

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on June 20, 2023 at 7:00 p.m. at the Niverville Community Resource and Recreation Centre. In attendance were Mayor Myron Dyck, Deputy Mayor Chris Wiebe, Councillors Nathan Dueck, Bill Fast and Meghan Beasant.

Res#173-23 Agenda	C. Wiebe – B. Fast BE IT RESOLVED that the agenda be approved as presented. “Carried”
Res#174-23 Minutes	B. Fast – N. Dueck BE IT RESOLVED that the minutes of the regular Council meeting held on June 6, 2023 be approved as presented. “Carried”
Res#175-23 Table Agenda	C. Wiebe – M. Beasant 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 C12-23 for 515 Pauls Street. “Carried”
Res#176-23 Resume	N. Dueck – B. Fast BE IT RESOLVED that the Public Hearing for Conditional Use C12-23 be closed and Council resume its former order of business (7:06 p.m.). “Carried”
Res#177-23 C12-23	B. Fast – C. Wiebe WHEREAS a Public Hearing was held regarding Conditional Use C12-23, an application from Charlene Trippier to allow for an outdoor rental parking lot to operate on Lot 2 Block 1 Plan 67815, civically known as 515 Pauls Street; AND WHEREAS the application was duly advertised; AND WHEREAS there was no opposition received to the proposal; THEREFORE BE IT RESOLVED that Council approves Conditional Use C12-23, to allow for an outdoor rental parking lot to operate on Lot 2 Block 1 Plan 67815, civically known as 515 Pauls Street, subject to the property owner entering into a Development Agreement with the Town. “Carried”
Res#178-23 Table Agenda	Meg – 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 Conditional Use C13-23 for 290 Main Street. “Carried”
Res#179-23 Resume	N. Dueck – C. Wiebe BE IT RESOLVED that the Public Hearing for Conditional Use C13-23 be closed and Council resume its former order of business (7:13 p.m.). “Carried”

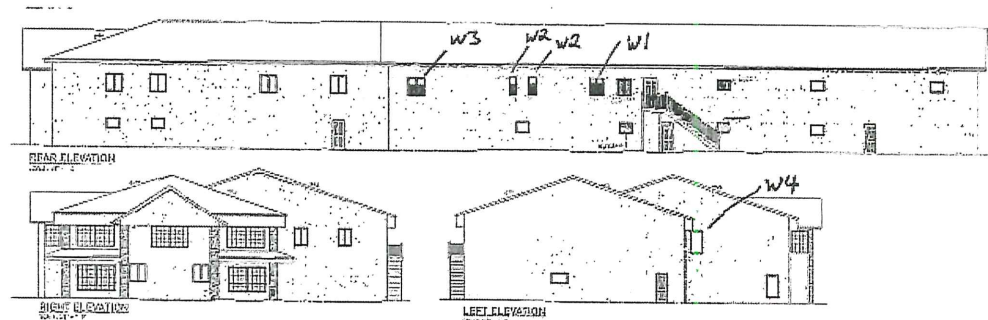
Res#180-23
C13-23

M. Beasant – C. Wiebe

WHEREAS Superior Projects on behalf of Knebel Prairie Developments Inc. has requested an amendment to condition number 3 of Conditional Use C1-22; the request for permission to develop four residential units on the second floor of Lot 6, Plan 9965, civically known as 290 Main Street;

AND WHEREAS the amendment to condition 3 from C1-22 will be to allow for the windows on the west and north side of the building to be of the sizes noted and subject to having a high-quality window frosting applied to the exterior of the windows as noted:

- W1 and W3 (west side)– maximum window size of 39 3/8" W x 47 1/4" H, with window frosting to cover the bottom 35 1/2" of the window, with the top height of the frosting to be a minimum of 5'11" from the finished floor elevation;
- W2 (west side) – maximum window size of 23 5/8" W x 47 1/4" H, with window frosting to cover the bottom 26" of the window, with the top height of the frosting to be a minimum of 5'11" from the finished floor elevation;
- W4 (north side) – maximum window size of 39 3/8" W x 47 1/4" H.



