

RM OF SPRINGFIELD PLANNING MEETING  
Thursday, November 26, 2020 6 p.m. held at RM Council Chambers

**WITHOUT PREJUDICE (E&OE)    NOTHING BUT ECHOES, BACKGROUND SPEECH NOT RECORDED, AND HEAVY BREATHING SHOULD YOU CARE TO LISTEN TO THE AUDIO FILE.**

One had to pre-register to attend this meeting. In the Approval of the Minutes of the previous Planning meeting, Mayor Fell mentions an amendment suggested in an e-mail received but Colleen Draper DOES NOT TURN ON HER MICROPHONE while explaining about it so there is no record of this on the audio file. TO ME, THIS MEANS THAT PARTS OF THIS MEETING ARE INACCESSIBLE TO THE AUDIO FILE PUBLIC while they would be to those who are physically present or participating by Zoom at the time of the meeting. **Therefore not all of the meeting is available to the public and yet not declared to be in a CLOSED MEETING portion and therefore I find it does not meet the requirements of Section 152(1) of the Manitoba Municipal Act and the Planning Act. Further Council, or at least two members of Council, appear to be referring to and texting on their cell phones during the meeting. To me this constitutes withholding commentary from the public and the remainder of Council and does not meet the criteria of a public meeting. The constituency should find this unacceptable as it deviates from Manitoba law.** NOTE: Physical attendance at Regular and Committee of the Whole meetings is prohibited for the remainder of 2020 and also for all of 2021 (see RM web site), while public participation is being allowed at Planning Meetings. This is hypocrisy ... a double standard. Further no one can anticipate the future, particularly not for an entire year. In my opinion, Mayor Fell is using the COVID 19 Pandemic to restrict access to Regular and Committee of the Whole public meetings well into the future without justification. This flies in the face of 4 of the 7 pillars of the RM Strategic Plan, ACCOUNTABILITY, TRANSPARENCY, PUBLIC SERVICE AND TEAMWORK. COUNCILLOR WILLIAMS attended this meeting but he was coughing throughout and obviously congested SO I QUESTION HOW WELL COUNCIL IS adhering to the restrictions placed by Dr. Roussin, the Chief Medical Officer for the Province of Manitoba, when it comes to members of Council. He was in close proximity to Councillor Ralke, Erika, and also visited Councillor Fuhl during the break, all while not wearing a mask. Additionally if you Google COVID Code Red, it advises you that CODE RED came into effect November 12, 2020. One wonders that a Planning Meeting was then allowed to happen on November 26, 2020 at which applicants, their colleagues, and a few members of the public were allowed to attend, not to mention 5 councillors, the C.A.O., Erika Wood, and the Planning Officer. Councillor Wilson attended via ZOOM which was not always too satisfactory.

