attached or detached garage for the storage of up to 3 passenger vehicles and accessory buildings for storage of grounds keeping equipment, personal effects and private stable for housing up to 2 horses. That was in the Development Agreement. There's no limitations at all within the Development Agreement. 2007 part of Council's package there was a building permit issued to Mr. Boyko and in that building permit it specifically said that ....he built a 40 x 60 structure being 2400 sq. ft. In 2010 when our new Zoning By-law came into place um prior to that we were dealing with a 1959 City of Winnipeg additional zone document that allowed you to build up to 10% of your land for accessory structures and 10% of 6 acres is a lot of building. Council of the day put a restriction of 2,000 sq. ft. so anything built prior to 2010 is pre-existing. **Mayor Fell** - So for clarification the building that's there was built before the change in zoning and fell under the old regulations so the 2400 sq. ft. was within the jurisdiction of him to build. **Dan Doucet** - At the time, yes. With the building permit that was issued was for an outbuilding and it specifically says that, at the bottom, the comments, the accessory shall only be used for personal goods, storage of vehicles. **No business shall be permitted unless approval is granted by Council.** When Mr. Boyko recently called us, we looked at the aerial photos and noticed all the construction equipment on the site. That's what triggered if he wanted to keep it there was no mention of Grande Pointe at all and within the second letter of intent that is provided for the accessory building on the

zoning variance which is the next item, there's not even a mention of barns or stables. It specifically says he's going to use it for his ATVs, his personal equipment. **Councillor Ralke** - So I guess what I'm trying to ask is that we are not asking for a home industry there today. **Dan Doucet** - His original application for the Conditional Use was if you want to expand your, go for a variance, I'm not allowing your variance unless a Conditional Use comes before Council for the Home Industry. There was no mention about relocating what he had there. **Mayor Fell** - So again this is my opinion, he needs to move his business first so I think that would bring a lot of calm to the neighbourhood that that business has been moved to Grande Point and then we can bring this application back..... **Councillor Ralke** - And how soon is that going to be moved if there've been complaints about this before. **Dan Doucet** - I would recommend Council denying the Conditional Use for the Home Industry, pass a resolution that within a certain period of time ...everything must be removed from the business, then we could reconvene for the Accessory Building for the second building. **Boyko** - Let slip that the legal possession of the property at Grande Point is happening on February 3rd. through his son's lawyer because it is his son purchasing the property at Grande Pointe. Ralke and Fell are then debating how many months he should have to move his business and then.... **Boyko** - Comes back with because of COVID he didn't visit his neighbours and tell them what his plans were so that "I wouldn't get jumped when I came here as somebody else did in a lock down". **Mayor Fell** - Asked him how much time he needed to move his business equipment out of there. **Boyko** - September. I need time to build a building 7800 sq. ft. **Mayor Fell** - So let's date it for the end of October. **Councillor Ralke** - Wanted to give him a year to get his stuff out, get his building built, and clean up that area and come to us and then "you get your accessory building" after. **Boyko** - There is material there that is actually mine but it's staying there. Also he stated it was his son's company.??? There's an orange SECAN that's been there since I built the house. **Councillor Fuhl** - Ya, I'm not in agreement with that. We've got lots of residents in this area that want this out tomorrow and I would prefer that it gets out as soon as possible and put the business where it belongs, in a business area. **Mayor Fell** closed the Public Hearing, they debated as to the amount of time allotted to move his business and settled on September 1st. and told Boyko he could withdraw his application for the Home Industry or it can be voted on. **Fuhl, Wilson and Williams** thought 3 months was enough time to move but **Bredin** thought September. **Mayor Fell** led the discussion to September 1, 2021 and for Boyko to withdraw his application. **Boyko withdrew his application.