

## TOWN OF NIVERVILLE

Minutes of the meeting of the Niverville Town Council held on December 20, 2022 at 7:00 p.m. at the Community Resource and Recreation Centre. In attendance were Mayor Myron Dyck, Deputy Mayor Chris Wiebe, Councillors Nathan Dueck and Meghan Beasant.

Res#356-22 Excuse	N. Dueck – M. Beasant BE IT RESOLVED that Councillor Bill Fast be excused due to a personal commitment.  “Carried”
Res#357-22 Agenda	M. Beasant – C. Wiebe BE IT RESOLVED that the agenda be approved subject to the following addition: New Business: 11c. Building Bylaw 791-18, Update to Schedule A 11d. Update A2-17 Video Surveillance Policy  “Carried”
Res#358-22 Minutes	C. Wiebe – N. Dueck BE IT RESOLVED that the minutes of the regular Council meeting held on December 6, 2022 be approved as presented.  “Carried”
Res#359-22 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 C30-22 for Lot 16 Plan 61759, civically known as Unit 5 - 735 Schultz Avenue.  “Carried”
Res#360-22 Resume	N. Dueck – C. Wiebe BE IT RESOLVED that the Public Hearing for Conditional Use C30-22 be closed and Council resume its former order of business (7:02 p.m.).  “Carried”
Res#361-22 C30-22	N. Dueck – C. Wiebe WHEREAS a Public Hearing was held regarding Conditional Use C30-22, an application from Brenden Robert Thom to allow for a dealer permit business to sell vehicles and equipment on Lot 16 Plan 61759, civically known as Unit 5 – 735 Schultz Avenue; AND WHEREAS there was no opposition received to the proposal; THEREFORE BE IT RESOLVED that Council approves Conditional Use C30-22 to allow for a dealer permit business to sell vehicles and equipment on Lot 16 Plan 61759, civically known as Unit 5 – 735 Schultz Avenue subject to the following condition: 1) 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#368-22 BL 845-22 3 <sup>rd</sup> Reading	<p>C. Wiebe – M. Beasant</p> <p>BE IT RESOLVED that Bylaw 845-22, being a Council Remuneration bylaw for 2023 is given third reading and passed.</p> <p style="text-align: right;">“Carried”</p> <p>In Favour: M. Dyck, C. Wiebe, N. Dueck, M. Beasant Absent: B. Fast</p>
Res#369-22 BL 846-22	<p>N. Dueck – C. Wiebe 2409</p> <p>WHEREAS Schedule A for Bylaw 846-22, the Staff Remuneration bylaw for 2023 has been updated from second reading; THEREFORE BE IT RESOLVED that Council gives 3<sup>rd</sup> Reading and passes Bylaw 846-22, as amended.</p> <p style="text-align: right;">“Carried”</p> <p>In Favour: M. Dyck, C. Wiebe, N. Dueck, M. Beasant Absent: B. Fast</p>
Res#370-22 BL 847-22	<p>N. Dueck – M. Beasant</p> <p>BE IT RESOLVED that Council gives first reading to Bylaw 847-22, a bylaw to amend Zoning Bylaw 795-18, as amended.</p> <p style="text-align: right;">“Carried”</p>
Res#371-22 F1-16 Amendment	<p>C. Wiebe – N. Dueck</p> <p>BE IT RESOLVED that the Town’s Write-off Policy F1-16 be amended to increase the limits for balances that may be written off and to defer all items where the CAO or staff may have a conflict of interest with to Council for review and decision, copy of which is attached as Schedule “B”.</p> <p style="text-align: right;">“Carried”</p>
Res#372-22 Expired Permits	<p>C. Wiebe – M. Beasant</p> <p>WHEREAS Niverville’s Finance Department has compiled a listing of outstanding and unclaimed security deposits from various permits dated June 12, 2017 to October 1, 2020; AND WHEREAS the list represents those properties for which final inspections have not been completed satisfactorily nor have arrangements been made by the applicant to complete the final inspections as per Town policy; THEREFORE BE IT RESOLVED that the security deposits from expired permits dated June 12, 2017 to October 1, 2020 in the amount of \$19,000.00 for properties that have not received satisfactory final inspections nor arrangements made for the completion of same be moved to the General Operating fund.</p> <p style="text-align: right;">“Carried”</p>
Res#373-22 BL 791-18 Update	<p>M. Beasant – C. Wiebe</p> <p>BE IT RESOLVED that Schedule A of Bylaw 791-18 Building Bylaw be updated to add 24 hour advance notification must be given to affected residents for planned (non-emergency) water shut off – penalty for non-compliance is \$1,000.00 per event, copy of Schedule A attached hereto as Schedule “C”.</p> <p style="text-align: right;">“Carried”</p>
Res#374-22 A2-17	<p>C. Wiebe – M. Beasant</p> <p>BE IT RESOLVED that the Town’s Video Surveillance Policy A2-17 be amended to update the list of authorized personnel (add Recreation Facility Manager and Office Manager) and to allow for addition of audio recording in the Town Office.</p> <p style="text-align: right;">“Carried”</p>

