

RM of Springfield October 28, 2021 6 p.m.
PLANNING MEETING

WITHOUT PREJUDICE (E&OE)

Length of Meeting: 2 hours 48 minutes 56 seconds

THESE NOTES ARE RATHER LONG BECAUSE IT IS A PLANNING MEETING , THE AGENDA IS LENGTHY, AND THERE ARE ZONING BY-LAW AND DEVELOPMENT PLAN AMENDMENTS. I HAVE TRANSCRIBED PARTS I FEEL WORTHY OF ATTENTION BECAUSE THE MUNICIPAL ELECTION WILL BE IN OCTOBER 2022 AND IT IS IMPORTANT FOR RATEPAYERS TO OBSERVE THE ACTIONS OF THEIR CURRENT COUNCIL BEFORE THEN. THIS COUNCIL HAS ALREADY DONE THINGS THAT WILL HAVE A NEGATIVE IMPACT ON ITS CITIZENS FOR YEARS TO COME.

Mayor Fell - Councillor Williams will not be attending today. He is ill. **NOTE: In the last few months, Councillor Williams has now missed 3 meetings but not consecutively.**

6.1 Zoning By-law Amendment By-law 21-16 - "AG" to "RM" and "RS" - Oakbank Development Corp. - Public Hearing - Dan Doucet - Uh the first item is for Parcel F, Plan 52009, NW corner 15-11-5 Qualico Communities has applied for a Zoning By-law Amendment to rezone the subject site which is currently designated under the Springfield Development Plan as Residential and is part of a multiphase development. The first phase would create 13 single family lots for Qualico show homes south of Springfield Road that could provide townhouses and small apartments. Phase 1 of the Subdivision Application was approved on September 23rd. which created blocks of single family lots for future developments, internal roads, and a public reserve for green space. Manitoba Infrastructure does not object but due to the close proximity of PTH 206 want confirmation that drainage is not going to be an issue. Have received no formal objections. *Be it resolved that Second Reading be given to By-law 21-16 being a by-law of the Rural Municipality of Springfield to rezone all those lands under Certificate of Title #3090209-1 described as Parcel F, Plan 52009, within the NW 1/4 of 15-11-5 EPM from AG Agricultural General to RS Residential Single Family and RM Residential Multifamily.* **FOR INFORMATION: Janet Nysten** - I just have a few questions. Basically this development has been pending for some time and I'm quite familiar with it and I just wondered, why now? **Mayor Fell** - I am assuming it's because the proponent thought it was an appropriate time to put it through. **NOTE: Mayor Fell can barely be heard on the recording. Further she is congested and coughing and therefore according to the protocols listed at the front door, she should not even be in attendance.** **Janet Nysten** - Did they not already have a portion ...was there not lots along Springfield Road approved already or is this all together. **Mayor Fell** - This is all together. **Janet Nysten - Can it be serviced with Municipal Sewer and Water? (YES)** Do we have the capacity? **Mayor Fell** - ...or we can build where the capacity ..or just for water and sewer we're currently embarking on an upgrade so if there is not enough capacity, they will have to wait for the Second or Third Phase and then have those conversations with our Water & Waste Dept. **Janet Nysten** - So if this is the phase for 13 show homes .. if this is the phase ...and then they would have to come back. We're rezoning the whole property now so what other opportunity does the public have to come and comment after this. **Mayor Fell** - Um in regards to the Plan? **Janet Nysten** - We don't know ...I guess I've seen kind of a schematic of how it will be laid out but that's not available as yet, is it? Like the Phases and how they're going to progress. **Dan Doucet** - Pardon me, Councillor Rakle. Tonight is a re-zoning application. At the end of September we had the Public Hearing on the formal subdivision application. And that subdivision, I believe they had 13 ..if I remember one block of single family ..13 single family individual lots plus a number of blocks for future subdivision of those blocks which were single family as well. When we spoke with our Manager of Water & Waste, he had limitations on the amount of REUs (Residential Equivalency Units) for the water capacity and that was limited to 50 and therefore that would be part of a Development Agreement which was a condition of the subdivision. **Janet Nysten** - So the phasing.. as I understand it..so the subdivision is passed, how is the phasing going to be done? There'll be not other public opportunity now. **Mayor Fell** - If they apply for it all at once, that's the public's opportunity. **Janet Nysten** - Sorry I don't mean to be difficult. So if the subdivision was passed in phases, ... **Dan Doucet** - The subdivision was passed with 13 lots. It's not a construction phasing, **Janet Nysten** - I misunderstood. **Dan Doucet** - The construction phasing will form part of the development agreement. They have blocks of land that a future subdivision will be required to sever those into smaller fragments. **Janet Nysten** - And the public will have an opportunity.... **Dan Doucet** - At that time of subdivision for the smaller blocks of land to be subdivided, yes. Will we need to enter into a Development Agreement, likely not because the Development Agreement will encompass the whole of the project subject to comments from different departments. **Janet Nysten** - And does the public have any input to Development Agreements? **Mayor Fell** - The public can always submit their comments(can't hear the rest of what Mayor Fell says). **NOTE: This statement is totally the opposite of what Mayor Fell has demonstrated since she became the Head of Council. In fact, everything possible is done to ensure that the public does not even get a chance to speak. This by-law amendment will allow development to occur that will have great impact on residents.** **Dan Doucet** - The subdivision application, if there's no new roads being created under the Planning Act, there is a subdivision approval through Council but there is no public hearing. If the new roads are created, which in this circumstance a lot of the roads in this phase, the roads are all in. The individual blocks of land when subdivided will not have a public hearing portion of that meeting. It'll only go to Council for review and consideration. **Janet Nysten** - So if I have some concerns about the Development Agreement that you would be proceeding with after tonight perhaps... **Dan Doucet** - There is no public input in a Development Agreement. That's negotiations between the developer and the Council. **Mayor Fell** - The public's always encouraged though...you're not allowedbut we always want input on what you think Council should consider. We always do take thosealways. **Janet Nysten** - Well I have an objection to this Development. **NOTE: All of a sudden, Mayor Fell asks if there is anyone else there for information, in favour of the application, in opposition to the application, and can be heard loud and clear. She then CLOSES THE PUBLIC HEARING.**

6.1.1 Zoning By-law Amendment By-law 21-16 - "AG" to "RM" and "RS" - Oakbank Development Corp. (2nd Reading) - *Be it resolved that Second Reading be given to By-law #21-16 being a by-law of the RM of Springfield to rezone all those lands under CT 3090209/1 described as Parcel F, Plan 52009 within the NW 1/4 of 15-11-5 EPM from AG Agricultural General to RS Residential Single Family and RM Residential Multifamily.* **CARRIED 4-0**

6.1.2 Zoning By-law Amendment By-law 21-16 - "AG" to "RM" and "RS" - Oakbank Development Corp. (3rd Reading) - *Be it resolved that Third Reading be given to By-law #21-16 being a by-law of the RM of Springfield to rezone all those lands under CT 3090209/1 described as*

