

Town of Niverville

Minutes of the regular meeting of the Niverville Town Council held on December 15, 2020 at 7:00 p.m. held virtually. In attendance were Mayor Myron Dyck, Deputy Mayor John Funk, Councillors Kevin Stott, Chris Wiebe and Nathan Dueck.

Res#341-20 Agenda	N. Dueck – C. Wiebe BE IT RESOLVED that the agenda be approved subject to the following addition: 10 c. Snow Route “Carried”
Res#342-20 Minutes	J. Funk – C. Wiebe BE IT RESOLVED that the minutes of the regular Council meeting held on December 1, 2020 and Special Meeting of Council held on December 8, 2020 be approved as presented. “Carried”
Res#343-20 Table Agenda	N. Dueck – K. Stott BE IT RESOLVED that the Council meeting agenda be tabled and that Council sit in accordance with <i>The Planning Act</i> to hold a combined Public Hearing for Conditional Use C18-2020 and Variation application V22-2020, to allow a retail Cannabis store at Unit 2-41 Main Street, Niverville. “Carried”
Res#344-20 Resume	J. Funk – K. Stott BE IT RESOLVED that the Public Hearing for Conditional Use C18-2020 and Variation application V22-2020 be closed and Council resume its former order of business. (9:16 p.m.) “Carried”
Res#345-20 V22-2020	N. Dueck – C. Wiebe WHEREAS a joint Public Hearing was held regarding Conditional Use C18-2020 and Variation V22-2020, an application from 10044400 Manitoba Ltd. to allow a retail Cannabis store to operate in a Commercial Main Street Zone on Lot 12 Block 12 Plan 19955, civically known as Unit 2-41 Main Street, Niverville, subject to a variation of the required 1,000 foot setback from a school or indoor-outdoor participant recreation service to no less than 744 feet; AND WHEREAS in accordance with <i>The Planning Act</i> , the Conditional Use and Variation application were duly advertised; AND WHEREAS members of the public have provided both letters of support and letters of opposition to the proposal; THEREFORE BE IT RESOLVED that Council approves Variation V22-20, an application from 10044400 Manitoba Ltd. to vary the required 1,000 foot setback from a school or indoor-outdoor participant recreation service to no less than 744 feet, to allow for a retail Cannabis store to operate in a Commercial Main Street Zone on Lot 12 Block 12 Plan 19955, civically known as Unit 2-41 Main Street, Niverville. "Carried"
Res#346-20 C18-2020	K. Stott – C. Wiebe WHEREAS a joint Public Hearing was held regarding Conditional Use C18-2020 and Variation V22-2020, an application from 10044400 Manitoba Ltd. to allow a retail Cannabis store to operate in a Commercial Main Street Zone on Lot 12 Block 12 Plan 19955, civically known as Unit 2-41 Main Street, Niverville;

AND WHEREAS in accordance with *The Planning Act*, the Conditional Use and Variation application were duly advertised;
AND WHEREAS members of the public have provided both letters of support and letters of opposition to the proposal;
THEREFORE BE IT RESOLVED that Council approves Conditional Use C18-2020, an application from 10044400 Manitoba Ltd. to allow for a retail Cannabis store to operate in a Commercial Main Street Zone on Lot 12 Block 12 Plan 19955, civically known as Unit 2-41 Main Street, Niverville, subject to the following conditions:

1. That permitted hours of operation are set as follows:
Monday through Saturday 8:00 a.m. to 10 p.m.
Sundays 12:00 p.m. to 10 p.m.;
2. That the business complies with all directives and standards as set out by the Liquor, Gaming and Cannabis Authority of Manitoba (LGCA) and that where these conditions noted conflict with LGCA, the most restrictive conditions shall prevail;
3. That the exterior business signage will not contain any reference to Cannabis, nor any logo containing graphics relating to Cannabis; and
4. That there be no view into the interior of the store from the exterior.

"Carried"

Council took a short recess (9:53 p.m.).

Res#347-20
F4-16

C. Wiebe – J. Funk

BE IT RESOLVED that Council approves an amendment to Business Incentive Grant Policy F4-16, copy of which is attached hereto as Schedule "A".

"Carried"

Res#348-20
Appoint
Triple R rep

J. Funk – C. Wiebe

BE IT RESOLVED THAT Council appoints Brenda Desjardins as Niverville's representative on the Community Futures Triple R Development Corporation with Mayor Myron Dyck serving as the alternate representative.

AND BE IT FURTHER RESOLVED that the Town as per policy will provide reimbursement to Ms. Desjardins for the mileage expenses to attend Triple R meetings as per the Town's remuneration bylaw with additional expenses, if any, requiring prior resolution of Council.