Res#362-22 BL801-18 Update	<p>M. Beasant – C. Wiebe</p> <p>BE IT RESOLVED that Schedule A of Bylaw 801-18 Traffic and Parking be updated to add a “no-parking” zone on the west side of Krahn Road between PR311 and Crown Valley Road, copy of parking schedule is attached hereto as Schedule “A”.</p> <p>“Carried”</p>
Res#363-22 Award Contract	<p>N. Dueck – C. Wiebe</p> <p>BE IT RESOLVED that following the Town’s due tendering process, that the contract for the Town’s 2023 Summer Season Flowers be awarded to Falk Nurseries, who submitted the lowest overall bid of \$8,624.39.</p> <p>“Carried”</p>
Res#364-22 Crosswalks	<p>N. Dueck – M. Beasant</p> <p>BE IT RESOLVED that Council supports an application to Manitoba Transportation and Infrastructure for two crosswalks on 5<sup>th</sup> Avenue South.</p> <p>“Carried”</p> <p>Mayor Myron Dyck stated that based on the season we are in, he wanted to take the opportunity to wish however people celebrate, to those who do, a Merry Christmas and to those that celebrate otherwise, season’s greetings and happy holidays. He encouraged all of us saying that this is a season of giving and receiving and a gift acknowledges the importance of the person to whom it is given, honoring them, giving them respect and acknowledging and appreciating them. He further commented that we have many opportunities to think otherwise; the world puts stuff on us which we may feel wrongs us and encouraged that Christmas not be the only time to appreciate others, and whatever the world is bringing our way, that we look for ways to help others. He also mentioned that we have some people in our community this Christmas that will be the first one without their father, without their mother, without their sister, and without their grandfather and (his) thoughts go out to them, and suggested we do what we can to be kind to them. Thank you to all residents for what you are doing to help one another, that is truly what makes our community great – let’s keep it going.</p>
Res#365-22 Accounts	<p>C. Wiebe – M. Beasant</p> <p>BE IT RESOLVED that cheque nos. 42182 to 42246 totalling \$608,977.12 be hereby approved for payment.</p> <p>“Carried”</p>
Res#366-22 Nov. F.S.	<p>M. Beasant – N. Dueck</p> <p>BE IT RESOLVED that Council approves the November 30, 2022 Financial Statement as presented.</p> <p>“Carried”</p>
Res#367-22 BL 842-22 3 <sup>rd</sup> Reading	<p>C. Wiebe – N. Dueck</p> <p>BE IT RESOLVED that Council gives third reading and passes Bylaw 842-22, a Bylaw to amend Zoning Bylaw 795-18, as amended.</p> <p>“Carried”</p> <p>In Favour: M. Dyck, C. Wiebe, N. Dueck, M. Beasant Absent: B. Fast</p>

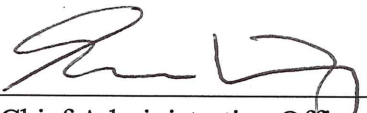
Res#374-22  
Adjourn

M. Beasant – N. Dueck

BE IT RESOLVED that the meeting be adjourned. (7:35p.m.)