6.2 Development Plan Amendment By-law 21-22 - Rural & Agricultural Area to Rural Residential - Bolianaz - Public Hearing - Dan Doucet - Lot 1, Plan 25723 NE 1/4 of 28-12-5 Mr. Bolianaz and Miss Huyuh on behalf of the Bolianaz Family Holdings Ltd. have applied for a Development Plan amendment for the subject site. Under By-law 18-09 designated Rural and Agricultural area. Policy ..should be a minimum of 20 acres. Proposal for the approximate 35 acres is to create rural residential properties that would align with properties to the south and east which were subdivided prior to the current Development Plan 18-09 and also the previous by-law dating back to 2000, probably 1974 and prior. Manitoba Agriculture & Resources has concerns given that the current Development Plan should have supplied sufficient lands to accommodate development for the next 25 year term. A Traffic Impact Study may be required. Community Planning does not object but has concerns and suggested Council should consider supply and demand before proceeding. Growth & development should be directed to existing urban centres that have appropriate services. Not contiguous to other areas designated Rural Residential. Groundwater may also be an issue. 153 letters and persons have objected to this application. Friesen Drillers lists it as High Vulnerability. Need Ministerial Approval. *Be it resolved that Second Reading be given to By-law 21-22 being a by-law of the RM of Springfield to re-designate all those lands under Certificate of Title #3131904/1 described a Lot 1 Plan 25723 WLTO within the NE 1/4 28-12-5 EPM from Rural and Agricultural Area to Rural Residential.* **NOTE: Adjacent to Melrose Place.** Anh Huynh - We hope to subdivide the 34 acres into 5 - 5 acre lots plus one 9 acre lot for residential use. Each lot will be zoned for single family homes and will mirror the existing other half of the street. it should be noted that we don't intend to build or sell homes, just the land at this point. **NOTE: The purchasers of the land would in all likelihood be buying it to build a home.** If you cannot rezone this, we would have to consider one of the current uses which includes an abattoir, an agribusiness which could have agricultural machinery, repair shop, feed and fertilizer supply operations, livestock auction marts, commercial seeding plants, etc. or for agricultural activities such as farming, pasturage, apiculture, floriculture, etc. or an agricultural protection warehouse to store, blend and/or distribute chemicals used for crop protection and herbicides, insecticides, etc. or implement sales and service, anhydrous ammonia storage, colony, equestrian establishment, livestock operation. These uses may affect neighbours re smells, noise, dust and smoke etc. Would greatly affect wildlife in area as they would cut all the existing trees. Believe their application is the least invasive use. **NOTE: This is a bold and threatening approach considering these people according to them are planning to build a home and live in this area, not the best way to make friends which is obvious considering the level of negative response received to the application.** Stefan Bolianaz - We are very transparent people. Not a developer, primary objective is to build our forever home. Can't selfishly keep 34 acres to themselves. Don't wish to have negative effect on the community. 98-22 states with 3 miles of Birds Hill Park you are not able to do anything that will negatively affect the environment. After reading by-law 18-09 that was repealed. Trail camera noted several people trespassing on property with intention to hunt. Couple of extra driveways they propose will not affect the neighbourhood. Drainage is adequate on site. Went door to door and introduced themselves to proposed neighbours and said what they were planning on doing and asked for opinions. Will do geotechnical studies to make sure they do not affect the aquifer. Will also determine if they can have septic field. **NOTE: I seem to recall that new septic fields are no longer permitted in this area.** Will have drainage plan drawn up. Going to do same things as required of West Pine Ridge development. They are trying to keep rural residential development away from Oakbank and Dugald. Anh Huynh - Held up a map to demonstrate they are just mirroring what currently exists. Dan Doucet - Abattoir not listed as permitted or conditional use within this area zoned AR. He read out all the permitted uses, other conditional uses listed would need approval of Council. Gerald Berezuk - Melrose Place. Been there 32 years. Had maps and asked if that would be helpful. Mayor Fell - No, we've looked at those and are well aware of the water issues...water concerns in the area. They've read the objections. Gerald Berezuk - Existing lots established in the 70s. There wasn't the current level of attention being paid to environmental and ecological implications. I point out over the last 40 years there have been 4 different opportunities at which Council could have taken decisions within a Planning context to change the classification of this property but hasn't altered it. I sum this up at the bottom of Page 1 of my document where I note that the 20 acres minimum for the land on the north side of Melrose Place was established by Springfield Development Plan By-law 80-09. It was confirmed by By-law 98-22. It was upheld by the Municipal Board in 2000. It was reconfirmed in the RM Zoning By-law 08-01 and again reconfirmed in the RMs new Development Plan 18-09. This took place notwithstanding the presence of the existing 7 lots on the south side of Melrose Place. Special mention is made of profiling the sensitivities in the 3 mile area around the Park and I'll quote "unable to support a rural residential development in this area" and that was Municipal Board Order B016. It is my contention that if we knew then what we know now, the existing lots wouldn't be here. What we do have now is a classic example of two wrongs not making a right. **NOTE: Mr. Berezuk continues but basically he is in opposition to the proposal. He states they contravene the RM By-laws in 4 ways. (1) The protection of existing trees and natural area. (2) Conservation of woodlands and respective wildlife potential (3) Authorized purposed as for Agricultural Zoning District Regulations (4) Protection of the Natural Environment and Groundwater. He also notes Ward 3 is without representation (since the resignation of Councillor Wilson).** His last main point was that it would set a precedence. Sufficient other lands for development were identified in the recently passed Development Plan. **NOTE: A lady opposed for the same reasons as cited by Mr. Berezuk and also another gentleman spoke. A second lady spoke and added the existing conditions of drought and climate change that exacerbate the vulnerable nature of the area and she didn't appreciate the proponents' threats. Then a man spoke and mentioned the drainage problems there that have not been addressed by Council.** Mayor Fell asked when they purchased the land and it was only within the last few months. She asked if they had inquired and were aware that the preferred size of lots was 20 acres and up. Stefan Bolianaz - Said they only had one week to review the details of the property but had read the Friesen report and the Development Planning guide, specifically with the West Pine Ridge development. **NOTE: Of course, that one is owned by someone that has the ear of Council.** They thought based on information given by the Planning Department (that this area had "fallen through the cracks") the property they purchased was south of the 20 acre provision and that land in question "had not been properly re-designated for the 5 acre division". Mayor Fell then asks if Council has anything to ask and calls upon Councillor Ralke. Councillor Ralke - I guess I just want to ask with this large amount of response from your potential neighbours, would you consider making it a 2 lot split or is it just a five and a one nine that is your only interest at this time? Would you consider....? Stefan Bolianaz - We're here to have a discussion. We're not trying to threaten anybody. .. We need to try and offset some of our costs because although we can afford to purchase the land, and do all the due diligence in terms of geotechnical, engineering, ..site management, we cannot over the course of the future maintain 34 acres to ourselves. **NOTE: The 34 acres have sat as is forever and have never required any kind of maintenance. Only if its natural state is disturbed would it require care.** I have been on Emergency Call Response for 2 years. My wife she works 5 to 6 days a week, sometimes 12 hour days all with the goal of building our forever