"Carried"

Res#349-20
HR2-20

K. Stott – J. Funk

BE IT RESOLVED THAT Council approves Work Alone Policy HR2-20, which provides directives to staff for follow up with others when working alone, copy of which is attached hereto as Schedule "B".

"Carried"

Res#350-20
Cap. Dev.
Fees 2022

C. Wiebe – K. Stott

BE IT RESOLVED that Council approves the following Capital Development Fees effective January 1, 2022:

\$8,000 (single residential dwelling unit)

\$5,750 (multi-residential dwelling unit).

"Carried"

	<p>Mayor Myron Dyck expressed to everyone who was listening as well as all the residents of our great community, however they celebrate the season, wishes for a Merry Christmas, Happy Holidays and his prayer for each and everyone is health for them and their family; love, peace and above all hope for the New Year.</p>
Res#351-20 Accounts	<p>K. Stott – N. Dueck BE IT RESOLVED that cheque nos. 39498 to 39554 totalling \$843,209.90 be hereby approved for payment.</p> <p style="text-align: right;">“Carried”</p>
Res#352-20 BL 827-20 2 nd Reading	<p>K. Stott – J. Funk BE IT RESOLVED that Bylaw 827-20, being a Council Remuneration bylaw for 2021 is given second reading.</p> <p style="text-align: right;">“Carried”</p>
Res#353-20 BL 827-20 3 rd Reading	<p>C. Wiebe – N. Dueck BE IT RESOLVED that Bylaw 827-20, being a Council Remuneration bylaw for 2021 is given third reading and passed.</p> <p style="text-align: right;">“Carried”</p> <p>In Favour: M. Dyck, J. Funk, K. Stott, C. Wiebe, N. Dueck</p>
Res#354-20 BL 828-20 2 nd Reading	<p>J. Funk – K. Stott BE IT RESOLVED that Bylaw 828-20, being a Staff Remuneration bylaw for 2021 is given second reading.</p> <p style="text-align: right;">“Carried”</p>
Res#355-20 BL 828-20 3 rd Reading	<p>C. Wiebe – J. Funk BE IT RESOLVED that Bylaw 828-20, being a Staff Remuneration bylaw for 2021 is given third reading and passed.</p> <p style="text-align: right;">“Carried”</p> <p>In Favour: M. Dyck, J. Funk, K. Stott, C. Wiebe, N. Dueck</p>
Res#356-20 Subdivision	<p>J. Funk – C. Wiebe BE IT RESOLVED that Council approves (minor) Subdivision application 4340-20-8370, which proposes to subdivide five residential lots, as per Phase D of the Planned Unit Development for Prairie Crossings (SE 1/4 31-7-4 EPM), for multi-unit row-type housing.</p> <p style="text-align: right;">“Carried”</p>
Res#357-20 Annex C.V. Road	<p>C. Wiebe – N. Dueck WHEREAS the Town of Niverville (Town) and the Rural Municipal of Hanover (RM) have entered into a mutual agreement to have the Town annex Crown Valley Road from 6th Avenue South to PR622 (5th Avenue South); AND WHEREAS the RM has via Resolution P20-36 provided their approval to a transfer of ownership of Crown Valley Road between 6th Avenue and PR 622 (5th Avenue) to the Town, along with the north ditch, with the south ditch to remain under the RM’s jurisdiction; THEREFORE BE IT RESOLVED that Council authorizes the CAO to present an annexation proposal to the Province, requesting approval for the transfer of ownership of Crown Valley Road between 6th Avenue and PR 622 (5th Avenue) from the Rural Municipality of Hanover to the Town of Niverville; AND BE IT FURTHER RESOLVED that the Town will be responsible for the north ditch between 6th Avenue and PR 622 (5th Avenue), and the south ditch will remain under the Rural Municipality of Hanover’s jurisdiction.</p> <p style="text-align: right;">“Carried”</p>

Councillor Dueck called attention to the fact that the annual Snow Route Parking Ban has had some revisions this year and encouraged residents to check the Town website for more details. He also asked that residents be respectful of each other when they are parking.

Res#358-20
Adjourn

N. Dueck – C. Wiebe

BE IT RESOLVED that the meeting be adjourned. (10:18 p.m.)

