

## TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on September 5, 2023, at 9:00 a.m. at the Niverville Community Resource and Recreation Centre. In attendance were Deputy Mayor Chris Wiebe, Councillors Nathan Dueck, Bill Fast and Meghan Beasant. Absent: Mayor Myron Dyck

Res#235a-23 Agenda	<p>B. Fast – N. Dueck</p> <p>BE IT RESOLVED that the agenda be approved subject to the following additions:</p> <p>Excuse Mayor Myron Dyck</p> <p>New Business 10 d. Speeding Letter</p> <p>New Business 10 e. Adoption of the 2022 Audited Financial Statements</p> <p>“Carried”</p>
Res#235b-23 Excused	<p>B. Fast – M. Beasant</p> <p>BE IT RESOLVED that Mayor Myron Dyck be excused due to an additional Town commitment.</p> <p>“Carried”</p>
Res#236-23 Minutes	<p>M. Beasant – N. Dueck</p> <p>BE IT RESOLVED that the minutes of the regular Council meeting held on August 15, 2023 and Special Council meeting held on August 24, 2023 be approved as presented.</p> <p>“Carried”</p>
Res#237-23 Table Agenda	<p>B. Fast – N. Dueck</p> <p>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 C19-23 for 410 Wittick Street.</p> <p>“Carried”</p>
Res#238-23 Resume	<p>N. Dueck – B. Fast</p> <p>BE IT RESOLVED that the Public Hearing for Conditional Use C19-23 be closed and Council resume its former order of business (9:05 a.m.).</p> <p>“Carried”</p>
Res#239-23 C19-23	<p>B. Fast – M. Beasant</p> <p>WHEREAS a Public Hearing was held regarding Conditional Use C19-23, an application from Heritage Lane Builders Inc. on behalf of Maverick Investments Inc. to allow for a storage facility to store surplus supplies on Lot 2 Plan 68985, civically known as 410 Wittick Street in the Niverville Business Park;</p> <p>AND WHEREAS in accordance with <i>The Planning Act</i>, the Conditional Use application was duly advertised;</p> <p>AND WHEREAS there was no opposition received to the proposal;</p> <p>THEREFORE BE IT RESOLVED that Council approves Conditional Use C19-23 to allow for a storage facility to store surplus supplies on Lot 2 Plan 68985, civically known as 410 Wittick Street, subject to the property owner entering into a Development Agreement with the Town.</p> <p>“Carried”</p>
Res#240-23 Table	<p>B. Fast – M. Beasant</p> <p>BE IT RESOLVED that the Council meeting agenda be tabled and that Council</p>

Agenda	<p>sit in accordance with <i>The Planning Act</i> to hold the combined Public Hearing for Conditional Use C20-23 and Variance V16-23 for Lot 1 Deposit 473-2023.</p> <p style="text-align: right;">“Carried”</p>
Res#241-23 Resume	<p>B. Fast – M. Beasant</p> <p>BE IT RESOLVED that the combined Public Hearing for Conditional Use C20-23 and Variance V16-23 for Lot 1 Deposit 473-2023 be closed and Council resume its former order of business (9:17 a.m.).</p> <p style="text-align: right;">“Carried”</p>
Res#242-23 C20-23 V16-23	<p>B. Fast - M. Beasant</p> <p>WHEREAS a combined Public Hearing was held regarding Conditional Use C20-23 and Variance V16-23, applications from Kyle Bially on behalf of Juliette Hagopian to allow for a planned unit development for a soundstage warehouse(s) and a building height of 50 feet on Lot 1, Deposit #473-2023;</p> <p>AND WHEREAS in accordance with <i>The Planning Act</i>, the combined Conditional Use and Variance applications were duly advertised;</p> <p>AND WHEREAS there were 9 oppositions received to the proposals;</p> <p>THEREFORE BE IT RESOLVED that Council approves Conditional Use C20-23 to allow for a planned unit development for a soundstage warehouse(s) and Variance V16-23 to allow for a building height of 50 feet for Lot 1, Deposit #473-2023 subject to the property owner entering into a Development Agreement with the Town.</p> <p style="text-align: right;">“Carried”</p>
Res#243-23 Appoint	<p>B. Fast – N. Dueck</p> <p>BE IT RESOLVED that Council appoints the following staff members to the noted designated officer positions, with signing authority as outlined in Bylaw 804-18:</p> <p style="padding-left: 40px;">Ryan Dyck, Operations Manager</p> <p style="padding-left: 40px;">Audrey Neufeld, Assistant Chief Administrative Officer</p> <p style="text-align: right;">“Carried”</p>
Res#244-23 Authority	<p>M. Beasant – B. Fast</p> <p>BE IT RESOLVED that Council appoints the Assistant Chief Administrative Officer with the authority to sign minor variances and Access Over Town Property agreements on behalf of the Town.</p> <p style="text-align: right;">“Carried”</p>
Res#245-23 Accounts	<p>M. Beasant – B. Fast</p> <p>BE IT RESOLVED that cheque nos. 43132 to 43186 totalling \$208,119.72 be hereby approved for payment.</p> <p style="text-align: right;">“Carried”</p>
Res#246-23 Added Taxes	<p>M. Beasant - N. Dueck</p> <p>BE IT RESOLVED that in accordance with Section 326 of <i>The Municipal Act</i>, that supplementary taxes as provided by the Manitoba Assessment Services dated August 30, 2023 are hereby added to the Tax Roll.</p> <p style="text-align: right;">“Carried”</p>
Res#247-23 Subdivision	<p>B. Fast – M. Beasant</p> <p>BE IT RESOLVED BE IT RESOLVED that Council approves subdivision application File no. 4340-23-8873 for Pt. of NW ¼ 25-7-3 EPM (incl. Lot 1 Plan</p>

