

## TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on September 3, 2019 at 9:00 a.m. at the Niverville Heritage Centre. In attendance were Mayor Myron Dyck, Deputy Mayor John Funk, Councillors Kevin Stott, Chris Wiebe and Nathan Dueck.

Res#245-19 Agenda	<p>C. Wiebe – J. Funk</p> <p>BE IT RESOLVED that the agenda be approved subject to the following additions:</p> <p>New Business: 10 a. Supplementary Taxes dated August 27, 2019 10 b. Authorization to attend Auction Sale – Councillor Wiebe 10 c. Award Contract for Sewer Cleaning &amp; Videoing 10 d. SRRCD Board Appointment 10 e. Authorize Attendance of Tour at Recycling Facility 10 f. Authorize Attendance at Southern Health Meeting</p> <p>“Carried”</p>
Res#246-19 Minutes	<p>N. Dueck – K. Stott</p> <p>BE IT RESOLVED that the minutes of the regular Council meeting held on August 20, 2019 be approved as presented.</p> <p>“Carried”</p>
Res#247-19 V1-19	<p>C. Wiebe – J. Funk</p> <p>BE IT RESOLVED that the Council meeting agenda be tabled and that Council sit in accordance with The Planning Act to hold a Public Hearing for Variation 1-19; to vary setbacks, site width, site area, dwelling unit size, site coverage and dwelling unit height for Lots 19-53 Plan 58591, civically known as #1-46 Briarfield Court.</p> <p>“Carried”</p>
Res#248-19 Resume	<p>C. Wiebe – N. Dueck</p> <p>BE IT RESOLVED that the Public Hearing for Variation 1-19 for Lots 19-53 Plan 58591, civically known as #1-46 Briarfield Court be closed and Council resume its former order of business (9:05 a.m.).</p> <p>“Carried”</p>
Res#249-19 V1-19	<p>C. Wiebe – J. Funk</p> <p>WHEREAS a public hearing was held for Variation V1-19, an application from the Town of Niverville to vary the following:</p> <ul style="list-style-type: none"><li>○ Side yard setbacks to 3 ft./15 ft. If no attached garage, then the side and rear yard requirement for any accessory building is 0 feet, but the accessory building must be 10 feet from the main structure;</li><li>○ Front yard setback to 15 feet;</li><li>○ Site width to 30 feet;</li><li>○ Site area minimum to 3,000 sq. ft.;</li><li>○ Minimum dwelling unit size to 600 sq. ft.;</li><li>○ Maximum site coverage to 50%;</li><li>○ Maximum dwelling unit height to 35 feet;</li></ul> <p>for Lots 19 to 53, Plan 58591, civically known as #1-46 Briarfield Court; AND WHEREAS this Variation is requested to revert to the standards permitted in this area under the “R1S” Small Lot Single Family zone, which existed under Bylaw 663-08, as amended, prior to the passing of Bylaw 795-18; AND WHEREAS this Variation will bring these lots into compliance under Bylaw 795-18;</p>

AND WHEREAS in accordance with the Planning Act the Variation application was duly advertised;

AND WHEREAS there was no opposition brought forward to the proposal;

THEREFORE BE IT RESOLVED that Council approves Variation V1-19, an application from the Town of Niverville to vary the following:

- Side yard setbacks to 3 ft./15 ft. If no attached garage, then the side and rear yard requirement for any accessory building is 0 feet, but the accessory building must be 10 feet from the main structure;
- Front yard setback to 15 feet;
- Site width to 30 feet;
- Site area minimum to 3,000 sq. ft.;
- Minimum dwelling unit size to 600 sq. ft.;
- Maximum site coverage to 50%;
- Maximum dwelling unit height to 35 feet;

for Lots 19 to 53, Plan 58591, civically known as #1-46 Briarfield Court.

“Carried”

Councillor Kevin Stott declared an indirect pecuniary interest as per Section 4(1)(b) of *The Municipal Council Conflict of Interest Act* with respect to Variation V2-19 and Subdivision File No. 4340-18-8048 (Revised) and asked to be excused.

Res#250-19  
Excused

C. Wiebe – J. Funk

BE IT RESOLVED that Councillor Kevin Stott be excused due to an indirect pecuniary interest as per Section 4(1)(b) of *The Municipal Council Conflict of Interest Act* with Variation Application V2-19 and Subdivision File No. 4340-18-8048 (Revised).