** **Dan Doucet** - Wants Council to pass a resolution of Council requiring Mr. Boyko to move his business from his property by September 1, 2020. If it is not removed, the RM will seek legal action. **Mayor Fell** brought up the fact that he needed a permit for the SECAN if he wanted to keep it on the property. **Be it resolved that the illegal business operating from Lot 3, Plan 42281 within the SW 1/4 of 22-10-4 be removed by September 1, 2020 at which time a site inspection will be completed and further action be taken if not in compliance; and be it further resolved that a permit be obtained for the SECAN currently located on the property. CARRIED 6-0 Doucet stated the Conditional Use for the Home Industry has been withdrawn but the variation order will reconvene at a later date so we won't withdraw the Zoning Variance. The neighbours will be notified for the reconvene, he responded when asked by Mayor Fell. Councillor Ralke inquired if that was in reference to the last one they had just done. NOTE: There was no discussion of getting a business license before the business is moved or penalties for having run the business all this time without a license. Further why would Council entertain allowing him in future to increase the size of his accessory building as it already exceeds the size allowed in our zoning by-law for accessory structures.**

## SUBDIVISIONS

**4189-20-7537 - Les and Sabrina Tripp, Sapton Road SW34-12-5E - Dan Doucet** - Proposal to subdivide 35.7 acres to create one new lot for residential and part-time hobby farm use. Proposed Lot 2 has less than 40 ft. frontage on Sapton Rd. There is a dwelling and accessory buildings on proposed Lot 1 and a barn on proposed Lot 2 (Parcels C & D) which will have to be removed or relocated. The property, Zoned AR, has a site area requirement of 20 acres with 660 site width. Community Planning Branch preferred 20 acre lots but if not possible and conformed to general intent of Development Plan, they were satisfied. Objections were filed by Meyer, Kantyluk, Rogers, and Nakonechny and can be read by going to the agenda on the RM Web site and opening them. **NOTE: It is clear by reading the objections that the neighbours want their area to remain rural residential and that in light of the stipulations for this area in the Zoning Bylaw, this case should never have even come before Council. The Planning Department should have advised the Tripps that it did not conform to the Development Plan and Zoning By-law and rejected the application outright. Council should not be continually overriding the stipulations contained in these documents. IT MAKES A MOCKERY OF ALL THE OPEN HOUSES, DEBATE, AND EXPENSE THAT WENT INTO PRODUCING THE CURRENT DEVELOPMENT PLAN.** **Councillor Wilson** - Section 4.3.7(c) flag lots requiring easements are discouraged. Council has had some experience with problems of flag lots and these seem to be borne out by some of the comments from the neighbours. Further reducing lot widths when there is such a high risk of water contamination as identified by residents I don't believe is appropriate. As these proposed lots are quite low, it does not seem to be a good idea. **Councillor Ralke** - I guess it's in reference to Councillor Wilson mentioning the location that this is in our Development Plan. It says "no easement agreement necessary". Is it necessary that there's an easement agreement on this flag portion of the Lot C & D that's going to be enough, I mean is 39 ft. going to be enough to put a driveway in that you don't need an easement from anybody? **Dan Doucet** - 39 ft. is adequate for a private driveway and it's not a shared access therefore no cross easement access agreement is required. **Councillor Ralke** - Right so that kind of doesn't apply to what's written in our Development Plan. **NOTE: I guess Councillor Ralke has forgotten the case of the Zurawsky's who accessed their property adjacent to a boarding stable and used a driveway that was also being used by those using the stable. A lot of bad feelings were created as a result of that flag lot and there have been others in the past.** **Dan Doucet** - For easements? **Councillor Ralke** - Ya. Cause that's what it said that the reason we're trying to stay away from flag shaped lots is because of the need for easement requirements? **Dan Doucet** - Uh, no. We're trying to avoid flag shaped lots in general from one person being built behind another person. **Councillor Ralke** - Ok and that's not the case here. **Dan Doucet** - That would be the situation here. One house off of Sapton and then another residential lot behind. **Councillor Bredin** - For the Development Officer, that's a Hydro line that goes through on an angle in that picture there? **Dan Doucet** - Yes, that's a plan, that's a variance, it's a uh it's a strip of land.... **Councillor Bredin** - It's a right of way. **Dan Doucet** - Correct. **Councillor Bredin** - And about how many acres, do we know that? **Dan Doucet** - We did a quick calculation and it was approximately 3 acres