“Carried”



Mayor



Chief Administrative Officer

SCHEDULE “A”



TOWN OF NIVERVILLE-FINANCE

POLICY NO. F4-16:	<u>BUSINESS INCENTIVE GRANT (BIG)</u>	
EFFECTIVE DATE:	<u>May 6, 2016</u>	RESOLUTION# <u>142-16</u>
REVISION DATE:	<u>July 19, 2016</u>	RESOLUTION# <u>202-16</u>
REVISION DATE:	<u>August 15, 2017</u>	RESOLUTION# <u>256-17</u>
REVISION DATE:	<u>December 15, 2020</u>	RESOLUTION# <u>347-20</u>

Background: The following grid will be used as a guide to calculate the scope and amount of the business incentive grant (the “grant”) provided by Niverville Council to an eligible property titleholder (the “titleholder”) located in a commercially or industrially zoned area (see herein “*definitions*” for further clarification) within the Town of Niverville (the “Town”).

Following consultation with the Niverville Chamber of Commerce, the purpose of the business incentive grant is to encourage construction of new commercial or industrial development. The business incentive grant is limited to commercial or industrial enterprises within noted zones of the community as herein described. That portion of a construction project classified as being of a residential category (see “*residential category*” definition herein) as determined by Manitoba Assessment, is exempt for consideration under this policy (example being mixed-use buildings).

In order to be eligible for the grant, the titleholder must generate a higher building assessment through creation of new square footage and application for a building or development permit (see definition for “*Assessment Increase*”).

For further clarification regarding leased/rental units, only one titleholder to whom the Niverville property tax statement is issued can apply for this grant program. While this grant includes freehold titleholders and/or leasehold titleholders, tenants are not eligible. Any arrangements regarding the grant allocation between tenants and landlords will not in any form or manner involve the Town.

The grant to the titleholder is calculated only on the general municipal portion of the annual taxes due.

Council, by means of a resolution passed during regular Council meeting, reserves the right to suspend the program at any time. The grant program commences effective May 6, 2016 and is not applicable to any infrastructure built or in the process of being constructed prior to this date.

Terms & Conditions:

1. Grant only pertains to the percentage of the annual general municipal portion of taxes being levied against new building value for commercial or industrial component on property tax statement.
2. Grant can commence in either the first full calendar year or added tax year after infrastructure completion and new assessment complete. The applicant and Town will consult on the applicant’s preference following receiving the revised assessment from Assessment Branch. A revised assessment from the Assessment Branch is a requirement as a new assessment has to be completed/determined by the Manitoba Assessment Branch for grant to be applicable. (see “Application Period” definition)
3. Payment to successful applicants will be made within 30 days following the property tax due date (property taxes are currently due and payable by September 30th).
4. Grant cannot exceed more than 100% of the general municipal tax portion. The dollar value determined in Year One will form the basis of calculations for future years to provide applicants with exact value over the duration of grant.
5. Grant calculations for the calendar year in which the permit is pulled is shown below. The percentage is applied to the general municipal tax on the first tax bill the applicant wishes to apply for the grant and forms the base for years two through four.

2020 / 2021				
Assessment	Year One	Year Two	Year Three	Year Four
Up to \$ 500K	40 %	30 %	20 %	10 %
\$501K to \$1MM	60 %	45 %	30 %	15 %
\$1,000,001 to \$1.5MM	80 %	60 %	40 %	20 %
Over \$1.5MM	100 %	75 %	50 %	25 %
Over \$2.5MM	100 %	80 %	64 %	32 %

2022 / 2023				
Assessment	Year One	Year Two	Year Three	Year Four
Up to \$ 500K	40 %	30 %	20 %	N/A
\$501K to \$1MM	60 %	45 %	30 %	N/A
\$1,000,001 to \$1.5MM	80 %	60 %	40 %	N/A
Over \$1.5MM	100 %	75 %	50 %	N/A
Over \$2.5MM	100 %	75 %	50 %	25 %

6. In each applicable year the full amount of annual taxes payable and water and sewer accounts must be paid in full prior to grant approval. Any overdue accounts with the Town during the period eligible for the grant will result in immediate loss of eligibility to continue with the program.
7. To qualify for the grant program all applicants must have obtained a Building Permit or Development Permit with the Town prior to construction commencing.
8. Eligibility for the grant is based on the terms and conditions described within this policy. In the event a titleholder disagrees with the Town’s decision, the titleholder may choose to appeal to Council who will hear their case during an open Council meeting. Council’s decision is final.
9. It is the sole responsibility of the titleholder to request the grant in writing from the Town. (see “application period” definition for further details). If a request is not received within the application period, the Town is under no obligation to consider eligibility for the grant program. For sake of clarity, the Town will not consider grant eligibility retroactively (i.e. request must come in the same calendar year as Building or Development Permit).

