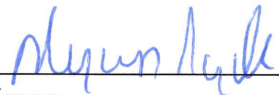


TOWN OF NIVERVILLE

Minutes of the Special meeting of the Niverville Town Council held on July 4, 2023 at 9:00 a.m. at the Niverville Administration Office. Mayor Myron Dyck chaired the meeting with Deputy Mayor Chris Wiebe and Councillors Nathan Dueck, Bill Fast, and Meghan Beasant in attendance. All members of Council had been advised in advance of the agenda.

Res#195-23 Agenda	B. Fast – C. Wiebe BE IT RESOLVED that the agenda be approved as presented. “Carried”
Res#196-23 Table Agenda	N. Dueck – B. Fast 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 C14-23 for Lot 4 Block 2 Plan 67815, civically known as Unit 2 of 645 Pauls Street. “Carried”
Res#197-23 Resume	C. Wiebe – B. Fast BE IT RESOLVED that the Public Hearing for Conditional Use C14-23 be closed and Council resume its former order of business (9:06 a.m.). “Carried”
Res#198-23 C14-23	B. Fast – N. Dueck WHEREAS a Public Hearing was held regarding Conditional Use C14-23, an application from Derek Lafrenais to allow for a retail automotive sales and detailing centre on Lot 4 Block 2 Plan 67815, civically known as Unit 2 of 645 Pauls Street; AND WHEREAS there was no opposition received to the proposal; THEREFORE BE IT RESOLVED that Council approves Conditional Use C14-23 to allow for a retail automotive sales and detailing centre on Lot 4 Block 2 Plan 67815, civically known as Unit 2 of 645 Pauls Street. “Carried”
Res#199-23 NBP Guidelines	C. Wiebe – B. Fast BE IT RESOLVED that Council adopts revised Design Guidelines for the Niverville Business Park, which shall take effect July 1, 2023, copy of which is attached as Schedule “A”. “Carried”
Res#200-23 Adjourn	B. Fast – M. Beasant BE IT RESOLVED that the meeting be adjourned. (9:13 a.m.) “Carried”



Mayor



Chief Administrative Officer

Niverville Business Park

Design Guidelines

July 1, 2023

Purpose: The purpose is to create a basic set of parameters governing development features regulating the Business Park to ensure a well-coordinated attractive industrial environment. These standards are intended to offer all property owners confidence that each building will compliment the development and protect their investment. **Whenever a provision of the Town's Zoning Bylaw or any other bylaw or regulation of the provincial or federal government contains a restriction governing the same subject matter contained in these guidelines, the most restrictive or highest standard shall prevail. If clarification is needed on any requirement, please contact the Town's Planning Department.**

A. Definitions

1. Sign: means any writing, illustration, or emblem, which directs attention to a building, use, business, commodity, service or entertainment. Refer to the Town's Zoning Bylaw for regulations.
2. Lighting Pattern Plan: shows the location of all exterior lighting and the glare zone of each light. Refer to the Town's Zoning Bylaw for regulations.
3. Natural Landscaping: includes topsoil (maintained free of weeds), wood chips (or other organic top layer), or grass.
4. Town: Town of Niverville
5. NBP: Niverville Business Park
6. NCDC: Niverville Community Development Corporation
7. Site Coverage: Means that part or percentage of the site occupied by buildings, including accessory buildings. Refer to the Town's Zoning Bylaw for site coverage specifications.

B. Signs

1. All signs (including identification and advertising) in the Niverville Business Park are subject to the signage regulations in the Town's Zoning Bylaw currently in effect.

C. Lights on Private Property

1. See outdoor lighting requirements in the Town's Zoning Bylaw for regulations. Lighting pattern plan to be submitted for inclusion in Development Agreement.

D. Landscaping

1. Greenspace Requirements:

- a) Each lot is required to maintain natural landscaping for first ten feet of yard frontage:
 - i. A corner lot must maintain a minimum of ten feet of greenspace frontage on both sides of its street frontage and flankage.
 - ii. All front yards must contain a minimum of one deciduous or coniferous tree for each thirty (30) feet of linear *street frontage*, plus three (3) shrubs for each twenty (20) feet of linear *street frontage* (frontage calculation to exclude the width of the driveway).
 - iii. Trees must be a minimum of 3 feet in height when planted and shrubs must be a minimum of 1 foot in height and 1 foot in width when planted and shall be maintained in a good manner.
 - iv. A fence may be constructed on the property line however any required natural landscape and greenspace requirements must be outside the fenced enclosure.
 - v. Parking landscaping is required when more than 29 parking spaces are required on the lot. Landscaping of parking lot shall at minimum require 1 tree per 300 square feet of parking lot and 1 shrub per 100 square feet of parking lot. Trees must be a minimum of 3 feet in height when planted and shrubs must be a minimum of 1 foot in height and 1 foot in width when planted and shall be maintained using responsible horticultural practices.
 - vi. Parking bumper guards must be installed when parking a vehicle on a designated parking spot within five (5) feet of any public property line, designated green space, naturally landscaped area or private property line unless a fence separates the naturally landscaped area and the parking area. Parking bumper guards are required to prevent encroachment on adjoining lands.
 - vii. Designated parking spots are not permitted within designated greenspace.

