

TOWN OF NIVERVILLE

Minutes of the meeting of the Niverville Town Council held on December 6, 2022 at 9:00 a.m. at the Community Resource and Recreation Centre. In attendance were Mayor Myron Dyck, Deputy Mayor Chris Wiebe, Councillors Nathan Dueck, Bill Fast and Meghan Beasant.

Res#333-22 Agenda	B. Fast – N. Dueck BE IT RESOLVED that the agenda be approved as presented. “Carried”
Res#334-22 Minutes	M. Beasant – B. Fast BE IT RESOLVED that the minutes of the regular Council meeting held on November 15, 2022 be approved as presented. “Carried” CAO Eric King noted that the Board of Revision for supplemental taxes did not receive any appeals.
Res#335-22 Table Agenda	C. Wiebe – 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 Subdivision 4340-22-8729 for Block 3 and Lot 19, Block 2 Plan 66425 (Balgownie/Montrose). “Carried”
Res#336-22 Resume	C. Wiebe – N. Dueck BE IT RESOLVED that the Public Hearing for Subdivision 4340-22-8729 be closed and Council resume its former order of business (9:05 a.m.). “Carried”
Res#337-22 Subdivision	N. Dueck – C. Wiebe WHEREAS Section 125(2) of The Planning Act requires Council to hold a Public Hearing if a proposed subdivision will result in the creation of a new public road; AND WHEREAS the plan of subdivision for Block 3 and Lot 19, Block 2 Plan 66425 in SE ¼ 25-7-3 EPM being Community Planning file number 4340-22-8729 will create 87 lots for single-unit and two-unit dwelling residential development, and dedicate 11,037.3 sq. ft. for public reserve and 8,422.8 sq. ft. for extension of a public road; AND WHEREAS By-law 829-21 renaming Balgownie Bay as depicted on Plan 66425 to Montrose Avenue and Balgownie Street, has been approved by Council but not registered with Land Titles; AND WHEREAS the Public Hearing for the proposed plan of subdivision 4340-22-8729 was duly advertised; AND WHEREAS no opposition was received to the proposal; THEREFORE BE IT RESOLVED that Community Planning subdivision file number 4340-22-8729 for Block 3 and Lot 19, Block 2 Plan 66425 in SE ¼ 25-7-3 EPM, registered owner Sunset Estates Ltd., which will create 87 lots for single-unit and two-unit dwelling residential development, and dedicate 11,037.3 sq. ft. for public reserve and 8,422.8 sq. ft. for extension of a public road, civically known as Balgownie Street, be approved subject to the following conditions: 1. That By-law 829-21 is registered prior to or in series with the plan of subdivision;

2. That the plan of subdivision is amended to identify the proposed public road as Balgownie Street; and
3. That the Developer enter into a Development Agreement with the Town.

“Carried”

Mayor Myron Dyck thanked Council and staff for their participation in the Town’s planning session over the past weekend, noting that that while this is Niverville’s plan of where it is heading, it is not a promise as unplanned expenses or opportunities can change plans. Mayor Dyck also went over some highlights from Planning Session and advised that his upcoming schedule included spending time with Grade 2’s who have prepared a list of 59 questions for him.

Res#338-22
Accounts

C. Wiebe – B. Fast

BE IT RESOLVED that cheque nos. 42103 to 42181 totalling \$725,580.43 be hereby approved for payment.

“Carried”

Res#339-22
Oct. F.S.

M. Beasant – C. Wiebe

BE IT RESOLVED that Council approves the October 31, 2022 Financial Statement as presented.

“Carried”

Res#340-22
BL 845-22
1st Reading

N. Dueck – B. Fast

BE IT RESOLVED that Bylaw 845-22, being a Council Remuneration bylaw for 2023 is given first reading.

“Carried”

Res#341-22
BL 845-22
2nd Reading

B. Fast – M. Beasant

BE IT RESOLVED that Bylaw 845-22, being a Council Remuneration bylaw for 2023 is given second reading.