**5.1 Development Plan Amendment By-law 20-18 - Residential to Employment SW 27-11-5 Didyk - Dan Doucet** mentions this is reconvened from the October 22, 2020 Planning Meeting..."a Development Plan amendment bylaw to re-designate lands that are residential to employment". Mr. Quinton Didyk had made representation of behalf of 10006348 Manitoba Ltd. The application was deferred so the applicant could meet with the residents of Oaks North Condo Corp. to address some of their concerns. A meeting was held via ZOOM the evening of October 27, 2020 with Doucet, Didyk, and some residents of the Condo Corp. Copy of the transcripts are attached within the document provided to Council and on the municipal web site as well as an internal survey that was done for the North Oaks condo. Planning had sent notices to affected land owners and advertised in the local weekly as well. Property owners would like to re-develop and eventually rezone the land to have a mini-warehouse, self storage business along with exterior storage for recreational vehicles, boats and other items and vehicles outdoors. Will require a Development Plan amendment as well as rezoning bylaw from RM Multi Family Residential to CH Highway Commercial zoning district. Have received objections and comments from Community and Regional Planning Branch, Manitoba Infrastructure advising that they would not support a development that had large volumes of traffic and would require a drainage plan and possibly the relocation of the driveway access to the northern limits of the property. A zoning by-law amendment would be required. Community Planning Branch, Beausejour would recommend that condition of the zoning amendment would be that a Development Agreement be entered into with the RM of Springfield restricting development to uses that generate low volumes of traffic. Have received letters of objection from Garry Brown, Mr. Lloyd and Ms. Janet Nysten and a petition with 39 signatures. Didyk, attending by ZOOM, was asked if he had anything to add and he said "no". **IN OPPOSITION: Phyllis Gridley** - Representing the majority of owners living in the Oaks North Condo at 751 Main Street cited loss of condo value and desirability. She mentioned the research they conducted through a real estate agent and gave a presentation of their objections. Mentioned a similar situation in Steinbach that is now deemed an illegal and non confirming site and such storage sites are no longer allowed adjacent to residential zones. NOTE: For Council to proceed with this is negating the decisions made at the time the Development Plan was completed, that Commercial Industrial activities were not to be located to the north of Oakbank but rather development was to occur to the south. The RM of Springfield, coincidentally, owns almost a quarter section of land on the SW side of Cedar Lake Road behind AG Advantage which could have been made available to this storage business and would still be within the periphery of Oakbank if residents wished to store their recreational vehicles etc. It was purchased in the reign of Mr. Skrupski when plans were being envisioned of an Industrial Park that included even a hotel that never materialized. She cited a similar condo in Winnipeg on Creek Bend Road off Ste. Anne's Road close to the perimeter, Oxbow Condos (2 units), where the condos were there first and then the storage facility was allowed to locate adjacent to the condos. They had letters from two potential buyers considering the Oxbow Condos and this was a deterrent to purchase. One couple looked there before they came to Oaks North. Stated Mr. Didyk plans to build 200 to 300 storage units on the property and a berm at the southern end with tree plantings. Has statements from 2 real estate companies suggesting the value of their properties will be reduced. Council was elected by the existing residents of the municipality and should not be considering the interests of a non resident developer with a friend on Council over long time taxpayers. She noted a rezoning for Make Space storage facility was on the last Planning meeting. There is property zoned light commercial available on Springfield Road. Mentioned the threat of one Councillor that the current zoning could lead to low income

housing or something less palatable than a storage facility. She found the suggestion of one councillor with reference to residential development was derogatory to low income people who might reside in multi-family housing. **Jill Overall** - Lives at 40 Aspen Drive but owns one of the condos. It is part of their retirement plan as the condo is 50 Plus. Living next door to a Storage Facility was not part of their plans and it would not be for the majority of people. She delivered to Council signed letters from 84% of the residents of Oaks North. Asked members of Council if they would choose a Storage Facility for their neighbour. She encouraged Council to work with the developer to encourage the building of residential units on the property. **Heather Erickson, Anola** - Was on Council when the Development Plan was in the development stage and a great deal of citizen input was solicited. The Plan arrived at was supposed to work for 5 to 10 years and since then all I have seen is changes to it. I would ask Council to remain with the former use for the property, i.e. multi family residential. **I hope this Council will do what the will of the people dictated when The Development Plan was worked on and arrived at. NOTE: The Development Plan process cost ratepayers a significant amount of their tax dollars. WHAT IS THE PURPOSE OF THE EXERCISE IF IMMEDIATELY AFTER IT IS ADOPTED, CHANGES TO IT START TO OCCUR? The proposed storage facility is in direct conflict to the established residential development.**

