

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held virtually on March 16, 2021 at 7:00 p.m. In attendance were Mayor Myron Dyck, Deputy Mayor John Funk, Councillors Kevin Stott, Chris Wiebe and Nathan Dueck.

Res#61-21 Agenda	<p>J. Funk – C. Wiebe</p> <p>BE IT RESOLVED that the agenda be approved subject to the following addition:</p> <p style="padding-left: 40px;">New Business 10 a. Subdivision File No. 4340-21-8395</p> <p style="padding-left: 80px;">Niverville Business Park (Phase 2A)</p> <p style="text-align: right;">“Carried”</p>
Res#62-21 Minutes	<p>N. Dueck – K. Stott</p> <p>BE IT RESOLVED that the minutes of the regular Council meeting held on March 2, 2021 and special meeting held on March 9, 2021 be approved as presented.</p> <p style="text-align: right;">“Carried”</p>
Res#63-21 Table Agenda	<p>C. Wiebe – N. Dueck</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 C3-21 for 2465 Krahn Road.</p> <p style="text-align: right;">“Carried”</p>
Res#64-21 Resume	<p>J. Funk – K. Stott</p> <p>BE IT RESOLVED that the Public Hearing for Conditional Use application C3-21 be closed and Council resume its former order of business (7:16 p.m.).</p> <p style="text-align: right;">“Carried”</p>
Res#63-21 C3-21	<p>K. Stott – J. Funk</p> <p>WHEREAS a Public Hearing was held regarding Conditional Use C3-21, an application from Lyall Hudson to allow for a single residential dwelling unit to be built on N-36-07-03-E E 340F OF W 406F OF N 640F OF S 1040F, civically known as 2465 Krahn Road, zoned Agricultural Limited, with permission to allow the existing dwelling unit to remain on the property and inhabited during the construction period, subject to the removal of the existing dwelling unit once the new dwelling unit is ready for occupancy;</p> <p>AND WHEREAS the application was duly advertised;</p> <p>AND WHEREAS there no objection received to the proposal;</p> <p>AND WHEREAS the applicant subsequently requested permission to allow the existing dwelling unit to remain on the property while a subdivision application is being processed;</p> <p>THEREFORE BE IT RESOLVED that Conditional Use application C3-21, an application from Lyall Hudson to allow for a single residential dwelling unit to be built on N-36-07-03-E E 340F OF W 406F OF N 640F OF S 1040F, civically known as 2465 Krahn Road, and request to allow the existing dwelling unit to remain on the property and inhabited during the construction period, or alternately allow the existing dwelling unit to remain on the property during the processing of a subdivision application, be approved subject to the following conditions:</p> <ol style="list-style-type: none">1) That the original dwelling unit will be removed or demolished 60 days after the Building Inspector has declared the new dwelling unit is ready for occupancy or 2 years after the building permit is issued for the new house, whichever is the earlier date, unless a subdivision application was submitted

to Community Planning prior to a building permit being issued for the new dwelling unit. In which case permission is then granted to allow the existing dwelling unit to remain on site and occupied during the processing of the subdivision application;

- 2) That should the subdivision application be denied, the applicant will have 60 days from the date of notification from Community Planning on the application status, to remove the existing dwelling unit off the property;
- 3) That the property owner will obtain all required permits for new construction and the removal/demolition of the original dwelling unit; and
- 4) That the approval of this Conditional Use may be revoked if the property owner fails to comply with the noted conditions.

“Carried”

Res#64-21
Table
Agenda

C. Wiebe
BE IT RESOLVED that the Council meeting agenda be tabled and that Council sit in accordance with *The Planning Act* to hold the Public Hearing for Conditional Use C4-21, 815 Schultz Avenue.

“Carried”

Res#65-21
Resume

C. Wiebe – J. Funk
BE IT RESOLVED that the Public Hearing for Conditional Use application C4-21 be closed and Council resume its former order of business (7:44 p.m.).