“Carried”

Res#342-22
BL 846-22
1st Reading

B. Fast – M. Beasant

BE IT RESOLVED that Bylaw 846-22, being a Staff Remuneration bylaw for 2023 is given first reading.

“Carried”

Res#343-22
BL 846-22
2nd Reading

B. Fast – M. Beasant

BE IT RESOLVED that Bylaw 846-22, being a Staff Remuneration bylaw for 2023 is given second reading.

“Carried”

Res#344-22
Emerg. Plan

N. Dueck – M. Beasant

BE IT RESOLVED that Council approves the 2023 Emergency Plan as presented.

“Carried”

Res#345-22
Scope
Change

B. Fast – C. Wiebe

BE IT RESOLVED that Council approves a scope change to the contract for the Growth Study with Urban Systems in the amount of \$17,445.00 plus applicable taxes, for consultation with property owners and residents on the annexation proposal.

“Carried”

Res#346-22 M. Beasant – B. Fast
Winter BE IT RESOLVED that following the Town’s due tendering process, that the
Hauling contract for the Town’s 2022/2023 Snow / Salt / Sand Hauling be awarded to
Contract Barkman’s Cartage, who submitted the lowest overall bid.
“Carried”

Res#347-22 B. Fast – C. Wiebe
Dev. Fees BE IT RESOLVED that Council approves the following Development Fees for
2023, 2024, and 2025:

2023

Single Family/Commercial per REU	Multi-Unit Residential
Lagoon \$4,000.00	Lagoon \$4,000.00
WTP \$2,000.00	WTP \$2,000.00
<u>Capital \$3,000.00</u>	<u>Capital \$1,500.00</u>
\$9,000.00	\$7,500.00

2024

Single Family/Commercial per REU	Multi-Unit Residential
Lagoon \$4,300.00	Lagoon \$4,300.00
WTP \$2,000.00	WTP \$2,000.00
<u>Capital \$3,250.00</u>	<u>Capital \$1,625.00</u>
\$9,550.00	\$7,925.00

2025

Single Family/Commercial per REU	Multi-Unit Residential
Lagoon \$4,600.00	Lagoon \$4,600.00
WTP \$2,000.00	WTP \$2,000.00
<u>Capital \$3,500.00</u>	<u>Capital \$1,750.00</u>
\$10,100.00	\$8,350.00

“Carried”

Res#348-22 B. Fast – M. Beasant
Fire Exec. WHEREAS the terms of appointment to leadership positions within the Niverville
2023 Fire and Emergency Services will expire on December 31, 2022 for Keith
Bueckert, Brad Wasilinchuk and Stan Hiebert;
THEREFORE BE IT RESOLVED that Council re-appoints Keith Bueckert as
Fire Chief for a one-year term beginning January 1, 2023;
AND BE IT FURTHER RESOLVED that Council re-appoints Brad Wasilinchuk
and Stan Hiebert as Deputy Fire Chiefs for a one-year term beginning January 1,
2023.

“Carried”

Res#349-22 M. Beasant – B. Fast
F/D Exec. WHEREAS resolution 343-21 approved 2023 monthly per diem rates for the
Per Diems Niverville Fire Chief and Deputy Chiefs;
AND WHEREAS a higher than anticipated rate of inflation has been experienced
since the 2023 per diem rates were approved in 2021;
THEREFORE BE IT RESOLVED that Council approves the Niverville Fire
Chief monthly per diem rate of \$1,312.50 for 2023;
AND BE IT FURTHER RESOLVED that Council approves a Deputy Chief
monthly per diem of \$1,785.00 for 2023, which is to be divided
proportionately among the number of appointed Deputy Fire Chiefs.