so if you take the Hydro land with Mr. Tripp's land I think there's about 30 acres and change. **Councillor Bredin** - So then it comes very close to the 20 acres within the 10% if you, because of that going through there. **Dan Doucet** - It's close, absolutely. The Development Plan is very specific where it says...Beausejour said to bring it to Council to consider. **Councillor Williams** - I would just like to address this issue of groundwater or well contamination. This area has had some issues with, related to artesian wells and I don't think there's a particular danger of this well, one of the objectors had pointed out this well being

contaminated because there's already properties nearby that have septic fields. It may be not even as close as one going into this new lot. I would think just to assuage the concern of that property owner that a note be made when a building permit is taken out that some direction be given on where the field might be located. **A discussion of location of field on Parcel C then ensued and whether that could be in the resolution. All of Council were ok with that except Councillor Wilson** - The kinds of limitations that .....**Mayor Fell interrupting** - We're just going to finish this question though because I need to see if a majority of Council wants it so you're not ok with that change? **Councillor Wilson** - No but there's a very good reason. The Provincial limits are basically very generic and they're not intended to apply to areas where there's artesian water...there's a very large concern for contamination of the existing wells which are only about 20-25 ft. deep in this area. We're not on firm ground approving something like this in this area. **Mayor Fell then launched into asking for and consideration of alternatives that would legitimize the subdivision.....**distance from, soil analysis, percolation test, hydrogeological assessment. **Wilson against subdivision. Colleen Draper** - OK, that the owner must provide a hydrological report to assess the ground conditions to ensure that the soils are capable of sustaining a septic field and providing a suitable location on the site. **Councillor Wilson** - Simply to state the combination of negative factors taken together dictate this subdivision should not proceed. Vote was taken. **CARRIED 5-1 Variance 21-04 Les and Sabrina Tripp, Sapton Road SW34-12-5E - Dan Doucet** - To permit the following: Proposed Lot 1 - A site width of 290 ft. instead of the required 660 ft.; a site area of 17.01 acres instead of the required 20 acres Proposed Lot 2 - A site width of 39.7 ft. instead of the required 660 ft. and a site area of 18.71 acres instead of the required 20 acres. We have received 4 objections: Meyer, Kantyluk, Rogers, Nakonechny. **Les Tripp** - I'd like to point out that at the request of the Province contacted all the neighbours that have adjoining properties and none of them were interested in buying any portion of our property so that's why we went ahead this way and did configure the subdivision at the suggestion of the province. **OPPOSED: Val Rogers** - I'm the neighbour directly beside this proposed variance. My understanding is the only opportunity I have for opposing this variance and I would like to say about the flag lot that it is not an ideal situation and if you look at your typical guidelines, Mr. Doucet had mentioned in particular on the narrowness of the driveway that's creating the flag shaped lot and I just don't see if typically people need such a wide access to frontage why you can have this very narrow frontage and have that be a suitable lot. Those rules are in place and all we have to do is ask for a variance ...why do we have those guidelines in place. I think there's been enough subdivision going on in the community, there are lots and lots of new houses all over the place ...and there 85 lots that's difficult for you to watch and see what's going on...do people abide by all the rules and.... **Mayor Fell** - What was your civic address, I'm just looking at the map. **Val Rogers** - We're Lot 1. **Mayor Fell** - Is that to the right or to the left? **Gerald Kalb** - I'm the smaller lot. I take it everyone's read my e-mail or had the opportunity. Also I am representing my wife and myself. If you read the e-mail you know we're strongly opposed to the subdivision or variance 21-04. As mentioned in my e-mail, we're very blessed to have the artesian supply as is our neighbours Matt and Kayla. A variance of this nature is a risk to destroy our water source by disrupting our aquifer. Whether it be contamination or collapsing the wall of it. One councillor mentioned this contamination. You collapse that wall, that's it. That artesian is done. Mrs. Bodnar, the original homesteader, she told us about it. She told us where the flow came and it goes back of the