AND WHEREAS the application was duly advertised;

AND WHEREAS there was no opposition to the proposal;

THEREFORE BE IT RESOLVED that Council approves an amendment to condition 3 from Conditional Use C1-22, to allow for the windows on the west and north side of the building to be of the sizes noted and subject to having a high-quality window frosting applied to the exterior of the windows as noted:

- W1 and W3 (west side)– maximum window size of 39 3/8" W x 47 1/4" H, with window frosting to cover the bottom 35 1/2" of the window, with the top height of the frosting to be a minimum of 5'11" from the finished floor elevation;
- W2 (west side) – maximum window size of 23 5/8" W x 47 1/4" H, with window frosting to cover the bottom 26" of the window, with the top height of the frosting to be a minimum of 5'11" from the finished floor elevation;
- W4 (north side) – maximum window size of 39 3/8" W x 47 1/4" H.

AND BE IT FURTHER RESOLVED that the property owner will be responsible in perpetuity for maintaining the window frosting in a satisfactory condition.

"Carried"

Res#181-23
A3-23

M. Beasant – C. Wiebe

BE IT RESOLVED that Council adopts the Zero Tolerance Policy A3-23, which speaks to unacceptable behaviour towards Town representatives, copy of which is attached hereto as Schedule "A".

"Carried"

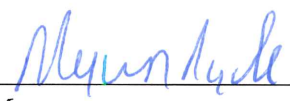
Res#182-23
EE
Handbook

B. Fast – M. Beasant

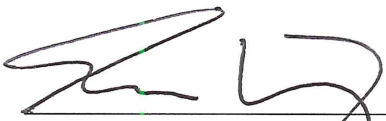
BE IT RESOLVED that Council adopts the proposed updates to the Employee Handbook which will come into effect on July 1, 2023.

"Carried"

Res#183-23 Scope Change	<p>C. Wiebe – B. Fast</p> <p>BE IT RESOLVED that Council approves a scope change in the amount of \$26,000.00 to the contract with Calnitsky Associates Architects Inc., for completion of detailed design and tender documents for the RCMP Detachment Architectural & Engineering Services.</p> <p style="text-align: right;">“Carried”</p> <p>Mayor Myron Dyck thanked everyone involved in the Niverville Fair, commented that the weather had cooperated, and expressed appreciation to the volunteers and the Fair Committee for their hard work. He also extended congratulations to the graduates on their upcoming graduation next week and expressed appreciation for the Hanover School Division for their invitation to a meeting and dinner that they provided (prior to the Council meeting). Mayor Dyck noted that he looked forward to building on the relationship and moving forward together.</p>
Res#184-23 Accounts	<p>N. Dueck – M. Beasant</p> <p>BE IT RESOLVED that cheque nos. 42886 to 42935 totalling \$279,927.69 be hereby approved for payment.</p> <p style="text-align: right;">“Carried”</p>
Res#185-23 May Financial	<p>N. Dueck – B. Fast</p> <p>BE IT RESOLVED that the May 31, 2023 financial statement be approved as as presented.</p> <p style="text-align: right;">“Carried”</p>
Res#186-23 BL 791-18 Update	<p>C. Wiebe – B. Fast</p> <p>BE IT RESOLVED that Council approves amendments to Building Bylaw 791-18 Schedule A effective July 1, 2023, copy of which is attached as Schedule “B”.</p> <p style="text-align: right;">“Carried”</p>
Res#187-23 Update Fee Schedule	<p>C. Wiebe – M. Beasant</p> <p>BE IT RESOLVED that Council approves amendments to the Town’s Fee Schedule for Administrative Fees effective July 1, 2023, copy of which is attached as Schedule “C”.</p> <p style="text-align: right;">“Carried”</p>
Res#188-23 Adjourn	<p>M. Beasant – B. Fast</p> <p>BE IT RESOLVED that the meeting be adjourned. (7:27 p.m.)</p> <p style="text-align: right;">“Carried”</p>