home in this community we absolutely love. The reason why we're moving here...we live in Tyndall ...or between Tyndall and Garson and directly behind our house we kind of have the same area but you know, 2 acres plots are very private. Directly behind us is about 40 acres of actually cultivated farm land. That's being developed into 250 homes. They bought the property in Springfield thinking they could retain 9 acres for themselves and their neighbours, the purchasers of their lots, would not be that close. He again mentioned going door to door and having good feedback from the neighbours. Only one slammed the door in their face. **NOTE: This is difficult to believe if they were completely honest with the people they visited and also considering that the objections to this were included with the agenda package.** **Councillor Rakle** - Was pleased he had taken these steps. **Mayor Fell** then called the vote. **Councillor Bredin** mentioned that he had heard about the 3 mile restriction and wanted clarification. **Dan Doucet** said the 3 mile radius around Birds Hill Park was used frequently in the previous Development Plan 98-22 he believed and referenced in the Municipal Board Order. It was never referenced in the current Development Plan. **Councillor Rakle** - So I'd just like to add to that. So this current Development Plan that we have created is no longer in place or is that there still, the 3 mile thing? **Dan Doucet** - It was the past Development Plan that it was a reference. It wasn't even a referenced document. It was just a referencing 3 miles around the Park should be cautious with the risk of the water and then therefore we did the Aquifer uh Capability Study to look at that at a closer look with ...and that was part of the Municipal Board Order back in 2000 stating to have a better look at that area. **Councillor Rakle** - Ok and then my next thing was um if now the proponent sees ...his original idea is not feasible based on what we've saw for public response, is it best for them to reconsider how many lots they might want to do or do we just vote on this and then they would reapply or can they pull this out and come back with a better idea and more... **Mayor Fell** - So I was going to ask the same question cause if they split it into a 17 and a 17 that wouldn't require a Development Plan Amendment, is that accurate? **Dan Doucet** - Correct. It would strictly be a subdivision application. **Mayor Fell** - The only comment that I'd like to make and it has to do with my previous asks is I am not a huge fan of speculating on land for subdivision in an area that's designated so significantly different than what the application is for. ... That Development Plan was 19 years in the making. **NOTE: She referenced all the input to the Development Plan and that they made allowance for residential development in West Pine Ridge but said they actually took away some of them in Ward 3 and 5 and said she could not support it.** **Councillor Fuhr** - I'd just like to say I concur with what the Mayor said there. **NOTE: Councillor Fuhr seems to be preparing for the upcoming election in 2022 by unnecessarily agreeing with what another member of Council has said without actually adding anything new. Also I understand that during the 5 minute break Mayor Fell arbitrarily called, she ran out of the Chamber and spoke to these applicants, a practice that I myself have often witnessed and noted that she sympathizes with the applicants whose cases were defeated. I find that rather unprofessional considering that decisions of Council are based on the facts provided in the best interests of the Municipality as a whole.** **DEFEATED 4-0**

6.3 Variation 21-64 - 8 James Way - Rear Yard Setback for Deck - Enders - NOTE: The deck was in existence when these people purchased the property in October 2020. Either the former owners built it without a permit or at the time it was built, the Planning Department was consulted and advised no permit was required. My only question would be how the Planning Department learned of this oversight.
CARRIED 4-0

6.4 Variation 21-65 - 26137 Melrose Road 71N - Amending Variation Order No. 09-72 - McLeish - To amend the Variation Order to remove the following conditions: 1. No livestock shall be permitted on the land other than up to a maximum of 5.0 Livestock Waste Units and 3. All livestock animals are to be owned by family members for personal use. **Dan Doucet** - Prior to February 2010 Zoning By-law 85-36 which in A20 limited agricultural zoning district did allow for a ration of 1 livestock waste unit for every 2 horses ...so if you had 20 acres you were allowed 20 horses at that time. 2009 subdivided property into 2 - 20s by previous owner who agreed to the condition because she was selling to previous owner who did not have livestock. **Councillor Rakle** - The only question I had is uh the additional horses or livestock that would be on the property, is it just for personal use or is it for an establishment. **NOTE: Does Councillor Rakle not read the material included with the application? Whereas a public hearing has been conducted under the Planning Act to consider an application filed by the owners of the property located at 26137 Melrose Road for a variation of the Springfield Zoning By-law No. 08-01 to amend variation order 09-72 and whereas Council is satisfied that the requirements of the Part 6 variances have been met, be it resolved that Variation Order 21-65 be granted.** **Councillor Rakle** - So then I'm just a little bit confused. If the...I don't know if I'm reading the last one ...where it says all livestock animals are to be owned by family members for personal use only. If this is an Establishment, then it wouldn't be owned by them. **???** **Dan Doucet** - The Variation is to remove those conditions that were placed back in 2009. The next application is the Equestrian Establishment which is a riding arena. **Councillor Rakle** - I'm just trying to find out which is the current one... **???** **Dan Doucet** referred her to pages 6 and 7 of the report.
CARRIED 4-0

6.5 Conditional Use 21-42 - 26137 Melrose Road 71N - Equestrian Establishment - McLeish - Would like to construct indoor arena and barn with 20 stalls having the ability to board horses of all sizes. Will be located 570 ft. from front of property and at least 377 ft. from neighbouring houses. One letter of objection and 17 letters of support. Maximum of 20 horses allowed. **CARRIED 4-0**

6.10 By-Law 21-25 - Springfield Zoning By-law - Public Hearing - Dan Doucet - On July 2nd, 2019 Council awarded WSP to provide consultative and facilitative services in assisting the Municipality in the creation of the overall Zoning By-law. The Springfield Zoning By-law 21-25 is the document that regulates land use and which was created in order to stay current and reflect the needs of the community following the adoption of our recent Springfield Development Plan 18-09. In November 2019 a series of in person and public information sessions were held to gather information from residents and land owners in the creation of the Zoning By-law which was Phase 1 of the engagement. The draft of the Zoning By-law was presented virtually um due to the COVID restrictions through a narrative presentation and other documents were posted on the RM Web Site in December 2020. A survey requesting feedback on the documents was available until mid January 2021 which was Phase 2 of the engagement and the final round of engagement was hosted in May of 2021 through a series of virtual open houses and surveys which was Phase 3 of the Public Engagement. On September 23, 2021 First Reading of Zoning By-law 21-25 was granted. Tonight is the Public Hearing for that. We have received 214 Letters of Objection as of 4:15 this evening and may have received more since then. **Meghan Boles, Planner, WSP** - WSP was engaged by the RM to draft the Zoning By-law for the Municipality. Started work in the Fall of 2019. The public engagement program involved three phases. Phase 1 in the Fall of 2019 collected input on what was and wasn't working in the existing by-law,

