

## TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on April 21<sup>st</sup>, 2020 at 7:00 p.m. at the Niverville Centennial Arena (South End). In attendance were Mayor Myron Dyck, Deputy Mayor John Funk, Councillors Kevin Stott, Chris Wiebe and Nathan Dueck.

Res#114-20 Agenda	K. Stott – C. Wiebe BE IT RESOLVED that the agenda be approved as presented.  “Carried”
Res#115-20 Minutes	J. Funk – N. Dueck BE IT RESOLVED that the minutes of the regular Council meeting held on April 7 <sup>th</sup> , 2020 and special meeting held on April 14, 2020 be approved as presented. “Carried”
Res#116-20 Table Agenda	C. Wiebe – J. Funk BE IT RESOLVED that the Council meeting agenda be tabled and that Council sit in accordance with <i>The Municipal Act</i> to hold a Public Hearing for the Town’s 2020 Financial Plan.  “Carried”
Res#117-20 Resume	C. Wiebe – N. Dueck BE IT RESOLVED that the Public Hearing for the Town’s 2020 Financial Plan be closed and Council resume its former order of business (7:08 p.m.) “Carried”
Res#118-20 BL 822-20 2 <sup>nd</sup> Reading	J. Funk – C. Wiebe BE IT RESOLVED that Council gives second reading to the 2020 Financial Plan Bylaw 822-20.  “Carried”
Res#119-20 BL 822-20 3 <sup>rd</sup> Reading	N. Dueck – C. Wiebe BE IT RESOLVED that Council gives third reading and passes the 2020 Financial Plan Bylaw 822-20.  “Carried”  In Favour: M. Dyck, J. Funk, K. Stott, C. Wiebe, N. Dueck
Res#120-20 Table Agenda	J. Funk – C. Wiebe BE IT RESOLVED that the Council meeting agenda be tabled and that Council sit in accordance with <i>The Planning Act</i> to hold the Public Hearing for Variation V5-2020 and Conditional Use application C7-2020; to allow for identification and advertising signage on Lot 2 Block 2 Plan 23182 civically known as 349 Bronstone Drive and sign placement on public property. “Carried”
Res#121-20 Resume	C. Wiebe – J. Funk BE IT RESOLVED that the Public Hearing for Variation V5-2020 and Conditional Use application C7-2020 be closed and Council resume its former order of business (7:10 p.m.).  “Carried”

Res#122-20 V5-2020 C7-2020	<p>J. Funk – K. Stott</p> <p>WHEREAS a Public Hearing was held regarding Variation V5-2020 and Conditional Use application C7-2020, an application from Victoria Petrenko on behalf of Niverville Check Engine:</p> <ol style="list-style-type: none"> <li>1) to vary the permitted identification signage from 100 square feet to 121.28 square feet (21.8% over permitted) on Lot 7, Block 2, Plan 23182, civically known as 349 Bronstone Drive,</li> <li>2) to allow for advertising signage to be placed in the window on Lot 7, Block 2, Plan 23182, civically known as 349 Bronstone Drive, a total of 48 square feet consisting of 2 panels, each up to 12 sq. ft. and 2 digital signs, each up to 12 square feet,</li> <li>3) to allow for permanent signage to be placed on the Town boulevard in the greenspace between PR 311 and Bronstone Drive (in line with 349 Bronstone Drive) consisting of 2 flags, each 15 feet in height x 2 feet wide, and</li> <li>4) to allow for temporary signage to be placed on the Town boulevard on a rotating permanent basis: <ul style="list-style-type: none"> <li>• 6 signs, each measuring up to 6 square feet to be posted for 2-week periods at the beginning of every promotion, with location of signs as follows: <ul style="list-style-type: none"> <li>○ Intersection of Main Street and Fifth Avenue South (East side)</li> <li>○ PR 311 &amp; Bronstone Drive (opposite large Town sign)</li> <li>○ Intersection of PR 311 and 6<sup>th</sup> Avenue S. (East side)</li> <li>○ On PR 311 between Arena Road and CPR tracks (North Side)</li> <li>○ Intersection of PR 311 and Krahn Road (South-East side)</li> <li>○ Intersection of Claremont Drive and Hampton Drive (roundabout)</li> </ul> </li> </ul> </li> </ol> <p>AND WHEREAS the application was duly advertised;</p> <p>AND WHEREAS there was no opposition received to the proposal;</p> <p>THEREFORE BE IT RESOLVED that Council approves the following signage requests under Variation V5-2020 and Conditional Use application C7-2020 from Victoria Petrenko on behalf of Niverville Check Engine:</p> <ol style="list-style-type: none"> <li>1) to vary the permitted identification signage from 100 square feet to 121.28 square feet (21.8% over permitted) on Lot 7, Block 2, Plan 23182, civically known as 349 Bronstone Drive;</li> <li>2) to allow for advertising signage to be placed in the window on Lot 7, Block 2, Plan 23182, civically known as 349 Bronstone Drive, a total of 48 square feet consisting of 2 panels, each up to 12 sq. ft. and 2 digital signs, each up to 12 square feet; and</li> <li>3) to allow for 2 flags, each 15 feet in height x 2 feet wide to be placed on Lot 7, Block 2, Plan 23182, civically known as 349 Bronstone Drive, subject to approval from the landlord/owner of the property.</li> </ol> <p style="text-align: right;">“Carried”</p>
Res#123-20 Table Agenda	<p>N. Dueck – C. Wiebe</p> <p>BE IT RESOLVED that the Council meeting agenda be tabled and that Council sit in accordance with <i>The Planning Act</i> to hold the Public Hearing for Conditional Use application C8-2020; to allow for a kennel to operate in a Commercial Main Street Zone at Lot 3, Block 2, Plan 19956, civically known as 86 Main Street.</p> <p style="text-align: right;">“Carried”</p>
Res#124-20 Resume	<p>C. Wiebe – K. Stott</p> <p>BE IT RESOLVED that the Public Hearing for Conditional Use application C8-2020 be closed and Council resume its former order of business (7:41 p.m.).</p> <p style="text-align: right;">“Carried”</p>



