

TOWN OF NIVERVILLE

Minutes of the meeting of the Niverville Town Council held on July 19, 2022 at 7:00 p.m. at the Community Resource and Recreation Centre. In attendance were Mayor Myron Dyck, Deputy Mayor John Funk, Councillors Kevin Stott, Chris Wiebe and Nathan Dueck.

Res#173-22 Agenda	C. Wiebe – J. Funk BE IT RESOLVED that the agenda be approved subject to the following additions: Adoption of Minutes 3 b. June 28, 2022 Special Council Meeting New Business 10 a. Building Permit Extension for B2329 718 Birkdale 10 b. Province of Manitoba – Mulberry Intersection “Carried”
Res#174-22 Minutes	N. Dueck – C. Wiebe BE IT RESOLVED that the minutes of the regular Council meeting held on June 21, 2022 and Special Council meeting held on June 28, 2022 be approved as presented. “Carried”
Res#175-22 Table Agenda	J. Funk – 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 the Public Hearing for Conditional Use C15-22 for Lot 6 Plan 9965, civically known as Unit D – 290 Main Street. “Carried”
Res#176-22 Resume	C. Wiebe – J. Funk BE IT RESOLVED that the Public Hearing for Conditional Use C15-22 be closed and Council resume its former order of business (7:03 p.m.). “Carried”
Res#177-22 C15-22	N. Dueck – J. Funk WHEREAS a Public Hearing was held regarding Conditional Use C15-22, an application from Guy Britten and Amanda Maclean for a renewal to allow “outside operations” (dog run) in a Commercial Corridor Zone at Lot 6 Plan 9965, civically known as Unit D – 290 Main Street, Niverville; AND WHEREAS the application was duly advertised; AND WHEREAS there was no opposition to the proposal; THEREFORE BE IT RESOLVED that Council approves Conditional Use application C15-22, to allow “outside operations” (dog run) in a Commercial Corridor Zone at Lot 6 Plan 9965, civically known as Unit D – 290 Main Street subject to the following conditions: 1) Outside yard must not generate obnoxious smells or a noise nuisance beyond the subject property boundaries; 2) Outside yard must not be used for exercising dogs between the hours of 10:00 p.m. and 7:00 a.m. (no noise nuisance); 3) The outside yard must be securely enclosed with an opaque fence of at least seven feet in height and have a partial roof in order to dampen the noise of the animals outside, the design of which shall be approved by the Town; and

- 4) Applicant must ensure that all dogs under the care of the kennel are licensed in their respective municipalities, with all rabies and distemper shots up to date.

"Carried"

Res#178-22

C. Wiebe – N. Dueck

Table

Agenda

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 C16-22 for Lot 16 Plan 61759, civically known as 735 Schultz Avenue.

"Carried"

Res#179-22

C. Wiebe – J. Funk

Resume

BE IT RESOLVED that the Public Hearing for Conditional Use C16-22 be closed and Council resume its former order of business (7:08 p.m.).

"Carried"

Res#180-22

N. Dueck – K. Stott

C16-22

WHEREAS a Public Hearing was held regarding Conditional Use C16-22, an application from Clarence Braun on behalf of Keller Williams to allow for a real estate company to operate in an Industrial General zone on Lot 16 Plan 61759, civically known as Unit A, 735 Schultz Avenue;
AND WHEREAS there was no opposition received to the proposal;
THEREFORE BE IT RESOLVED that Council approves Conditional Use C16-22 to allow for a real estate company to operate in an Industrial General zone on Lot 16 Plan 61759, civically known as Unit A, 735 Schultz Avenue subject to the following condition:

- a) That the Landlord ensure that the Town has provided approval in writing for a revised parking plan that addresses the parking required for this type of business.

"Carried"

Res#181-22

C. Wiebe – K. Stott

Table

Agenda

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 C14-22 for Lots 6, 7 and 8 Block 3 Plan 19956 (civically known as 166 and 180 Main Street) and Lot 1 Block 4 Plan 19956 (civically known as 10 4th Avenue S.).

"Carried"

Res#182-22

N. Dueck – J. Funk

Resume

BE IT RESOLVED that the Public Hearing for Conditional Use C14-22 and be closed and Council resume its former order of business (7:12 p.m.).

"Carried"

Res#183-22

C. Wiebe – J. Funk

C14-22

WHEREAS a Public Hearing was held regarding Conditional Use C14-22, an application for renewal from 3524958 Manitoba Ltd. to allow the following:

- Advertising signage on Lots 6, 7 and 8, Block 3, Plan 19956, civically known as 166 and 180 Main Street consisting of the following:
 - 4 sandwich boards 11 sq. ft. each (total 44 sq. ft.);
 - 7 advertising signs 15 sq. ft. each (total 105 sq. ft.) for placement on the building at 180 Main Street;
 - Other signage
 - Artic Ice Freezer 12 sq. ft.;

- Firewood Box 1 sq. ft.;
- Coop Propane Tank 36 sq. ft.;
- 2 soft drink vending machines 21 sq. ft. each (total 42 sq. ft.);
- 8 feather flags (seasonal) 20 sq. ft. each (total 160 sq. ft.);
- Advertising signage on Lot 1 Block 4 Plan 19956, civically known as 10 Fourth Avenue S. consisting of the following:
 - 5 advertising signs x 16 sq. ft. on fence facing Main Street (total 80 sq. ft.);
 - 13 advertising signs x 11 sq. ft. on fence facing Main Street (total 143 sq. ft.); and
 - One 2-sided portable rental sign total 90 sq. ft.;