Phase 2 in the Winter of 2020 presented back a draft of the by-law for public review and input, and Phase 3 in May of 2021 presented a revised version of the By-law based on feedback received as part of Phase 2 and involved stakeholder meetings, public workshops, and on line engagement for Phases 2 and 3 due to in person gathering restrictions. We had hundreds of points of contact with Springfield residents and made countless edits to the document in response to the feedback we received throughout the process. She reviewed the report from Community Planning which contains minor revisions from Provincial agencies including Agriculture and Resource Development, Conservation and Climate Historic Resources, Manitoba Infrastructure Mineral Tenure and Regulatory Services, as well as Municipal Relations. There are a variety of minor revisions that she asks Council to consider before Second Reading. On October 20th we also received comments on the Zoning By-law from the Manitoba Heavy Construction Association which they reviewed and recommended some minor revisions. Despite our best efforts to engage with the community over the last several years, we have received multiple objections including some which if considered by Council would be major changes and would require Council hold a second Public Hearing. Two of the very specific objections, one a template submitted by over 170 individuals, on the inclusion of the word "lawful" in the section of the Zoning By-law that speaks to non-conforming uses. The wording we have used, including the reference to "lawful" is directly reflective of Provincial Legislation on how Council is required to deal with non-conforming uses in the by-law and the existing by-law has the same language. Some expressed concern as to whether peat moss related uses should be Industrial or Agricultural. We retained the existing definition for Agricultural Support Industry that's in your current Zoning By-law except for a direct reference to peat moss but it's not an issue to remove that reference from the wording of the definition as the exclusion of it does not impact the interpretation of that definition. They will review all the comments and suggestions received prior to Second Reading. If Council wishes to entertain changes to the Zoning Maps, another Public Hearing will be required.

Mayor Fell - Is there any questions from Council other than I do have one and that is, is this taken directly from the Planning Act and copied into our document? Yes and it's in the existing by-law right now.

Councillor Ralke - I think I just wanted to generally ask and I hope this isn't a silly question...it probably is. When you're creating a Development Plan ???, you've done this for more than one municipality, you have **carinal knowledge** ... **NOTE: This is defined as "sexual intercourse" in the Oxford Dictionary.** ... about how a Development Plan is put together and how you have noticed other municipalities almost use similar wording, similar needs requirement that you are in good **collusion** ... **NOTE: Merriam-Webster defines this as a "secret agreement or cooperation especially for an illegal or deceitful purpose..."** with the municipal government, the government that determines a lot of the different things that goes on within a Development Plan, within various municipalities. **NOTE: Was this a Freudian slip, that is an unintentional error regarded as revealing subconscious feelings, or merely incorrect usage of a word. Perhaps Councillor Ralke should confine her oratory to plain language.** Further she keeps referring to the Development Plan when WSP was engaged to produce the Zoning By-law which implies perhaps she does not understand the difference between the two documents. Is that correct that you have that knowledge that allows us to put our faith into you as a consultant, that says that you have done your due diligence and you know what you're supposed to use and what you're not because you've done it in multiple municipalities?

Meghan Boles - Correct and specifically probably for what I would call a general section of this Zoning By-law which is strictly up front. obviously the Zone Specific and the Use Tables are very different from municipality to municipality but typically in a Zoning By-laws in the up front section um you know it very similar so like the non conforming use section we're able to have various conditional uses, all those things that are outlined in the Zoning By-law are Provincially legislated and you know, extremely similar wording for all the municipalities in Manitoba.

Councillor Ralke - Ok then, just one more thing. Um so we have given citizens multiple opportunities through a 2 year process ...1920, 21...to voice their opinions in regards to this Zoning By-law which is what we're working on, am I understanding that correctly because I'm confused why in **coalition with** **NOTE: Oxford defines this phrase as "an alliance for combined action, especially a temporary alliance of political parties forming a government".** a uh law base that's taking place when the zoning came up after that point but not prior to it so I'm kind of confused that only this came about now but all these other times we've never heard about any of these things...**NOTE: Did she not understand the material attached to this application or did she simply not read it and was ill prepared for the meeting? Perhaps she should have had the foresight and courtesy to ask these questions of Mr. Doucet or someone knowledgeable prior to the meeting so as not to waste Council and the public's time and confuse the issue.**

Meghan Boles - I believe we did have comments on some of the ...like the peat moss related issues, I believe during our Third Phase of engagement, I'm going to have to check back but we did have some comments from people um then as well um and I believe you know sort of why we reverted back to the definition of agricultural support industry because it's already in the existing by-law. Um we did add the peat moss wording in order to assist with interpretation but it's not harmful to exclude it and to just continue with the same definition that is in your existing Zoning By-law.

Councillor Ralke - I'd just like to add Meghan has a vast knowledge of the Planning Act as prior to WSP, she was a Provincial Planner.

Mayor Fell - Asked if there was any other questions from Council and then opened up the hearing to the Public. "However I'm going to ask that you limit your comments or presentation um to 5 minutes or less to ensure that we get through everybody that wants to speak today. If you're getting close to that time, I will let you know you have about 30 seconds left but 5 minutes is gonna ..it's kind of gonna be the max for this."

FOR INFORMATION - Hugh Andrews - Basically I just want to register my presence so I can continue to get information regarding further developments regarding the Zoning By-law.

Janet Nysten, Oakbank - I notice that we're short a Councillor. I understood that all Councillors were supposed to be present for public hearings.

Mayor Fell - So as I said in the beginning, Councillor Williams is ill and will not be here and that is allowed under the Act.

Lesley Fuga - Just a little clarification on Peat Moss because I wasn't quite sure about its inclusion under Aggregate Extraction. Meghan, can you explain that.

Mayor Fell - Aggregate extraction? Um I'm not su...did we put that in there. I'm not su...so

Lesley Fuga - Under Industrial Use class definitions 4.6, pardon me, aggregate operation meaning the extraction of sand, gravel, and forage from their natural occurrences etc. including the excavation, processing, or distribution of clay, gravel, stone, soil, and peat moss.

Mayor Fell - So the Province classifies Peat Moss extraction as a Mineral and then peat moss processing is under Agricultural. So it's two different things if that makes sense. **NOTE: Under the current PC Government, Agriculture and Resource Development are considered one department. However Mayor Fell is mixing oranges and apples. Peat is a resource as opposed to crops sown and harvested which are considered agriculture. The processing of both peat and agriculture products would be considered an industrial occupation. The processed peat is mainly used in horticulture but Councillor Bredin found one agricultural use, an inoculant on seed, specifically I understand soybeans. Regardless, the processing of peat is a commercial industry, not an agricultural activity.**

Lesley Fuga - But you're saying that that classification of peat moss excavation as an Aggregate Operation. Has that been given by the Province or is that something....