**Darryl Speer, Oakbank** - He has a family member who has resided in Oaks North for many years and is there to address what he views as an abandonment of the current residents. He feels there is a tilting of the planning hearing process in favour of the developer. The meeting held in Cooks Creek and the subsequent meeting held with Oaks North residents merely outlined the way the Planning process works. **He felt it did not inform as to the fact that this amendment is non conforming and does not represent the intent of the Development Plan** as it should have. Further it was stated that there were no other properties available for such a storage facility when at the October 22, 2020 meeting **Make Space Storage was approved to expand its storage capacity.** Residents of the RM are having to subsidize new business coming into the RM (Tax Incentive Policy of July 2019). **In fact there is a 5 year incentive policy for expanding and new businesses** which is a negative to revenues of the RM and means taxpayers are having to subsidize enterprises. There was a threat by the proponent at the October 22nd. meeting in Cooks Creek and it was expanded upon in the meeting of October 27th. with the residents in his opinion. The threat was that something worse than what he was proposing, such as a trailer park, could happen under multi-family zoning. On the Activity Reports for September 2020, 4 of the Councillors report they visited a potential storage facility site but the location was not specified. That information came out at the October 22, 2020 Planning Meeting during the Development Plan amendment application discussion and vote. The developer did not follow the directive to meet with the residents of Oaks North and he understands there was no follow up from the municipality that this had been done prior to the October 22, 2020 Planning Meeting. At that meeting the Director of Planning spent a lot of time explaining the planning process and this was also true at the October 27, 2020 meeting with condo residents. He does not think this in any way explained the non-confirming amendment to the Development Plan. Further the residents were told **there was no other possible property available in the RM for this storage facility.** Just recently the zoning of property at Deacons Corner was amended to Employment to allow for further commercial development. There was a lack of transparency with no mention of the Tax Incentive being provided to new and expanded business enterprises. **This is unacceptable. NOTE: Mr. Speer made several important points: 1) Developer should be dealing with the Planning Department, not Council and the CAO. 2) The Developer ignored the directive of Council and staff to meet with the Oaks North Condo owners prior to the October 22, 2020 Planning Meeting. 3) At neither the October 22nd. nor the November 26th. meeting did the Director of Planning, Mr. Doucet, point out that the use being contemplated for the property was NON CONFORMING and not in keeping with the intent of the recently enacted Development Plan. 4) Mr. Doucet's statement that there were no other properties available for the storage facility in the RM of Springfield was simply not true. 5) No mention was made of the 5 year Tax Incentive available to new or expanding businesses in either meeting. 6) THREATS made by a member of Council and Mr. Didyk that something worse than a storage facility such as LOW INCOME HOUSING, A TRAILER PARK, OR SOMETHING EVEN LESS AMENABLE could be located there is totally UNCONSCIONABLE AND INAPPROPRIATE. 7) I understand the Mayor personally telephoned residents of the condo to persuade them not to participate in the hearing process which led Mr. Speer to request that those who took such action to abstain from the voting process. 8) THIS NEGATES THE ENTIRE PURPOSE OF THE DEVELOPMENT PLAN AND ZONING BY-LAW and indicates a LACK OF INTEGRITY on the part of staff, members of Council and the Developer and to me, is downright FELONIOUS.**

**Jan Nylen** - Brought up the fact that extensive consultation with residents of the RM and other stakeholders was conducted in a lengthy Development Plan process and that the amendment of the Zoning Bylaw to correspond to any changes was in process and that this property was zoned residential. In her opinion, **amendments should not be made without serious consideration being given to viewing them against the established goals, objectives, and policies within the Development Plan unless they are to correct an oversight or error or offer some otherwise available alternative to the municipality.** That is not the case in this instance where it was clearly identified that future growth in Oakbank should occur to the south and she quoted from the Development Plan, her first point being that one of the objections of Oakbank south was that development was to be to the south and that until a Secondary Plan was developed, no deviation should be entertained. She also referred to **7.1 and 7.2 in the Development Plan** which she said states **the Municipality recognizes that it is important to promote development for employment uses and as such, has designated land appropriate for the use.** Her third point was that under **Employment Objectives, 9.1.6** was "to ensure commercial developments do not negatively impact the environment or adjacent uses". **9.1.8** states "to accommodate commercial and industrial development in a manner that minimizes potential land use conflicts". **9.1.10** states "to encourage industry and commercial uses with similar characteristics to cluster together and to avoid land use incompatibilities with adjacent land uses and to share the cost of servicing a site". Consideration of this commercial proposal should not be based or limited to this site. It could be developed in any number of other locations. She suggested Oakwood Road to the east or west. **NOTE: Formerly Iders which was purchased by a large American company will now be closing and that is located just to the east of Main Street on Oakwood Road.** While the Zoning By-law is currently being amended to reflect the new Development Plan, the present one does not even draw reference to the term Employment which is the terminology used in the new Development Plan. The suggested change is to Commercial Highway Zoning District which currently