field so that's the original owners. The only reason she subdivided the way she did back then is cause she was farming and her husband passed and people were allowed back then to request it. I would like to reference Mr. Bodnar's strategic walls. Two of youse were on Council when this was written too. And our view fully goes against it. Look at Point D. Technically Manitoba Conservation and Sustainable Development says protecting water quality and quantity, well head protection, pollution mitigation. I've seen what our neighbours have for wells and I'm sure your wells are hard water and you have to have a softener/conditioner. We are, it's rare to have an ? we have. Like I say if I took off the pressure pump in the basement, the water would fill my basement. And it really would be about 25 ft. deep. We have pure water. There's no second chances. To have this quality of water in our life, the aquifer like I say, contaminated or you disrupt the water, we're toast. Under ....achieving good governance, that's practices being used across the municipality. Personally to us allowing these variances would not be the best practice for our water nor allowing a flag lot of 39 ft. frontage. You saw all the neighbours already having animosity toward it. This is not going to go over. It's not going to go well. It hasn't passed and I can foresee it in the future. Having that lot 35 ft. How do you justify it? If he wants to run a driveway, he can run one through his own driveway. Allowing these variances to go through for one person is again a financial problem, that's all it is, but at what cost would it be to those of us who'll be most affected by it. You're jeopardizing what we've had for a long time here. Oh it may not be contaminated but like I say, you bust the wall of that artesian (well) and it's toast. Oh you can drill a well, get a conditioner, get a softener. What's that water going to be like? It's not going to be pure like we have. In fact, our hot water tank, you come down and read it. It's over 45 years old, believe it or not. You are playing Russian roulette with us. **Mr. Meyer** - I'm speaking on behalf of myself and my wife Kayla, we're actually the big property um to the west of Jerry there so we own that and it kind of butts into the property that's proposed here of the variance. Basically all I want to reiterate cause it's already been said before is that the precedent that this is now going to set here with this flagship property, you know it's not just cut and dried flagship property we're looking at here, this is already you know an existing property that had a chunk taken out of it's corner so when we moved here me and my wife had one goal ..to live in a rural setting you know and kind of get away from the residential lifestyle. My biggest concern and pretty much my only concern as Dan probably is aware because we spoke earlier this morning ...is just a residential aspect of what it could cause because if this has precedence for the next person and the next person said they can all take a piece of 39 ft. of their property and then sell their back yard ..it just...it can defeat the whole you know agriculture restricted zoning that we in this area have. So that's basically what I want to input here. **Unidentified speaker** - I am directly south of Lot 1, I guess south of Jerry's place there too. My name's **Ryan**. I agree with Matt also as far as the life shift ...it's going to set a precedent and everybody's going to sell their back yards, like I wrote in my e-mail before um it's not just one property, it's for the future ..right? And we purchased the property in 2017 and my wife and two sons, we lived here since last July and we love the back yard cause nobody's back there and it's very private and we'd like to keep it that way. But my neighbour, not saying that he's going to, to the east or to the west, if you allow this flagship property to go along, um there's no saying they could do the same thing

and then I'm going to have someone right behind me and I moved out here for the 20 acre lot. **Mayor Fell** - Could I ask you how large the lot....cause I can't see it on my map, how large is your lot that you live on. **Ryan** - I have 20 acres. **Mayor Fell** - And the neighbour behind you has 20 acres? Your neighbours are all 20 acres as well? **Ryan** - Yes. **Mayor Fell** - Then subdividing is not a possibility because that area is A20. **NOTE: Excuse me, are we not now contemplating a subdivision with 2 lots both under 20 acres?