“Carried”

Res#251-19  
V2-19

N. Dueck – C. Wiebe

BE IT RESOLVED that the Council meeting agenda be tabled and that Council sit in accordance with The Planning Act to hold a Public Hearing for Variation 2-19; to vary the south side yard from 5 feet to 3.95 feet for the existing 2-storey dwelling that is located on proposed lot 1 under subdivision file 4340-18-8048 (revised), Lot 28 Block 6 Plan 19956, civically known as 76 3<sup>rd</sup> Avenue S.

“Carried”

Res#252-19  
Resume

J. Funk – C. Wiebe

BE IT RESOLVED that the Public Hearing for the Variation V2-19 for Lot 28 Block 6 Plan 19956 civically known as 76 3<sup>rd</sup> Avenue S. be closed and Council resume its former order of business (9:10 a.m.).

“Carried”

Res#253-19  
V2-19

N. Dueck – C. Wiebe

WHEREAS a public hearing was held for Variation V2-19, an application from Marlene Stott to vary the south side yard from 5 feet to 3.95 feet for the existing 2-storey dwelling that is located on proposed lot 1 under subdivision file 4340-18-8048 (revised), presently known as Lot 28 Block 6 Plan 19956, civically known as 76 3<sup>rd</sup> Avenue S.

AND WHEREAS in accordance with the Planning Act the Variation application was duly advertised;

AND WHEREAS there was no opposition brought forward to the proposal;

THEREFORE BE IT RESOLVED that Council approve Variation V2-19, an application from Marlene Stott to vary the south side yard from 5 feet to 3.95 feet for the existing 2-storey dwelling that is located on proposed lot 1 under



subdivision file 4340-18-8048 (revised), presently known as Lot 28 Block 6 Plan 19956, civically known as 76 3<sup>rd</sup> Avenue S.

“Carried”

Res#254-19  
Subdivision

C. Wiebe – J. Funk

BE IT RESOLVED that Council approves subdivision application File no. 4340-18-8048 (Revised) for Lots 27 & 28, Block 6, Plan 19956, NW ¼ 30-7-4E, civically known as 76 and 78 3<sup>rd</sup> Avenue S., registered owner Marlene Stott, subject to the removal or relocation of the shed located across the shared boundary of Proposed Lots 1 and 2 by October 15, 2019.

“Carried”

Councillor Stott rejoined the meeting at 9:18 a.m.

Res#255-19  
2019 Gala

J. Funk – C. Wiebe

BE IT RESOLVED that the Town sponsor one table (\$1,200.00) for the 2019 Niverville Heritage Centre Project Gala scheduled for November 2, 2019.

“Carried”

Res#256-19  
BL 778-17  
Update

K. Stott – J. Funk

BE IT RESOLVED that Bylaw 691-10 Animal Control be added to Schedule “A” of Bylaw 778-17 Bylaw Enforcement.

“Carried”

Res#257-19  
BL801-18  
Update

N. Dueck – C. Wiebe

BE IT RESOLVED that the following update be made to Schedule “A” of Bylaw 801-18 (Niverville Parking Bylaw):

- No parking on either side of Centre Street between Arena Road and Mulberry Avenue.

“Carried”

Res#258-19  
Advertising  
Rates

J. Funk – N. Dueck

BE IT RESOLVED that Council approve the following Niverville Centennial Arena ice rental rates for the 2019/2020 season:

- CIS Youth Primetime \$122.00
- Non-Prime Youth Groups & Rec \$110.00
- Local Adult Prime & GTHL \$151.00
- Local Adult Non-Prime \$136.00
- Non-Local Youth Prime \$170.00
- Non-Local Youth Non-Prime \$160.00
- Non-Local Adult Prime \$180.00
- Non-Local Adult Non-Prime \$170.00

“Carried”

Mayor Myron Dyck noted that he was looking forward to the opening of the new Niverville High School this week and the Town’s 50<sup>th</sup> Anniversary Celebration on Sunday, September 8<sup>th</sup>.

Res#259-19  
Accounts

C. Wiebe – J. Funk

BE IT RESOLVED that cheque nos. 37855 to 37898 totalling \$515,951.52 be hereby approved for payment.