envisions and provides for 26 permitted uses and 21 conditional uses that could be developed on this site. That in itself is daunting to adjacent land owners. Perhaps in the new Zoning Bylaw employment will be identified in a number of zoning districts that could be more limited and more suited to particular areas. **Dan Doucet** - We have a letter here from Mr. Garry Wickens which was submitted this evening. We also have another correspondence which was submitted from "a Karen". Is there a last name associated to this correspondence? He will need a last name. **NOTE: ONCE AGAIN, MR. DIDYK WAS ASKED IF HE HAD ANYTHING TO ADD AND HE RESPONDED "NO" WHICH WOULD LEAD ME TO BELIEVE THAT HE FELT THERE WAS NO NEED AS THE DECISION WAS A FOREGONE CONCLUSION IN HIS FAVOUR.** The hearing was then closed and second reading read out by the CAO. **Councillor Williams** - In 2006 the owner of the property did apply for a subdivision that would have led to a condo development. There were 2 - 3 storey buildings, I think a total of 56 condo units. That application disappeared. In 2009 a different owner made the same application for a subdivision that would lead to a condo development which has just expired. It seems that anyone that is interested in a residential multi family development on that property is finding it just too cost prohibitive to undertake. He therefore does not see the multifamily designation as viable and probably was an oversight that should have been covered at the time. **NOTE: Councillor Williams is TOTALLY WRONG! The decision to restrict commercial development to the south of Oakbank on PTH 206 was a well thought out and completely conscious decision. Such information is public and therefore I submit it is up to the purchaser of the property to explore the potential uses of it according to existing legislation before purchasing it. It is not Council's job, as pointed out by Ms. Nylen, I believe, to accommodate one individual developer over the prescribed wishes of their constituency as contained in the Development Plan, particularly when it is barely 2 years old. FURTHER I feel it quite strategically deceitful to have provided this information right after the hearing was closed so that the gallery could not respond and quite dismissive and disrespectful to those who take an interest and give of their personal time to ensure our municipal government are following the rules and regulations.** **Councillor Wilson** - Hoped a compromise could have been arrived at between the two parties but as there appears to have been no movement on either side, the current application is just not appropriate for the property. **Councillor Ralke** - I just wanted to ask Councillor Wilson if he had a chance to go through the package that was attached that gave all the entire minutes of the meeting that the proponent had had with Oaks North Condos and if he had a chance to read that all, that he would have seen that ("like your statement, that he had nothing to add was just to the hearing tonight") but her question was "did he have a chance to read the 20 page minutes of the meeting that he (the proponent) did have with the, some of the residents there? **NOTE: I sat on a Council with Councillor Wilson and Councillor Ralke's comment is completely INSULTING. Mayor Fell should have pointed out to her that making derogatory insinuations in regards to a fellow councillor is bullying behaviour and not acceptable. Of all the 6 people on the Council on which I served, Mr. Wilson is thorough TO A FAULT and one of the few people that took the time to review all materials provided to him prior to meetings. Personally I must commend him on his "self control" and wonder, had I been in that position, if I could have been as gracious as he was in his response. I find Councillor Ralke herself is one person on this Council who often does not clearly grasp the issues being considered and, while she could have questioned them before the meeting, wastes everyone's time by launching into lengthy dissertations that are completely unnecessary in my opinion. Perhaps she feels in order to achieve credibility, it is necessary to put in one's "two bit's worth".** **Councillor Wilson** responded that "Yes, I did and would hope that all of Council had had a chance to read it and I have my opinion of the amount of movement that the proponent made towards the concerns of the neighbouring residents". **Councillor Fuhl** supported Councillor Wilson's position. **CARRIED 4-2** **Dan Doucet** - Now that Second Reading of this By-law Amendment has been approved, there will be correspondence sent to who provided documentation that they are opposed giving them an opportunity to file a Second Objection which will be to the Province through the RM Planning Office who will package all submissions and submit to the Minister. **NOTE: As far as I know, second objections are made directly to the Minister responsible. That is what I have done over the years and subsequently I received acknowledgment from the Minister of receipt of my objection. Has the procedure changed?** **Mayor Fell** then called for a 5 minute break.