10. Grant application acceptance will occur after the titleholder's application has been approved by Town staff responsible for taxation.

Definitions:

- A) **Residential category:** The Municipal Assessment Act by way of regulation sets out prescribed classes of property. These classes of property are based on type, use, size and ownership of land or buildings, or any one or more of them. There are three residential categories Residential 1, Residential 2, or Residential 3.
- B) **Commercially / Industrially zoned:** those properties whose purpose is a commercial or industrial enterprise located in the following designated zones as defined by By-law No. 795-18 and amendments thereto: **CC** (Commercial Corridor), **CMS** (Commercial Main Street), **MG** (Industrial General), **MM** (Industrial Mixed Use) and **RCC** (Recreational Community Complex).
- C) **New Infrastructure:** for the purpose of eligibility for this business incentive grant, new infrastructure represents newly constructed buildings, tear-down/re-builds and/or expansions to existing buildings. Expansions must be able to show separately the increased assessment as a result of the facility expansion as confirmed by the Manitoba Assessment Branch. Interior renovations are not eligible for the grant.
- D) **Assessment Increase:** means the actual increase in building assessment value on a property tax statement as determined by the Manitoba Assessment Branch, excluding any inflationary increase. The increase due to inflation will be based on the average increase to the entire commercial tax roll. (e.g. if commercially zoned properties increase by 5 % and the applicant's building assessment due to expansion construction increased by 10 %, only 5% of building assessment increase would be considered eligible for this grant.)

In the example of tear-down/re-builds, the prior assessment value will apply against the new assessment. In this situation if a building is worth \$ 200,000 and is torn down and replaced with a building having an assessment value of \$ 400,000 then only \$ 200,000 applies as assessment discount.

- E) **Program period:** any building or development permit issued after May 6, 2016 for a Commercially / Industrially Zoned property expanding, re-building or building new infrastructure may make an application under this grant program to the Town.
- F) **Application period:** the Town will accept applications for the next calendar year up to November 30th of the current calendar year. Any applications submitted in the month of December will be approved for the following incentive year due to budget planning requirements for the Town. (i.e. Titleholder X makes application for 2021 tax reduction on December 15th, 2020. Due to blackout period this application will only be accepted for 2022 incentive program.) Titleholders must make an application at time of building permit but the application will only be processed upon the Manitoba Assessment Branch completing their review and providing necessary documentation to Town.
- G) **Application process:**
- i) Applicant registers building or development permit with Town.
 - ii) Building / development permit approved by Town.
 - iii) Applicant obtains building or development permit from Town Office; may request application form for the Business Incentive Grant.
 - iv) Applicant completes and returns form with supporting documentation to Town Office.
 - v) Upon Manitoba Assessment completing its review and submitting documents to the Town, the Town activates the Application, reviews current status of all tax and utility accounts made by titleholder.
 - vi) Town approves / denies request and provides basis for decision.
 - vii) IF:
 - a. Approved – Town will provide written notice of acceptance to the Applicant;
 - b. Denied – Applicant has option to request review by Council as per condition number 8.

SCHEDULE "B"



TOWN OF NIVERVILLE-HUMAN RESOURCES

POLICY NO. HR2-20: Work Alone Policy

EFFECTIVE DATE: December 15, 2020

RESOLUTION# 349-20

REVISION DATE: _____

RESOLUTION# _____

Purpose: This policy applies to all staff of the Town of Niverville when a worker is working alone.

All Staff

All staff are to have a personal first aid kit with them should a regular first aid kit not be within the vicinity of their work area (*purchasing enough first aid kits is a work in progress*).

Office Staff

If office staff are going out of the office alone during normal office hours, they are to let a fellow co-worker in the office know when they are leaving and how long they expect to be out. Staff working alone are to communicate with that same co-worker if they stay out longer than expected. The co-worker is to contact the staff working alone if they do not contact the co-worker within the time frame agreed upon.

Operations/Recreation Staff

Operations staff working alone are to agree upon a check in buddy at the beginning of the day and check in with one another at coffee time, lunch time and the end of the day. Should that person not respond in a timely manner they are to contact their supervisor.

General Evening/Weekend Work

If working alone and no other staff are working during the day, that staff member is responsible to arrange for a contact person who they contact at the beginning and end of their shift. The contact person is to know when that staff member's shift is scheduled and contact that staff member should that staff member not contact them shortly after the shift is done.

If working alone but another staff member is also working alone, they are to check in with one another at the start and end of their shift. They are to provide one another with an estimated finish time at the start of their shift.

Discuss your personal working alone plan with your manager should there not be someone available for you as a contact person.