2. Fencing:

- a) All fencing types enclosing storage shall ensure that the following guidelines for an opaque fence are followed:
 - i. Fence along frontage must be opaque;
 - ii. Fence along rear property line must be opaque when lot backs onto a public road;
 - iii. Corner lots must have an opaque fence on both the frontage and side yard that is adjacent to a street.

Gates do not need to be opaque. The opaque feature could include either a chain link fence with slats or fabric or masonry wall. Opaqueness is required to obstruct view of outdoor storage.

- b) Chain link fencing with coniferous trees and shrubs with mature height equal or greater than height of fence and maintained by lot owners is a permitted alternative option.
- c) Steel (or its equivalent) siding used for fencing and wooden fences are not permitted.
- d) A fence and associated visual barrier are required to be maintained in good condition as determined by Town.
- e) A fence may be constructed on the property line however, any required natural landscape requirements must be outside the fenced enclosure.

- f) See the Town's Zoning Bylaw for regulations regarding fence heights and materials.
- 3. Storage:
 - a) All exterior storage of equipment must be in an opaque fenced enclosure in compliance with fencing requirements.
 - b) Waste and recycling bins for all properties cannot be stored in the front yard unless in an opaque fenced in enclosure.

E. Setbacks / Max Building Height / Max Site Coverage

- 1. See the Town's Zoning Bylaw for minimum setback requirements, maximum height and maximum site coverage requirements.

F. Accessory Buildings

- 1. Accessory buildings (if any) must be shown on building permit application at time of initial permit application. Subsequent accessory buildings or structures require a new building permit prior to being located on the property.
- 2. All main and accessory buildings combined must not create a maximum site coverage in excess of allowable percentage of coverage of the property as per the Town's Zoning Bylaw.
- 3. All accessory buildings are required to be constructed in accordance with Town of Niverville building construction standards, setbacks and are subject to inspections.
- 4. Shipping containers are regulated under the Town's Zoning Bylaw and must comply with all noted standards.
- 5. Accessory buildings and structures are not permitted in the required front yard.
- 6. Construction of an accessory building is permitted prior to the construction of the primary building IF primary building will be constructed within six months of accessory building and the building permit is issued simultaneously for both primary and accessory buildings.
- 7. There is no limit on the number of accessory buildings per lot other than requirement to meet the site coverage limitation and property line setbacks as per the Town's Zoning Bylaw. A Conditional Use may be required for an accessory building if it will house a new use on the property – please check with Town staff to confirm.
- 8. Distance requirements between all accessory and/or main buildings will be determined by the construction materials as defined either in the Manitoba Building Code, amendments thereto and/or associated Acts or Town By-laws.

G. Driveway / Culvert

1. Once property ownership has transferred from the Town to the property owner, the property owner may submit their request to the Town for preferred driveway location and width of driveway. The Town will arrange for the installation of the driveway approach on the public road allowance at mutually agreed upon locations acting reasonably, construction of which will be in accordance with Town specifications. The Town's decision on the location of the driveway is final and non-appealable.
2. Driveway approaches are limited to between 15 feet and 30 feet in width unless otherwise arranged with the Town. The cost of an oversized culvert and installation will be the responsibility of the property owner.
3. There must be a minimum of 15 feet separation between driveway approaches on adjacent lots, and driveways must be constructed to maintain the natural drainage in conjunction with the NBP Drainage Plan. Registered drainage easements are required to be registered on both lots when a drain is located along a property line where adjacent land is owned by two different property owners.
4. Replacement of culverts damaged due to normal use as determined solely by the Town will be completed at the sole cost of the Town. However, when either a driveway approach is requested to be expanded or a culvert repaired due to damage caused by the property owner or their clientele (e.g. trailer drives over the culvert ends restricting water flow), the cost of culvert and installation will be at sole cost of the property owner. No alterations to driveway approaches on public road allowance is permitted except by the Town.
5. Culvert installations specifications are as per the Town's Construction Standards as amended from time to time by resolution of Council, and associated costs are as per applicable rates at time of installation.

H. Vehicle Parking Requirements

1. A vehicle parking spot is defined as a dedicated 10 feet by 20 feet area with a 24-foot driving aisle to access the parking spot, based on angled parking of 75° to 90°.
2. Employee Parking spots required for either the greater of:
 - a) 1 for each 500 square feet of floor area (no less than 2), or
 - b) Minimum of one per employee at maximum shift.
3. Visitor Parking:
 - a) Minimum of four parking spots.
 - b) In addition, when the business has dedicated commercial / customer retail space, an additional requirement of one spot for every 500 square feet of retail floor space.
4. Handicap Parking – see requirements under the Town's Zoning Bylaw.
5. Loading Zones – see requirements under the Town's Zoning Bylaw.