Mayor Fell - Minerals are Provincial jurisdiction and the extraction of Peat Moss is a mineral, therefore it is Provincial jurisdiction. If you actually go under the Provincial Web Site, they have a whole page on it. **NOTE: i tried to find the page to which she referred on the Provincial web site without success.** Do you have any other questions?

Lesley Fuga - I do. Table 9.1 which I'm just scrolling through to find. Principle Use Table um there's a place I guess under industrial zone where aggregate operations are a permitted use. Has that changed from the last Zoning By-law?

Mayor Fell - Um I don't believe so but let me pull that up. Um most of our aggregate in Springfield is permitted because it's zoned that way. Um there's very few times where it's actually not. What page? Oh, I was almost there. Page 48. Yes it's permitted under MX..that's not a change. That's always been like that. **Lesley Fuga** - Under 7.4.6 where given this development in the suspected hazard areas...under what circumstance would an applicant not be required to complete a professional geotechnical and hydrological studies, like why wouldn't that be a requirement in a hazard area? **Mayor Fell** - Dan, can you answer that one because I think that...uh 7.4.6 um most of the times we do require a hydrogeological study but those go under the development agreement usually. **Dan Doucet** - Miss Fuga, the statement says "where development is proposed to suspected hazardous area, that could be a possible brownfield site where there's an existing gas station where it is no longer a gas station and they want to develop that site, uh so that would implicate an environmental assessment uh which we could ask for at the time of development. Does that answer your question? **Lesley Fuga** - No. What I was challenging or questioning was that an applicant may be required to complete these various studies. They are not necessarily required to be completed, why they wouldn't always be required. **Dan Doucet** - I guess it depends on the proof that we could find on that site that we know it's a hazard. Uh we will likely ask for it all the time if we know of a known hazard within that area but it does have the opportunity for uh decisions of the uh Development Officer or Council at the time. **Lesley Fuga** - To apply their discretion. I was just trying to clarify that. **Dan Doucet** - Yes, I said "correct". **Seward Unrau, Deacon Road** - My question relates specifically to the word "lawful" as has been mentioned as well as the reference to "peat moss". Could you delineate for us how this proposed Zoning By-law is different in its references to both of those and maybe some others compared to the current Zoning By-law we're under. So how's the new different from the current? **Mayor Fell** - ...that the peat moss processing plant was completed for our Planning Department because it's a permitted use. Um those clauses have stayed the same. They put an example in there of peat moss but the clauses haven't changed. It's a permitted use because it's an agriculture support industry. Um Councillor Bredin is a farmer as you know and he brought this in to show me so this is from Ag Advantage down the road and this outlines actually an inoculant that is used on soybeans and it's a peat inoculantso 48 hours before you plant these soybeans in the ground, you actually cover it in a peat moss inoculant ...(not going to transcribe all of this) **NOTE: For the last couple of years, Councillor Bredin's contributions at the Council table have been negligible until of late. When I questioned Council's resolution to declare peat an agricultural product over a year ago, not a word was heard from Councillor Bredin on the subject yet now he is suddenly an expert on "peat inoculants". It seems his main function on Council is to support Mayor Fell's position on issues.** ... so that's why peat can ... because it's used directly in farming. The "lawful" if taken right out of the Planning Act so our consultant is required to put certain clauses in so she took it from the Provincial Planning Act and put it into ours because we need it in ours. **IN FAVOUR Chris Lorence, President of Manitoba Heavy Construction Association** - Meghan referenced the fact that our submission had been considered and recommendations. Will there be a second version of the by-law that we'll be able to see because if that's the case, I will hold off making my presentation until that event occurs. **Mayor Fell** - So most likely what will happen tonight is we will hear, or what I will ask Council to do, we will go through the public hearing but we'll ask to defer the vote so we can go look at everything with our consultant and make any changes and then come back again. **Chris Lorence** - Ok so do you want us to hold off or ... **Mayor Fell** - It's up to you. We have your commentary uh..we've read it so it's up to you **Chris Lorence** - Ok rather than going through the details which arguably can be seen as being technical in nature, let me just assure Council of a couple of things. First of all, as the by-law has been drafted and presented, we very much appreciate that much of the by-law accurately reflects the nature in which we conduct our business. We support the general direction of the by-law as it applies to the extraction industry and the points that we made in our submission on October 20 to which Meghan Boles referred, are really ones that help complete the picture of the aggregate industry to ensure that there's no ambiguity, we're clear about what it is we're talking about but not in any way, shape or form to change the substance, theme or direction of the by-law. Other than those changes, the by-law captures accurately an appropriate zoning by-law as it refers to the aggregate extraction industry. **NOTE: I am wondering why so much deference is given to Mr. Lorenc as opposed to that of residents of the RM of Springfield, especially when the activities he represents threaten the drinking water supply of the ratepayers of the Municipality. He lobbied to have 9.9.4 removed from the Zoning By-law, thus exempting the Aggregate Industry from having to enter into Development Agreements prior to applying for permits.** We'll await the outcomes of your deliberations then. **Miss Allison Driedger** - I just wanted to thank Council and WSP for their work on the zoning by-law and in particular, for accommodating our zoning by-law amendment on the Roman Catholic Mission property. **NOTE: I believe this is over by the cemetery on #1 Highway.** Thank you for the changes to the zoning by-law to reflect our ...so speaking in favour of your by-law. **Ross Mitchell** - I was hoping that the Planning Commission might entertain a couple of friendly amendments to the draft zoning by-law. One, I wonder if you would consider raising the height of apartment buildings, residential multi-family buildings, from 3 storeys to 5 or 6. The rationale there is that ...uh well we represent a number of multi-family developers including Seymour Pacific, Forthright Properties, Kathari Group and they don't typically build apartment buildings...they don't typically include elevators in buildings of less than 3 storeys. They're ..walkups so ..if Oakbank would sort of like to encourage seniors housing or at least provide a housing format that might accommodate seniors, the elderly, mobility impaired, I think it would be helpful to increase the height limit to at least 5 storeys that would encourage the construction of apartment building with elevators and possibly encourage underground parking if they could get the unit count up enough to warrant it. **NOTE: Mr. Mitchell should be aware but apparently is not that we are limited to staying under the 35 ft. mark due to the limitation of our Fire Department and its response to fires in buildings exceeding that height.** Secondly there's only a couple of commercial categories, commercial core or community sort of the centre, and then the highway commercial. I was wondering and it's a question to Meghan if there's a mixed use commercial residential zone considered at any time. Apart from that, I was wondering if you ...would consider allowing a multi-family residential as a permitted use in Highway Commercial zones or a conditional use ...lands outside the main street area. I'm sorry for being late to the game. I am reviewing the by-law in relation to a couple of applications I've received. I'm here speaking solely as an individual and not representing any particular client group or company. **NOTE: Really! That's not my interpretation of his interest.** **Mayor Fell** - We've noted those down. Thank you. **NOTE: Perhaps this means we can look forward to apartment blocks springing up on PTH#1 in our Industrial Area adjacent to lands zoned agricultural, agricultural land usually being less expensive than land zoned industrial/commercial. At this point Mayor Fell says she will consider his comments and reverts back to the FOR INFORMATION portion of the hearing.** **Edwin Giesbrecht** -the comment from Ms. Boles that in the event that there is any alteration or amendment to the 21-25 Map Plan Map, that that can be considered a Major amendment but to which the last reading came forward. The only thing that I have seen or has been presented, has been in Draft Form and not in finalized Map form so I'm just wondering how it comes that if in fact we have a Draft, if there is anybody with the community that requires a minor amendment in the Map, that it justifies to be classified as a Major **Mayor Fell (interrupting)** - My understanding and Meghan, correct me if I'm wrong, but the Province views Map changes as Major changes which would trigger another public hearing. **Edwin Giesbrecht** - But that was only a draft, it was stamped as a Draft and dated as a Draft but was not final.