Completing tasks that are deemed more hazardous may require more stringent communication procedures or require that staff not be alone when completing them. Consult the Safe Work Practices manual to determine the appropriate working alone procedures required for that specific task.

Minutes of the joint (virtual) Public Hearing held on December 15, 2020 at 7:03 p.m. regarding Conditional Use C18-2020 and Variation V22-2020, an application from 10044400 Manitoba Ltd. to allow a retail Cannabis store to operate in a Commercial Main Street Zone on Lot 12 Block 12 Plan 19955, civically known as Unit 2-41 Main Street, Niverville, subject to a variation of the required 1,000 foot setback from a school or indoor-outdoor participant recreation service to no less than 744 feet. 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.

Harsimran Sandhu (COO), Harvinder Dhillon (CEO) and Said Mohamed (CFO), were in attendance on behalf of 10044400 Manitoba Ltd., to provide an overview of their business proposal. Highlights of their presentation included the following points:

- Niverville is a growing community/good place to do business and they love the community aspect of the Town;
- Cannabis industry is growing;
- Applicants noted that they have over 10 years in operating a business, with some specific experience in operating a Cannabis business;
- Establishment will be an age-restricted licensed retail Cannabis site;
- Business will provide employment opportunities for the local community;
- Business will have a discreet name (Urban Flavours), no logo on the exterior and tinted windows;
- This will be a locally owned business, not a franchise;
- Secure storage, with Protelec Alarms already engaged to provide security;
- This is a highly regulated industry that controls the sale of the product; and
- They are open to suggestions from the community.

Barry Piasta of 5 Linden Place, noted that he is in support of the proposal, stating that he doesn't see the difficulty proposed by the Variance with respect to the number of feet and questioned if this business will provide local employment and what the business plans were for giving back to the community.

Mr. Sandhu thanked Mr. Piasta for support and noted that he has already received calls regarding employment and that they plan to support local sports teams and community events.

Craig Tomlinson of 84 Claremont Drive, noted his concern regarding the proximity to the school and questioned whether products (edibles) such as gummies or those looking like candies would be available for sale. Mr. Tomlinson commented that based on stats from small towns which also have Cannabis, that these towns also see an increase in organized crime. He stated that this type of store would be a target for thieves and questioned if Niverville were to experience this trend in organized crime, whether Town Council would be able to secure a quicker police response. In addition, Mr. Tomlinson asked whether there would be security cameras at the front and back of the business.

Mr. Sandhu noted that they haven't determined what type of edibles they would be carrying and commented that they would not be selling to those who are underage. With respect to edibles, it is more about strength than how the product looks. Mr. Sandhu noted that there will be security cameras on the exterior and many on the interior (10-12 on interior), and that he didn't know how far back in days the recording will be available, but that it will be a good system that can read license plates etc. He also stated that it hasn't happened yet where someone has broken into a vault.

Councillor Dueck noted that authorities are dealing with organized crime everywhere in the world and that in his opinion, crime is everywhere in Canada, including small and medium sized towns as well; this type of business doesn't specifically bring organized crime to a community.

Councillor Wiebe noted he had done some personal research, interviewing some people in Colorado and Denver. According to the locals there, the Cannabis problem in their area is due to the fact that there is no federal program on Cannabis, and in their opinion, Canada is doing things the right way. The only way for the Cannabis stores in these areas to deal with cash is through organized crime, because Cannabis is not federally legalized and they are not allowed to work with federal banks.

Councillor Dueck noted that it is important to have this type of business and the benefit is that by having a monitored source, it is bringing this out of organized crime.

Mayor Dyck noted that Council is looking at increasing a larger police presence in the community and it is on Council's agenda.

Dwight Doell of 211 Carnoustie Cove, commented that he was not confident that the Variance application met the requirements, citing the outdated legislation referenced by the applicants and noted his preference for expert business owners with experience. He also questioned the applicant's comments on not being able to find a viable location and expressed appreciation that the applicants were open to further suggestions, noting that he would like to work with them to find other locations that were not close to schools and daycares. Mr. Doell went on to predict that if the business were to be successful, that they would in the future make a request to have full signage to direct customers to their store, thereby suggesting that the applicant's mitigating factor of having limited signage was not a compromise, but rather a requirement by LGCA. Mr. Doell also questioned why the nearby daycare was not included in the buffer zone and why groups such as the youth of Niverville and principals were not consulted. He noted that this Variance may have been a factor relevant to the Plebiscite vote, whereby if the question had been to allow a retail store sandwiched between the daycare and elementary school, that some who voted yes may not have done so in this circumstance.