** Just so that's how the Development Plan works. You can vary that 20 acres *slightly* which is what's happening today but your neighbours, like at 20 acres you guys cannot subdivide your properties. Just to clarify that you have to have about 40 acres. **Ryan** - I'm not using my place as an example as I don't have the 20 acres but for the next guy down the road, right. They could be in our same shoes and if we don't speak up now, it's going to be the same all the way for years. *Whereas a Public Hearing has been conducted under the Planning Act to consider an application filed by Leslie and Sabrina Tripp, owners of the property legally described as Parcels A & B Plan 23066 in SW 1/2 34-12-5 EPM for a variation of the Springfield Zoning By-law 08-01 and whereas Council is satisfied that the Requirements of Part 6 Variances has been met Be it Resolved that Variation Order No. 21-04 be granted subject to the following conditions: This order shall take effect on the date of registration of the subdivision application 4189-20-7537.* **Councillor Wilson** - Yes, based on what we've heard tonight, this ...approval of this is not the way to go. **CARRIED 5-1** **NOTE: My opinion, this is a travesty of justice and good governance. The Development Plan just passed 2 years ago after many years of debate, open houses, etc. and the Zoning By-law that results from it have just been totally ignored by the majority of this Council. This should have been denied outright based on the concerns of the neighbours and Councillor Wilson or at least deferred until the safety of the aquifer was assured. This application is clearly being steered by the Mayor to result in an approval. Is it possible that this is a concession being made to Les Tripp who in the last election ran against Rick Wilson? Before this Council is done in October 2022, the RM of Springfield will be one big housing development and industrial park!!!! Councillor Wilson is the only one that voted the correct way. The remainder of Council should be held to account for their ill advised decisions that fly in the face of all rules and regulations.**

**Rezoning By-law 20-10 - DR to RR - SE 3-10-4 EPM Gaudette 3rd Reading - (see attached notes regarding this item) - Dan Doucet** - I met with Mr. Gallagher and also Stephanie, the owner to the north or had some discussions with them based on their concerns on the drainage plan. The original drainage plan was drafted with 2 additional drains ...showed it to Councillor Williams and Wilson....there's 2 additional drains that were placed when speaking with Mr. Gallagher, these drains...originally Mr. Gallagher wanted some berms and I said berms are going to have water retention on your property possibly. At least with the drainage swales it's going to go into the drainage swales and we had the engineers move both uh drains away from the vegetated area, the existing tree line so it's further into the 2 lots of Cory's (Gaudette) property. Uh there is a 10 meter easement along that piece of property so we can maintain the drains. I spoke with Orville Currie today when we were drafting up a Development Agreement we could place it in the Development Agreement to have the onus to maintain the drains cause it's private property but we have the easement to access the property to put a clause in there that the owners are responsible for maintaining those drainage swales. Are they going to do it? We'll have to monitor it and if not, we have the ability as a municipality to enter into those drainage swales. So the swales along Mr. Gallagher's property, we have a 10 meter easement uh and then going east-west there's another 10 meter easement. The larger drain, we have a 20 meter easement so that's about 66 ft. of access down there. It's a larger drain than some of these smaller toe drains. **Mayor Fell** - Toe drains? **Dan Doucet** - Secondary drains. So revisions were done and uh we spoke with Mr. Gallagher um and our municipal engineer had reviewed this, had approved it, it was designed by a professional engineer so we'd like to move forward on Mr. Gaudette's third reading of the rezoning application. **Councillor Fuhl** - I spoke to both Stephanie and Mr. Bob McGallagher. Um they are satisfied with this swales. Their concern as we saw on one e-mail was that they be maintained so I really 100% want that into a development agreement so that they're maintained. There is one slight question that we have to the south of the property now and that is, the culvert that runs through Prairie Grove Road, um did the engineers take a look at, is that culvert sufficient enough with the, I believe it's a trap that's on there, um but having said that, is it sufficient enough to move that water through uh the road and has that been taken a look at? I was trying to find something on the map here but I don't see anything at this time unless somebody can clarify that for me that states that that culvert is big enough to run that water through there being that it's 66 ft. wide, that bigger part of the, where all the water's coming to the south. So that's the question for the Development Officer. **Dan Doucet** - There is a culvert underneath