Mayor



Chief Administrative Officer



Town Of Niverville-Administration

Policy No. A3-23:	<u>Zero-Tolerance Policy</u>		
Effective Date:	<u>June 20, 2023</u>	Resolution#	<u>182-23</u>
Revision Date:	_____	Resolution#	_____

The Town of Niverville is committed to serving members of the public with professionalism and care, and providing a safe, secure and respectful environment for Council members, volunteers, and Town staff (Town Representatives). The Town acknowledges that in the day-to-day delivery of services, Town Representatives may be confronted by aggressive or violent behaviour by members of the public. Whilst acknowledging that such eventualities may arise, the Town affirms that such behaviour is wholly unacceptable. Specifically, the Town is not prepared to tolerate:

- Verbal abuse, threats or threatening behaviour, intimidation, inappropriate, demeaning or abusive language or discriminatory remarks to Town Representatives either during or out of working hours arising from their involvement with the Town.
- Verbal or physical harassment including bullying or yelling at Town Representatives either during or out of working hours arising from their involvement with the Town.
- Harassment including physical, racial or sexual assault upon Town Representatives by members of the public, either during or out of working hours arising from their employment or involvement with the Town.
- Attacks on or damage to the property of Town Representatives arising from or in conjunction with Town Representatives carrying out their duties.
- Violent or threatening behaviour towards Town Representatives in the workplace arising from matters extraneous to service delivery.
- Any conduct which can be considered unacceptable in nature in the opinion of the Town. The Town will consider legal action as appropriate against any member of the public who abuses Town Representatives in terms of the contents of this Policy. Where Town Representatives are subject to violence/threat of violence or aggression, they will be provided with appropriate personal support.

The Town will not condone unacceptable behaviours in any shape or form, and reserves the right to manage situations that arise by taking the following action(s):

- Reporting the incident to the Police
- Ceasing written communication.

- Terminating phone conversations.
- Limiting face to face contact.
- Removing access to Town facilities.

In limited extenuating circumstances, the Town may exercise its discretion to excuse a single lapse in judgment. In this case, the offending party will receive a written letter noting the circumstance, unacceptable conduct, zero-tolerance policy, and resolution expectations. This letter will be kept on file for a minimum of 24 months. Even with the one-time satisfactory resolution being met, no further warnings will be given and any future abusive conduct on the offending individual's part will be grounds for banning any contact with Town representatives, other than to conduct online transactions such as utility and tax payments. The offending individual, if requiring any further assistance from the Town, will be required to submit their request in writing to the Town.

Town Council members will keep a record of any reports of violence, aggression and abuse during their term while representing the Town. Data will be collected on the number of incidents occurring, which will include date and type of incident, service area related and those including police response. Records will also be retained to include personal details of the perpetrators of the incidents. It will be the responsibility of the Town Representatives to assist in the prevention of workplace violence, aggression and abuse. Early reporting of dangerous or potentially dangerous incidents will facilitate an effective investigation and response by the Town. To ensure that the Town is fully aware of all or any instances of workplace violence, every Town Representative must report events as soon as is reasonably practicable in line with Town procedures. Town Representatives should, in the first instance, report to the Chief Administrative Officer of the Town any threats or acts of violence, aggression and abuse, which they experience, witness or become aware of.

Schedule “B”

BYLAW 791-18
SCHEDULE A
FEE SCHEDULE
Updated August 18, 2020
Updated February 15, 2022
Updated July 19, 2022
Updated December 20, 2022
Updated June 20, 2023 – effective date July 1, 2023

GST to be charged where applicable.