“Carried”

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

## Schedule "A" (Minutes)

### Schedule "A"

#### Bylaw 801-18

Amended July 9, 2019

September 3, 2019

November 5, 2019

April 21, 2020

December 21, 2021

June 21, 2022

October 18, 2022

November 15, 2022

December 20, 2022

The following traffic signs are hereby authorized to be erected and enforced, namely:

### "NO PARKING"

Fourth Street South	- north side	- entire length
Third Street South	- south side	- entire length except Sunday
Second Street South*	- south side	- entire length
First Street South	- south side	- 2 <sup>nd</sup> Ave. S. to 5 <sup>th</sup> Ave. S.
	- north side	- Heritage Trail to Second Ave South
First Street North	- south side	- entire length
Second Street North	- south side	- entire length
Third Street North	- south side	- entire length
Hespeler Park Drive	-both sides	- entire length
Heritage Trail	- west side	- entire length
Second Avenue South *	- west side	- First St. South to Fourth St. South
Third Avenue South	- west side	- First St. South to Fourth St. South
Fourth Avenue South	- west side	- Fourth St. South to First St. South
Fourth Avenue South	-east side	- Main Street to First St. South
Prairie Trail	- east side	- entire length
Prairie Trail	-west side	-Prairie Crossings to 2 <sup>nd</sup> St. North
Second Avenue North	- east side	- First St North to Third St North
Second Avenue North	- west side	- entire length
Third Avenue North	- east side	- entire length
Fourth Avenue North	- east side	- entire length
Fifth Avenue North	- east side	- entire length
Spruce Drive	- north side	- entire length
Edelweiss Crescent	- inside of Crescent	- entire length
Roselawn Bay	- inside of Bay	- entire length
Ashgrove Crescent	- inside of Crescent	- entire length
Maplewood Crescent	- inside of Crescent	- entire length
South Park Drive	- inside of Drive	- entire length
Lilac Place	- south side	- entire length
Linden Place	- south side	- entire length
Elmdale Place	- south side	- entire length
Redwood Place	- south side	- entire length
Aspen Avenue	- east side	- entire length
Ritchot Drive	- inside of Drive	- entire length
Church Avenue	- south side	- entire length
Mulberry Avenue	- east side	- north of Centre Street
	- between PR311 and Centre Street	
Carnoustie Cove	- west side	- entire length

Troon Cove	- west side	- entire length
Lytham Place	- south side	- entire length
Saint George Place	- south side	- entire length
Saint Andrews Way	- inside or west side	- entire length
Muirfield Cove	- south side	- entire length
Tweed Lane	-north & west of Lane	-entire length
Tweed Lane North	- hammerhead section on Tweed north	
Dochart Gate	-south side of Gate	-entire length
Birkdale Cove	- south side	- entire length
Turnberry Cove	- south side	- entire length
Aberdeen Drive	- west side	- entire length
Balgonie Bay	- inside of bay	-entire length
Cedar Drive	- south side	- entire length
Bronstone Drive	- north side	- entire length
Hampton Drive	- south side	- entire length
Hill Crest Court	- west side	- entire length
Bentley Place	- west side	- entire length
Claremont Drive	- west side	- entire length
Cobblestone Court	- outside of Court	- entire length
Errington Place	- north side	- entire length
Errington Way	- north side	- entire length
Kingsley Gate	- south side	- entire length
Beaumont Circle	- outside of circle	- entire length
Carling Circle	- outside of circle	- entire length
Arena Road	- west side	- entire length
Park Road	- north side	- entire length
Centre Street	- both sides	- from Arena to Mulberry
Ellington Way	- inside of Way	- from Claremont to elbow
Breckenridge Dr	- east side	- entire length
Landsbury Lane	- north side	- entire length
Landsbury Terrace	- east side	- entire length
Landsbury Terrace	- hammerhead section at end of street	
Cambridge Way	- south side	- entire length
Kirkdale Drive	- west and south side	- entire length
Ashcroft Cove	- north side	- entire length
Stratford Place	- north east side	- entire length
Foxdale Way	- east side	- entire length
Briarfield Court	- south and east side	- entire length
Kipling Lane	- north side	- entire length
Sheffield Way	- north side	- entire length
Wyldeewood Crescent	- east side	-entire length
Alders Gate	- east side	- entire length
Denby Cove	- east side	- entire length
Hawthorne Way	- north side	- entire length
Wyndham Court	- outside of loop	- entire length

