

## TOWN OF NIVERVILLE

Minutes of the Special meeting of the Niverville Town Council held on August 2, 2022 at 9:00 a.m. at the Niverville Community Resource and Recreation Centre. Mayor Myron Dyck chaired the meeting, with Deputy Mayor John Funk, Councillors Chris Wiebe and Nathan Dueck in attendance. All members of Council had been advised in advance of the agenda.

- Res#195-22 J. Funk – C. Wiebe  
Agenda BE IT RESOLVED that the agenda be approved as presented.  
“Carried”
- Res#196-22 C. Wiebe – N. Dueck  
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 C17-22 for Lot 3 Block 4 Plan 63750, civically known as 520 Wittick Street.  
“Carried”
- Res#197-22 C. Wiebe – J. Funk  
Resume BE IT RESOLVED that the Public Hearing for Conditional Use C17-22 be closed and Council resume its former order of business (9:04 a.m.).  
“Carried”
- Res#198-22 J. Funk – N. Dueck  
C17-22 WHEREAS a Public Hearing was held regarding Conditional Use C17-22, an application from Niverville Towing to allow for a towing business to operate with exterior storage / vehicle compound in an Industrial General zone on Lot 3 Block 4 Plan 63750, civically known as 520 Wittick Street;  
AND WHEREAS there was no opposition received to the proposal;  
THEREFORE BE IT RESOLVED that Council approves Conditional Use C17-22 to allow for a towing business to operate with exterior storage / vehicle compound in an Industrial General zone on Lot 3 Block 4 Plan 63750, civically known as 520 Wittick Street subject to the following conditions:  
a) That the Landlord enters into a Development Agreement with the Town;  
b) That the property cannot be used for an automobile wrecking yard, junk yard or scrap yard; and  
c) That all exterior storage is enclosed within an opaque fence.  
“Carried”
- Res#199-22 C. Wiebe – J. Funk  
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 C18-22 for Lot 4 Plan 68909, civically known as 200 Drover’s Run.  
“Carried”
- Res#200-22 N. Dueck – C. Wiebe  
Resume BE IT RESOLVED that the Public Hearing for Conditional Use C18-22 be closed and Council resume its former order of business (9:03 a.m.).  
“Carried”
- Res#201-22 C. Wiebe – J. Funk  
C18-22 WHEREAS a Public Hearing was held regarding Conditional Use C18-22, an application from Steel Creek Developers Inc. to allow for a hotel, indoor

participant recreation service (pool, hot tub, waterslides), eating and drinking establishment, liquor sales and 2 patio spaces on Lot 4 Plan 68909, civically known as 200 Drover's Run (Commercial Corridor Zone):

AND WHEREAS there was no opposition received to the proposal;

THEREFORE BE IT RESOLVED that Council approves Conditional Use C18-22 to allow for a hotel, indoor participant recreation service (pool, hot tub, waterslides), eating and drinking establishment, liquor sales and 2 patio spaces on Lot 4 Plan 68909, civically known as 200 Drover's Run (Commercial Corridor Zone) subject to the following conditions:

- (1) That the applicant apply for any Variances required to comply with the Town's Zoning Bylaw;
- (2) That all signage will be in compliance with the Town's Zoning Bylaw; and
- (3) That the Developer enter into a development agreement with the Town.

"Carried"

Res#202-22 J. Funk – C. Wiebe

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 C19-22 for Lot 1 Plan 47042, civically known as 18 3<sup>rd</sup> Avenue South.

"Carried"

Res#203-22 C. Wiebe – N. Dueck

Resume BE IT RESOLVED that the Public Hearing for Conditional Use C19-22 be closed and Council resume its former order of business (9:16 a.m.).

"Carried"

Res#204-22 C. Wiebe – J. Funk

C19-22 WHEREAS a Public Hearing was held regarding Conditional Use C19-22, an application from Brianna Marchand to allow for a tattoo studio on Lot 1 Plan 47042, civically known as 18 3<sup>rd</sup> Avenue S.;

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

AND WHEREAS there was no opposition received to the proposal;

THEREFORE BE IT RESOLVED that Conditional Use C19-22 to allow for a tattoo studio on Lot 1 Plan 47042, civically known as 18 3<sup>rd</sup> Avenue S. be approved subject to the following condition:

- 1) That the Landlord ensure that the Town has provided approval in writing for a parking plan that addresses the parking required for all businesses at this location prior to the commencement of the tattoo business.

"Carried"

Res#205-22 N. Dueck – J. Funk

Adjourn BE IT RESOLVED that the meeting be adjourned. (9:18 a.m.)