Res#125-20 C8-2020	<p>J. Funk – C. Wiebe</p> <p>WHEREAS a Public Hearing was held regarding Conditional Use C8-2020, an application from Sara Matwychuk to allow a kennel with an outside yard to operate at Lot 3, Block 2, Plan 19956, civically known as 86 Main Street; AND WHEREAS the application was duly advertised; AND WHEREAS there were four residents in favour of the proposal and four residents who were against the proposal; THEREFORE BE IT RESOLVED that Council approves Conditional Use application C8-2020 from Sara Matwychuk to allow a kennel with an outside yard to operate at Lot 3, Block 2, Plan 19956, civically known as 86 Main Street subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1) Conditional Use permit will expire on April 20, 2022. Applicant will be required to reapply a minimum of 4 weeks in advance of expiry date, with Conditional Use application fee to be waived for second application;</li> <li>2) Outside yard must not generate obnoxious smells or a noise nuisance beyond the subject property boundaries;</li> <li>3) Outside yard must not be used for exercising dogs between the hours of 10:00 p.m. and 7:00 a.m. (no noise nuisance);</li> <li>4) The outside yard must be securely enclosed with an opaque fence of at least seven feet in height and have a partial roof in order to dampen the noise of the animals outside, the design of which shall be approved by the Town;</li> <li>5) Applicant must ensure that all dogs under the care of the kennel are licensed in their respective municipalities, with all rabies and distemper shots up to date; and</li> <li>6) That the maximum number of dogs permitted at the kennel will be 50.</li> </ol> <p style="text-align: right;">“Carried”</p>
Res#126-20 HR1-19	<p>N. Dueck – C. Wiebe</p> <p>BE IT RESOLVED that Council approves an amendment to policy number HR1-19 Operations Clothing, to require Operations Seasonal staff to wear CSA approved safety footwear and offer an allowance of up to \$100 every two years for the purchase of same, copy of the policy is attached hereto Schedule “A”.</p> <p style="text-align: right;">“Carried”</p>
Res#127-20 Cancel/Close Facilities Programming	<p>J. Funk – N. Dueck</p> <p>WHEREAS the Town is taking proactive measures to limit the spread of the COVID-19 pandemic virus; THEREFORE BE IT RESOLVED that Council authorizes the closure of Town facilities for Recreation purposes and cancellation of Recreation programming until May 15, 2020 or earlier date as per provincial guidelines.</p> <p style="text-align: right;">“Carried”</p>
Res#128-20 Cancel Tax Sale 2020	<p>K. Stott – N. Dueck</p> <p>WHEREAS Council recognizes the economic burden brought on by the COVID-19 pandemic with respect to Niverville residents whose properties are up for tax sale on December 15, 2020; THEREFORE BE IT RESOLVED that Council authorizes the cancellation of the tax sale scheduled for December 15, 2020, ratified under Resolution 11-20, with penalties to continue accruing at the current rates until such time as all outstanding tax balances are paid in full.</p> <p style="text-align: right;">“Carried”</p>