“Carried”

Res#350-22 N. Dueck – C. Wiebe

Grant Application	BE IT RESOLVED that Council approves the Town’s application to the Building Sustainable Communities Program Grant, for the purpose of meeting the 5-year review commitment made to the Provincial Planning Department for the Town’s Development Plan, and to accommodate any lands annexed within Niverville’s new zoning bylaw and Development Plan.			“Carried”
Res#351-22 F4-16	C. Wiebe – M. Beasant	BE IT RESOLVED that Council approves an amendment to Business Incentive Grant Policy F4-16, copy of which is attached hereto as Schedule “A”.		“Carried”
Res#352-22 NBP Guidelines	M. Beasant – N. Dueck	BE IT RESOLVED that Council adopts revised Design Guidelines for the Niverville Business Park, which shall take effect on January 1, 2023, copy of which is attached as Schedule “B”.		“Carried”
Res#353-22 Weed Inspector	C. Wiebe – B. Fast	BE IT RESOLVED that Council appoints a Bylaw Enforcement Officer for the Town through the Commissionaires as Niverville’s Municipal Noxious Weeds Inspector effective March 1, 2023 to February 29, 2024. AND BE IT FURTHER RESOLVED that the Municipal Noxious Weeds Inspector will be responsible to enforce The Noxious Weeds Act within Niverville’s boundaries and ensure that the Act’s provisions are complied with.		“Carried”
Res#354-22 Interim Budget	M. Beasant – C. Wiebe	BE IT RESOLVED that the following interim budget be adopted for 2023:		
	General Government Services	\$469,000		
	Protective Services	355,000		
	Transportation	533,000		
	Environmental Health	137,000		
	Public Health and Welfare Services	18,000		
	Environmental Development Services	79,000		
	Economic Development Services	61,000		
	Recreation and Cultural Services	1,269,000		
	Fiscal Services	476,000		
	Sub-Total			\$3,397,000
	Water Utility	113,000		
	Sewer Utility	138,000		
	Sub-Total			\$ 251,000
	Reserves:			
	Machinery	185,000		
	Protective Equipment	189,000		
	Capital Development	425,000		
	Recreation Development	268,000		
	Office	50,000		
	Road Reconstruction	645,000		
	General	1,300,000		
	Community Resource Centre	500,000		
	Gas Tax	723,000		
	Sewer	1,200,000		

Water

150,000

Sub-Total

\$5,635,000

TOTAL INTERIM

\$9,283,000

AND BE IT FURTHER RESOLVED that the Chief Administrative Officer or his designate be authorized to pay all regular recurring expenses.

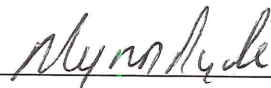
“Carried”

Res#355-22
Adjourn

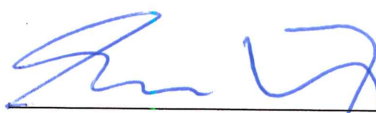
B. Fast – M. Beasant

BE IT RESOLVED that the meeting be adjourned. (9:41 a.m.)

“Carried”



Mayor



Chief Administrative Officer

Schedule "A"



TOWN OF NIVERVILLE-FINANCE

POLICY NO. F4-16:	<u>BUSINESS INCENTIVE GRANT (BIG)</u>	
EFFECTIVE DATE:	<u>May 6, 2016</u>	RESOLUTION# <u>142-16</u>
REVISION DATE:	<u>July 19, 2016</u>	RESOLUTION# <u>202-16</u>
REVISION DATE:	<u>August 15, 2017</u>	RESOLUTION# <u>256-17</u>
REVISION DATE:	<u>December 15, 2020</u>	RESOLUTION# <u>347-20</u>
REVISION DATE:	<u>December 6, 2022</u>	RESOLUTION# <u>351-22</u>

Background: The following grid will be used as a guide to calculate the scope and amount of the business incentive grant (the "grant") provided by Niverville Council to an eligible property titleholder (the "titleholder") located in a commercially or industrially zoned area (see herein "*definitions*" for further clarification) within the Town of Niverville (the "Town").