6. Parking Landscaping Requirements:

- a) Parking landscaping is required when more than 29 parking spaces are required on the lot. Landscaping of parking lot shall at minimum require 1 tree per 300 square feet of parking lot and 1 shrub per 100 square feet of parking lot. Trees must be a minimum of 3 feet in height when planted and shrubs must be a minimum of 1 foot in height and 1 foot in width when planted and shall be maintained using responsible horticultural practices.
- b) Parking bumper guards must be installed when parking a vehicle on a designated parking spot within five (5) feet of any public property line, designated green space, naturally landscaped area or private property line unless a fence separates the naturally landscaped area and the parking area. Parking bumper guards are required to prevent encroachment on adjoining lands.
- c) Designated parking spots are not permitted within designated greenspace.

I. Building Permit Application and Construction

1. Permit Fees: **(All fees are subject to change by resolution of Town Council)**

- a) Security Deposit: flat rate based on lot size: \$2,500 per each half acre up to a maximum of \$10,000.
- b) Driveway / Culvert and installation fees (if oversized) to be provided at time that building permit is pulled or when a new or revised driveway is requested.
- c) Building permit fees subject to size and type of building and as per building permit fee structure currently in effect.
- d) Development Permit is required for buildings over 6,458 sq. ft. or buildings that require a Part 3 Building Permit.

2. **A master site plan drawn to scale showing location and size of all buildings (including all setbacks), parking layout (including sizes of parking spaces and driving aisle width), fencing plan (including location and height), landscaping (including required number of trees and shrubs) and lighting pattern plan along with lot drainage plan are required as part of the building permit application process and Development Agreement documentation.**

J. Pre-Construction Inspections / Requirements

1. Under the Town's Zoning Bylaw, a Conditional Use is required for all uses in the business park except accessory/secondary buildings and structures, and shipping containers. This permission must be obtained before a building permit or Development Permit will be approved and is required before commencement of every new use on a property. Failure to obtain the Conditional Use approval prior to commencement of the use on the property will result in a higher Conditional Use application fee and may fines being levied by Bylaw Enforcement.
2. A Development Agreement with the Town is required prior to establishing the primary building on the property. An amending Development Agreement may be required for building expansions.
3. Town staff will provide building permit applicant with five lot elevations including the four lot corners and building floor pad elevation.

4. Prior to construction, upon the request from the building permit applicant, the Town will provide five stakes on site with elevation markings thereon.
5. To ensure correct drainage within the entire business park, the property owner is required to bring the rough grade elevations of the lot as determined by the Town within six months of purchase closing date. Extensions may be granted by the Town due to adverse circumstances (e.g. weather). A one-month extension may be requested by the property owner a minimum of five (5) working days prior to the deadline. Should the rough grade elevations grading be not completed by the property owner, the Town at its sole discretion, complete the work on behalf of the property owner and at the cost of the property owner. If this work is not paid within thirty (30) days of invoice issuance, the full cost will be placed on property taxes.

K. Inspections during Construction

1. Town's Building Inspector shall be responsible to determine the number of standard inspections required for a Part 9 building, and the Town's Part 3 Building Inspector shall be responsible to determine the number of standard inspections required for a Part 3 building.
2. Town's Fire Chief shall be responsible to determine the number of standard inspections for fire monitored buildings.

Minutes of the Public Hearing held on July 4, 2023, at 9:01 a.m. regarding Conditional Use application C14-23, an application from Derek Lafrenais to allow for a retail automotive sales and detailing centre in an Industrial General Zone on Lot 4 Block 2 Plan 67815, civically known as Unit 2 – 645 Pauls Street. The proposal was duly advertised as per Section 169 of *The Planning Act*. Mayor Myron Dyck served as chairperson, with Deputy Mayor Chris Wiebe and Councillors Nathan Dueck, Bill Fast and Meghan Beasant in attendance.

The applicant Derek Lafrenais and business partner Ciara Piwniuk were in attendance to answer any questions.

Deputy Mayor Chris Wiebe asked the applicant to outline their business.

Mr. Lafrenais advised that their business is an automotive sales and detailing centre catering to a lower budget.

Deputy Mayor Chris Wiebe asked the applicant why they chose Niverville to move their business too.

Mr. Lafrenais advised that Niverville is an economical community to have a business, is within a vicinity to where they live, and in an area with much less crime than their current location.

Deputy Mayor Chris Wiebe asked the applicant if they think being in Niverville will be a deterrent to prospective customers.

Mr. Lafrenais advised that Niverville isn't far away, and explained how they are prepared to accommodate their customers should a concern arise.

Deputy Mayor Chris Wiebe asked the applicant (Ciara) if they were going to offer custom detailing.

Ms. Piwniuk advised that she will offer detailing services to the residents of Niverville and surrounding areas.

There was no opposition received to the proposal.

The hearing was closed at 9:06 a.m.