um Prairie Grove Road, the existing, it's an 18 inch diameter culvert. I can only assume that the engineer had done the review for the outflow. Uh Councillor Fuhl mentions that there's a gate on the outfall, to my, well looking at this I don't see a gate in this design. What I see on the engineered drawing is a control structure which is basically a culvert that reduces the flow almost like a beer bottle that has the neck and it discharges it at a controlled rate. Um based on this design that was provided. If the south drain on Prairie Grove Road does get flooded and backed up, it's going to be like any other parcel of land. The water will back up and be retained in the drainage swale until there's enough downward pressure to alleviate that. **Mayor Fell** - Does that answer, uh satisfy the question or..... **Councillor Fuhl** - Again I just wish they had more clarity on that because um assuming and actuality through a report would have been a little better. That is a concern. **Councillor Wilson** - I'd like to pick up on that if I may. And I think the key is what was just mentioned ...well if there's already water and it's already flooding uh the water will back up. And it will back up into the swales but being as how this is in a designated Provincial flood plain, that water will continue to back up and back up and it won't be in the swales, it'll be on people's property and then it'll be around their homes. This kind of talk about these small scale uh site specific drainage has got nothing to do with the main reason this subdivision shouldn't be taking place. The property is provincially recognized to be under water with no hope of drainage in a 1 to 100 year flood event so that's a 1% chance every year of losing your home and your investment in it. The defining flood level is now being upgraded as we know from our seminars in the last week to a 1 to 200 year event, further emphasizing the need to stop allowing development of flood prone land zones. I would like to ask why given this situation the Development Officer recommends granting approval to this proposal, I mean, it is every landowner's right to ask but it's Council's and the Development Officer's

responsibility to ensure development is done responsibly. So my question is..... **Mayor Fell - (interrupting)** - So it's actually, so I'm going to stop you there cause I **don't think that's an appropriate question for the Development Officer.** **NOTE: That absolutely is an appropriate question for the Planning Officer. What is she talking about? Who else would you ask, the Fire Chief?** The decision of yes or no comes down to Council. So if you have a question about the actual application that's fine but I'm not going to allow a question putting that member on the spot like that. **NOTE: I cannot listen further without commenting. The subdivision being granted was a travesty, the area is a well known flood plain, the adjoining neighbours protested but to no avail. That member is being paid very well to do the job of planning for the RM of Springfield and he should never have entertained such an application in the first place by allowing the subdivision to come to the Council table. It is a lawsuit just waiting to happen! Mayor Fell is not doing her job, ensuring due diligence has been exercised, and not listening to the valid concerns of the residents of the area when the subdivision was considered.** **Councillor Wilson** - Madame Mayor, with respect, I completely disagree. The Development Officer recommends or doesn't recommend in every situation and so I'm wondering, I would like..... **Mayor Fell - (interrupting)** - So it's already voted yes, the majority of Council's already voted yes and it's, you would like me to grab the consensus of Council whether they'd like to put the Development Officer on the spot. I will go around and ask right now: Ralke - no Bredin - No Fuhl - No Williams -..... **Mayor Fell** - Thank you. **Councillor Fuhl** - Ok so coming back to the culvert being 18 inches um we told the residents that we would do as best as we can to make sure they do not get flooded so I would like to defer this one more time to make sure that flow in that culvert is big enough to let the water come through that road, through Prairie Grove Road because that is a concern and I'd just like to share that. **Councillor Williams** - I would concur with a deferment but I'd like to get a professional engineer to determine if that water can be taken off as quickly as possible. I don't like the idea of it being a, what did you call it, Dan, a throttling with the flow. I'd like the water to be taken off those lots as quickly as possible but I also want to know if they, if the drain on the south side of Prairie Grove Road is capable of taking that outflow. **Councillor Ralke** - In the meantime while I guess Dan's