69000), which proposes a boundary realignment between two existing titles in preparation of a future public road and creation of a public park.

“Carried”

Res#248-23  
BL 801-18  
Update

M. Beasant – B. Fast

BE IT RESOLVED that Schedule A of Bylaw 801-18 Traffic and Parking be updated to add new streets in the Highlands, copy of which is attached hereto as Schedule “A”.

“Carried”

Councillor Nathan Dueck read a letter he received regarding speed concerns along Krahn Road from a resident. Speed signs have been returned to the area. Speed and safety discussions followed.

Res# 249-23

B. Fast – M. Beasant

BE IT RESOLVED that the December 31, 2022 Audited Consolidated Financial Statement be approved as presented.

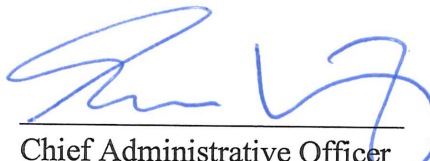
Res#250-23  
Adjourn

M. Beasant – B. Fast

BE IT RESOLVED that the meeting be adjourned. (9:37 a.m.)

“Carried”

  
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Mayor

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

Schedule “A”

**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  
July 18, 2023  
September 5, 2023

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	- both sides	- 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
Gleneagles Street -	- north side	- entire length
Gullane Street -	- north side	- entire length
Kingshead Road	- east side	- entire length
Murcar Street	- south side	- entire length
Prestwick Street -	- north side	- entire length

**\*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”

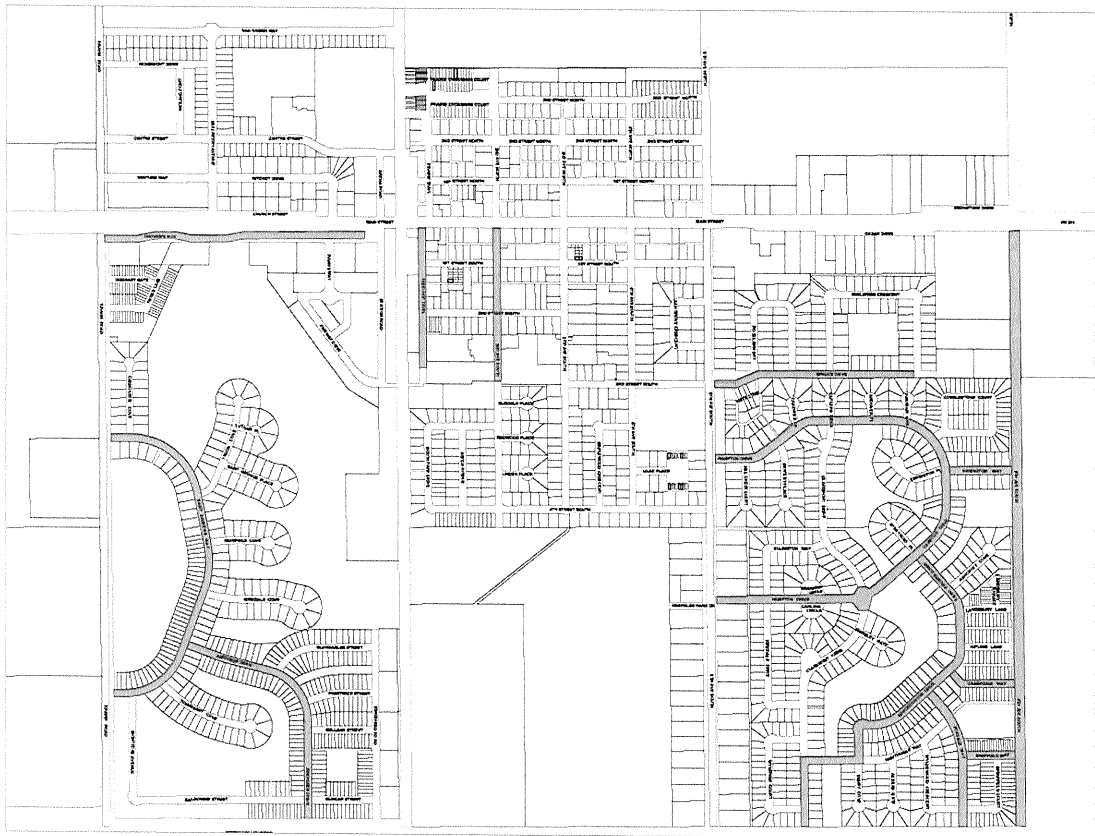
As posted on the authority of a Resolution of Council when necessary.

