

## TOWN OF NIVERVILLE

Minutes of the meeting of the Niverville Town Council held on May 3, 2022 at 9:00 a.m. at the Community Resource and Recreation Centre. In attendance were Mayor Myron Dyck, Deputy Mayor John Funk, Councillors Kevin Stott and Nathan Dueck.

Res#101-22 Excuse	N. Dueck – K. Stott BE IT RESOLVED that Councillor Chris Wiebe be excused due to a personal commitment.  “Carried”
Res#102-22 Agenda	N. Dueck – J. Funk BE IT RESOLVED that the agenda be approved subject to the following addition: New Business 10 d. Award 2022 Concrete Program Contract  “Carried”
Res#103-22 Minutes	J. Funk – N. Dueck BE IT RESOLVED that the minutes of the regular Council meeting held on April 19, 2022 be approved as presented.  “Carried”
Res#104-22 Table Agenda	J. Funk – N. Dueck 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 Variance application V3-22 for Lot 138 Plan 53344, civically known as 22 Wyldewood Crescent.  “Carried”
Res#105-22 Resume	J. Funk – N. Dueck BE IT RESOLVED that the Public Hearing for Variance application V3-22 be closed and Council resume its former order of business (9:03 a.m.).  “Carried”
Res#106-22 V3-22	N. Dueck – J. Funk WHEREAS a Public Hearing was held regarding Variation application V3-22, an application from Jonathan Batista to allow for a reduced rear yard setback from 5 feet to 2 feet and a reduced south side yard setback from 5 feet to 2 feet to allow for an existing pool and associated pool equipment on Lot 138 Plan 53344, civically known as 22 Wyldewood Crescent; AND WHEREAS in accordance with <i>The Planning Act</i> , the Variation application was duly advertised; AND WHEREAS there was no opposition received to the proposal; THEREFORE BE IT RESOLVED that Council approves Variation application V3-22, to allow for a reduced rear yard setback from 5 feet to 2 feet and a reduced south side yard setback from 5 feet to 2 feet to allow for an existing pool and associated pool equipment on Lot 138 Plan 53344, civically known as 22 Wyldewood Crescent.  “Carried”

Res#107-22 N. Dueck – K. Stott  
Table BE IT RESOLVED that the Council meeting agenda be tabled and that  
Agenda Council sit in accordance with *The Planning Act* to hold the Public Hearing for  
Conditional Use application C7-22 for Lot 1 Block 1 Plan 67815, civically known  
as 501 Pauls Street.

“Carried”

Res#108-22 J. Funk – K. Stott  
Resume BE IT RESOLVED that the Public Hearing for Conditional Use application C7-  
22 be closed and Council resume its former order of business (9:09 a.m.).

“Carried”

Res#109-22 K. Stott – J. Funk  
C7-22 WHEREAS a Public Hearing was held regarding Conditional Use C7-22, an  
application from Randy Kehler on behalf of 11013407 Manitoba Ltd. to allow for  
the following on Lot 1 Block 1 Plan 67815, civically known as 501 Pauls Street;  
1) a vehicle restoration/welding business in one unit of a 4 unit building (other 3  
units currently vacant),  
2) a self-service storage facility business in an accessory building, and  
3) a Caretaker’s Suite (480 square feet) as a secondary conditional use in  
conjunction with a permitted industrial use class development;  
AND WHEREAS there was no opposition received to the proposal;  
THEREFORE BE IT RESOLVED that Council approves Conditional Use C7-22,  
to allow for the following on Lot 1 Block 1 Plan 67815, civically known as 501  
Pauls Street:

- 1) a vehicle restoration/welding business in one unit of a 4 unit building (other 3  
units currently vacant),
- 2) a self-service storage facility business in an accessory building, and
- 3) a Caretaker’s Suite (480 square feet) as a secondary conditional use in  
conjunction with a permitted industrial use class development;

subject to the following conditions:

- a) That all uses for the building be approved through the Conditional Use  
process; and
- b) That the applicant entering into a Development Agreement with the Town.

“Carried”

Res#110-22 J. Funk – N. Dueck  
Council BE IT RESOLVED that for June, July and August of 2022, that the following  
regular Council meetings are cancelled:

June 7, 2022

July 5, 2022

August 2, 2022

AND BE IT FURTHER RESOLVED that the following meeting schedule for  
June, July and August 2022 be followed:

- i. June 21, 2022 7:00 p.m.
- ii. July 19, 2022 7:00 p.m.
- iii. August 16, 2022 7:00 p.m.

“Carried”

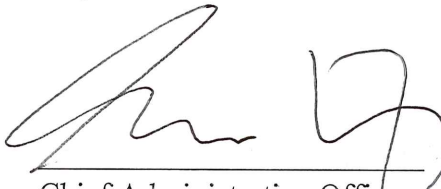
Mayor Dyck advised that on April 12<sup>th</sup> he had met with the College of Paramedics (about the new training requirements) and on day 2 at the AMM meeting, had spoke with Minister Clarke (regarding the same concerns). He also noted that the MLA was in Town today.