Krahn Road	- west side	- between PR311 and Crown Valley Road
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**\*NO PARKING MIDNIGHT TO 6 A.M.- MONDAY THRU SUNDAY (NBP)**

Wittick Street	-both sides	-entire length
Kuzenko Street	-both sides	-entire length
Schultz Avenue	-both sides	-entire length
Pauls Street	-both sides	-entire length

**\*NO PARKING 8:15 A.M. TO 9:15 P.M.- MONDAY THRU FRIDAY**

First Street North	- north side	- Third Avenue North to Fourth Avenue North
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**\*2 HOUR PARKING LIMIT BETWEEN THE HOURS OF 6 A.M. TO 6 P.M., MONDAY THRU FRIDAY**

Second Avenue South	-east side	-between 2 <sup>nd</sup> St. S and Elmdale Place
Second Street South	-north side	-between 3 <sup>rd</sup> Ave. S. and Heritage Trail

**\*15 MINUTE PARKING LIMIT BETWEEN THE HOURS OF 6 A.M. TO 11 P.M., SEVEN DAYS A WEEK**

Fourth Avenue South	-east side	-between First St S & Main St.
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“NO STOPPING”

“5 MINUTES PARKING LIMIT”

“NO PARKING, LOADING ZONE”

“4-WAY STOP” Intersections

“LOAD RESTRICTIONS”

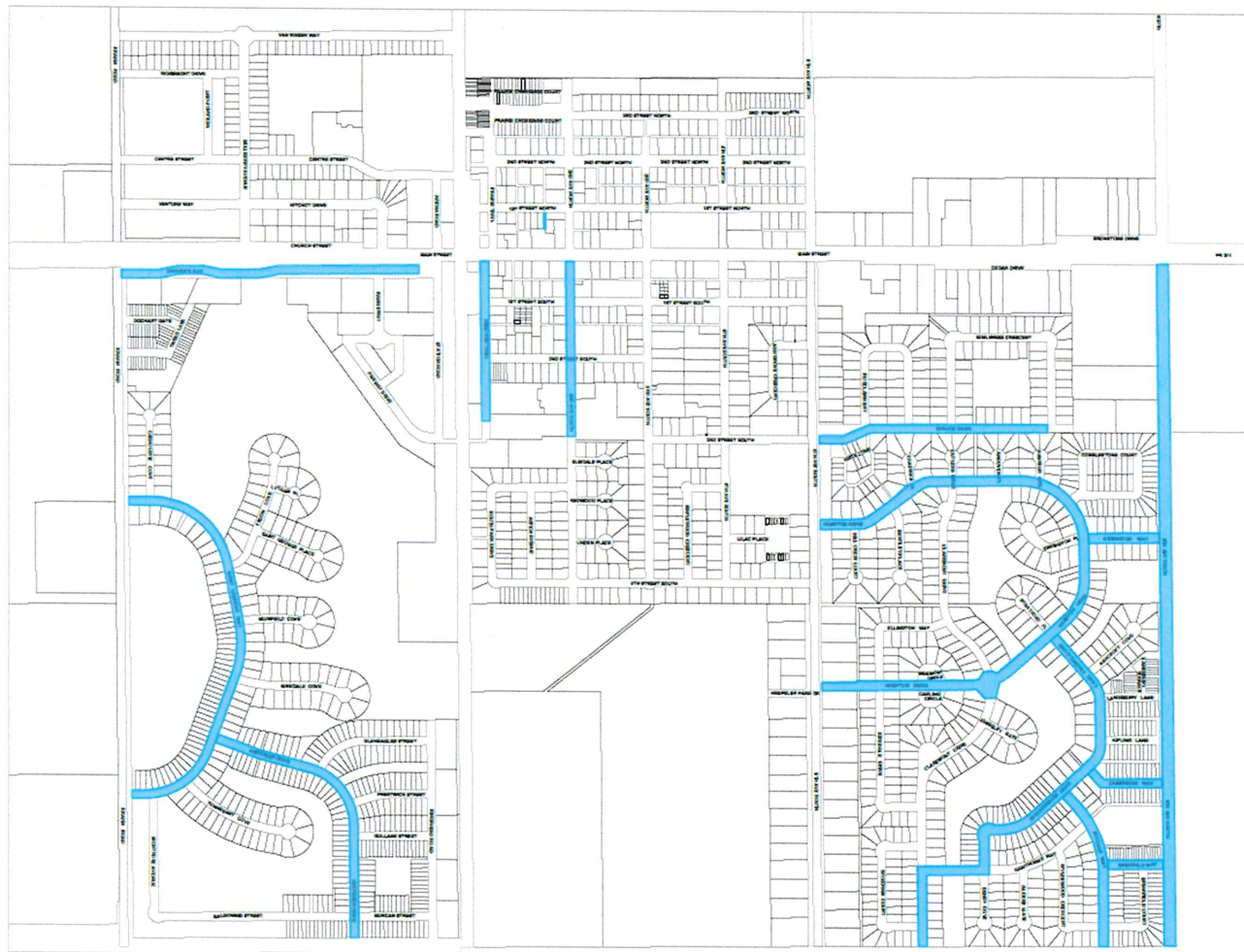
As posted on the authority of a Resolution of Council when necessary.