"Carried"

  
Mayor

  
Chief Administrative Officer

Minutes of the Public Hearing held on August 2, 2022 at 9:02 a.m. regarding Conditional Use C17-22, an application from Niverville Towing (tenant) to allow for a towing business to operate with exterior storage / vehicle compound in an Industrial General zone on Lot 3 Block 4 Plan 63750, civically known as 520 Wittick 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 Deputy Mayor John Funk, Councillors Chris Wiebe and Nathan Dueck in attendance.

CAO Eric King noted the Conditional Use was to allow for a towing business to operate with exterior storage / vehicle compound in an Industrial General zone at 520 Wittick Street.

Mr. Bryan Trottier on behalf of the property owner 6183728 MB Ltd., noted that the sight plan had already been presented and that he was available for questions.

Council asked for clarification on the civic address, whether there would be a building on the property and if this was the first building on the street.

Mr. King noted the location was the south/east corner of Wittick and Schultz. Mr. Trottier noted there would be a 4,050 square foot building on the property and that this was the second building (on the street).

There was no opposition received to the proposal.

The Public Hearing was closed at 9:04 a.m.

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Minutes of the Public Hearing held on August 2, 2022 at 9:07 a.m. regarding Conditional Use C18-22, an application from Steel Creek Developers Inc. to allow for a hotel, indoor participant recreation service (pool, hot tub, waterslides), eating and drinking establishment, liquor sales and 2 patio spaces on Lot 4 Plan 68909, civically known as 200 Drover's Run (Commercial Corridor Zone). 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 Chris Wiebe and Nathan Dueck in attendance.

CAO Eric King noted the Conditional Use was to allow for a hotel, indoor participant recreation service (pool, hot tub, waterslides), eating and drinking establishment, liquor sales and 2 patio spaces at 200 Drover's Run (Commercial Corridor Zone). The Developer is proposing to build the following:

- 73 room hotel – new construction of a mid-scale modern hotel servicing the needs of the community and surrounding area around Niverville. Variety of rooms will include standard single and double rooms, family rooms, suites, executive rooms, kitchenette suites, pet friendly and code compliant barrier free rooms. Hotel will also include several meeting spaces for rental as well as indoor pool facility for use by hotel guests.
- Indoor Participant Recreation Service – the hotel will include the construction and operation of an indoor pool which will include double waterslides and a hot tub. Use of the pool will be for hotel guests only and will not be operated as a public pool. The appropriate level of health permits will be approved for and granted for this pool use. The hotel may rent out the pool facility to local recreation organizations for the use for classes such as school swimming lessons or senior aqua sizing. These will all be done in accordance to all applicable provincial health codes.

- Eating and Drinking Establishment – the hotel will offer a breakfast area, self serving a simple continental breakfast which may include some heated food items such as self serve waffle or pancake machine. There will be no on-site food cooking and preparation, nor table side service. The applicant will be applying to the LGCMB for a “Customer/Member Liquor License” which enables them to serve closed container alcohol to hotel guests only. All license requirements will be followed.
- Patio – there will be two outdoor patio spaces, 1) on the main floor accessed via the breakfast room. This space is breakfast spillover for those that prefer to sit outside. There will also likely be a self serve BBQ for hotel guest use, 2) rooftop patio off of a meeting space to be rented as meeting space or reception area. Likely events include meetings, reception events, cocktails etc. Food/alcohol service would be permitted via licensed caterer or bar service.

There was no opposition received to the proposal.

The Public Hearing was closed at 9:10 a.m.

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Minutes of the Public Hearing held on August 2, 2022 at 9:14 a.m. regarding Conditional Use C19-22, an application from Brianna Marchand (tenant) to allow for a tattoo studio in a Residential Mixed-Use Zone on Lot 1 Plan 47042, civically known as 18 3<sup>rd</sup> Avenue South. 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 Chris Wiebe and Nathan Dueck in attendance.

CAO Eric King noted the Conditional Use was to allow for a tattoo studio in a Residential Mixed-Use Zone at 18 3<sup>rd</sup> Avenue South. Background – the applicant is proposing to operate a tattoo studio in one room of the building located at 18 3<sup>rd</sup> Avenue S.

Ms. Marchand noted that this is the same proposal as last time, just different space, with a couple of parking spots located on the side of the building and no street parking.

Council questioned who the current owner of the building was and whether there were public bathrooms, and also noted that this was the former Excel building that was owned by Dan Klippenstein, and that the owner has made different micro compartments for different businesses.

Ms. Marchand advised that there were public bathrooms, and that one half was Steve’s (Armstrong) and the second half was the law office and her space.

There was no opposition received to the proposal.

The Public Hearing was closed at 9:16 a.m.

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