- | | |
|---|--|
| 1. Basic Admin Fee (applicable to all permits except where noted) | \$50.00 |
| | |
| 2. Building Permit Fee shall be: | Basic Permit Fee <u>plus</u> inspection |
| <u>plus</u> | |
| A. A single storey building: | \$ 0.10 / sq. ft. |
| B. A bi-level residential home: | |
| i. Main Floor: | \$ 0.10 / sq. ft. |
| ii. Finished Secondary Floor: | \$ 0.05 / sq. ft. |
| C. For multi-storey buildings: | |
| i. Main floor: | \$ 0.10 / sq. ft. |
| ii. Each additional floor: | \$ 0.05 / sq. ft. |
| D. For multi-story residential buildings: | |
| i. All floors | \$ 0.10 / sq. ft. |
| E. Finished Basements: | \$ 0.06 / sq. ft. |
| F. Commercial / Industrial (Part 9 permits): | |
| i. Main Floor General Use | \$ 0.10 / sq. ft. |
| ii. Office Space | \$ 0.10 / sq. ft. |
| iii. Each additional floor | \$ 0.05 / sq. ft. |
| iv. Residential on Second Storey & Above | \$ 0.10 / sq. ft. |
| G. Sunroom / Screened-in Porch | \$ 0.06 / sq. ft. |
| H. Secondary Suites: | \$ 0.10 / sq. ft. |
| I. Changes to Building Permit Plans after permit has been invoiced \$50.00 (plus any additional costs due as a result of the changes) | |
| J. Building Permit (with security deposit) extension requests | \$500.00 (no admin fee) |
| K. Building Permit (no security deposit) extension requests | no charge (no admin fee) |
| | |
| 3. Accessory Building Permit Fees shall be: | Basic Permit Fee <u>plus</u> |
| inspection <u>plus</u> | |
| A. Square footage of building | \$ 0.06 / sq. ft. |
| | |
| 4. Portable Garages (Annual Fee) | \$ 125.00 |
| | |
| 5. Renovations (improvements to building) | Basic Permit Fee <u>plus</u> inspection |
| <u>plus</u> | |
| A. Square footage of project in basement | \$ 0.06 / sq. ft. |
| B. Square footage of project on main floor | \$ 0.10 / sq. ft. |
| C. Square footage of project on 2 nd floor & up | \$ 0.05 / sq. ft. |
| D. Sunroom / Screened-in Porch | \$ 0.06 / sq. ft. |

E. Secondary Suites	\$ 0.10 / sq. ft.
6. Deck Permit (attached or free standing)	Basic Permit Fee plus
A. Inspections	\$ 50.00 / inspection
7. Demolition Permit	Basic Permit Fee plus
A. Sewer Abandonment Inspection (if applicable)	\$ 50.00 / inspection
B. Sewer Cap Damage Deposit	see “Other” under
Damage Deposits	
8. Driveway Permit (if separate from Building Permit)	Basic Permit
Fee plus	
A. Inspections	\$ 50.00 / inspection
9. Development Permit Fee	
A. For improvements requiring a Part 3 Building Permit	Basic Permit
Fee plus	
	\$ 0.05 / sq. ft.
B. Changes to Development Permit Plans once invoiced	\$50.00 plus
applicable square footage.	
10. Pool/Hot tub*/Water Features Permits	Basic Permit Fee plus
A. 1 Inspection	\$ 50.00 /
inspection	
<i>*permit not required for hot tub installation when it is inside a house</i>	
11. Curb Cuts	Basic Permit Fee plus
A. 2 Inspections	\$ 50.00 / inspection
B. Security Deposit	\$1,000.00
12. Sewer Permit Fees shall be:	Basic permit
Fee plus;	
A. Sewer Connection Inspection (per)	\$ 50.00
B. Where a connection is made to the sewer main a damage deposit of \$ 2,000.00 is required, refundable within 90 days of completion of connection; if damages are in excess an invoice will be sent and due within 30 days. If invoice remains unpaid, balance due will be placed on property taxes.	
C. Sewer connection to a sewer manhole requires prior written approval of Operations Manager.	
13. Occupancy Permit	
A. Where the nature of the occupancy is changed and where no other permit is required.	\$ 50.00
B. When partial occupancy is requested, and a permit has been taken out.	\$ 50.00
14. Standard Home Inspection Rates	
A. Single Family Home	\$ 750.00
B. Duplex	\$ 1,270.00
C. 3 Plex	\$ 1,520.00
D. 4 Plex	\$ 1,740.00
E. 5 Plex	\$ 2,280.00
F. 6 Plex	\$ 2,510.00

G. 7+ units Inspector	As determined by the Building
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15. Inspection Fees