looking up what Peter was asking um so we, where I live, have swales or drainage ditches between all of our lots, all of our 5 acre lots. They are not to drain and we've gone to seminars and we've gone to climate change and we've gone to so many events that have said to us that we're to retain the waters near our areas as much as we can so when all the citizens were quite concerned and angry that every summer til approximately August every single one of our swales remains filled with water, I was very clearly explained to that that's the job that they're presented to do. They are not meant to completely drain out an entire area in times of dryness...what do you call dryness?...drought...so the idea is that you want some retained water in every single area of Earth currently because we have been having such dry periods. **NOTE: Again I must speak. Marshes and swamps and the like are nature's way of retaining water on the land.....not a swale. If the land in question were high and dry, there would be no need for "ditches" between lots. I live in a swamp. I took one acre of it, making sure not to interrupt the natural flow of water, on which to build a home. The remaining 30 acres are left just as Mother Nature engineered it, to retain water and support the flora and fauna that rely on it and to act as a purification mechanism for our water. The majority of my property in wet years is filled with water for a good deal of the spring and summer months. However we are in a drought cycle at present so it has been relatively dry in the last number of years, up to and including the municipal right of way in front of my property.** **Councillor Ralke** - (continued) So if you want to have that area dried out while we're in drought period we have not had wet years. We have not gone through that and I agree, it can come at any time. I understand that. But if you're now trying to make that area perfect in your personal minds???, that concerns me deeply because I know I was definitely corrected when I asked why is there water in my swale up to July, August, September. And I was told that that was what it's meant to do. The area off River Road was exactly meant to do that as well. The area off Meadowlark was meant to do that exactly the same thing. So I'm confused that we're pushing the issue and we've done held this up for how long now? I don't know. For every angle we can come up with yet this developer has tried **so hard** to please every single angle that we can possibly come up with and I feel that he has done his due diligence 10 times over. So unless you're telling me no engineer, that he had come up with this himself and he had nobody else help him with this, then I need to hear that. But if he actually had an engineer or other professionals involved in creating this, then I'm shocked that we as citizens and non professionals can go ahead and ask for something that you don't have a certification for. **??? What did she say?** **Councillor Fuhl** - So that's exactly what I'm asking for is certification that that flow of water will flow through that road at a pace that it can get at least at a level where it's not going to flood them out, that's what I'm doing is asking for that authorization from the Engineer to prove that. Right now we're going on an assumption and an assumption isn't good enough as far as I'm concerned. **Mayor Fell** - Ok so I've heard there was a motion to put this off to just confirm everything, not a motion or request, so I'm going to go through with that request. I've heard Councillor Fuhl, Councillor Williams, Councillor Bredin. Councillor Wilson, are you alright with putting that off so we can double check. **Councillor Wilson** - Definitely. **Mayor Fell** - So we've heard 4 want to "push that off" so do you have anything else to add. **Dan Doucet** - I do. Drainage swales, I'm on...drainage swales, the job of a drainage swale is to retain water to get it away and protect the house. There are 20 acre parcels, out there there are 5 acre parcels. I live on a 4 acre parcel. When it rains part of my 4 acre parcel gets water on it. You're not going to have it bone dry. We have a municipal drainage policy that you are supposed to retain the water on your property, post anything that is post development cannot exceed uh anything pre development cannot exceed post development. So the intent of the policy is you cannot shed all that water off the property immediately and flood people downstream. That's the intent of the policy. SPC did a 20 page report that I have here which forms part of every drainage plan and it's a Prairie Grove Store Water Management Drain Design Brief which our municipal engineer accompanies every drainage plan and they review them. Our municipal engineer was satisfied with those, it's all engineering formulas. Did I look at it and study it? No, I trust the professional that they will provide me with that advice. I don't have the time to do the full review like our professional engineer, that's why I call upon them. So I just wanted to mention that. We have a policy in place to retain the water on property and not shed it off immediately. That is why there's this control structure on there. If there was no control structure, the water would just shed off immediately which affects downstream. It's no different than the retention pond we have in front of the municipal office here that has a reverse culvert at