“PLAYGROUND” SIGNS

**October 18, 2022 Update**

**Designated Snow Route**

During the period of November 1<sup>st</sup>, through May 1<sup>st</sup> annually, a **Designated Snow Route** will be in effect. This means that all vehicles (including trailers) are not permitted to park on any of the streets identified below between the hours of **6 am to 6 pm**, 7 days a week. Vehicles (including trailers) that are parked on the streets identified below may be ticketed and towed at the owner's expense.



2<sup>nd</sup> Avenue S.  
6<sup>th</sup> Avenue S. (not including gravelled parking lane)  
Aberdeen Drive  
Back lane behind 41 Main Street  
Breckenridge Drive  
Cambridge Way  
Claremont Drive (south portion as shown)  
Drover's Run  
Errington Way  
Foxdale Way  
Hampton Drive  
Hawthorne Way (as shown)  
Heritage Trail  
Sheffield Way  
Spruce Drive  
Saint Andrews Way

Schedule "B" (Minutes)



TOWN OF NIVERVILLE-FINANCE

<b>POLICY NO. F1-16:</b>	<b><u>Write-off Policy</u></b>	
<b>EFFECTIVE DATE:</b>	<b><u>February 16, 2016</u></b>	<b>RESOLUTION# <u>51-16</u></b>
<b>REVISION DATE:</b>	<b><u>December 20, 2022</u></b>	<b>RESOLUTION# <u>371-22</u></b>

**Purpose:** To standardize the amount and timing of write-offs for outstanding balances and provide authority to the Chief Administration Officer (and his/her delegates) to process write-offs of small outstanding balances of accounts and accounts deemed uncollectible.

**Limits:** The limits of the authority are as follows:

- a) The Finance Officer has the authority to approve the write off of small account balances as follows:
- |                              |          |
|------------------------------|----------|
| Property Tax Accounts        | \$ 10.00 |
| Utility Accounts             | \$ 5.00  |
| General Accounts Receivable) | \$ 5.00  |

The above amounts are maximums and discretionary. The Chief Administration Officer (and his/her delegates) has the right to keep outstanding balances should they be deemed collectable or a resident / business has an outstanding balance that is cumulative to more than \$ 5.00 between the various accounts he/she has with the Town.

- b) Balances between the limits in (a) but less than \$1,000.00  
Items beyond the limits in (a) and are not associated with a tax account for transferring to tax may be presented to the Chief Administration Officer with detailed reasoning for uncollectibility for CAO to review and possibly provide approval for cancellation. Anything beyond \$ 1,000.00 (singular or cumulative to a person / business) must be put forth to Council for review.

Exception: Any accounts that the CAO or staff may have a conflict of interest with will be presented to council for review and decision.

**Timing:** The Town will not write-off balances newer than 6 months, unless it can be shown that continuing collection efforts would cost more than the account is worth or, less than \$ 1.00.