Following consultation with the Niverville Chamber of Commerce, the purpose of the business incentive grant is to encourage construction of new commercial or industrial development. The business incentive grant is limited to commercial or industrial enterprises within noted zones of the community as herein described. That portion of a construction project classified as being of a residential category (see "*residential category*" definition herein) as determined by Manitoba Assessment, is exempt for consideration under this policy (example being mixed-use buildings).

In order to be eligible for the grant, the titleholder must generate a higher building assessment through creation of new square footage and application for a building or development permit (see definition for "*Assessment Increase*").

For further clarification regarding leased/rental units, only one titleholder to whom the Niverville property tax statement is issued can apply for this grant program. While this grant includes freehold titleholders and/or leasehold titleholders, tenants are not eligible. Any arrangements regarding the grant allocation between tenants and landlords will not in any form or manner involve the Town.

The grant to the titleholder is calculated only on the general municipal portion of the annual taxes due.

Council, by means of a resolution passed during regular Council meeting, reserves the right to suspend the program at any time. The grant program commences effective May 6, 2016 and is not applicable to any infrastructure built or in the process of being constructed prior to this date.

Terms & Conditions:

1. Grant only pertains to the percentage of the annual general municipal portion of taxes being levied against new building value for commercial or industrial component on property tax statement.
2. Grant can commence in either the first full calendar year or added tax year after infrastructure completion and new assessment complete. The applicant and Town will consult on the applicant's preference following receiving the revised assessment from Assessment Branch. A

revised assessment from the Assessment Branch is a requirement as a new assessment has to be completed/determined by the Manitoba Assessment Branch for grant to be applicable. (see “Application Period” definition)

3. Payment to successful applicants will be made within 30 days following the property tax due date (property taxes are currently due and payable by September 30th).
4. Grant cannot exceed more than 100% of the general municipal tax portion. The dollar value determined in Year One will form the basis of calculations for future years to provide applicants with exact value over the duration of grant.
5. Grant calculations for the calendar year in which the permit is pulled is shown below. The percentage is applied to the general municipal tax on the first tax bill the applicant wishes to apply for the grant and forms the base for years two through four.

2022				
Assessment	Year One	Year Two	Year Three	Year Four
Up to \$ 500K	40 %	30 %	20 %	N/A
\$501K to \$1MM	60 %	45 %	30 %	N/A
\$1,000,001 to \$1.5MM	80 %	60 %	40 %	N/A
Over \$1.5MM	100 %	75 %	50 %	N/A
Over \$2.5MM	100 %	75 %	50 %	25 %

2023 / 2024 / 2025				
Assessment	Year One	Year Two	Year Three	Year Four
\$501K to \$1MM	60 %	45 %	30 %	N/A
\$1,000,001 to \$1.5MM	80 %	60 %	40 %	N/A
Over \$1.5MM	100 %	75 %	50 %	N/A
Over \$2.5MM	100 %	75 %	50 %	25 %

6. In each applicable year the full amount of annual taxes payable and water and sewer accounts must be paid in full prior to grant approval. Any overdue accounts with the Town during the period eligible for the grant will result in immediate loss of eligibility to continue with the program.
7. To qualify for the grant program all applicants must have obtained a Building Permit or Development Permit with the Town prior to construction commencing.
8. Eligibility for the grant is based on the terms and conditions described within this policy. In the event a titleholder disagrees with the Town’s decision, the titleholder may choose to appeal to Council who will hear their case during an open Council meeting. Council’s decision is final.
9. It is the sole responsibility of the titleholder to request the grant in writing from the Town. (see “application period” definition for further details). If a request is not received within the application period, the Town is under no obligation to consider eligibility for the grant program. For sake of clarity, the Town will not consider grant eligibility retroactively (i.e. request must come in the same calendar year as Building or Development Permit).
10. Grant application acceptance will occur after the titleholder’s application has been approved by Town staff responsible for taxation.