“Carried”

Res#66-21
Postpone

C. Wiebe – N. Dueck
BE IT RESOLVED that Council postpones a decision on Conditional Use application C4-21 for 815 Schultz Avenue until the April 6th, 2021 Council meeting.

“Carried”

Res#67-21
Rental
Rate

C. Wiebe – J. Funk
BE IT RESOLVED that Council approves a contract with the Niverville Cooperative Preschool (non-profit organization) for the rental of the South End of the Niverville Centennial Area for the 2021-2022 school year (September to June), at a rate of \$501.00/month for a 4-day/week rental, subject to the terms and conditions outlined in the contract.

“Carried”

Res#68-21
Rec Rates

K. Stott – C. Wiebe
BE IT RESOLVED that Council approves the access and rental rates effective April 1, 2021 for the Niverville Community Resource and Recreation Centre and Outdoor Field Rental rates, copy of which is attached hereto as Schedule “A”.

“Carried”

Mayor Myron Dyck reported that he was happy to see that the COVID-19 outbreak at the Heritage Life Personal Care Home is over. Mayor Dyck also noted that he is looking forward to exciting things anticipated to happen in Niverville over the coming months.

Res#69-21
Accounts

C. Wiebe – J. Funk
BE IT RESOLVED that cheque nos. 39806 to 39865 totalling \$203,981.22 be hereby approved for payment.

“Carried”

Res#70-21
BL831-21
1st Reading

C. Wiebe – N. Dueck
BE IT RESOLVED that Council gives first reading to the 2021 Financial Plan
Bylaw 831-21.

“Carried”

Res#71-21
Subdivision

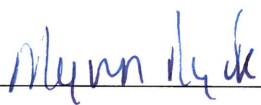
C. Wiebe – J. Funk
BE IT RESOLVED that Council approves subdivision application File No. 4340-
21-8395, an application from the Niverville Community Development
Corporation to subdivide six lots from two existing titles in the Niverville
Business Park, legally described as Lot 1 & 2 Block 1 Plan 63570 in the NW 1/4
32-7-4E.

“Carried”

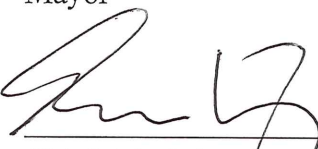
Res#72-21
Adjourn

N. Dueck – C. Wiebe
BE IT RESOLVED that the meeting be adjourned. (7:57 p.m.)

“Carried”