Patricia Dutchak of 12 Dochart Gate noted that while she was not opposed to the store, she objected to this proposal based on the location, citing that the laws are in place to protect children and noted a concern that the Variance will set a precedence for adult-only businesses. She also commented that this will cause some (would-be) residents to think twice about moving here, and that it was not in the best interests of children and of Niverville.

Rod Downey of 17 Roselawn Bay noted that the applicants had not justified why the Variance was needed and questioned how this contributed to healthy communities. Mr. Downey commented that one partner had no experience and questioned their roles in the business. He also stated that the applicant's package was misleading regarding the fact that they stated they had established guidelines, when the guidelines are from Health Canada. Mr. Downey also questioned how their plans would change, should there be an opportunity to open up another store.

Roger Armbruster of 220 1st Street S. commented that he wanted to develop a good relationship with the applicants and would like education for youth.

Troy Waldner of 101 Ashgrove Crescent noted that his points had already been made by others. Mr. Waldner, owner of the neighbouring business, also commented that this business didn't belong next door (downtown area); there is a daycare in close proximity along with the elementary school in the other direction, and that parking is a concern that won't be addressed by having spots available in the back.

Tyler Froese of 27 Wyldewood Crescent, who also has an application for an age-restricted Cannabis store, noted that while he is in favor of having a retail Cannabis store in Niverville, wondered why this location was already on Google Maps, before the application was approved.

Mr. Froese noted his option that this location was not suitable due to its proximity to the (United) Church. He also advised that he had talked to Eric King (CAO of Niverville) regarding this type of business in the Niverville Business Park.

Betty Calder of 123 Breckenridge Drive, noted that her comments had already been covered.

Norman Klippenstein of 102 2nd Street S., had questions about what Variances were being requested; the distance and whether the Main Street location was also a Variance.

Mayor Dyck provided clarification, noting that this application was to determine if the 1,000 foot buffer Variance would be approved by Council, and that the Main Street location was not part of the Variance.

Mr. Klippenstein noted his opposition to the proposal for the Variance because of limited distance from the school, and felt that there was no need to rush into this, being a new initiative which is a complicated issue where the government may not have considered all aspects. He commented that Tyler (Froese)'s idea to have this in the business park was a great idea.

Angela Leonard –noted that comments had already been covered, and offered no comment on whether in favor or opposed.

Jeremy Braun (landlord/building owner) noted he was in favor of the proposal and that Ray Dowse would provide the formal comments on behalf of the Developers.

Ray Dowse (landlord/building owner) noted that he was in favor of the proposal. He stated that the construction and parking plan have been approved by the Town, that this is a regulated business that is a good fit at this location, and that attention has been paid to security requirements, noting that he wants to do what is best for the community.

Mayor Dyck questioned whether the RCMP would have access to the security cameras and associated timing for retrieval of footage.

Mr. Dowse noted that the camera system will belong to the applicants, and that the Town Security Camera program has been brought to their attention and that they are working with it.

Mayor Dyck asked CAO Eric King for clarification regarding the process for security camera footage retrieval and timing thereof.

CAO Eric King commented that the business owners would receive requests directly from RCMP for access to their security camera footage, usually within 1-2 days of an incident, with a 3-4 day turnaround from incident to arrest.

Mayor Dyck asked whether the RCMP can log into their security camera system.

CAO King replied that that is not how the system works – info is provided after the fact.

Cara Dowse (landlord/property owner) noted she was in favor of the proposal.

Colan Braun (landlord/building owner) noted he was in favor of the proposal and commented that it will be a secure building.

CAO Eric King confirmed with Roger Armbruster (220 1st Street S.) who was in attendance, that the correspondence Mr. Armbruster had sent in earlier with a position of “undecided”, did not need to be read into the record.

CAO Eric King read letters of support for the proposal into the record from the following:

To allow the Variance of the 1,000 ft. buffer to be reduced to 744 feet to allow Urban Flavours to establish their retail business in this location (same wording):

