

## TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on February 18, 2020 at 7:00 p.m. at the Niverville Heritage Centre. In attendance were Mayor Myron Dyck, Deputy Mayor John Funk and Councillors Kevin Stott, Chris Wiebe and Nathan Dueck.

Res#41-20  
Agenda

K. Stott – C. Wiebe

BE IT RESOLVED that the agenda be approved subject to the following additions:

- 10 a. Award contract for replacement of the refrigerant pipes in Arena
- 10 b. Forfeit expired Building Permit Deposits in the amount of \$35,000

“Carried”

Res#42-20  
Minutes

N. Dueck – J. Funk

BE IT RESOLVED that the minutes of the regular Council meeting held on February 4, 2020 be approved as presented.

“Carried”

Res#43-20  
Table  
Agenda

C. Wiebe – K. Stott

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 Conditional Use application C3-2020; to allow for a licensed home-based daycare on Lot 42, Plan 47826, civically known as 42 Claremont Drive.

“Carried”

Res#44-20  
Resume

N. Dueck – J. Funk

BE IT RESOLVED that the Public Hearing for Conditional Use application C3-2020 to allow for a licensed home-based daycare on Lot 42, Plan 47826, civically known as 42 Claremont Drive be closed and Council resume its former order of business (7:07 p.m.).

“Carried”

Res#45-20  
C3-2020

N. Dueck – J. Funk

WHEREAS a Public Hearing was held regarding Conditional Use C3-2020, an application from Monique Giroux to allow for a licensed home-based daycare on Lot 42, Plan 47826, civically known as 42 Claremont Drive;  
AND WHEREAS in accordance with *The Planning Act*, the Conditional Use application was duly advertised;  
AND WHEREAS there was no opposition received to the proposal;  
THEREFORE BE IT RESOLVED that Conditional Use C3-2020, an application from Monique Giroux to allow for a licensed home-based daycare on Lot 42, Plan 47826, civically known as 42 Claremont Drive be approved subject to the following conditions:

- (1) Conditional Use permit will expire on February 18, 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; and
- (2) Applicant must keep in good standing an annual business license with the Town of Niverville.

“Carried”

Res#46-20 Table Agenda	<p>K. Stott – J. Funk</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 Variation application V1-2020; to vary the rear yard setback from 25 feet to 10 feet on Lots 6 &amp; 7, Plan 61759, civically known as 451 and 461 Kuzenko Street (Niverville Business Park).</p> <p style="text-align: right;">“Carried”</p>
Res#47-20 Resume	<p>N. Dueck – C. Wiebe</p> <p>BE IT RESOLVED that the Public Hearing for Variation application V1-2020; to vary the rear yard setback from 25 feet to 10 feet on Lots 6 &amp; 7, Plan 61759, civically known as 451 and 461 Kuzenko Street (Niverville Business Park) be closed and Council resume its former order of business (7:12 p.m.).</p> <p style="text-align: right;">“Carried”</p>
Res#48-20 V1-2020	<p>N. Dueck – C. Wiebe</p> <p>WHEREAS a Public Hearing was held regarding Variation application V1-2020, an application from Rogue Botanicals Inc. to vary the rear yard setback from 25 feet to 10 feet on Lots 6 &amp; 7, Plan 61759, civically known as 451 and 461 Kuzenko Street (Niverville Business Park);</p> <p>AND WHEREAS in accordance with <i>The Planning Act</i> the Variation 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 Variation application V1-2020, an application from Rogue Botanicals Inc. to vary the rear yard setback from 25 feet to 10 feet on Lots 6 &amp; 7, Plan 61759, civically known as 451 and 461 Kuzenko Street (Niverville Business Park).</p> <p style="text-align: right;">“Carried”</p>
Res#49-20 Table Agenda	<p>K. Stott – 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 C4-2020; to allow for a pharmacy to operate in a Recreational Community Complex Zone (RRC) on Lots 1 and 2, Plan 60856, civically known as 100 2<sup>nd</sup> Avenue S., Niverville Heritage Centre.</p> <p style="text-align: right;">“Carried”</p>
Res#50-20 Resume	<p>C. Wiebe – J. Funk</p> <p>BE IT RESOLVED that the Public Hearing for Conditional Use application C4-2020 to allow for a pharmacy to operate in a Recreational Community Complex Zone (RRC) on Lots 1 and 2, Plan 60856, civically known as 100 2<sup>nd</sup> Avenue S., Niverville Heritage Centre, be closed and Council resume its former order of business (7:16 p.m.).</p> <p style="text-align: right;">“Carried”</p>
Res#51-20 C4-2020	<p>J. Funk – K. Stott</p> <p>WHEREAS a Public Hearing was held regarding Conditional Use C4-2020, an application from Niverville Heritage Holdings Inc. to allow for a pharmacy to operate in a Recreational Community Complex Zone (RCC) on Lots 1 and 2, Plan 60856, civically known as 100 2<sup>nd</sup> Avenue S., Niverville Heritage Centre;</p> <p>AND WHEREAS in accordance with <i>The Planning Act</i>, the Conditional Use application was duly advertised;</p> <p>AND WHEREAS there was no opposition received to the proposal;</p>