Mayor Fell - I think everything is a draft right now until we pass it. **Edwin Giesbrecht** - Ok so you're amending a draft. It's a point. I didn't want to get into a collusionary situation as Madame Rakle brought up so intelligently so and uh I wouldn't want to contradict any sort of circumstances in nature but it was a question. **Dan Doucet** - I'd just like to say that the Final Draft was the one accepted by Council that received First Reading of the By-law so that's the one we're going with. Council could still make changes between First and Second reading...but have additional public hearings. **IN FAVOUR Gentleman but due to echo and background noise, cannot hear name and address except Winnipeg "Representing my Mom Patricia"** - During this entire process of creating the Springfield Development Plan which was accepted in 2019, there were many open houses, workshops, that all persons in the municipality could participate in. It was at these that poster boards for viewing, explanations, questions for Council, staff, consultants could be asked and this was available to everyone. In addition to that, there were round table events that people could sit together and throw about ideas and find out what's going on across the Municipality. Those suggestions and comments were very much... Much energy and effort was put forward by all those who participated and developed the Plan. Council, staff members, consultants, residents, hour upon hour, dollar values, and if persons opposed the Plan, that would have been the opportune time to voice their opinions. The concerns could have been done, could have been taken care of prior to the Development Plan being accepted. Which leads us to the Development Plan steers the zoning. Zoning is a mirror image of the Development Plan and the changes ...I got ahead of myself on that one.... and subsequently the zoning is a reflection of the Development Plan and since the Development Plan had been accepted again in 2019, the zoning would mirror the Development Plan. And changing the zoning would be a very simple process. Why? Because it's a reflection of the Development Plan. So the zoning is going to be the Development Plan. In conclusion to this, now is not the time to voice the opposition. It's only going to pit neighbour against neighbour, resident against resident, family against family. Ample opportunity was given to all those who chose to oppose, yet they did not act until now. **NOTE: That is a very large assumption on the part of this gentleman to state "yet they did not act until now". On what is he basing his statement, especially considering he himself is not even a resident of Springfield and made no mention of either he or his mother having taking part in the steps leading up to the adoption of the Development Plan.** Once again, I am going to leave you with this. The Development Plan which was adopted in 2019 steers the zoning, therefore the zoning mirrors the Development Plan and that is why Patricia Battus is in support of this. Thanked Council for allowing him to speak on behalf of Tom and Pat. **NOTE: The tone of this gentleman is, to me, rather condescending, especially considering he is not a resident of Springfield and supposedly speaking on behalf of his mother. Sounds like he has some sort of "axe to grind". Further since its inception, there have been several amendments to the Development Plan.** **IN OPPOSITION - Edwin Giesbrecht** - And we're definitively specifically in objection. I'm here in representation of a petition in which we are seeking a minor amendment. And what I'd like to do is read here...I would ask for consideration given your 5 minute oratory limitation that the petition is beyond myself speaking, if I would be at least adjudicated 7 minutes and 39 seconds. So respectfully I would like to speak here today and in reference to Springfield Zoning By-law 21-25 and more particular as it applies to a small block of titles that have had umbrella or boundary encapsulated to Residential Rural zoning designation identified in more detail. My petition of property ownership present to the Municipality as it applies to portions of Section 32 and 33 of Township 11 Range 5E for reference. The intention of the petition is to have the referenced Block addresses and titles as identified within the Zoning By-law 21-25 Map as Rural Residential to be amended to Agricultural Rural and so designated to Agricultural Rural to each roll number. The 10 titles or addresses noted within the petition have history of always having been utilized for agriculture for generations. The histories of these few addresses or titles were purchased because of the agricultural character and its freedoms related. All purchasers unquestionably purchased with full knowledge of agricultural designations most certainly identified by Provincial Plan. It is fact that the now proposed Zoning By-law 21-25 encompassing approximately half a mile frontage beyond which includes the petitioners, these 3 titles or addresses are in the minority. Of the 3 titles, one title holding around 8 acres of land has been utilized and exercised for commercial carnival operations and have extended, added on and expanded, built new shops for quasi industrial maintenance and repairs and utilized this title for storage of an impressive commercial fleet. To that title adjacent is an approximate 10 acre title which is characterized by having been a contiguous extension of the secondary farm house expressed here of around 8 acres toward the original farm house including having multiple original structures remaining which includes hay shed or shelter, original wood graineries and farm quonset buildings. The third address or title has always been held by the same owner since its purchase of a commercial carnival operation identified comprises around 20 acres and again was an original contiguous extension of the original farm and has a fixed mobile home for what appears as accommodating seasonal rear trailer park housing for staff and or employees. These properties were all historically agriculturally zoned and utilized. All 3 of these titles are a far cry from rural residential. In part the question is now at this time why rural residential be extended in zoning upon these lands given a developer made application recently to develop one of these addresses in which the Minister intervened and rejected the application on good administrative advice and review to the application for the rural municipality to now seek the rezoning under By-law 21-25 of these properties is adverse to and is to dignify the Provincial Department of Agriculture, the Provincial Department of Planning and indeed to dignify the Provincial Ministry responsible to municipal portfolio. Further given the wisdoms of municipal ministry that such development in time could create neighbouring dissensions and conflict, why would this Council have not **let dead dogs lay**, drafting wisdom of agricultural having been aware and appraised. I cannot imagine and certainly would not hope that there would be no intention of Council to now pit neighbour against neighbour knowingly or unknowingly and I do say of such that vengeance is a hollow cause. Such premise as so perceived by the voters would lead to their exercise of moral and ethical opinions at the ballot box. This brings us more specifically to the petition and the concerns of the petitioners. Previous Administrations preeminent to anyone on this current Council or their history of elected office in this municipality when unnoticed and unsuspected to a number of these addresses be so designated rural residential municipally. The subject matter of petition should reference that nowhere near these addresses is a village or hamlet or town nor is any such designation desired. No residential amenities exist, there is not one street light, there is no asphalt, there's no concrete curbs or walkways, there's no garbage pickup, there's no functional fire hydrant to reduce residential insurance rates etc. nor do the petitioners want any such residential assimilation. This is the way this pocket, this corner of the world has been for generations. What is petitioned is for Council to recognize the agricultural, rural assurity in heartfelt standards and quality of life so chosen by the petitioners and was the basis for their location, their choice and their investment including to maintain that standard in quality for their children and children's children as time may evolve. It should also be noted that this pocket boundary of proposed rural residential zoning is completely and wholly surrounded 360 degrees by thousands of acres of strictly enforced agricultural rural and even more strictly agricultural preserve as has always been mandated by the Province and recognized use as agricultural important of our heritage as has been called the "Garden of Manitoba". So cited in the historical book and publication "Springfield First Rural Municipality in Manitoba 1873-1973" reference Page 13 of the printed 523 pages. If it was not true, they would not have printed it which brings us to the matter of truths. These few lots created out of retiring farmers establishing final residences in what timber woodlot

