

## TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on May 2, 2023 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#122-23 Agenda	M. Beasant – B. Fast BE IT RESOLVED that the agenda be approved as presented.  “Carried”
Res#123-23 Minutes	B. Fast – N. Dueck BE IT RESOLVED that the minutes of the regular Council meeting held on April 18, 2023 be approved as presented.  “Carried”
Res#124-23 Table Agenda	N. Dueck – B. Fast BE IT RESOLVED that the Council meeting agenda be tabled and that Council sit in accordance with <i>The Planning Act</i> to hold the Public Hearing for Variation Application V6-23 for 40 Drover’s Run.  “Carried”
Res#125-23 Resume	C. Wiebe – M. Beasant BE IT RESOLVED that the Public Hearing for Variation Application V6-23 be closed and Council resume its former order of business (9:05 a.m.).  “Carried”
Res#126-23 V6-23	C. Wiebe - B. Fast WHEREAS a Public Hearing was held regarding Variation application V6-23 an application from Ray Dowse on behalf of Westside Properties Inc. to vary the following signage requirements for Lot 2 Plan 59619, civically known as 40 Drover’s Run: <ul style="list-style-type: none"><li>• Building 2 - to increase the permitted aggregate identification signage for Building 2 (Units 1, 2a, 2b, 3 &amp; 4) from 524.97 sq. ft. to 925 sq. ft., which includes signage on the North side of the building for all units, and signage on the East and West sides of Unit 1,</li><li>• Building 2 – to allow for signage on the East and West sides of Unit 1,</li><li>• Building 2 – to allow for up to 3 identification signs for a single use,</li><li>• Building 3 – to vary the permitted aggregate identification signage from 100 sq. ft. to 600 sq. ft. on Building 3 (Units 7, 8a, 8b, 10, 11 and 12), which includes signage on the North side of the building for all units, and signage on the West side of Unit 12 and Unit 7,</li><li>• Building 3 – to allow for up to 2 identification signs for a single use;</li></ul> AND WHEREAS in accordance with <i>The Planning Act</i> , the Variation application was duly advertised; AND WHEREAS there was no opposition received to the proposal; THEREFORE BE IT RESOLVED that Council approves as amended, the following signage specifications requested under Variation application V6-23 for Lot 2 Plan 59619, civically known as 40 Drover’s Run: <ul style="list-style-type: none"><li>• Building 2 - to increase the permitted aggregate identification signage for Building 2 (Units 1, 2a, 2b, 3 &amp; 4) from 524.97 sq. ft. to 925 sq. ft., which includes signage on the North side of the building for all units, and signage on the East and West sides of Unit 1;</li></ul>

- Building 2 – to allow for signage on the East and West sides of Unit 1 subject to the signage on West side of Unit 1 being turned off when the business is closed;
- Building 2 – to allow for up to 3 identification signs for a single use;
- Building 3 – to vary the permitted aggregate identification signage from 100 sq. ft. to 600 sq. ft. on Building 3 (Units 7, 8a, 8b, 10, 11 and 12), which includes signage on the North side of the building for all units, and signage on the West side of Unit 12 and Unit 7, subject to the signage on West side of Unit 7 being turned off when the business is closed; and
- Building 3 – to allow for up to 2 identification signs for a single use.

“Carried”

Res#127-23  
Table  
Agenda

C. Wiebe – B. Fast

BE IT RESOLVED that the Council meeting agenda be tabled and that Council sit in accordance with *The Planning Act* to hold the Public Hearing for Variation Application V9-23 for 31 Main Street.

“Carried”

Res#128-23  
Resume

C. Wiebe – M. Beasant

BE IT RESOLVED that the Public Hearing for Variation Application V9-23 be closed and Council resume its former order of business (9:15 a.m.).

