

## TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held virtually on July 20, 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#193-21 Agenda	<p>C. Wiebe – N. Dueck</p> <p>BE IT RESOLVED that the agenda be approved subject to the following additions:</p> <p style="padding-left: 40px;">New Business 10 b. CRRC Scope Change</p> <p style="text-align: right;">“Carried”</p>
Res#194-21 Minutes	<p>J. Funk – C. Wiebe</p> <p>BE IT RESOLVED that the minutes of the regular Council meeting held on June 15, 2021 be approved as presented.</p> <p style="text-align: right;">“Carried”</p>
Res#195-21 Table Agenda	<p>J. Funk – 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 a Public Hearing for Conditional Use C14-21; to allow for a homebased daycare on Lot 10 Block 2 Plan 21934, civically known as 27 Aspen Avenue.</p> <p style="text-align: right;">“Carried”</p>
Res#196-21 Resume	<p>C. Wiebe – J. Funk</p> <p>BE IT RESOLVED that the Public Hearing for Conditional Use C14-21 be closed and Council resume its former order of business. (7:06 p.m.).</p> <p style="text-align: right;">“Carried”</p>
Res#197-21 C14-21	<p>N. Dueck – J. Funk</p> <p>WHEREAS a Public Hearing was held regarding Conditional Use C14-21, an application from Stephanie Leveque to allow for a home-based daycare on Lot 10 Block 2 Plan 21934, civically known as 27 Aspen Avenue;</p> <p>AND WHEREAS in accordance with The Planning Act, the Conditional Use application was duly advertised;</p> <p>AND WHEREAS there was no opposition received to the proposal;</p> <p>THEREFORE BE IT RESOLVED that Conditional Use C14-21 to allow for a home-based daycare on Lot 10 Block 2 Plan 21934, civically known as 27 Aspen Avenue be approved subject to the following conditions:</p> <ol style="list-style-type: none"><li>1) That the applicant provide on-site parking for clients;</li><li>2) That the applicant obtain an annual Business License from the Town; and</li><li>3) That this Conditional Use approval will expire on July 20, 2023.</li></ol> <p>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 if application received on or before June 20, 2023.</p> <p style="text-align: right;">“Carried”</p>
Res#198-21 Table Agenda	<p>C. Wiebe – K. Stott</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 a Public Hearing for Conditional Use C15-21; to allow for the development of commercial units for lease or purchase for small businesses on Lot 16 Plan 61759, civically known as 735 Schultz Avenue in the Niverville Business Park.</p> <p style="text-align: right;">“Carried”</p>

Res#199-21 Resume	<p>C. Wiebe – K. Stott</p> <p>BE IT RESOLVED that the Public Hearing for Conditional Use C15-21 be closed and Council resume its former order of business. (7:16 p.m.).</p> <p style="text-align: right;">“Carried”</p>
Res#200-21 C15-21	<p>K. Stott – C. Wiebe</p> <p>WHEREAS a Public Hearing was held regarding Conditional Use C15-21, an application from Bosco Holdings Inc. to allow for the development of commercial units for lease or purchase for small businesses on Lot 16 Plan 61759, civically known as 735 Schultz Avenue (Niverville Business Park);</p> <p>AND WHEREAS there was no opposition received to the proposal;</p> <p>THEREFORE BE IT RESOLVED that Council approves Conditional Use C15-21 from Bosco Holdings Inc. to allow for the development of commercial units for construction trades or interior storage on Lot 16 Plan 61759, civically known as 735 Schultz Avenue (Niverville Business Park) subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1) That the applicant enter into a Development Agreement with the Town; and</li> <li>2) That any uses of the building(s) other than construction trades or interior storage will require a Conditional Use.</li> </ol> <p style="text-align: right;">“Carried”</p>
Res#201-21 Table Agenda	<p>J. Funk – 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 a Public Hearing for Variation application V8-21 for Lots 12, 13 and 14 Block 6 Plan 19956, civically known as 87, 93, and 103 4<sup>th</sup> Avenue S.</p> <p style="text-align: right;">“Carried”</p>
Res#202-21 Resume	<p>J. Funk – N. Dueck</p> <p>BE IT RESOLVED that the Public Hearing for Variation application V8-21 be closed and Council resume its former order of business. (7:20 p.m.).</p> <p style="text-align: right;">“Carried”</p>
Res#203-21 V8-21	<p>J. Funk – C. Wiebe</p> <p>WHEREAS a Public Hearing was held regarding Variation application V8-21, an application from Luke Wiebe on behalf of 6135367 MB Inc. and 5563985 MB Ltd. to permit a fence height of up to 5 feet in the front yard of Lots 12, 13 and 14 Block 6 Plan 19956, civically known as 87, 93, and 103 4<sup>th</sup> Avenue S.;</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 Variation application V8-21 to permit a fence height of up to 5 feet in the front yard of Lots 12, 13 and 14 Block 6 Plan 19956, civically known as 87, 93, and 103 4<sup>th</sup> Avenue S. be approved as presented.</p> <p style="text-align: right;">“Carried”</p>
Res#204-21 Crosswalk	<p>J. Funk – K. Stott</p> <p>WHEREAS Council has received a request to add a pedestrian crosswalk at the intersection of Second Avenue and Main Street (PR 311);</p> <p>AND WHEREAS Main Street is under the jurisdiction of Manitoba Infrastructure (MI) and the process of adding a pedestrian crosswalk requires the Town to submit a request to MI;</p>