A. Standard	\$ 50.00
B. Additional (at request of property owner)	\$ 60.00
C. No Show (property owner / builder does not attend or prepared)	\$ 100.00
D. Re-Inspection	\$ 100.00
E. Missed Inspection (work has been covered and inspector is unable to perform or complete the required inspection as per the conditions of the issued permit)	\$ 500.00
F. Public Right of Way Crossing (per inspection)	\$100.00

16. Damage Deposits

A. Single-unit Residential	\$ 2,500.00
B. Multi-unit Residential Agreement	As per Development
C. Niverville Business Park (max \$ 10,000)	\$ 2,500.00 per ½ acre
D. Using Town Property for access/egress to private property	\$1,000
E. Other	As determined by Designated Officer

17. Administrative Review (as per policy D3-13)	\$ 250.00
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18. Conditional Use Application Fee	\$ 300.00
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A. Post-Commencement of use without Approved Conditional Use in Place	
i. Single Family Residential	\$ 500.00
ii. Commercial / Industrial	\$ 900.00

19. Variances

That authority be hereby granted to the designated staff to grant or refuse at their discretion minor variations as per limits of *The Planning Act* and the following regulations:

- A. Variation fees for all buildings and structures, **pre-construction**:
- | | | |
|---------------------|-----------|---------|
| 1. Minor Tolerance: | \$ 200.00 | (see C) |
| 2. Major Tolerance: | \$ 500.00 | (see D) |
- B. Variation fees for all buildings and structures, **after construction has begun**:
- | | | |
|---------------------|-------------|---------|
| 1. Minor Tolerance: | \$ 500.00 | (see C) |
| 2. Major Tolerance: | \$ 1,000.00 | (see D) |
- C. A **minor** variation tolerance shall not exceed fifteen (15) percent (according to *The Planning Act*).
- D. A **major** variation tolerance would be in excess of fifteen (15) percent and requires Council approval.

20. Zoning or Development Bylaw Amendments	\$ 1,650.00 (Includes cost of advertising)
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21. 24 hour advance notification must be given to affected residents for planned (non-emergency) water shut off – penalty for non-compliance \$1,000.00 per event

FEE SCHEDULE CHANGES

Council Meeting June 20, 2023 Effective July 1, 2023

Item Category/Name	Current Fee	New Fee	unit
ADMINISTRATION			
Administration Services Basic Fee	n/a	\$ 50.00	hour
Zoning			
Zoning Memo	\$ 35.00	\$ 50.00	
Administrative Hourly Services after basic fee time-constraint			
CAO	\$ 250.00	\$ 270.00	hour
Operations Manager	\$ 160.00	\$ 160.00	hour
Engineer	\$ 160.00	\$ 160.00	hour
Assistant CAO	\$ 125.00	\$ 132.00	hour
Utilities Manager	\$ 125.00	\$ 135.00	hour
Finance Admin	n/a	\$ 120.00	hour
Support Staff	\$ 85.00	\$ 95.00	hour
Conditional Use			
Application Cancellation Fee	\$35 + costs	\$50 + costs	
Archive Search fee			
Archive search first hour		\$ 50.00	
Archive search additional 1/2 hour		\$ 25.00	
Archive Search fee-FIPPA			
Archive search-FIPPA, first 2 hours	\$ -	\$ -	
Archive search-FIPPA, next 1/2 hour	\$ 25.00	\$ 15.00	1/2 hour
Archive search-FIPPA, computer/data costs		\$ 10.00	15 min.
Archive search-FIPPA photocopying fees		\$ 0.20	page
Archive search-FIPPA photography		actual cost	photo
Property Taxes			
Tax Sale Admin Fee	\$ 43.00	\$ 50.00	month in tx sale
Tax Certificate	\$40/\$35	\$ 40.00	N

Minutes of the Public Hearing held on June 20, 2023 at 7:01 p.m. regarding Conditional Use C12-23, an application from Charlene Trippier to allow for an outdoor rental parking lot to operate on Lot 2 Block 1 Plan 67815, civically known as 515 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.