Res#129-20 Utility Due Date Change	<p>C. Wiebe – J. Funk</p> <p>WHEREAS Council recognizes the economic burden brought on by the COVID-19 pandemic with respect to Niverville residents' responsibility to remit payment for water and sewer utility bills;</p> <p>THEREFORE BE IT RESOLVED that Council authorizes the change of due dates for the Water and Sewer Utility billing periods of January through June 2020 to September 30, 2020.</p> <p style="text-align: right;">“Carried”</p>
Res#130-20 Infill Levy	<p>K. Stott – C. Wiebe</p> <p>BE IT RESOLVED that Council approves an Infill Lift Station and Forcemain Levy effective 2020 at a rate of \$650.00 per Residential Equivalency Unit (REU) as defined by Bylaw 711-12.</p> <p style="text-align: right;">“Carried”</p>
Res#131-20 BL 819-20 1 <sup>st</sup> Reading	<p>K. Stott – C. Wiebe</p> <p>BE IT RESOLVED that Council gives first reading to Bylaw 819-20, Animal Control.</p> <p style="text-align: right;">“Carried”</p> <p>Mayor Dyck noted that he spent time reading Bill 48 and 49 over the weekend along with conducting research on other metro regions in Canada.</p>
Res#132-20 Accounts	<p>K. Stott – C. Wiebe</p> <p>BE IT RESOLVED that cheque nos. 38713 to 38752 totalling \$663,587.74 be hereby approved for payment.</p> <p style="text-align: right;">“Carried”</p>
Res#133-20 Cancel WMR Membership	<p>J. Funk – C. Wiebe</p> <p>WHEREAS that the Town of Niverville has been a member of the Winnipeg Metro Region (WMR) since October 2015;</p> <p>AND WHEREAS that the Town committed at that time to a four-year commitment to the WMR that has since expired in October of 2019;</p> <p>AND WHEREAS that Council has reviewed their involvement and commitment to the WMR and has discerned that shifting regional economic and social development dynamics indicate enhanced infrastructure, shared services and land use planning alignment with municipal partners outside the Capital Region Partnership;</p> <p>THEREFORE BE IT RESOLVED that the Town of Niverville has formally withdrawn its commitment to being a full member of the Winnipeg Metro Region as of April 1<sup>st</sup>, 2020;</p> <p>AND BE IT FURTHER RESOLVED that due to the numerous economic and social development benefits of regionalization related to joint infrastructure, shared service agreements and collaborative land use planning, that Niverville commits to working with aligned neighboring municipalities within the framework of Manitoba's proposed Bill 48.</p> <p style="text-align: right;">“Carried”</p>
Res#134-20 BL801-18 Update	<p>C. Wiebe – K. Stott</p> <p>BE IT RESOLVED that the following update be made to Schedule “A” of Bylaw 801-18 (Niverville Parking Bylaw):</p> <ul style="list-style-type: none"> <li>▪ Second Avenue North – no parking on west side entire length</li> </ul>



- Second Avenue North – no parking on east side between 1<sup>st</sup> Street N. and 3<sup>rd</sup> Street N.
- Mulberry Avenue – no parking between PR 311 and Centre Street
- Mulberry Avenue – no parking on east side north of Centre Street
- Birkdale Cove – no parking south side entire length
- Turnberry Cove – no parking south side entire length
- Aberdeen Drive – no parking on west side entire length
- Balgownie Bay – no parking inside of bay entire length (east & north sides)
- Hespeler Park Drive – no parking entire length

“Carried”

Res#135-20  
Adjourn

N. Dueck – C. Wiebe

BE IT RESOLVED that the meeting be adjourned. (8:29 p.m.)

“Carried”

  
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Mayor

  
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Chief Administrative Officer

Minutes of the Public Hearing held on April 21, 2020 at 7:01 p.m. regarding the Town's 2020 Financial Plan. The proposal was duly advertised as per Section 420 of *The Municipal 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 2020 Financial Plan, and including the following highlights:

- Municipal tax increase is 2% on the average Niverville residence
- Decrease in 2020 School Tax Levy by Hanover School Division
- Waste collection levy held at the same level for fourth consecutive year

There was no opposition received to the proposal.

The Public Hearing was closed at 7:08 p.m.

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Minutes of the Public Hearing held on April 21, 2020 at 7:09 p.m. regarding Variation V5-2020 and Conditional Use application C7-2020, an application from Victoria Petrenko on behalf of Check Engine to allow for identification and advertising signage on Lot 2 Block 2 Plan 23182 civically known as 349 Bronstone Drive and sign placement on public property. 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 read the proposal into the record.

There was no opposition received to the proposal.

The Public Hearing was closed at 7:10 p.m.

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Minutes of the Public Hearing held on April 21, 2020 at 7:20 p.m. regarding Conditional Use C8-2020, an application from Sara Matwychuk to allow a kennel with an outside yard to operate at Lot 3, Block 2, Plan 19956, civically known as 86 Main Street. 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.

Ms. Sara Matwychuk (applicant) provided a personal historical report of her involvement in a kennel business and outlined her priorities for the proposed business, which were cleanliness and safety. Ms. Matwychuk also went on to describe how she intended to use both the indoor and outdoor spaces, the projected maximum number of dogs (65), staffing, standards for handling noisier dogs, insurance and parking. She also noted that she had reached out to the neighboring property owners, CMC Church and Karam AbdElmour.

Mike Gibb of 75 First Street South voiced concerns regarding the noise.

Sarah Klimack of 46 First Street South voiced concerns over increased traffic, dogs that escape, the number of dogs in the area and noise.

Eric King, CAO of the Town of Niverville read a letter of opposition received from Henry Friesen (business owner at 28 Main Street) who noted concern for the location and amount of noise that 65 dogs would generate. Mr. King also read a letter of support received from Mr. Len

Gurr of 605 Muirfield Cove, who noted that this will business will provide Niverville dog owners with a service that the Town needs and also offered a personal reference for Ms. Matwychuk's services as a dog care giver.

Ms. Matwychuk noted in closing that she understands community and noise, has taken account other kennels where she has worked in the past, will do whatever it takes to mitigate the noise and wants to work with the community to make sure her business is in line with what the community values are.

The Public Hearing was closed at 7:41 p.m.

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