THEREFORE BE IT RESOLVED that Council submits a request to Manitoba Infrastructure to initiate the process for the review and installation of a pedestrian crosswalk at Second Avenue and Main Street.

“Carried”

Res#205-21  
Auditing  
Services

C. Wiebe – J. Funk

WHEREAS the contract for auditing services was tendered in 2018 for the period 2018 to 2021 and was awarded to Fort Group Chartered Professional Accountants of Winnipeg under Resolution 326-18 on October 2, 2018, for the years 2018, 2019 and 2020;

AND WHEREAS 2021 was inadvertently excluded from Resolution 326-18;

AND WHEREAS the original proposal included a 2.5% increase in fees for the successive years;

THEREFORE BE IT RESOLVED that Council approves the audit fee for 2021 of \$12,707.32.

“Carried”

Res#206-21  
First  
Responder  
Fees

J. Funk – N. Dueck

WHEREAS the College of Paramedics of Manitoba (CPMB) has been newly established as a means of self regulation to serve and protect the public interest, having received approval by the Lieutenant Governor in Council in 2020;

AND WHEREAS the CPMB requires of its members to have professional liability insurance in the amount of 5 million dollars to protect the public interest, regardless of whether paramedic care is received as part of services provided for by a regional health authority, contracted agency, service license holder, private company or volunteer role;

AND WHEREAS the CPMB also requires of all paramedic professionals including all licensed technicians practicing in Manitoba, to pay a significant annual registration fee in addition to holding a certificate of professional liability insurance in the amount of 5 million dollars;

AND WHEREAS CPMB will not recognize municipal liability insurance extended to employees as the requirement for professional liability insurance and requires that registration fees and other payments be submitted directly from licenced individuals rather than from municipalities;

AND WHEREAS the CPMB requirement that all Medical First Responders (MFR) be registered with the College has significant cost implications for municipalities, who augment their emergency response services with volunteer MFR services through their volunteer fire departments;

AND WHEREAS the requirement for licensed individuals to submit membership fees rather than from their respective municipality will create additional administrative cost and complexity to reimburse each individual volunteer MFR; THEREFORE BE IT RESOLVED that the Town of Niverville requests the Association of Manitoba Municipalities to lobby the Provincial Government and the College of Paramedics of Manitoba to establish a secondary membership classification system for voluntary Medical First Responders with a corresponding membership fee that recognizes that this category of paramedic as a voluntary or ‘part-time’ group;

AND FURTHER BE IT RESOLVED that the Town of Niverville requests the Association of Manitoba Municipalities to also lobby the Provincial Government and the College of Paramedics of Manitoba to accept the AMM Municipal Insurance program and it’s liability coverages as sufficient coverages for the voluntary Medical First Responders;

AND FURTHER BE IT RESOLVED that the Town of Niverville requests the Association of Manitoba Municipalities to lobby the College of Paramedics of