Res#111-22 Accounts	<p>K. Stott – J. Funk</p> <p>BE IT RESOLVED that cheque nos. 41306 to 41357 totalling \$291,335.69 be hereby approved for payment.</p> <p>“Carried”</p>
Res#112-22 BL841-22 3 <sup>rd</sup> Reading	<p>J. Funk – N. Dueck</p> <p>BE IT RESOLVED that Council gives third reading and passes Bylaw 841-22 2022 Financial Plan.</p> <p>“Carried”</p> <p>In Favour: M. Dyck, J. Funk, K. Stott, N. Dueck Absent: C. Wiebe</p>
Res#113-22 B2445 Extension	<p>J. Funk – N. Dueck</p> <p>WHEREAS Bylaw 791-18, Niverville’s Building Bylaw maintains that a building permit issued by the Town Office under the provisions of this bylaw may be revoked if active work pursuant to the permit has not commenced within 12 months of the date thereof;</p> <p>AND WHEREAS a request for an extension was received from Mr. Lyall Hudson to Demolition Permit B2445 dated April 27, 2021 for a partial demo of the barn on 2465 Krahm Road;</p> <p>THEREFORE BE IT RESOLVED that Council approves a one year extension for B2445 to April 27, 2023 for the time limit within which active work needs to commence for the Demolition permit.</p> <p>“Carried”</p>
Res#114-22 Extension C1-17	<p>N. Dueck – J. Funk</p> <p>WHEREAS under The Planning Act [110(1)], an applicant must take steps to establish the use authorized by the conditional use order within 12 months of the date of the decision;</p> <p>AND WHEREAS Council may extend this deadline for an additional period of no longer than 12 months if an application is received before the expiry of the original deadline, and for a second period of no more than 12 months if an application is received before the expiry of the first extension;</p> <p>AND WHEREAS a request was received from Harsimran Sandu for an extension to Conditional Use C12-21 originally dated June 1, 2021, to allow for the development of an automatic car wash, a self-serve car wash, convenience store, detailing centre and outdoor operations (propane sales) on Lot 1 of Subdivision File #4340-21-8317 (Drovers Run) subject to the applicant entering into a Development Agreement with the Town;</p> <p>THEREFORE BE IT RESOLVED THAT Council approves a one year extension to June 1, 2023 for Conditional Use C12-21, thereby requiring the applicant to take steps to establish the use authorized by the Conditional Use order by the date of the extension.</p> <p>“Carried”</p>



Res#115-22 Liquor Permit	K. Stott – N. Dueck BE IT RESOLVED that Council grants permission to Maureen Cope to serve liquor for her daughter's Graduation BBQ at the Hespeler Park Picnic Shelter on June 25, 2022 between the hours of 9 a.m. and 9 p.m. (rental period), subject to obtaining permit approval from Liquor, Gaming and Cannabis Authority of Manitoba.  "Carried"
Res#116-22 Concrete Contract	N. Dueck – K. Stott BE IT RESOLVED that following the Town's due tendering process, that the contract for the Town's 2022 Concrete Program be awarded to JRoss Construction & Landscaping Ltd. of Headingly MB, who submitted the lowest bid of \$216,945.00 plus applicable taxes.  "Carried"
Res#117-22 Adjourn	N. Dueck – J. Funk BE IT RESOLVED that the meeting be adjourned. (9:27 a.m.)  "Carried"

  
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Mayor

  
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Chief Administrative Officer

Minutes of the Public Hearing held on May 3, 2022 at 9:01 a.m. regarding Variance application V3-22, an application from Jonathan Batista to allow for a reduced rear yard setback from 5 feet to 2 feet and a reduced south side yard setback from 5 feet to 2 feet to allow for an existing pool and associated pool equipment on Lot 138 Plan 53344, civically known as 22 Wyldewood Crescent. The proposal was duly advertised as per Section 169 of *The Planning Act*. Mayor Myron Dyck served as chairperson, with Deputy Mayor John Funk, Councillors Kevin Stott and Nathan Dueck in attendance.

CAO Eric King noted the Variance is to allow for a reduced rear yard setback from 5 feet to 2 feet and a reduced south side yard setback from 5 feet to 2 feet to allow for an existing pool and associated pool equipment on Lot 138 Plan 53344, civically known as 22 Wyldewood Crescent. Mr. Batista installed a pool last year which doesn't comply with the required setbacks. Variance is requested to bring the property into compliance with the Zoning Bylaw. Note property has been sold.

There was no opposition received to the proposal.

The Public Hearing was closed at 9:03 a.m.

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Minutes of the Public Hearing held on May 3, 2022 at 9:05 a.m. regarding Conditional Use C7-22, an application from Randy Kehler on behalf of 11013407 Manitoba Ltd. to allow for the following on Lot 1 Block 1 Plan 67815, civically known as 501 Pauls Street;

- 1) a vehicle restoration/welding business in one unit of a 4 unit building (other 3 units currently vacant);
- 2) a self-service storage facility business in an accessory building, and
- 3) a Caretaker's Suite (480 square feet) as a secondary conditional use in conjunction with a permitted industrial use class development;

The proposal was duly advertised as per Section 169 of *The Planning Act*. Mayor Myron Dyck served as chairperson, with Deputy Mayor John Funk, Councillors Kevin Stott and Nathan Dueck in attendance.

Mr. Faron Trippier, on behalf of 11013407 Manitoba Ltd. noted the application fits within the existing Zoning Bylaw and felt the application was straight forward from their perspective.

Deputy Mayor John Funk questioned whether the suite was to be registered against the property.

CAO Eric King noted that the Development Agreement gets registered against the property.

Deputy Mayor John Funk he noted that he didn't want to see school busses in the business park.

Mr. Trippier noted that the suite was to be used by Randy (Kehler). He also commented that they intend to have a nice building and raise the standard of buildings in the area.

There was no opposition received to the proposal.

The Public Hearing was closed at 9:09 a.m.

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