CAO Eric King noted that is from Charlene Trippier to allow for an outdoor rental parking lot to operate on Lot 2 Block 1 Plan 67815, civically known as 515 Pauls Street. The owner's intent is to have rental parking on a month-to-month basis, catering to mostly recreational vehicles such as RVs, boats, etc., and to build on site in 2 to 3 years.

Mr. Faron Trippier of 19 Stratford Place, was present on behalf of the property owner, and referenced the drawing that was submitted and commented that this was a temporary but perhaps long-term thing, with the long-term plan being to build a rental building rather than leaving the lot unfinished. Currently the plan is to bring the property to some level to make some use of the lot, and they have a fencing company and landscaping lined up and ready to go. Mr. Trippier also mentioned that it is probably a couple of years before they plan to build.

Deputy Mayor Chris Wiebe questioned whether they were planning to bring the property to final grade, how that would affect their building a building, and if the owner's intentions were to have RV storage similar to what is happening in storage places with painted lines or "buddy" parking.

Mr. Trippier noted that they were planning to bring to final grade for drainage purposes and are accepting of the fact that when they build a building, it will make a bit of a mess, and that parking arrangements would be somewhere in between the painted lines/"buddy" parking, that there is no intention to pave at the point, and that they would don't want a junkyard and will be fairly selective on the types of vehicles that would be permitted (not including old cars and derelict vehicles), nothing that is long term storage.

No opposition.

There was no opposition received to the proposal.

The hearing was closed at 7:06 p.m.

Minutes of the Public Hearing held on June 20, 2023 at 7:07 p.m. regarding Conditional Use C13-23, an application from Superior Projects on behalf of Knebel Prairie Developments Inc. to amend condition number 3 of Conditional Use C1-22 for Lot 6, Plan 9965, civically known as 290 Main 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.

CAO Eric King noted that this application is from Superior Projects on behalf of Knebel Prairie Developments Inc.; a Conditional Use for the following, to allow for an amendment to condition number 3 of Conditional Use C1-22; the request for permission to develop four residential units on the second floor at 290 Main Street. Condition number 3 of C1-22 originally read as follows:

"That any windows to be added to the west and north sides of the building be of a size that is in keeping with the size of the existing west window (or smaller), subject to meeting minimum egress standards."

Amendment requested for condition number 3 would be to allow for the windows on the west and north side of the building to be of the sizes noted, and subject to having a high-quality window frosting applied to the exterior of the west windows as noted (graphic was provided to Council in advance noting the location of the windows):

- W1 and W3 (west side)– maximum window size of 39 3/8” W x 47 1/4” H, with window frosting to cover the bottom 35 1/2” of the window, with the top height of the frosting to be a minimum of 5’11” from the finished floor elevation;
- W2 (west side) – maximum window size of 23 5/8” W x 47 1/4” H, with window frosting to cover the bottom 26” of the window, with the top height of the frosting to be a minimum of 5’11” from the finished floor elevation;
- W4 (north side) – maximum window size of 39 3/8” W x 47 1/4” H.

Ms. Heather Fast of 270 Main Street commented that they had made an agreement with Evan (applicant) that they were both content with and wanted to have this in writing, even if the property were to be sold.

Mr. Evan Schinkel on behalf of Superior Projects, provided some historical data on the property, noting that there were new owners (himself and 2 colleagues) who were getting acquainted with the conditional uses on the property, and this one was missed by them and the permit office, and that the original conditional uses were difficult to administer (alarms/window situation). This situation had put them in a predicament because they found themselves in non-compliance with this which was not good for administration, Heather nor himself. Rachel (Town Staff) had gone straight to work on this difficult situation. Mr. Schinkel and Heather came up with a solution in keeping with being amicable neighbours, and while they would have preferred not to have to do another conditional use, it will solve the problem.

Deputy Mayor Chris Wiebe questioned whether the agreement had been drawn up between themselves.

Ms. Fast noted that the agreement was between the two of them and that she wanted to see this in writing.

Deputy Mayor Chris Wiebe questioned whether this agreement was what they meant.

Ms. Fast replied yes to the question.

There was no opposition received to the proposal.

The hearing was closed at 7:13 p.m.