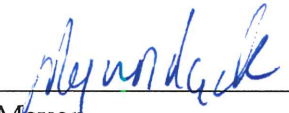
	Manitoba to amend their invoicing practice to allow municipalities to pay memberships on behalf of their Medical First Responders.	"Carried"
Res#207-21 Scope Change	C. Wiebe – J. Funk BE IT RESOLVED that Council approves a scope change of \$128,800.00 (plus applicable taxes) to the contract with Morrison Hershfield of Winnipeg, to complete the engineering for the Mulberry & PR311 intersection (includes tendering, construction & post-construction services).	"Carried"
Res#208-21 A1-21	J. Funk – C. Wibe BE IT RESOLVED that Council approves Health & Safety Policy A1-21 which outlines the Town's expectations for compliance from all employees and management and Council with respect to standards for safety, health and environmental programs, copy of which is attached hereto as Schedule "A".	"Carried"
Res#209-21 Recycling Fee	C. Wiebe – K. Stott BE IT RESOLVED that Council approves a fee of \$2.00 per bag (clear or blue, maximum size of 30 gallons) for extra recycling that can be placed out for collection.	"Carried"
	Mayor Myron Dyck noted that Council is anticipating a move back to in person meetings in the fall.	
Res#210-21 Accounts	K. Stott – C. Wiebe BE IT RESOLVED that cheque nos. 40160 to 40251 totalling \$1,528,743.20 be hereby approved for payment.	"Carried"
Res#211-21 June F.S.	J. Funk – K. Stott BE IT RESOLVED that Council approves the June 30, 2021 Financial Statement as presented.	"Carried"
Res#212-21 Subdivision	C. Wiebe – J. Funk BE IT RESOLVED that Council approves (minor) Subdivision application 4340-21-8483, to subdivide two proposed 5-unit townhouses along the common party walls creating 10 bare land condominium units, as well as 4 common element parcels, as per Phasing Unit "E" and Unit "G" Condominium Plan 55849 of the Planned Unit Development for Prairie Crossings (Pt. SW 1/4 31-07-04 EPM).	"Carried"
Res#213-21 CRRC Scope Change	C. Wiebe – K. Stott BE IT RESOLVED that Council approves an increase to Scope Change number 2 for the Community Resource and Recreation Centre contract with Von Ast Construction, in the amount of \$275,812.00 plus applicable taxes for additional finishes and fixtures.	"Carried"

Res#214-21  
Adjourn

N. Dueck – C. Wiebe

BE IT RESOLVED that the meeting be adjourned. (7:49 p.m.)

“Carried”

  
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Mayor

  
\_\_\_\_\_  
Chief Administrative Officer



SCHEDULE “A”



TOWN OF NIVERVILLE-ADMINISTRATION

<b>POLICY NO. A1-21:</b>	<b><u>Health and Safety Policy</u></b>	
<b>EFFECTIVE DATE:</b>	<b><u>July 20, 2021</u></b>	<b>RESOLUTION# <u>208-21</u></b>
<b>REVISION DATE:</b>	<b>_____</b>	<b>RESOLUTION# _____</b>

The Town of Niverville is committed to the implementation of a high standard of safety, health and environmental programs that protects the municipalities’ employees, property, public and the environment.

The Town of Niverville is responsible to provide proper functioning equipment, tools, training and supervision for all employees. All employees are expected to adhere to Safe Work Procedures (SWP) and wear the appropriate Personal Protective Equipment (PPE), which is provided by their supervisor. If any employee is unsure of the safe way or procedure to carry out the job/task, they must discuss the work with their supervisor prior to proceeding.

The Town of Niverville will strive to achieve an accident and injury free environment which will augment the municipalities’ determination to complete tasks on time, efficiently and with the highest quality. Participation with leading the drive for zero harm includes prevention from accidents and loss to materials, equipment, property as well as employees and the public.

Employees at every level, including management and Council are responsible and will be held accountable for the implementation and upkeep of the health, safety and protection of the environment programs.

Complete and active participation is mandatory to achieve excellence in the Town of Niverville’s Health and Safety Program and will ensure the Town of Niverville’s success and compliance with all Provincial, Municipal and Federal regulations.

Minutes of the Public Hearing held on July 20, 2021 at 7:02 p.m. regarding Conditional Use C14-21, an application from Stephanie Leveque to allow for a home-based daycare on Lot 10 Block 2 Plan 21934, civically known as 27 Aspen Avenue. 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 the proposal is to allow for a homebased daycare on Lot 10 Block 2 Plan 21934, civically known as 27 Aspen Avenue. The applicant is looking to open/operate a licenced home daycare for ages 12 and under, with proposed hours of operation as 7:15 a.m. to 5:30 p.m. She has confirmed that her driveway can accommodate 5 vehicles. Note there is no parking on the north side of 4<sup>th</sup> Street South.