## Schedule "C" (Minutes)

### Schedule A Fee Schedule

Updated August 18, 2020

Updated February 15, 2022

Updated July 19, 2022

Updated December 20, 2022

1. Sewer Permit Fees \$ 35.00 plus  
*inspections*
  - 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.
2. 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
3. Zoning Violations  
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.
4. Conditional Use Application Fee \$ 300.00
  - A. Post-Use without Approved Conditional Use in Place
    - i. Single Family Residential \$ 500.00
    - ii. Commercial / Industrial \$ 900.00
5. Zoning or Development Bylaw Amendments \$ 1,500.00  
Includes cost of advertising.
6. Administrative Review (as per policy D3-13) \$ 250.00
7. Zoning Memorandum \$ 35.00  
NOTE: opinion will be granted only on a true original copy of a surveyor's certificate being provided.
8. Tax Certificate \$ 35.00

9. Development Permit Fee

- A. Structure with a footprint less than 6,458 sq. ft. no charge
- B. Structure with a footprint more than 6,458 sq. ft. or larger, or higher than three (3) stories, or a public meeting place \$ 35.00 **plus**  
\$ 0.05 / sq. ft.
- C. Residential development on second floor of comm

10. 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 As determined by the Building Inspector

11. Building Permit Fee shall be:

- \$ 35.00 **plus** inspection **plus**
- 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:
  - i. Main Floor General Use (less than 6,450 sq. ft. footprint) \$ 0.10 / sq. ft.
  - ii. Office Space (less than 6,450 sq. ft. footprint) \$ 0.10 / sq. ft.
  - iii. Each additional floor (less than 6,450 sq. ft. footprint) \$ 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. Master Bedroom on 2<sup>nd</sup> Floor above Garage \$ 0.10 / sq. ft.

12. Accessory Building Permit Fees shall be:

- \$ 35.00 **plus**
- inspections **plus**
- A. Square footage of building \$ 0.06 / sq. ft.

13. Renovations (improvements to building)

- \$ 35.00 **plus** inspections **plus**
- 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<sup>nd</sup> floor & up \$ 0.05 / sq. ft.
- D. Sunroom / Screened-in Porch \$ 0.06 / sq. ft.
- E. Secondary Suites \$ 0.10 / sq. ft.
- F. Master Bedroom on 2<sup>nd</sup> Floor above Garage \$ 0.10 / sq. ft.

14. Deck Permit (attached or free standing)

- \$ 35.00 **plus**
- A. Inspections \$ 50.00 / inspection

15. Demolition Permit	\$ 35.00 <b>plus</b>
A. Sewer Abandonment Inspection (if applicable)	\$ 50.00 / inspection
B. Sewer Cap Damage Deposit	
16. Driveway Permit (if not requested with Building Permit)	\$ 35.00 <b>plus</b>
A. Inspections	\$ 50.00 / inspection
17. Portable Garages (Annual Fee)	\$ 125.00
18. 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
19. 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
20. Curb Cuts	\$ 35.00 <b>plus</b>
A. 2 Inspections	\$ 50.00 / inspection
B. Security Deposit	\$1,000.00
21. Pool/Hot tub**/Water Features Permits	\$ 35.00 <b>plus</b>
A. 1 Inspection	\$ 50.00 / inspection

22. 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

*\* All inspections are subject to GST.*

*\*\*permit not required for hot tub installation when it is inside a house*

Minutes of the Public Hearing held on December 20, 2022 at 7:02 p.m. regarding Conditional Use C30-22, an application from Brenden Robert Thom to allow for a dealer permit business to sell vehicles and equipment on Lot 16 Plan 61759, civically known as Unit 5 – 735 Schultz 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 Chris Wiebe, Councillors Nathan Dueck and Meghan Beasant in attendance.

Mr. Brenden Thom, applicant, advised that he has been working primarily with first nations across Canada, selling fire trucks, school busses, large septic trucks - basically anything a community needs. He noted that this Conditional Use is needed to allow him to get his dealer permit to sell directly to a client, that this location is going to be temporary, and that he is offering consulting and brokering.

Deputy Mayor Chris Wiebe asked where he was going to store inventory.

Mr. Thom advised that he would be stocking water and septic trucks only; won't really have stock since he will be purchasing one unit at a time, only storing maximum two units at a time and he has 4 parking spots allotted to his unit. He also noted that his preference is to sell equipment closer to where it is.

There was no opposition received to the proposal.

The Public Hearing was closed at 7:06 p.m.

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