“Carried”

Res#129-23  
V9-23

N. Dueck – B. Fast

WHEREAS a Public Hearing was held regarding Variation application V9-23, an application from 4631782 Manitoba Ltd. (Niverville Physiotherapy & Sports Injury Clinic) to allow for up to 2 identification signs for a single use on Lots 15/16 Block 12 Plan 19955 and Parcel A Plan 66616, civically known as 31 Main Street;

AND WHEREAS in accordance with *The Planning Act*, the Variation application was duly advertised;

AND WHEREAS there was no opposition received to the proposal;

THEREFORE BE IT RESOLVED that Council approves up to 2 identification signs for Unit 3 on Lots 15/16 Block 12 Plan 19955 and Parcel A Plan 66616, civically known as 31 Main Street.

“Carried”

Res#130-23  
Table  
Agenda

M. Beasant – B. Fast

BE IT RESOLVED that the Council meeting agenda be tabled and that Council sit in accordance with *The Planning Act* to hold the Public Hearing for Conditional Use C11-23 for 69 Main Street.

“Carried”

Res#131-23  
Resume

N. Dueck – B. Fast

BE IT RESOLVED that the Public Hearing for Conditional Use C11-23 be closed and Council resume its former order of business (9:29 a.m.).

“Carried”

Res#132-23  
C11-23

M. Beasant – N. Dueck

WHEREAS a Public Hearing was held regarding Conditional Use C11-23, an application from Chris and Maria Holbrow to allow for a bakery including an eating and drinking establishment and outdoor patio on Lots 16/17 Block 11 Plan 19955, civically known as 69 Main Street;

AND WHEREAS there was no opposition received to the proposal;



THEREFORE BE IT RESOLVED that Council approves Conditional Use C11-23, an application to allow for a bakery including an eating and drinking establishment and outdoor patio on Lots 16/17 Block 11 Plan 19955, civically known as 69 Main Street subject to the following conditions:

- (1) That the patio tables and chairs don't encroach onto the sidewalk;
- (2) That a waste receptacle be located outside the front of the building near the patio area during patio season;
- (3) That the bakery operators ensure that all waste from the patio users is contained;
- (4) That the maximum number of seats for all patrons is limited to 16;
- (5) That all signage will be in compliance with the Town's Zoning Bylaw in effect; and
- (6) That the approval for this Conditional Use expires if the use has been discontinued for a period of 12 months or more.

"Carried"

Mayor Myron Dyck reported that he had attended the Winnipeg Metro Region meeting last week which dealt with the official transfer of the Capital Planning Region to the Winnipeg Metro Region, provided details on the two chairpersons, and a summary of the meeting. Mayor Dyck also commented on the meeting with the College of Paramedics, where they are working through the options for a level of first responder training that is between basic first and EMR. He also noted that he had attended the Niverville High School for their unit on government, which allowed for feedback to be provided to the students who were participating.

Res#133-23  
Accounts

B. Fast – M. Beasant

BE IT RESOLVED that cheque nos. 42708 to 42753 totalling \$513,941.09 be hereby approved for payment.

"Carried"

Res#134-23  
Financial  
Statements

M. Beasant – C. Wiebe

BE IT RESOLVED that Council approves the January 31<sup>st</sup>, February 28<sup>th</sup>, and March 31<sup>st</sup>, 2023 Financial Statements as presented.

"Carried"

Res#135-23  
BL 852-23  
3<sup>rd</sup> Reading

N. Dueck – C. Wiebe

BE IT RESOLVED that Council gives third reading and passes Bylaw 852-23 Site Alteration, Shoreline and Tree Preservation Bylaw, which will serve to conserve, prohibit, protect, restrict, and regulate the protection, preservation and removal of trees and vegetation and site alterations on shoreline and site alterations on public lands within the Town of Niverville.

"Carried"

In Favour: M. Dyck, C. Wiebe, N. Dueck, B. Fast, M. Beasant

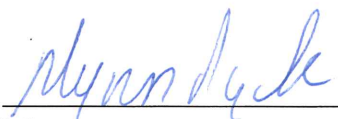
Res#136-23  
BL 778-17  
Update

M. Beasant – B. Fast

BE IT RESOLVED that the Bylaw 852-23 Site Alteration, Shoreline and Tree Preservation be added to Schedule "A" of Bylaw 778-17 Bylaw Enforcement.