	<p>AND WHEREAS there was one letter received in favor of the proposal; THEREFORE BE IT RESOLVED that Council approves Conditional Use C4-2020, an application from Niverville Heritage Holdings Inc. to allow for a pharmacy to operate in a Recreational Community Complex Zone (RRC) on Lots 1 and 2, Plan 60856, civically known as 100 2<sup>nd</sup> Avenue S., (Niverville Heritage Centre).</p> <p style="text-align: right;">“Carried”</p>
Res#52-20 Table Agenda	<p>N. Dueck – J. Funk</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 C5-2020; to allow for a tattoo studio (including tattoo laser removal) to operate in a Commercial Main Street zone (CMS) on Lot 6, Block 4, Plan 19956, civically known as 226 Main Street.</p> <p style="text-align: right;">“Carried”</p>
Res#53-20 Resume	<p>J. Funk – K. Stott</p> <p>BE IT RESOLVED that the Public Hearing for Conditional Use application C5-2020 to allow for a tattoo studio (including tattoo laser removal) to operate in a Commercial Main Street zone (CMS) on Lot 6, Block 4, Plan 19956, civically known as 226 Main Street be closed and Council resume its former order of business (7:21 p.m.).</p> <p style="text-align: right;">“Carried”</p>
Res#54-20 C5-2020	<p>C. Wiebe – N. Dueck</p> <p>WHEREAS a Public Hearing was held regarding Conditional Use C5-2020, an application from Twenty Twenty Tattoo Studio to allow for a tattoo studio (including tattoo laser removal) to operate in a Commercial Main Street zone (CMS) on Lot 6, Block 4, Plan 19956, civically known as 226 Main Street;</p> <p>AND WHEREAS in accordance with <i>The Planning Act</i>, the Conditional Use application was duly advertised;</p> <p>AND WHEREAS there was no opposition received to the proposal;</p> <p>AND WHEREAS eleven local residents noted their support of the proposal;</p> <p>THEREFORE BE IT RESOLVED that Conditional Use C5-2020, an application from Twenty Twenty Tattoo Studio to allow for a tattoo studio (including tattoo laser removal) to operate in a Commercial Main Street zone (CMS) on Lot 6, Block 4, Plan 19956, civically known as 226 Main Street be approved subject to the following condition:</p> <p style="padding-left: 40px;">(1) Should the business grow to include more than one employee or operator working at the same time, that the Town will need to review parking for the premises and provide confirmation that the parking is sufficient for the businesses that are operating on the premises.</p> <p style="text-align: right;">“Carried”</p> <p>Mayor Myron Dyck noted that February is I like to read month in the Niverville Elementary School. The Mayor also stated that both he and Deputy Mayor John Funk would be participating in judging student projects at the Niverville High School.</p>
Res#55-20 Accounts	<p>K. Stott – C. Wiebe</p> <p>BE IT RESOLVED that cheque nos. 38496 to 38542 totalling \$224,321.01 be hereby approved for payment.</p> <p style="text-align: right;">“Carried”</p>

Res#56-20 C. Wiebe – J. Funk  
Award BE IT RESOLVED that following the Town's due tendering process, that the  
Contract contract for replacement of the refrigerant pipes in the Niverville Centennial  
Arena is awarded to Southern Comfort Mechanical Inc., who submitted the lowest  
bid of \$106,829.69 plus applicable taxes.