AND WHEREAS in accordance with *The Planning Act* the Conditional Use was duly advertised;

AND WHEREAS there was no opposition brought forward to the proposal;

THEREFORE BE IT RESOLVED that Council approves Conditional Use C14-22 to allow the following:

- Advertising signage on Lots 6, 7 and 8, Block 3, Plan 19956, civically known as 166 and 180 Main Street consisting of the following:
 - 4 sandwich boards 11 sq. ft. each (total 44 sq. ft.);
 - 7 advertising signs 15 sq. ft. each (total 105 sq. ft.) for placement on the building at 180 Main Street;
 - Other signage
 - Artic Ice Freezer 12 sq. ft.;
 - Firewood Box 1 sq. ft.;
 - Coop Propane Tank 36 sq. ft.;
 - 2 soft drink vending machines 21 sq. ft. each (total 42 sq. ft.);
 - 8 feather flags (seasonal) 20 sq. ft. each (total 160 sq. ft.);
- Advertising signage on Lot 1 Block 4 Plan 19956, civically known as 10 Fourth Avenue S. consisting of the following:
 - 5 advertising signs x 16 sq. ft. on fence facing Main Street (total 80 sq. ft.);
 - 13 advertising signs x 11 sq. ft. on fence facing Main Street (total 143 sq. ft.); and
 - One 2-sided portable rental sign total 90 sq. ft.;

subject to the following conditions:

1. That no signage be placed on the Town boulevard or road allowance;
2. That signage cannot impede sight lines for intersection at Fourth Avenue S. or Main Street access;
3. That the Conditional Use is granted exclusively to 3524958 Manitoba Ltd. for a period of two years, expiring on July 19, 2024;
4. That in the event the applicant requires an extension to the Conditional Use approval, the applicant must submit a written application to the Town prior to July 1, 2024, with application fee to be waived if application is received prior to July 1, 2024 or failing same, the applicant shall be required to re-apply for another Conditional Use at their own expense; and
5. That should the Zoning Bylaw 795-18, as amended signage section not change during the 2023/2044 Bylaw review period, that this Conditional Use approval will become permanent.

“Carried”

Res#184-22

Scope
Change

C. Wiebe – J. Funk

BE IT RESOLVED that Council authorizes a scope change to Southwood Ventures for the completion of the Forcemain and Lift Station project in

	Fifth Avenue Estates West for a scope change amount of \$120,595.54 plus applicable taxes.	"Carried"
Res#185-22 Scope Change	C. Wiebe – K. Stott BE IT RESOLVED that Council approves a scope change in the amount of \$14,000 plus applicable taxes to the contract with WSP for the completion of engineering related to the Forcemain and Lift Station project.	"Carried"
Res#186-22 Scope Change	C. Wiebe – J. Funk BE IT RESOLVED that Council approves a scope change in the amount of \$9,281.33 plus applicable taxes to the contract with Morrison Hershfield for completion of the design of drainage on the north-side of PR311 at Mulberry.	"Carried"
Res#187-22 BL 791-18 Update	C. Wiebe – J. Funk BE IT RESOLVED that Schedule A of Bylaw 791-18 Building Bylaw be updated to add Public Right of Way Crossing inspection fees at \$100 plus GST per inspection.	"Carried"
Res#188-22 EE Handbook Update	N. Dueck – C. Wiebe BE IT RESOLVED that Council authorizes amendments to the Town's Employee Handbook effective August 1, 2022, which includes such changes as employee classifications and further clarification to hours of work, vacation steps and benefits.	"Carried"
	Mayor Dyck remarked that he was looking forward to the BBQ competition this weekend, as he will be a celebrity judge for the Kid's BBQ competition.	
Res#189-22 Accounts	C. Wiebe – J. Funk BE IT RESOLVED that cheque nos. 41536 to 41637 totalling \$1,626,053.99 be hereby approved for payment.	"Carried"
Res#190-22 June 30 F.S.	N. Dueck – J. Funk BE IT RESOLVED that the June 30, 2022 Financial Statement be approved as presented.	"Carried"
Res#191-22 BL 842-22 1 st Reading	C. Wiebe – J. Funk BE IT RESOLVED that Council gives first reading to Bylaw 842-22, a Bylaw to amend Zoning Bylaw 795-18, as amended.	"Carried"
Res#192-22 Extension B2329	N. Dueck – K. Stott WHEREAS the Town's policy on refunds for building permit security deposits states that the time limit on refunds expires after a period of 2 years from the date of the permit; AND WHEREAS a request was received for an extension to the security deposit refund for building permit #B2329, 718 Birkdale Cove, originally dated September 18, 2020;	

THEREFORE BE IT RESOLVED that Council approves an extension to September 18, 2023 to the time limit allowed for the security deposit refund for 718 Birkdale Cove (original permit #B2329 dated September 18, 2020).

"Carried"

Res#193-22
Performance
Guarantee

C. Wiebe – J. Funk

BE IT RESOLVED that Council is in favour of providing a performance guarantee to the Province of Manitoba (Minister of Finance) in the amount of \$1,500,000.00 redeemable up to completion, for the construction of on-highway improvements to accommodate traffic entering into and exiting the development at NE ¼ 25-7-3E.

"Carried"

Res#194-22
Adjourn

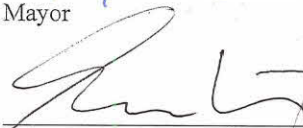
N. Dueck – C. Wiebe

BE IT RESOLVED that the meeting be adjourned. (7:34 p.m.)

"Carried"



Mayor



Chief Administrative Officer