"Carried"

Res#137-23 Gravel Topsoil Contract	M. Beasant – C. Wiebe BE IT RESOLVED that following the Town's due tendering process, that the contract for the Town's 2023 Gravel & Topsoil Program be awarded to Barkman Cartage Ltd., who submitted the lowest overall bid to procure and deliver gravel and topsoil to locations within Niverville.  "Carried"
Res#138-23 Nighthawks Grant	M. Beasant – C. Wiebe WHEREAS citizens have donated funds to support the Niverville Nighthawks Legacy Capital; AND WHEREAS the Niverville Nighthawks are owned by the Niverville Junior A Hockey Club, a community-owned not for profit hockey organization representing Niverville and region; THEREFORE BE IT RESOLVED a grant in the amount of \$2,500.00 representing donations received for the Niverville Nighthawks Legacy Capital be provided to the Niverville Junior A Hockey Club Inc.  "Carried"
Res#139-23 Adjourn	M. Beasant – B. Fast BE IT RESOLVED that the meeting be adjourned. (9:48 a.m.)  "Carried"

  
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Mayor

  
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Chief Administrative Officer

Minutes of the Public Hearing held on May 2, 2023 at 9:03 a.m. regarding Variation application V6-23, an application from Ray Dowse on behalf of Westside Properties Inc. to vary the following signage requirements for Lot 2 Plan 59619, civically known as 40 Drover's Run:

- Building 2 - to increase the permitted aggregate identification signage for Building 2 (Units 1, 2a, 2b, 3 & 4) from 524.97 sq. ft. to 925 sq. ft., which includes signage on the North side of the building for all units, and signage on the East and West sides of Unit 1,
- Building 2 – to allow for signage on the East and West sides of Unit 1,
- Building 2 – to allow for up to 3 identification signs for a single use,
- Building 3 – to vary the permitted aggregate identification signage from 100 sq. ft. to 600 sq. ft. on Building 3 (Units 7, 8a, 8b, 10, 11 and 12), which includes signage on the North side of the building for all units, and signage on the West side of Unit 12 and Unit 7,
- Building 3 – to allow for up to 2 identification signs for a single use;

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.

Neither the applicant nor any members of the public were in attendance.

There was no opposition received to the proposal.

The hearing was closed at 9:05 a.m.

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Minutes of the Public Hearing held on May 2, 2023 at 9:14 a.m. regarding Variation application V9-23, an application from 4631782 Manitoba Ltd. (Niverville Physiotherapy & Sports Injury Clinic) to allow for up to 2 identification signs for a single use on Lots 15/16 Block 12 Plan 19955 and Parcel A Plan 66616, civically known as 31 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.

Neither the applicant nor any members of the public were in attendance.

There was no opposition received to the proposal.

The hearing was closed at 9:15 a.m.

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Minutes of the Public Hearing held on May 2, 2023 at 9:18 a.m. regarding Conditional Use application C11-23, an application from Chris and Maria Holbrow to allow for a bakery including an eating and drinking establishment and outdoor patio in a Commercial Main Street Zone on Lots 16/17 Block 11 Plan 19955, civically known as 69 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.

The applicants Chris and Maria Holbrow were in attendance to answer any questions.

Deputy Mayor Chris Wiebe questioned the applicant whether there was enough parking for 25 seats.

Mr. Holbrow advised that 25 seats had been the original request and the number of seats was reduced to 16 and that parking was available on the Main Street, 2<sup>nd</sup> Avenue North and in the parking lot at the rear of the building.

Mayor Myron Dyck questioned the Assistant CAO whether the parking met our Zoning By-law requirements.

Assistant CAO Audrey Neufeld advised that a parking review has been worked through and determined that there is sufficient parking.

There was no opposition received to the proposal.

The hearing was closed at 9:29 a.m.

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