an angle that controls the discharge rate. That's all I wanted to say regarding these drainage plans. **Councillor Ralke** - Does that mean those are professionals who have put that 20 page report together? **Dan Doucet** - The same engineer who did this design..... **Councillor Ralke** - Oh, good, there's nothing to wait for then. **Dan Doucet** - ...they have an engineer to design it. We have our engineer to review it to make sure the calculations are correct. Hartley Katz from Morris Herschfield is very critical and at times is maybe a little too critical but I trust his judgement. **Mayor Fell** - So Councillor Fuhl, hearing that, would you like to move forward or would you still like to defer to do your checks you asked for. **Councillor Fuhl** - I'd still like a check, please. **Councillor Williams** - I'm on Councillor Fuhl's side here, I would like a check on this. **Councillor Wilson** - Yes I'd like to have the confirmation of the downstream drainage and the actual intent of the drain as you describe, Mr. Doucet. **Mayor Fell** - So because the majority of councillors would like to defer this and ask Dan to verify that. Please put it back on the next available agenda so we're not making Mr. Gaudette wait again. **Dan Doucet** - If I may add, I would like to possibly have the design engineer and the consulting engineer both here so they could feed that information directly to Council so they don't hear it second hand at a working group meeting. **DEFERRED** **NOTE: Council is derelict in their duty. They should be RIGHT NOW writing a policy to ensure that the taxpayers of the RM of Springfield are not "on the hook" to pay for the maintenance of artificial lakes and swales created by the RM to facilitate drainage of water from marginal land at the request of developers.**

**Rezoning By-law 21-02 - Dan Doucet** - We have received an application for subdivision. It's in the circulation stage right now. Um the numbered company which is R & B Properties Lorne West of 10080001 Manitoba Limited has made an application to rezone the property just to the north of Lake Drive in the Crystal Lakes from RC which is the Condo Comprehensive Zone to a RS Single Family and an RT a duplex dwelling. Myself and Public Works had a number of meetings with R & B Properties to come up with this configuration and I think we did speak with Council about the configuration with the back lane and no driveway access for the duplex lots. One of the conditions is to rezone the property with the appropriate zoning from the RS and the RT. The interior lots on the map attached are the RT and the outer rim will be the RS for single family dwellings. This is a first reading of the bylaw and R & B Properties, we will be bringing forth, uh the public hearing at the February 28th. meeting as well as the application for subdivision. *Be it resolved that First Reading be given to By-law No. 21-02 being a by-law of the RM of Springfield to re-zone Lots 9 and 10, Block 1, Plan 50759 in the west half of 21-11-5 from RC Residential Comprehensive Zoning District to RS Residential Single Family Zoning District for proposed Block 1 and RT Residential Two Family Zoning District for proposed Block 2 to the proposed subdivision file 4189-20-7544.* **CARRIED 6-0**

**Aggregate Application under By-law 73-22 - Diamond Construction and Gravel** - *Whereas Diamond Construction and Gravel c/o Mr. Sheldon Reimer has submitted an application for a permit to establish and/or operate an aggregate operation within part of the SE 1/4 of 25-11-7 under CT2891487/1 and under Roll #27100, be it resolved that the application permit to establish and/or operate an aggregate operation for Diamond Construction and Gravel be approved subject to the following conditions: 1) Payment of requisite fees and levies and 2) shall enter into a Development Agreement, a further requirement of the Zoning By-law.* **CARRIED 6-0** **Mayor Fell** - (laughing) Thanks for coming out, Doug. **NOTE: I hope Mr. Reimer et al, including the owner of the company, Ted Falk, are prepared to abide by the provisions of By-law 73-22 which prohibits dredging below the water table amongst other things like setbacks and the like.**

They then went In Camera, returned from In Camera and ADJOURNED.