“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

Minutes of the Public Hearing held on September 5, 2023, at 9:03 a.m. regarding Conditional Use application C19-23, an application from Heritage Lane Builders Inc. on behalf of Maverick Investments Inc. to allow for a storage facility to store surplus supplies on Lot 2 Plan 68985, civically known as 410 Wittick Street in the Niverville Business Park. The proposal was duly advertised as per Section 169 of *The Planning Act*. Deputy Mayor Chris Wiebe served as chairperson, with Councillors Nathan Dueck, Bill Fast and Meghan Beasant in attendance.

Mr. Eric King, CAO, provided an overview of the proposal, noting the Conditional Use was requested to allow for a storage facility to store surplus supplies on Lot 2 Plan 68985, civically known as 410 Wittick Street. Note the intended use for the fenced in area would be for storing new inventory of larger agriculture steel products and to stage project orders of steel agricultural products. Background is that all uses in the Niverville Business Park are Conditional Uses and this proposed use is in line with the industrial uses that the Industrial General Zone is intended to accommodate. Mr. King noted that the recommendation from Administration is to approve the Conditional Use as requested subject to the property owner entering into a Development Agreement with the Town.

There was no opposition received to the proposal.

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

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Minutes of the combined Public Hearing held on September 5, 2023, at 9:09 a.m. regarding Conditional Use C20-23 and Variance V16-23, applications from Kyle Bially on behalf of Juliette Hagopian to allow for a planned unit development for a soundstage warehouse(s) and a building height of 50 feet on Lot 1, Deposit #473-2023. The proposals were duly advertised as per Section 169 of *The Planning Act*. Deputy Mayor Chris Wiebe served as chairperson, with Councillors Nathan Dueck, Bill Fast and Meghan Beasant in attendance.

Mr. Eric King, CAO, provided an overview of the proposal, noting that the combined public hearing was for a Conditional Use to allow for a planned unit development for a soundstage warehouse(s) for a movie studio and the Variance was to allow for a building height of 50 feet. The background is that this proposal is for the development of a movie studio on Lot 1, Deposit #473-2023, with the first building to be used as a soundstage warehouse and proposed future second building for the same use, with a maximum building height of 50 feet. The recommendation from Administration is to approve the Conditional Use and Variance as requested subject to the property owner entering into a Development Agreement with the Town.

A Petition of Opposition from the following residents was read into the minutes of the public hearing:

- Shaun Macsymic – 212 Carnoustie Cove
- Samantha McDonald – 210 Carnoustie Cove
- Jason McDonald – 210 Carnoustie Cove
- Kirby Trauer – 204 Carnoustie Cove
- Jennifer Spiss – 204 Carnoustie Cove
- Dana Stokes – 202 Carnoustie Cove
- Bre-Ann Boulet – 214 Carnoustie Cove
- Jason Boulet – 214 Carnoustie Cove
- Cameron Rennie – 218 Carnoustie Cove
- Kristy Rennie – 218 Carnoustie Cove
- Tyler Harz – 200 Carnoustie Cove
- Sarah Harz – 200 Carnoustie Cove
- Tara Macsymic – 212 Carnoustie Cove



The objection was to the variance for the height of the building in the commercial zone, which was being varied from the permitted 35 feet to 50 feet. The petition noted that this height would make the petitioners' neighbourhood feel more like an industrial zone and bring other items such as light pollution, noise, and unsightly skylines to the area.

The applicant, Mr. Kyle Bially, explained the reasons for needing a building of 50 feet, noting that additional space was needed above the screen for props to be dropped down from above while filming.

Deputy Mayor Chris Wiebe asked if the building will be aesthetically pleasing or plain concrete.

Mr. Bially confirmed that the building will be designed to be aesthetically pleasing.

Councillor Nathan Dueck confirmed with Mr. Bially that the movie screen is approximately 40 feet, plus or minus, and recommended that he have a conversation with the residents to provide more information which may help alleviate some of their anxieties.

The public hearing was closed at 9:17 a.m.

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