**5.5 Var 20-47 - 319 Gunn Road - side and Rear Yard Setbacks - Denomme** - *Whereas a public hearing has been conducted under the Planning Act to consider an application by Mr. Rob Denomme of 4927461 Manitoba Ltd., owner of the property legally described as Lot 5 Block 1 Plan 32141 within the SE 1/4 17-11-4 located at 319 Gunn Road for a variation of the Springfield Zoning By-law No. 08-01 and whereas Council is satisfied that the requirement of Part 6 Variances has been met, be it resolved that Variation Order No. 20-47 be granted subject to the following conditions. 1) that the owner shall obtain the required municipal permits 2) the developer shall have a drainage plan prepared by a professional engineer for the in-fill site as per the RM of Springfield's Drainage Policy and shall be submitted to the Municipal Office for review and approval. 3) the developer shall enter into a Development Agreement with the RM of Springfield to address land use restrictions including but not limited to vehicle parking and loading and drainage and any other issues deemed necessary by Council.* **Dan Doucet** - Has concerns about 5 ft. side yard not being enough for adequate drainage and also only one access. **Denomme added** he has lot next door - same configuration and in 20 years never has been a problem. Owner is willing to make some changes. **Councillor Ralke** was concerned about reduced setback re emergency response capability. **Mayor Fell** then went into a discussion with **Dan Doucet** about what can be put in the Development Agreement. **Dan Doucet** - Whatever goes in there, he still has to have adequate parking for the land use. Right now these building are being built "on spec" and we don't even know what type of uses are going in there. **Denomme** - It sounds like if I agree to work with you, I'm stuck in some type of agreement so I'll just back out and not deal with the variances and then I get to build whatever I want. **Mayor Fell** - Would that be your preference? **Denomme** - See, like if you guys are not going to give me the 5 ft. I'll back out and close this down. **Mayor Fell** - Well, we can't tell you how the vote is going to go but what I will tell you is this Council is very, very focussed on fire safety so we want to make sure we have proper fire access even if there hasn't been an emergency there in 10-20 years, that doesn't mean it can't. happen next week. **Dan Doucet** - There's 2 options here. The applicant can withdraw his application before Council votes or if the applicant wants to go before Council and proceed and wait for a vote from Council. **Denomme** - It sounds like if I go for a vote, I'll lose so I'll probably back out. **Mayor Fell** - Ok so you'd like to officially withdraw your application? **Denomme** - Ya. **Dan Doucet** - Since there was no vote from Council, does

Council feel justified to provide a refund for this application? **NOTE: In my opinion, the vote is not the point. The applicant applied for a variance, this involved work on the part of staff and the time of Council to consider the application, and it is not Mr. Doucet's place to suggest to Council he be refunded his application fee. However Mayor Fell took a vote of Council and they agreed to refund the application fee. I am wondering why this applicant should have been granted a favour not covered by a specific policy that is applicable to everyone in the same situation and as such, sets a precedent.**