Ms. Stephanie Leveque, applicant, advised she had noticed a need for childcare in Town and that she is currently looking into acquiring her license. She also commented that she wants to offer subsidies for families in Town who need it.

Mayor Dyck confirmed that there was no opposition received to the proposal.

Deputy Mayor Funk commented that the parking will need to be controlled to some extent.

Ms. Leveque advised that their driveway can fit 3 vehicles across.

Councillor Wiebe asked about the number of children.

Ms. Leveque advised that up to 8 are allowed with a license and up to 4 without a license.

Councillor Stott inquired about the address.

Ms. Leveque advised at the corner of 4<sup>th</sup> Street and Aspen.

The Public Hearing was closed at 7:06 p.m.

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Minutes of the Public Hearing held on July 20, 2021 at 7:09 p.m. regarding Conditional Use C15-21, an application from Bosco Holdings Inc. to allow for the development of commercial units for lease or purchase for small businesses on Lot 16 Plan 61759, civically known as 735 Schultz Avenue (Niverville Business Park). 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 the proposal is to allow for the development of commercial units for lease or purchase for small businesses, on Lot 16 Plan 61759, civically known as 735 Schultz Avenue in the Niverville Business Park. The applicant through correspondence with the Town indicated that this would be for construction trades and interior storage.

Mr. Stefan Hodelmann on behalf of Bosco Holdings, advised that they want to construct commercial units for lease, rent or purchase similar to their Steinbach project and that each individual business in the future will need to get a Conditional Use.

Mayor Dyck confirmed that there was no opposition received to the proposal.

Councillor Wiebe inquired about the size of the units and size of the lot.

Mr. Hodelmann noted the base unit size is 1,200 sq. ft. and that this could be expanded and confirmed that the lot was 2 acres.

Councillor Dueck inquired about washrooms in each unit, a holding tank, cameras, fencing around the compound and the options of leasing the spaces/purchase of units under the condo concept.

Mr. Hodelmann confirmed that each unit will either have a washroom or one will be roughed in. There will be a holding tank, as this is the only option currently. Cameras are generally wired in and some tenants have elected to install a security system. Fencing is only required for outdoor storage, which they are not planning to have other than parking for vehicles. Once the interest is gauged and marketing needs have confirmed purchases of units, the project would be condo-ized so that owners of units would have their own title.

Deputy Mayor Funk asked if maintenance would be done on vehicles, if an oil catch basin is provided.

Mr. Hodelmann advised that these are all roughed in.

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

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Minutes of the Public Hearing held on July 20, 2021 at 7:17 p.m. regarding Variation application V8-21, an application from Luke Wiebe on behalf of 6135367 MB Inc. and 5563985 MB Ltd. to permit a fence height of up to 5 feet in the front yard of Lots 12, 13 and 14 Block 6 Plan 19956, civically known as 87, 93, and 103 4<sup>th</sup> Avenue S. 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 the proposal is to allow for a fence at the front of the properties to be no more than 5 feet in height on Lots 12, 13 and 14 Block 6 Plan 19956, civically known as 87, 93, and 103 4<sup>th</sup> Avenue S. The Developer is preparing to build a Planned Unit development on 87, 93, 103 4<sup>th</sup> Avenue S. and is proposing to locate a step-down fence along the front, with a maximum fence height of 5 feet. Zoning Bylaw as amended allows for a maximum fence height of 3 feet in the front yard in the Residential High Density Zone. Mr. King recommended approval of the fence height, as it is inline with the development next door (71/79 4<sup>th</sup> Avenue S.).

Mr. Luke Wiebe on behalf of 6135367 MB Inc. and 5563985 MB Ltd., noted that this fence will make the area look consistent (with neighboring property) and they are planning to start construction in the fall.

Councillor Dueck asked for clarification on the 3 and 4 foot fence at the front of the building and whether it would be tiered off like other development.

Mr. Wiebe confirmed that it would be tiered off and this development will have 2 entrances.

The Public Hearing was closed at 7:20 p.m.

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