exists for the protection of north winds. This I am sure is not dissimilar to circumstances throughout the municipality and same remain as agriculture rural. The petitioners properties and all subject properties are characterized by agricultural buildings, agricultural production of hay and grains, large family gardens, beekeeping, poultry and fowl, boarding of horses, maintaining personal cattle, dogs, cats, and general farming including agri-forestry. It is further and personal opinion that if Council zones Rural Residential upon the commercial carnival operations and their contiguous lands, indeed Council may or could put that enterprise beyond an out of character but more so, out of business. I believe their operations are guided by agricultural rural zoning with the property classification of Other for current use. To tamper with their current privilege I believe would be not only unfair but unjust. In closing, please find these words in this petition respectfully and formally in request of Council that the By-Law 21-25 Zoning and Map be amended to correlate with the Provincial agreement Development Plan signed February 5, 2019 which designated Agricultural of use and to restore the municipal zoning to its original agricultural rural designate as per pocket boundary of address formally on petition. I thank Council and Madam Mayor for the opportunity to have spoken here today and we hope you will do the right thing. **Mayor Fell** - So are you against it or are you requesting that we change it. **Edwin Giesbrecht** - I'm requesting that you change from Rural Residential to Agricultural Rural which has essentially always been for generations. **Mayor Fell** - Ok.....you can come up to the mike and again, the timer will be on. ????? You have 5 minutes. **Unidentified Female** - Apparently I can't screenshare? **Mayor Fell** - No you can't but we all have a copy of your presentation so we can see it..it's on your e-mail. **Jennifer Lim** - I am a registered Professional Planner. I am here to address the Zoning By-law 21-25. I first want to acknowledge that we're not opposed to the Zoning By-law 21-25 in its entirety. We have strong concerns of two key aspects within that said by-law and want to voice objection and suggest a solution for Council's consideration. So the first area of concern relates to that non-conforming that's defined under the 4.2 in the General Definitions. That clause is included in several of the clauses, 1, 5 through 8, 11 and 12 and incorporate that term non-conforming that's defined within the By-law. Other sections they don't include it and they use other language like lawful and legal existing which aren't defined underneath the General Definitions. In particular Clause 4 states and I quote "any lawful use of building, structure, or lot or portion thereof which does not conform to one or more of the applicable use regulations of the zone in which it is located either on the effective date of the By-law or amendments thereto shall be deemed to be a permitted use and shall be used as if they conformed to all such regulations in accordance with Section 2-11-5 hereof" and the Development Officer shall be responsible for the interpretation of the By-law. However a lack of consistent language in the Section does leave room for potential challenge. So alternative wording may be considered and we have suggested another wording that's from another Municipality so again it meets all the Regulations and it's also language that is used and it clears up what area residents do have concerns with and what it reads as is "unless otherwise provided for herein, an existing building, structure or use that was illegal under the provisions of any Planning scheme or Zoning By-law in force on the effective date of this by-law and amendments thereto shall not become or be made legal solely by reason of the adoption of this By-law and to the extent that in any manner that said illegal building structure or use is in conflict with the requirements of this By-law, said building structure or use shall remain illegal hereunder." So the suggested wording provides Administration the ability to enforce the By-law on structures that are non conforming, as well it assures area residents that land uses are and will be conducted as structures are developed in accordance with By-law provisions and shall not become or be made legal solely by reason of adoption of a new Zoning by-law. The second concern is found under Section 4.8 Agricultural Use classifications related to the Agricultural Support Industry definition which means and I quote "an industry, commercial service, or retail business in which the major product or service being bought, sold or processed is intended mainly for, from or by farmers, typical uses to include aerial spraying, companies' grain storage including grain elevators, feed mills, peat moss plants, seed plants, and this use class does not include anhydrous ammonia facilities". So the gist of this is that, it seems to be that this is wrapping up a prior resolution from 2019 where Council had felt that peat moss could be included in this definition and Michelle Erb had come back with some comments from the government and it's interesting cause I didn't know that the Provincial comments had come in and when I read through them, I can see that they are very much aligned with some of the concerns that we have and giving recommendations that the definition does be amended as such so as I understand, these slides here, I am not going to read through verbatim, they are there for Council's consideration and they stand on the record so I will scroll through given the time constraints just to bring forward some other important information. On Slide 18 if you go to that page, essentially this slide is important in the sense it gives some information that I don't think is necessarily been pointed out. The definition also instructs major products...Madam Mayor may I just have a brief 30 second extension...I thank you...So the item being bought, sold or processed may be intended mainly for, from or by farmers. They ...processed peat sold mostly to non farmers known as non professional growers. These products are available through large multi-national retailers such as Home Depot, Lowes in addition to local gardening centres so I believe the inclusion of peat moss plants within the land use definition is a bit of a misnomer and that these things may be used by horticultural operations but they aren't necessarily horticultural in and of themselves. I'll just quickly go to my summary. Just to let you know that those were the two aspects that we did object to and just to open it up to any questions you may have and thank you very much for your time. **Mayor Fell** - There's no questions so you can take a seat. **Darryl Speer, Oakbank** - I support the objections presented thus far. I presume there are more. I want to assure the gentleman that spoke before that I did attend the different venues, saw the story boards, participated in the Round Tables, and so on so I am not ill informed. I am not here to oppose for the sake of opposition and I would think that would also apply to other members that have raised concerns. I just want to address a couple of things that probably may summarize what's been said before but not to repeat. My concern has been as I've talked to Dave Jopling and other members of the WSP consultant group, I consider that Springfield is a groundwater sensitive area and it is noted in Appendix D that outlines the different aspects of how sensitive things are. If you turn to that, you'll see it. My proposal is that all areas of Springfield be considered groundwater sensitive where developments of significance are proposing to set up. For example, with industry, that this is important knowing what the ramifications of industry are, we've had hazardous waste approach us, they've been approved, and set up in Springfield, actually in a residential and commercial area, without in my view adequate investigation of the potential issues there. Also the setting up of fertilizer storage as in the Parrish and Heimbecker facility, the Berger Peat Moss processing plant, and just for information aggregate indicates that processing and distribution of clay, gravel, stone, soil and peat moss falls under Aggregate. This is in this current, Page 21. Also I'd like to and include in this Factory Farming which includes hog operations, cattle operations, poultry etc. Also include aggregate extraction and expansion and residential developments outside of serviced areas as in Buhr development in Anola, the White Sheppard Development that has been considered and that qualified objective, **objective** hydrogeologist be contracted to approve these proposed developments to be paid for by the developer before the issuance of any understanding, pre-approvals by the RM. Further that these developments be conditional uses subject to proper hearing processes that facilitate constituent input. The other thing I want to address is quality of life, enjoyment of property, a sustainable community life. These are rights that need to be protected, not eroded, by special meetings with business interests that tilt the table of planning and hearing processes and impede constituent information input. Examples,