Mayor



Chief Administrative Officer

Niverville Recreation Facility Rates

Rates as of April 1, 2021

Individual Rates/Fees	Unit	Cost + GST
Prime Time Ice		
Monday to Friday 5:00pm to 12:00am/Saturday, Sunday and Holidays 10:00am to 12:00am		
Local Youth	per hour	\$129.00
Non-Local Youth	per hour	\$179.00
Local Adult	per hour	\$154.00
Non-Local Adult	per hour	\$190.00
Non-Prime Time Ice		
Monday to Friday 6:00am to 4:45pm/Saturday, Sunday and Holidays 6:00am to 9:45am		
Local Youth	per hour	\$116.00
Non-Local Youth	per hour	\$161.00
Local Adult	per hour	\$139.00
Non-Local Adult	per hour	\$171.00
Prime Time Fieldhouse		
Monday to Friday 5:00pm to 12:00am/Saturday, Sunday and Holidays 10:00am to 12:00am		
Full Local Youth (1-F, 1-FBB, 2-BB, 3-VB, 9-BM, 9-PB)	per hour	\$129.00
Full Non-Local Youth (1-F, 1-FBB, 2-BB, 3-VB, 9-BM, 9-PB)	per hour	\$179.00
Full Local Adult (1-F, 1-FBB, 2-BB, 3-VB, 9-BM, 9-PB)	per hour	\$154.00
Full Non-Local Adult (1-F, 1-FBB, 2-BB, 3-VB, 9-BM, 9-PB)	per hour	\$190.00
2/3 Local Youth (1-BB, 2-VB, 6-BM, 6-PB)	per hour	\$85.00
2/3 Non-Local Youth (1-BB, 2-VB, 6-BM, 6-PB)	per hour	\$118.00
2/3 Local Adult (1-BB, 2-VB, 6-BM, 6-PB)	per hour	\$105.00
2/3 Non-Local Adult (1-BB, 2-VB, 6-BM, 6-PB)	per hour	\$125.00
1/3 Local Youth (1-VB, 3-BM, 3-PB)	per hour	\$43.00
1/3 Non-Local Youth (1-VB, 3-BM, 3-PB)	per hour	\$59.00
1/3 Local Adult (1-VB, 3-BM, 3-PB)	per hour	\$51.00
1/3 Non-Local Adult (1-VB, 3-BM, 3-PB)	per hour	\$63.00
Non-Prime Time Fieldhouse		
Monday to Friday 6:00am to 4:45pm/Saturday, Sunday and Holidays 6:00am to 9:45am		
Full Local Youth (1-F, 1-FBB, 2-BB, 3-VB, 9-BM, 9-PB)	per hour	\$97.00
Full Non-Local Youth (1-F, 1-FBB, 2-BB, 3-VB, 9-BM, 9-PB)	per hour	\$134.00
Full Local Adult (1-F, 1-FBB, 2-BB, 3-VB, 9-BM, 9-PB)	per hour	\$115.00
Full Non-Local Adult (1-F, 1-FBB, 2-BB, 3-VB, 9-BM, 9-PB)	per hour	\$143.00
2/3 Local Youth (1-BB, 2-VB, 6-BM, 6-PB)	per hour	\$64.00
2/3 Non-Local Youth (1-BB, 2-VB, 6-BM, 6-PB)	per hour	\$88.00
2/3 Local Adult (1-BB, 2-VB, 6-BM, 6-PB)	per hour	\$76.00
2/3 Non-Local Adult (1-BB, 2-VB, 6-BM, 6-PB)	per hour	\$94.00
1/3 Local Youth (1-VB, 3-BM, 3-PB)	per hour	\$32.00
1/3 Non-Local Youth (1-VB, 3-BM, 3-PB)	per hour	\$44.00
1/3 Local Adult (1-VB, 3-BM, 3-PB)	per hour	\$38.00
1/3 Non-Local Adult (1-VB, 3-BM, 3-PB)	per hour	\$47.00

**F-Futsal, FBB-Feature Basketball, BB-Basketball, VB-Volleyball, BM-Badminton, PB-Pickleball

Track/Playground Access		
Resident Household Membership	per year	\$50.00
Non-Resident Household Membership	per year	\$100.00
Resident Individual Membership	per year	\$35.00
Non-Resident Individual Membership	per year	\$70.00
Resident Household Drop in	per day	\$5.00
Non-Resident Household Drop In	per day	\$10.00
Resident Individual Drop In	per day	\$2.00
Non-Resident Individual Drop In	per day	\$4.00
Curling Rink		
Ice Only	per sheet/per hour	\$23.33
Basement and Ice	per day	\$200.00
Multipurpose Rooms/Community Spaces		
Multipurpose Room Combined	per hour	\$80.00
Multipurpose Room Combined (up to 9 hours)	per day	\$320.00
Multipurpose Room Combined (over 9 hours)	per day	\$480.00
Multipurpose Room	per hour	\$45.00
Multipurpose Room (up to 9 hours)	per day	\$180.00
Multipurpose Room (over 9 hours)	per day	\$270.00
Community Room and Kitchen	per hour	\$30.00
Community Room and Kitchen (up to 9 hours)	per day	\$120.00
Community Room and Kitchen (over 9 hours)	per day	\$180.00
Community Room	per hour	\$40.00
Community Room (up to 9 hours)	per day	\$160.00
Community Room (over 9 hours)	per day	\$250.00
Community Kitchen	per hour	\$15.00
Community Kitchen (up to 9 hours)	per day	\$50.00
Community Kitchen (over 9 hours)	per day	\$90.00
Centennial Arena South End	per hour	\$25.00
Centennial Arena South End	per day	\$100.00
Curling Rink Lobby	per hour	\$25.00
Curling Rink Lobby	per day	\$65.00
Curling Rink Basement	per hour	\$25.00
Curling Rink Basement	per day	\$65.00
Hespeler Park Picnic Shelter	per four hour	\$60.00
Hespeler Park Picnic Shelter	per day	\$100.00
**\$100.00 damage deposit, \$250.00 damage deposit for events with liquor		
Prime Time Baseball Diamonds Monday-Thursday 5:00pm-9:00pm		
Local Youth	per hour	\$10.00
Local Adult	per hour	\$20.00
Non-Local	per hour	\$25.00
Local Tournament	per day	\$150.00
Non-Local Tournament	per day	\$250.00

