

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held in person and virtually on October 19, 2021 at 7:00 p.m. at the Community Resource and Recreation Centre. In attendance were Mayor Myron Dyck, Deputy Mayor John Funk and Councillors Kevin Stott, Chris Wiebe (virtually) and Nathan Dueck.

Res#268-21	K. Stott – J. Funk
Agenda	BE IT RESOLVED that the agenda be amended as follows: <ul style="list-style-type: none">- Remove excusing of Councillor Wiebe as he is in attendance virtually- New Business: 11 a. Update on Remembrance Day Plans <p style="text-align: right;">“Carried”</p>
Res#269-21	K. Stott – J. Funk
Minutes	BE IT RESOLVED that the minutes of the regular Council meeting held on October 5, 2021 be approved as presented. <p style="text-align: right;">“Carried”</p>
	Mayor Myron Dyck advised that he had participated in a phone meeting with Dr. Brent Roussin (Chief Provincial Public Health Officer) and Bruce Gray, Deputy Minister of Municipal Affairs. In that meeting Mayor Dyck conveyed Niverville’s position on restrictions in the Southern Health region with respect to how Niverville has been included in different regions, specifically those which were subject to maximum restrictions, even though the community has a high vaccination rate. Dr. Roussin agreed that his argument has merit and will take this into consideration when meeting with Provincial leaders. Mayor Dyck also noted that he had fun participating in a meeting with grade 2s, telling them what a Mayor does.
Res#270-21	J. Funk – K. Stott
Accounts	BE IT RESOLVED that cheque nos. 40534 to 40604 totalling \$3,200,283.46 be hereby approved for payment. <p style="text-align: right;">“Carried”</p>
Res#271-21	K. Stott – J. Funk
C17-21	BE IT RESOLVED that the 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 C17-21, for Lot 13 Plan 61759 (450 Kuzenko Street). <p style="text-align: right;">“Carried”</p>
Res#272-21	N. Dueck – J. Funk
Resume	BE IT RESOLVED that the Public Hearing for Conditional Use application C17-21 be closed and Council resume its former order of business (7:18 p.m.). <p style="text-align: right;">“Carried”</p>
Res#273-21	N. Dueck – J. Funk
C17-21	WHEREAS a Public Hearing was held regarding Conditional Use C17-21, an application from 6183728 Mb Ltd. to allow for a contractor’s yard on Lot 13 Plan 61759, civically known as 450 Kuzenko Street in the Niverville Business Park; AND WHEREAS there was no opposition received to the proposal; THEREFORE BE IT RESOLVED that Council approves Conditional Use C17-21 to allow for a contractor’s yard on Lot 13 Plan 61759, civically known as 450 Kuzenko Street in the Niverville Business Park, subject to the Developer entering into a Development Agreement with the Town. <p style="text-align: right;">“Carried”</p>

Res#274-21 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 the Public Hearing for Conditional Use C18-21, a proposed home-based business for Lot 29 Plan 53344 (111 Claremont Drive).</p> <p style="text-align: right;">“Carried”</p>
Res#275-21 Resume	<p>N. Dueck – J. Funk</p> <p>BE IT RESOLVED that the Public Hearing for Conditional Use application C18-21 be closed and Council resume its former order of business (7:25 p.m.).</p> <p style="text-align: right;">“Carried”</p>
Res#276-21 C18-21	<p>J. Funk – K. Stott</p> <p>WHEREAS a Public Hearing was held regarding Conditional Use C18-21, an application from Mikaela Wiebe to operate a home-based business (hair salon) on Lot 29, Plan 53344, civically known as 111 Claremont Drive;</p> <p>AND WHEREAS the application was duly advertised;</p> <p>AND WHEREAS there were no objections received to the proposal;</p> <p>THEREFORE BE IT RESOLVED that Conditional Use application C18-21, from Mikaela Wiebe to operate a home-based business (hair salon) on Lot 29, Plan 53344, civically known as 111 Claremont Drive be approved subject to the following:</p> <ol style="list-style-type: none"> 1) That the applicant provide on-site parking for clients; 2) Conditional Use permit will expire on October 19, 2023. 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 3) That the applicant obtain an annual Business License from the Town. <p style="text-align: right;">“Carried”</p>
Res#277-21 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 C20-21, an eating and drinking establishment and a 12 seat patio in on Lot 15 Block 12 Plan 19955 (Unit 1 – 31 Main Street).</p> <p style="text-align: right;">“Carried”</p>
Res#278-21 Resume	<p>K. Stott – J. Funk</p> <p>BE IT RESOLVED that the Public Hearing for Conditional Use application C20-21 be closed and Council resume its former order of business (7:32 p.m.).</p> <p style="text-align: right;">“Carried”</p>
Res#279-21 C20-21	<p>J. Funk – K. Stott</p> <p>WHEREAS a Public Hearing was held regarding Conditional Use C20-21, an application from Santa Lucia to allow for an eating and drinking establishment and a 12-seat patio in a Commercial Main Street Zone on Lot 15 Block 12 Plan 19955, civically known as Unit 1-31 Main Street (proposed new building);</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>THEREFORE BE IT RESOLVED that Conditional Use C20-21, an application from Santa Lucia to allow for an eating and drinking establishment and a 12-seat patio in a Commercial Main Street Zone on Lot 15 Block 12 Plan 19955 be approved subject to the following conditions:</p>

- 1) That all product deliveries are directed to the rear of the building;
- 2) That the applicant ensure that all signage is in compliance with the Town's Zoning Bylaw;
- 3) That the applicant provide a garbage receptacle in the vicinity of the tables;
- 4) That the tables are located on private property; and
- 5) That this proposal is limited to a maximum seating capacity of 12.