North Oaks, Berger etc. The case of North Oaks, land that was previously zoned Multi-family development was amended by a Development Plan Amendment to Employment. Now in this by-law it appears as Commercial Highway, Page 47 as a permitted use which indicates that no public input can be considered. I would request that this parcel in particular be changed back to Residential Multi-Family. And that way it restores the potential for a complementary use adjacent to the North Oaks Seniors Condominium. I would request that considering the substantial objections tabled to this meeting, that Council suspend this hearing, go back to the drawing board with WSP, and convene another hearing ...a stand alone hearing not tagged on to the end of a Planning Meeting as in this case and not hear only 9 people are allowed to participate, in a venue that's conducive to receive greater input. I am opposed to this By-law in its current form just for the record and I would like to have a copy if possible that was mentioned from the Aggregate of the Manitoba Heavy Construction submission, if I might have that. It's obviously now public information. I would like to have that if possible. Thank you. **Janet Nylen, Oakbank** - I'm disappointed in the manner that Council is conducting this Public Hearing. Last year at the beginning of the pandemic you had indicated that you would not proceed with important matters when the public participation would be limited under the Health Orders. In the Spring you even held a Public Hearing on the Budget in the Firehall, a larger venue. I realize that now you offer attendance remotely but that is not always an option for citizens who either have poor Internet service, poor Internet equipment or skills, and I also understand that citizens can submit in writing their objections but that does not afford them the opportunity to questions and to listen to other concerns. Tonight following a regular Planning Meeting with ...other items you are hearing a public hearing on the Zoning By-law which previously would have been held on a separate night on its own. Also I was told earlier that only 9 seats were available. I see it is now 15 and presenters were turned away when they wanted ..or were called in to speak. I am glad that others are participating by Zoom and given the extent and importance of the Zoning By-law for our community, I think this is a big deal. So I hear what you have said since you received the comments from the Province that you will not be giving Second Reading tonight but I respectfully request that after the public is finished speaking tonight, that you consider adjourning the Hearing and continue it without closing public representation and continue it on another night and in a larger venue that could better accommodate the public. I would also bring to your attention that there is litigation to be resolved before Springfield proceeds with this particular By-Law and again I would suggest that you should adjourn this Hearing until such time that the litigation has been resolved. I have listed a number of minor concerns or suggested wording to the By-law. A few of them I would like to talk about. I find that the By-law is very permissive in its wording and maybe decisions on land use matters ..inconsistent, subjective or open to different interpretations. For example, I counted the use of "may" in at least 20 different places in the By-law and as a citizen, I would expect that land use applications should be treated in a consistent manner and would have appreciated the word "shall" in a number of areas in the By-law. Also the wording "in the opinion of Council" should be replaced with some wording less subjective. With regards to Development Agreements, 2.10 I ask that you consider including the following wording and I took that from the Municipal Planning Guide to Zoning By-Laws : A Development Agreement may provide that it runs with the land. When a caveat with a copy of the Agreement is filed in the appropriate Land Titles Office, the Agreement binds the owner of the land affected by it and the owner's heirs, executors, administrators, successors and assigns. This would provide some assurances to objectors at land use hearings that they have some opportunity to have their concerns addressed or make concessions that are agreeable to them and it's recorded for the future.....**Mayor Fell (Interrupting)** - You've got 30 seconds, Janet. **Janet Nylen** - That's an interesting thing when you have sat here all night on other smaller matters and there was no limitation but I'm glad that I did put it in writing. You have it before you. And so I'll just leave with Provincial Land Use and Development web site highlights that every citizen has a stake in how the land is used to ensure that they live in and those future generations inherit healthy, sustainable communities. The land use process including Zoning By-law amendments provides the opportunity for citizens to get involved in development matters and have their voices heard. **Mayor Fell** - Can I have the consensus of Council to close the Public Hearing. I will then close the Public Hearing. Council would like to know if we can defer voting as we've had some feedback and I think we need a chance to talk to our consultant and our Planning Department and our CAO to go through all of that and we can bring this back at another Planning Meeting. **NOTE: Why did she close the Public Hearing on what is clearly a controversial issue to which not everyone may have had the opportunity to speak? Considering the fact other changes are going to be made, the public should have another opportunity to examine the new changes and comment before the Public Hearing is closed. A better idea would have been to schedule a separate meeting at which this item could be discussed at length in a more suitable venue rather than placing it at the end of a lengthy Planning Meeting. She deferred the vote but did not defer the closing of the Public Hearing. This is neither responsible government nor transparency.** The only other statement that I'd like to make is "nobody was turned away from today...um the Public Portion is closed....they were welcome to come **Councillor Ralke** - There are 50 people on line. **Mayor Fell** - They were welcome to come. If you have slow Internet, you were welcome to call in over the phone, we will take phone calls, you can come on Zoom, you can come on person, there may be only 12 seats because of physical distancing we have to require to but we've opened up our Board Room, we do open up our Front Foyer, and we encourage any residents of Springfield that would like to come out to come to Council, to come to a Planning Meeting, to come to a Hearing, we currently have 25 people on line, we had a full Gallery, sorry, how much is On Line now... **Councillor Ralke** - There's 2 pages. **Mayor Fell** - Ok so more ...almost 50 people on line. Our Board Room had people, we had a full gallery so again we encourage people to come out if they would like to come out. Thank you so much. **NOTE: What she is not saying is that you can come out again but you no longer have any ability to contribute as she has closed the Public Hearing.** Can I have a mover and seconder to adjourn. Did we forget one? Do we need to do that? Can I have a mover and seconder to defer? *Whereas a Public Hearing has been conducted under the Planning Act to consider Zoning by-law No. 21-25 and whereas Council has received various comments and objections that require further Council discussion and review, therefore be it resolved that Council defer any decision regarding By-law 21-25 to a future meeting.* **CARRIED 4-0**

ADJOURNED