- Justin Comeau, 18 Landsbury Lane
- Derek Loepp (owner of Real Purpose Properties)
- Vanessa Rempel, 36 Kirkdale Drive
- Jen Alex, 136 St. Andrews Way
- Adam Dasset, 7 Landsbury Lane
- Amy Dasset, 7 Landsbury Lane
- Amanda Kipe, 26 Cambridge Way
- Pamela Stoesz, 223 4th Street S.
- Kris Friesen, 77 Cobblestone Court
- Billie Fontaine, 11 Cambridge Way
- Glen Zelinsky, 172 4th Street S.
- Samantha McLeod & Justin Morrison, 21 Aspen Avenue
- Matthew Thiessen, 11 Cambridge Way
- Amy Smith, 27 Ashcroft Cove
- Lindsay Saloni, 22 Ashcroft Cove
- Adam Rempel, 36 Kirkdale Drive
- Ken Christie, 205-2nd Street N.
- Kim Georgison, 205-2nd Street N.
- Steven Malthouse, 9 2nd Street S.
- Paige Vockeroth, 9 2nd Street S.
- Kaitlin Campbell, 44 3rd Avenue S.
- Robyn McCormick, Cambridge Way
- Pamela Kerestes, 24 Landsbury Lane
- Barry Piasta, 5 Linden Place
- Guy Britten, 18 Hill Crest Court
- Amanda MacDonald, 12 1st Street S.
- Sharon Banting, 32 Kirkdale Drive
- Tonya Mayo, 17 Carling Circle
- Annemarie MacIntosh, 19 Claremont Drive
- Amanda Addis, 19 Cobblestone Court
- Jeff Mayo, 17 Carling Circle
- Remi & Julie Lund, 15 Errington Way
- Karl Friesen & Kristyn Cain, 603 Muirfield Cove
- James Peetsma, 21 Wyndham Court
- Carrie Baldwin, 48 Tweed Lane
- Nicole Virgoe, 390 3rd Street N.
- Candace & Kevin Haiko, 57 Wyndham Court
- Tanya Unger, 15 Alders Gate
- Cassandra Chartrand, 19 1st Street S.
- Jordon Baldwin, 48 Tweed Lane
- Erin Thomas, 30 1st Street N.
- Rebecca Calvert, 40 Wyndham Court
- Sarah Mawejje, 43 Hampton Drive
- Cindy Fouillard, 101 Ashgrove Crescent
- Cara Dowse, 320 Troon Cove
- Brandi Parkman, 18 Landsbury Lane

Individual emails of support from the following:

- Kayla Peetsma, Wyndham Court
- Nicole Savard, 388 3rd Street N.

- Bryan Trottier, Trotco Electric Inc.
- Evan Ferreria, 88 Cobblestone Court
- Stephan Geissler, 207 Ritchot Drive
- Leslie Bardal, 42 Roselawn Bay
- Angelique Forest, 1-225 5th Avenue S.
- Susan Shaver, 29 Wyndham Court
- Michelle Anderson (Hominick), 84 4th Street S.
- 4631782 Manitoba Ltd., Landlord/Building Owner of 41 Main Street, Ray Dowse, Cara Dowse, Jeremy Braun, Colan Braun
- Chris Dempster, 52 Hampton Drive

Letters of opposition to the proposal were received, which included concerns as noted below:

- allowing such a concession would start a slippery slope;
- previous strong opposition to retail Cannabis in Niverville;
- too close to a school;
- in the middle of Main Street;
- proximity to licensed daycare;
- school children would walk by it on their way to school and back;
- no character or interest for business that requires its storefront to be covered;
- objection to adult-only businesses on Main Street which could potentially tarnish Niverville's reputation as being a "good place to raise children" and possibly cause some people to think twice about moving here;
- no benefit to bending the rules for this application;
- adjacent residential tenant with young child;
- parking concern for adjacent commercial property; and
- detriment to neighboring commercial property;
- Tatyana Reshetnikova, 3 Landsbury Lane
- Stanislav Reshetnikov, 3 Landsbury Lane
- Victoria Petrenko, 121 Breckenridge Drive
- Pavel Petrenko, 121 Breckenridge Drive
- Evgeny Petrenko, 121 Breckenridge Drive
- Bogdan Kopa, 121 Breckenridge Drive
- Malte & Jodi Andersson, 8 Elmdale Place
- Lisa Letkeman, 480 5th Avenue S.
- Daryl Braun, 101 Spruce Drive
- Eleanor Kipe Braun, 101 Spruce Drive
- Julie Martens, 34 1st Street N.
- Stan & Norma Toews, 42 Ellington Way
- Bernie & Lillian Falk, 405-171 2nd Avenue S.
- Shirley Hoult, 117 Church Street
- Patricia Dutchak, 12 Dochart Gate
- Ryan & Stephanie Dyck, 7 Linden Place
- Dave & Liette Weir, 26 Claremont Drive
- Melissa Neufeld, 411 5th Avenue S.
- Frieda Loepky, 16 Vista Cove
- Chris Holbrow, 10 Errington Place
- Nancy & Jake Penner, 8 Vista Cove
- Cam & Betty Calder, 123 Breckenridge Drive
- Clinton & Lynne Phillips, 107 Breckenridge Drive
- Allison Friesen, 128 Ritchot Drive
- Norman & Frieda Klippenstein, 102 2nd Street S.