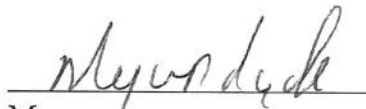
"Carried"


Res#57-20 C. Wiebe – K. Stott  
O/S Security WHEREAS Niverville's Finance Department has compiled a listing of  
Deposits outstanding and unclaimed Building Permit security deposits from permits dated  
March to December 2017;  
AND WHEREAS the list represents those properties for which final inspections  
have not been completed satisfactorily nor have arrangements been made by the  
applicant to complete the final inspections as per Town policy;  
THEREFORE BE IT RESOLVED that the expired Building Permit security  
deposits from permits dated March to December 2017 in the amount of \$35,000  
for properties that have not received satisfactory final inspections nor  
arrangements made for the completion of same be moved to the General  
Operating fund.

"Carried"

Res#58-20 N. Dueck – C. Wiebe  
Adjourn BE IT RESOLVED that the meeting be adjourned. (7:30 p.m.)

"Carried"

  
Mayor

  
Chief Administrative Officer

Minutes of the Public Hearing held on February 18, 2020 at 7:03 p.m. regarding Conditional Use C3-2020, an application from Monique Giroux to allow for a licensed home-based daycare on Lot 42, Plan 47826, civically known as 42 Claremont Drive. 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.

CAO Eric King provided an overview of the proposal, noting this would be a French daycare that followed a teacher's schedule.

Ms. Monique Giroux (applicant) was present to answer questions with respect to her proposal.

Council asked for more information on the following:

- Parking and fencing of the rear yard
- Number of childcare spots
- Time limit on approval

CAO Eric King noted that there were no concerns with the parking and that fencing was not a requirement. Mr. King stated that Town Administration recommended a 2-year time limit, with the fee to be waived for the renewal application.

Ms. Giroux also confirmed that fencing was not a requirement for licensing of the daycare with the Province and noted that there would be 5 preschool spots for ages 6 months to kindergarten and the school age spots would be taken by her children.

There was no opposition received to the proposal.

The Public Hearing was closed at 7:07 p.m.

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Minutes of the Public Hearing held on February 18, 2020 at 7:09 p.m. regarding Variation application V1-2020, an application from Rogue Botanicals Inc. to vary the rear yard setback from 25 feet to 10 feet on Lots 6 & 7, Plan 61759, civically known as 451 and 461 Kuzenko Street (Niverville Business Park). 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.

Mr. Matthew Tkachuk was present on behalf of Rogue Botanicals Inc. to answer any questions with respect to his proposal.

Councillor Dueck asked to see a layout of the site and the applicant provided the documents for review.

There was no opposition received to the proposal.

The Public Hearing was closed at 7:12 p.m.

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Minutes of the Public Hearing held on February 18, 2020 at 7:13 p.m. regarding Conditional Use C4-2020, an application from Niverville Heritage Holdings Inc. to allow for a pharmacy to operate in a Recreational Community Complex Zone (RRC) on Lots 1 and 2, Plan 60856, civically known as 100 2<sup>nd</sup> Avenue S., Niverville Heritage Centre. 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.

Mr. Wes Hildebrand was present on behalf of Niverville Heritage Holdings Inc. to answer any questions with respect to the proposal.

Councillor Dueck asked for clarification regarding the parking arrangements. Mr. Hildebrand noted that staff would not be parking in the east parking lot and that there would be 4 dedicated spots for the pharmacy in the east parking lot.

There was no opposition received to the proposal.

There were 3 residents present who were in favour of the proposal.

There was one letter of support received from Diane and Raymond Alarie, who live at 52 2<sup>nd</sup> Street South.

The Public Hearing was closed at 7:16 p.m.

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Minutes of the Public Hearing held on February 18, 2020 at 7:17 p.m. regarding Conditional Use C5-2020, an application from Twenty Twenty Tattoo Studio to allow for a tattoo studio (including tattoo laser removal) to operate in a Commercial Main Street zone (CMS) on Lot 6, Block 4, Plan 19956, civically known as 226 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.

Mr. Jason Majury was present on behalf of Twenty Twenty Tattoo Studio to answer any questions with respect to his proposal.

There were eleven local residents present who noted their support of the proposal.

CAO Eric King noted that the parking arrangements for the building had been reviewed and that there were no concerns.

There was no opposition received to the proposal.

The Public Hearing was closed at 7:21 p.m.

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