“Carried”

Res#260-19 BL 814-19 2 <sup>nd</sup> Reading	N. Dueck – C. Wiebe WHEREAS Council has received a request for naming of new roads in the Highlands (South) development opened under Subdivision file 4340-18-8108; THEREFORE BE IT RESOLVED that Bylaw 814-19, being a bylaw authorizing the naming of roads for Aberdeen Drive and Balgownie Bay, roads opened under Subdivision file 4340-18-8108, be given second reading.  “Carried”
Res#261-19 BL 814-19 3 <sup>rd</sup> Reading	J. Funk – C. Wiebe WHEREAS Council has received a request for naming of new roads in the Highlands (South) development opened under Subdivision file 4340-18-8108; THEREFORE BE IT RESOLVED that Bylaw 814-19, being a bylaw authorizing the naming of roads for Aberdeen Drive and Balgownie Bay, roads opened under Subdivision file 4340-18-8108, be given third reading and passed.  “Carried”  In Favour: M. Dyck, J. Funk, K. Stott, C. Wiebe, N. Dueck
Res#262-19 Added Taxes	K. Stott – J. Funk BE IT RESOLVED that in accordance with Section 326 of <i>The Municipal Act</i> , that supplementary taxes as provided by the Manitoba Assessment Services dated August 27, 2019 are hereby added to the Tax Roll.  “Carried”
Res#263-19 Authorize	K. Stott – J. Funk BE IT RESOLVED that Councillor Wiebe be reimbursed for attending the Ritchie Brothers Auction Sale in Winnipeg on August 15, 2019.  “Carried”
Res#264-19 Sewer Cleaning	C. Wiebe – N. Dueck BE IT RESOLVED that following the Town’s due tendering process, that the contract for the Town’s Sewer Cleaning and Videoing be awarded to T2 Sewer Cleaning Ltd. of Alberta, who submitted the highest scoring lowest priced bid of \$19,850.00 (plus applicable taxes).  “Carried”
Res#265-19 SRRCD	J. Funk – C. Wiebe BE IT RESOLVED that Council appoints Councillor Kevin Stott as Niverville’s representative on the Seine Rat River Conservation District board for a one-year term ending November 2020.  “Carried”
Res#266-19 Authorize	N. Dueck – J. Funk BE IT RESOLVED that members of Council are authorized to take a tour of Niverville’s Recycling Collection Depot on September 10, 2019 in St. Malo, MB.  “Carried”
Res#267-19 Authorize	N. Dueck – C. Wiebe BE IT RESOLVED that a member of Council is authorized to attend the 7 <sup>th</sup> Annual Public Meeting of Southern Health-Santé Sud in Morden, MB on October 2, 2019.  “Carried”

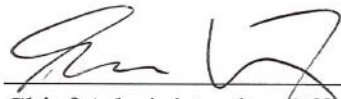
Res#268-19  
Adjourn

N. Dueck – J. Funk

BE IT RESOLVED that the meeting be adjourned. (9:34 a.m.)

“Carried”

  
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Mayor

  
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Chief Administrative Officer

Minutes of the Public Hearing held on September 3<sup>rd</sup>, 2019 at 9:04 a.m. regarding Variation 1-19; to vary setbacks, site width, site area, dwelling unit size, site coverage and dwelling unit height for Lots 19-53 Plan 58591, civically known as #1-46 Briarfield Court. The proposal was duly advertised as per Section 169 of *The Planning Act*. Mayor Myron Dyck served as chairperson, with Deputy Mayor John Funk and Councillors Kevin Stott, Chris Wiebe and Nathan Dueck in attendance.

Eric King, CAO of the Town of Niverville provided an overview of the proposal, noting that the Variation was requested to revert to the standards permitted in this area under the “R1S” Small Lot Single Family zone, which existed under Bylaw 663-08, as amended, prior to the passing of Bylaw 795-18. The Variation if approved, would bring these lots into compliance under Bylaw 795-18.

There was no opposition received to the proposal.

The Public Hearing was closed at 9:05 a.m.

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Minutes of the Public Hearing held on September 3<sup>rd</sup>, 2019 at 9:08 a.m. regarding Variation 2-19; to vary the south side yard from 5 feet to 3.95 feet for the existing 2-storey dwelling that is located on proposed lot 1 under subdivision file 4340-18-8048 (revised), Lot 28 Block 6 Plan 19956, civically known as 76 3<sup>rd</sup> Avenue S. The proposal was duly advertised as per Section 169 of *The Planning Act*. Mayor Myron Dyck served as chairperson, with Deputy Mayor John Funk and Councillors Chris Wiebe and Nathan Dueck in attendance.

Eric King, CAO of the Town of Niverville provided an overview of the proposal. Clarification was provided on the layout of the proposed lots under subdivision file 4340-18-8048 (revised), as the Variation application was requested to bring proposed lot one into compliance with Niverville’s Zoning Bylaw 795-18.

There was no opposition received to the proposal.

The Public Hearing was closed at 9:10 a.m.