Non-Prime Time Baseball Diamonds		
Monday-Thursday 6:00am-4:30pm, Friday-Sunday		
Local Youth	per hour	\$5.00
Local Adult	per hour	\$10.00
Non-Local	per hour	\$12.50
Beach Volleyball Court		
Two Hour Block	per block	\$15.00
Half Day Block	per half day	\$30.00
Full Day	per day	\$60.00
Prime Time Soccer Pitches		
Monday-Thursday 5:00pm-9:00pm		
U15/U18 Fields Local Youth	per hour	25.00
U15/U18 Fields Local Adult	per hour	50.00
U15/U18 Fields Non-Local	per hour	62.50
U13 Fields Local Youth	per hour	17.50
U13 Fields Local Adult	per hour	35.00
U13 Fields Non-Local	per hour	43.75
U12 Local Youth	per hour	10.00
U12 Fields Local Adult	per hour	20.00
U12 Fields Non-Local	per hour	25.00
Mini Fields Local Youth	per hour	5.00
Mini Fields Local Adult	per hour	10.00
Mini Fields Non-Local	per hour	12.50
Non-Prime Time Soccer Pitches		
Monday-Thursday 6:00am-4:30pm, Friday-Sunday		
U15/U18 Fields Local Youth	per hour	20.00
U15/U18 Fields Local Adult	per hour	25.00
U15/U18 Fields Non-Local	per hour	31.25
U13 Fields Local Youth	per hour	14.00
U13 Fields Local Adult	per hour	17.50
U13 Fields Non-Local	per hour	21.88
U12 Local Youth	per hour	8.00
U12 Fields Local Adult	per hour	10.00
U12 Fields Non-Local	per hour	12.50
Mini Fields Local Youth	per hour	4.00
Mini Fields Local Adult	per hour	5.00
Mini Fields Non-Local	per hour	6.25

Minutes of the Public Hearing held on March 16, 2021 at 7:02 p.m. regarding Conditional Use C3-21; an application from Lyall Hudson to allow for a single residential dwelling unit to be built on N-36-07-03-E E 340F OF W 406F OF N 640F OF S 1040F, civically known as 2465 Krahn Road, zoned Agricultural Limited, with permission to allow the existing dwelling unit to remain on the property and inhabited during the construction period, subject to the removal of the existing dwelling unit once the new dwelling unit is ready for occupancy. The proposal was duly advertised as per Section 169 of *The Planning Act*. Mayor Myron Dyck served as chairperson, with all members of Council in attendance.