**5.7 Conditional Use 20-32 - 59133 Pineridge Rd. - Home Industry - Bharj - Dan Doucet** - To permit a home industry, vehicle and auto glass repair business and related signage on the property within the AG Agriculture General Zoning District. Conditional Use order 18-62 granted for 2 years expires December 18, 2020. Applicant wants continuation of the auto glass repair business but wants to add automotive repair for a wheel alignment business. Conditional use Order 18-26 was also granted but only for a period of 6 months which has since expired. Newer windshields are equipped with cameras and lane departure sensors and MPI requires wheel alignment. Unable to move business to business park at this time due to COVID 19 and financial losses. Yard has been kept in good order. Conditions include hours of operation, all parts and vehicles will remain indoors, limited to auto glass repair and wheel alignment, and expiration when land transferred or business ceases to operate. Letter of support from neighbour to the south. **IN OPPOSITION - Wayne Edie** - Has land adjacent on 3 sides. Feels zoning is set out in Zoning Bylaw and should be adhered to. This is the third request and not fair to those in the industrial areas as this is, in his opinion, not a home industry. **Councillor Williams** asked if his intention was to expand his business to include wheel alignment or whether that was just for what was required for windshield replacement and whether his intention is to move the business as soon as possible. **Councillor Fuhl** asked Edie if he would be ok with another 6 month extension and **Wayne Edie** seemed ok as long as it is not going to be permanent and understands the situation that exists currently. **MPI** apparently wanted Mr. Bharj to provide some preliminary traffic projections for his business. **Councillor Wilson** felt judging by past experience, even if his business doubled or tripled, it would still not represent a significant amount of traffic increase. **Councillor Fuhl** asked if the extension could be for another 6 months only but the majority of Council were ok with the 2 year extension with the understanding that Mr. Bharj will move to industrial area as soon as possible. **CARRIED 5-1**

**5.8 Variance 20-49 59133 Pineridge Rd. - Max. Area for Sign - Bharj** - Wanted size of sign to increase to 200 sq. ft. Has already made application to MI. Existing sign 48 sq. ft. **Dan Doucet** - He would recommend not approving the increase as it doesn't relate to requirements of a home industry. **Wayne Edie** spoke against signs on highway in general and was against increase in size as would then be a billboard. **DEFEATED 6-0**

**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.** A 5 minute break was taken while Mr. Grammon consulted with his lawyer. The meeting was then reconvened. **Dan Doucet** stated that in Section 42 of the Zoning Bylaw there is a difference between a home occupation and a home business. **NOTE: In Zoning By-law 08-01 Section 42 is Vehicle-Oriented Uses, Section 43 is Home Industries and Section 44 is Home Occupations.** The home occupation is the smaller type of business on a site. Within that definition it says, Section 44(5) a home occupation shall be owned and operated by members of the family residing at the dwelling unit with a maximum of 2 on site employees. There is another section that states the home occupation shall only allow in conjunction with the dwelling unit and shall not change the principle character or external appearance of the dwelling that is involved. That's the smaller scale. And then a home permit, sorry a permit for a home occupation is not transferable to a new homeowner. You've applied for a home based business, a home industry, and these are Section 43, number 2 - A home industry shall operate as a secondary use and be carried out in a building that is accessory to a dwelling unit and does not, does not exceed a floor area of 2500 sq. ft. Number 3 that the employment of family and non family members is allowed as part of the home industry but allows the maximum 5 persons to be employed. And it says number 12 - a permit for a home industry is not transferable to a new home owner. The intent of the home industry is to reside on the property, not to have somebody else renting and somebody else running a business that's not on the same property. **Mr. Graham** - And my comment would be that we are renting the house out until...because we currently have a house. We're renting the house out so we can hire the people to design the house and tell us where the best location is to build a new house cause I know there's an old septic field that needs to be either dealt with or moved, whatever the case may be, so we don't have plans for a house drawn out yet because we didn't know what was happening with this property so therefore I thought I could continue working out of this property while we planned the new house. **Dan Doucet** - You're planning the house on Lot number 1 or Lot number 2 where the existing house ....? **Mr. Graham** - Lot #2. **Dan Doucet** - Once they reside on that property with the new house or the old house, then they can make an application. Council could table this decision if they wish but we'd like to hear what his lawyer has to say. **Mr. Nathan Phelan** - What I would propose is, they bought this property with the intention of living there. They need to re-build the house and draw up the plans for that so could we not approve this application with the provision that allows them