Definitions:

- A) **Residential category:** The Municipal Assessment Act by way of regulation sets out prescribed classes of property. These classes of property are based on type, use, size and ownership of land or buildings, or any one or more of them. There are three residential categories Residential 1, Residential 2, or Residential 3.

B) **Commercially / Industrially zoned:** those properties whose purpose is a commercial or industrial enterprise located in the following designated zones as defined by By-law No. 795-18 and amendments thereto: **CC** (Commercial Corridor), **CMS** (Commercial Main Street), **MG** (Industrial General), **MM** (Industrial Mixed Use) and **RCC** (Recreational Community Complex).

C) **New Infrastructure:** for the purpose of eligibility for this business incentive grant, new infrastructure represents newly constructed buildings, tear-down/re-builds and/or expansions to existing buildings. Expansions must be able to show separately the increased assessment as a result of the facility expansion as confirmed by the Manitoba Assessment Branch. Interior renovations are not eligible for the grant.

D) **Assessment Increase:** means the actual increase in building assessment value on a property tax statement as determined by the Manitoba Assessment Branch, excluding any inflationary increase. The increase due to inflation will be based on the average increase to the entire commercial tax roll. (e.g. if commercially zoned properties increase by 5 % and the applicant's building assessment due to expansion construction increased by 10 %, only 5% of building assessment increase would be considered eligible for this grant.)

In the example of tear-down/re-builds, the prior assessment value will apply against the new assessment. In this situation if a building is worth \$ 200,000 and is torn down and replaced with a building having an assessment value of \$ 400,000 then only \$ 200,000 applies as assessment discount.

E) **Program period:** any building or development permit issued after May 6, 2016 for a Commercially / Industrially Zoned property expanding, re-building or building new infrastructure may make an application under this grant program to the Town.

F) **Application period:** the Town will accept applications for the next calendar year up to November 30th of the current calendar year. Any applications submitted in the month of December will be approved for the following incentive year due to budget planning requirements for the Town. (i.e. Titleholder X makes application for 2021 tax reduction on December 15th, 2020. Due to blackout period this application will only be accepted for 2022 incentive program.) Titleholders must make an application at time of building permit but the application will only be processed upon the Manitoba Assessment Branch completing their review and providing necessary documentation to Town.

G) **Application process:**

- i) Applicant registers building or development permit with Town.
- ii) Building / development permit approved by Town.
- iii) Applicant obtains building or development permit from Town Office; may request application form for the Business Incentive Grant.
- iv) Applicant completes and returns form with supporting documentation to Town Office.
- v) Upon Manitoba Assessment completing its review and submitting documents to the Town, the Town activates the Application, reviews current status of all tax and utility accounts made by titleholder.
- vi) Town approves / denies request and provides basis for decision.
- vii) IF:
 - a. Approved – Town will provide written notice of acceptance to the Applicant;
 - b. Denied – Applicant has option to request review by Council as per condition number 8.

Schedule “B”

NIVERVILLE BUSINESS PARK DESIGN GUIDELINES

January 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 be opaque, with the exception that the gate does not need to be opaque. This 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.
- d) 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 December 6, 2022 at 9:04 a.m. regarding plan of subdivision for Block 3 and Lot 19, Block 2 Plan 66425 in SE ¼ 25-7-3 EPM being Community Planning file number 4340-22-8729, which will create 87 lots for single-unit and two-unit dwelling residential development, and dedicate 11,037.3 sq. ft. for public reserve and 8,422.8 sq. ft. for extension of a public road, civically known as Balgownie 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.

Eric King, CAO of the Town of Niverville, noted that the subdivision was to open Balgownie and Montrose Avenue as there is a new opening of Balgownie through to Krahn and Montrose Avenue which connects with St. Andrews Way, as well as a public reserve and creation of 87 lots for single- and two-unit residential development.

There was no opposition received to the proposal.

The Public Hearing was closed at 9:05 a.m.