"Carried"

Res#280-21
BL 834-21
1st Reading

K. Stott – C. Wiebe

BE IT RESOLVED that Council hereby gives first reading to Bylaw 834-21, a bylaw to rezone the area generally described as being Pt. Lot 1 Plan 63764 in NE 1/4 25-07-03, being Lots 1 to 7 under Deposit number 955-2021, Subdivision File No. 4340-21-8492.

"Carried"

Councillor Dueck asked for an update on whether the request to close Main Street to host a Remembrance Day Ceremony had been sent to Municipal Infrastructure. CAO Eric King confirmed that the request had been sent and that there has been no response to date.

Res#281-21
Adjourn

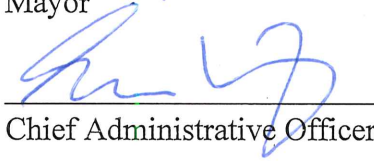
N. Dueck – J. Funk

BE IT RESOLVED that the meeting be adjourned. (7:45 p.m.)

"Carried"



Mayor



Chief Administrative Officer

Minutes of the Public Hearing held on October 19, 2021 at 7:15 p.m. regarding Conditional Use C17-21, an application from 6183728 Mb Ltd. to allow for a contractor's yard on Lot 13 Plan 61759, civically known as 450 Kuzenko Street in the 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 a contractor's yard on Lot 13 Plan 61759, civically known as 450 Kuzenko Street in the Niverville Business Park. All uses in the Niverville Business Park are Conditional Uses and this proposed use is in line with the industrial uses that the Industrial General Zone is intended to accommodate. The applicant will be leasing this space and the property owner will be entering into a Development Agreement with the Town. Mr. King stated the recommendation from administration is to approve the application as requested, subject to the applicant entering into a Development Agreement with the Town.

Brian Trottier on behalf of 6183728 Mb Ltd., noted that this proposal is the third out of four buildings that they were planning to construct.

There was no opposition to the proposal.

The Public Hearing was closed at 7:18 p.m.

Minutes of the Public Hearing held on October 19, 2021 at 7:21 p.m. regarding Conditional Use C18-21, an application from Mikaela Wiebe to operate a home-based business (hair salon) on Lot 29, Plan 53344, civically known as 111 Claremont Drive. 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 Conditional Use is to operate a home-based business (hair salon) on Lot 29, Plan 53344, civically known as 111 Claremont Drive. Ms. Wiebe has indicated that she will be moving to Claremont Drive and is planning to set up a one-chair hair salon business in her garage. To date, there has been no opposition to the proposal. The recommendation from administration, in keeping with past precedent, is:

- 1) That the applicant provide on-site parking for clients;
- 2) Conditional Use permit will expire on October 19, 2023. 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
- 3) That the applicant obtain an annual Business License from the Town.

Ms. Mikaela Wiebe (applicant) noted the following regarding her business proposal:

- has an oversized garage from which she will be operating her salon;
- will be serving one client at a time;
- has room for 4 parking spots on her driveway;
- is prepared to get any required permits; and
- hours will be Monday through Saturday, (9 a.m. – 9 p.m.), based on her client's needs.

There was no opposition to the proposal.

The Public Hearing was closed at 7:25 p.m.

Minutes of the Public Hearing held on October 19, 2021 at 7:27 p.m. regarding Conditional Use C20-21, an application from Santa Lucia (Dean Delorme) to allow for an eating and drinking establishment and a 12 seat patio on Lot 15 Block 12 Plan 19955, civically known as Unit 1-31 Main Street. Mayor Myron Dyck served as chairperson, with all members of Council in attendance.

Eric King, CAO of the Town of Niverville, noted a new commercial building is being proposed for 31 Main Street and Santa Lucia is the proposed tenant for Unit 1 (west side). The Conditional Use application is for a delivery/take out business with a 12 seat patio. The Developer has been working with the Town on the proposal for the new building to ensure that all requirements will be met. The recommendation from administration would be to approve subject to the following conditions:

- 1) That all product deliveries are directed to the rear of the building;
- 2) That the applicant ensure that all signage is in compliance with the Town's Zoning Bylaw;
- 3) That the applicant provide a garbage receptacle in the vicinity of the tables;
- 4) That the tables and garbage receptacle are located on private property; and
- 5) That this proposal is limited to a maximum seating capacity of 12.

Mr. Kosmas Simeonidis, owner of Santa Lucia, noted that they wanted to create jobs in the community with 6 full time staff and 8-10 staff in total, and business hours would be 11 a.m. to midnight, 7 days a week. Dean Delorme, applicant on behalf of Santa Lucia, noted that they like to give back to the community as they have done in other communities. Darryl Joachim echoed that they are looking to give back to the community and keep growing.

Mr. Ray Dowse, landlord, was present to answer any questions that Council may have.

Mr. King noted that correspondence was received from Tetang and Tetiana Sessingnong of 40 1st Street North, who indicated that they agreed with the proposal and had no objection.

There was no opposition to the proposal.

The Public Hearing was closed at 7:32 p.m.