time to run the business while they're planning the new building property? **Mayor Fell** - This is my opinion, Council, that we would table this so you can make sure that we're ..I'm assuming we can't do it but do we want to check with Beausejour Planning or anybody else to see what the rules and restrictions are with our zoning or are we comfortable just to say that this is simply not allowed? **Dan Doucet** - My question is why can't Mr. uh Graham live on the property within that dwelling, have the business and then he could still construct the secondary dwelling subject to a condition of demolishing the old house. That would still comply. **Mr. Graham** - We don't know where the new house is going to go right now so what I'm getting at is once we hire the people to come in and say "hey, you can't build it here and you can't build it there, you'd literally need to tear down that house and build there..... **Mayor Fell** - I thought there was renters in that house. **Mr. Graham** - Yes, rented out for a year ... let's be honest, the house is not going to be built in a year, right. By the time I get it planned and they tell us the best location is, if that house has to come out, then I remove the tenants or tell them it's a once a month rental ... the house is empty right now. My plan is to rent it out because I don't want to have to move if I move out of that house and tear it down and build a new one. **Mr. Phelan** - Asked if application could be tabled. **Mayor Fell** - Yes, but would suggest they contact Planning. **TABLED.**

**6.1 Proposal to Subdivide 4189-29-7528 - 1 New Lot - Watson/Fisher/Fisher/Green/Wollner - Mayor Fell** clarified with **Dan Doucet** that subdivisions do not require a public hearing. **Dan Doucet** - Proposed Lot 1 10 acres Proposed Lot 2 5.27 acres Residual 204.4 acres. There are existing residences on both proposed lots. **NOTE: The total acres mentioned is approximately 214.7 but if you had the proposed lot 1 and 2 and residual, it totals 219.67 acres. That's a difference of almost 5 acres which I consider substantial.** **Councillor Williams** - As both properties have existing dwellings on them, he questions need for the 10% fee. **Councillor Wilson** - Feels that the way the subdivision is configured, Lot 1 could in future subdivide into 2 - 5 acres lots but one would have no option but to have access from Hwy 12 which the Provincial Planning Department is currently not in favour of. He is concerned that if future Council will be forced to approve a flag lot with access on to Hwy 12. Wants comment from Doucet on subdivision design. **CARRIED 5-1** Condition 1 removed as residences on both lots.

**6.2 Proposal to Subdivide 4189-29-7530 - 1 New Lot - Van Ryssel Farms Inc. - Dan Doucet** - Proposal is to subdivide the existing yard site from the remainder of the property to allow the sale to an employee for a residential purposes. Lot fronts on to PR213 where there are 3 existing approaches identified in the application. Council has the report so he didn't elaborate. **Mayor Fell** said she had received a call from Mr. Van Ryssel requesting that the 10% fee be waived because they would like to pay their land taxes before the due date but if they must contribute an additional 10% plus the costs they have already incurred for the subdivision, anything for recreation is not going to be happening in that area. Only **Councillor Wilson** protested waiving of the fee because it is only by virtue of such levies that the Cooks Creek Community Centre was funded partially by the RM. However he did vote in favour of the application with the removal of the fees. **CARRIED 6-0**

**NOTE: The next two subdivisions were both approved and the applicants were required to pay the requisite fees as set out by the current Municipal Fee By-law. To me that represents FAVOURITISM for VanRyssel Farms Inc.**

**6.5 Request for Letter of Concurrence - Tower at 54131 PR 207 - Swift High Speed - Dan Doucet** - Under industry policy notification, if 3 times the tower length is within a piece of property zoned agricultural, there is no need to notify "nobody". If it touches other boundaries then they have to notify people and go through the public engagement as per the Federal Canada rules. We don't have the jurisdiction. **After much discussion and laughter, CARRIED 6-0** **NOTE: While communication towers are not under the jurisdiction of municipalities, per se, it is clear that a policy should have been formulated by Council long before now to deal with such issues. For example, in November 2019 there was a big debate on Council about a tower that was installed by Full Throttle on private property on Lornehill Road. Mayor Fell has a close relationship with MLA Schuler and perhaps she should suggest that he bring the matter up to the Premier and his Party to formulate a policy in this regard to ensure fair and equitable treatment for all communication tower providers and purchasers.**

**NOTHING ELSE WORTHY OF NOTE OCCURRED AT THIS PLANNING MEETING.**