Eric King, CAO of the Town of Niverville noted that this request from Lyall Hudson was to allow for a single residential dwelling unit to be built on an Agricultural Limited zoned property (2465 Krahn Road North), with permission to allow the existing dwelling unit to remain on the property and inhabited during the construction period, subject to the removal (demolition) of the existing dwelling unit once the new dwelling unit is ready for occupancy. This is a 5-acre property has an existing house and barn on site. A single-family dwelling is a Conditional Use in the Agriculture Limited Zone and it is not permitted to have two dwellings on one title. The owner is also considering a subdivision and the minimum site area requirement for that is 2 acres, with a minimum site width of 200 feet.

Lyall Hudson, applicant, noted that he was new to the area, needs a larger house than the existing one to accommodate his family and is planning to build another house on-site. Mr. Hudson added that he was considering using the existing house for a granny suite or family members as the house still holds some value. He also advised that he was pursuing a subdivision but was told that this would take years for processing.

Mr. King confirmed that there was no opposition received to the proposal and there was no one else in attendance at the hearing to speak to it.

Council had questions/concerns about the following:

- What the applicant's concern over subdividing was;
- Layout of subdivision and how this would work with existing buildings;
- Whether this "development" would require Town sewer and water services;
- Whether an additional driveway was planned;
- Setting precedent for other undeveloped parcels in Town;
- Whether this will hinder future development in the area;
- Whether house would be occupied during subdivision process; and
- If the subdivision doesn't go through, how will this be managed.

Mr. Hudson responded as follows:

- timeframe was the concern for subdividing and that you can't start building without a Conditional Use.
- Surveyors were there yesterday and it is understood that the dividing line is somewhere around the north end of the barn, so the existing outbuildings would become part of the 2-acre parcel and the new house would go on the 3 acre parcel on the south end.

- Plans include deconstruction of the south end of the barn ASAP and building a shop.
- No plans for an additional driveway.

Mayor Dyck provided clarification that this Conditional Use was a requirement for adding a house in the Agricultural Limited Zone and the Zoning Bylaw does not permit a detached granny suite and Councillor Stott noted that while sewer and water services are required for a new development, this proposal is not considered a development. Mayor Dyck added that a subdivision application would be reviewed by Water Stewardship and they would speak to the requirement for services.

Mr. King noted that the Province and the Winnipeg Metro Region wouldn't allow this type of density in the property south of the PR 311.

Mayor Dyck noted that Council had the authority to decide whether occupancy would be allowed during the subdivision process.

Councillor Stott commented that the options would include to move, demolish or subdivide.

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

Minutes of the Public Hearing held on March 16, 2021 at 7:32 p.m. regarding Conditional Use C4-21; an application from Jordan Barkman to allow for a storage business on Lot 3 Plan 61759, civically known as 815 Schultz Avenue in the Niverville Business Park, to include interior storage units consisting of 2 buildings with 9 and 10 units per building, with occupants of the units being allowed to service their own vehicles in their units, outdoor storage for recreational vehicles and trailers and a caretaker's residence as a secondary use in one unit of one building. The proposal was duly advertised as per Section 169 of *The Planning Act*. Mayor Myron Dyck served as chairperson, with all members of Council in attendance.

Eric King, CAO of the Town of Niverville provided an overview, noting that the Conditional Use was to allow for a storage business that includes 2 buildings with 9 and 10 units per building, occupants of the units would be allowed to service their own vehicles in their units, outdoor storage for recreational vehicles and trailers and to allow for a caretaker's residence as a secondary use in one unit of one building.

Paul England, owner of 431 Kuzenko Street, cited concerns over how hazardous waste (by-product of vehicle repairs) would be managed, the potential for the vehicle storage to include derelict vehicles and become a junk yard and why this Conditional Use was required.

Mayor Dyck advised that all businesses in the Niverville Business Park require a Conditional Use.

Council questioned the laws surrounding disposal of hazardous waste and provincial classification for a garage and the information was not available during the hearing, neither was the applicant present to speak to the concerns noted.

Deputy Mayor Funk suggest that the truck bays have 18-20 ft. overhead doors.

The Public Hearing was closed at 7:44 p.m.