- Correspondence received from Troy Waldner, who was in attendance and noted his opposition and that his points had been made and confirmed that his letter didn't need to be read into the record.
- Maria Syroezhko, 10 Errington Place
- Dan & Rose Klippenstein, 84 2nd Street S.

Mayor Dyck asked the applicants to follow up on the question about the 2 partners and their experience and roles in the business.

Harvinder Dhillon responded that he had worked in sales portion and in retail, and that all of them are certified, having knowledge and completed the licensing online. Said Mohamed noted that he had wholesale experience with Cannabis.

Regarding the question to Council on the precedent of allowing adult only businesses, Mayor Dyck noted that the Zoning Bylaw has dissemination between types of adult businesses that are permitted uses, conditional uses and not permitted; the Zoning Bylaw speaks to some types that would be permitted while others are conditional uses.

Councillor Dueck added to Mayor Dyck's comment, noting that that there are some prohibited businesses; conditional, not conditional and prohibited from being in Town.

Mayor Dyck commented that regarding the 1,000 foot setback, there are some viable options along Bronstone and in the Niverville Business Park. He also questioned the applicants regarding how they see themselves contributing to the wellness of the community.

Mr. Sandhu stated that he couldn't speak to the fact of wellness of the community as related to Cannabis, rather, they want to contribute to the community the way that other businesses do; sponsorships, donations and investing in this store/Town.

Mayor Dyck provided clarification on the 1,000 foot setback, noting that when the Feds legalized Cannabis, it was then given to the Provinces to determine where the locations would be, with the Provinces making the recommendation to Municipal Governments on the 1,000 foot setback and the Municipal Governments being allowed to vary this.

Councillor Wiebe questioned whether the applicants were interested in community involvement with education.

Mr. Sandhu stated absolutely that they were, and commented that if there was a committee in Town for the education aspect, that they would love to be a part of that.

Councillor Dueck commented that recently both the Mayor and he had attended the DARE program (drug awareness for youth) and suggested that the applicant look at getting involved in this.

Mayor Dyck provided more clarification on the DARE program, noting that it targeted the middle school aged kids to teach drug awareness. He also commented that the signage bylaw would speak further to the signage and asked whether pamphlets would be available for public education.

Mr. Sandu stated that they are open to supporting the initiative for education, such as the pamphlets.

Mayor Dyck reviewed the concern regarding parking and confirmed that the parking spots (for the proposed business) meets the Zoning Bylaw and that Bylaw Enforcement would be available

to work with business owners regarding public property violations. While Council does not have the authority to deal with parking issues on private property, they are available to work with all parties involved so that there is no negative impact.

Mayor Dyck asked whether this store would be an age-restricted or controlled-access store.

Mr. Sandu confirmed that this would be an age-restricted store.

Mayor Dyck asked whether there would be any tracking system/keeping a log.

Mr. Sandu noted that while this would be on par to do, the business is not legislated to keep a log.

Mayor Dyck stated that the 1,000 ft. setback was set by the Province legislation and adopted by Municipal Government.

Councillor Wiebe questioned whether the signage was regulated by the Province.

Mr. Sandhu noted that the LGCA doesn't regulate signage and that it was their idea to regulate, and to not include Cannabis in the name.

Councillor Dueck asked whether the signage was limited on advertising, as he believed it is limited.

Mr. Sandu said that with respect to exterior signage, there would be no Cannabis in the graphics/logo or in the name on exterior. In closing, Mr. Sandu noted that they have submitted Step 2 of the application, which is conditional on receiving this approval. He also noted that the Google listing was part of the process of setting up their business email; they did not go out of their way to list this.

Councillor Dueck questioned whether the products would be locked up daily and highly unattainable for theft.

Mr. Sandu confirmed that the products would be locked up behind the counter and put away overnight in the vault.

Councillor Dueck questioned whether the products would not be available to consume until purchased.

Mr. Sandu confirmed that the products would not be available to consume until purchased.

Councillor Wiebe questioned whether the applicants had done any communication with the Niverville Chamber of Commerce.

Mr. Sandu advised not yet, process depends on what happens with this application.

Mayor Dyck, following up on a comment from an attendee on whether certain groups had been consulted, clarified that the purpose of the public hearing allows for that process and Council does not reach out to individual groups for their input; all those who want to be a part of the public process are welcome.

The Public Hearing was closed at 9:16 p.m.