

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on November 18, 2025, at 7:00 p.m. at the Niverville Community Resource and Recreation Centre. In attendance were Mayor Myron Dyck, Deputy Mayor Chris Wiebe, and Councillors Nathan Dueck, Bill Fast and Meghan Beasant.

Res#285-25 Agenda	N. Dueck – B. Fast BE IT RESOLVED that the agenda be approved as presented.	“Carried”															
Res#286-25 Minutes	B. Fast – M. Beasant BE IT RESOLVED that the minutes of the regular Council meeting held on November 4, 2025, be approved as presented.	“Carried”															
Res#287-25 B.O.R.	N. Dueck – M. Beasant BE IT RESOLVED that all members of Council are appointed as members of the Board of Revision. AND BE IT FURTHER RESOLVED that the Council agenda be tabled and that Council sit as the Board of Revision in accordance with <i>The Municipal Assessment Act</i> .	“Carried”															
Res#288-25 Resume	N. Dueck – B. Fast BE IT RESOLVED that the Board of Revision is closed and Council resume its former order of business (7:31 p.m.).	“Carried”															
Res#289-25 Revised Assessment	B. Fast – C. Wiebe BE IT RESOLVED that Council accepts the recommendation from the Board of Revision to amend the 2026 Assessment for Roll 44820.312, being Lot 12 Block 3 Plan 44820, civically known as 323 Troon Cove, from: <table><tr><td>Land</td><td>\$188,600</td><td>to</td><td>Land</td><td>\$175,000</td></tr><tr><td>Building</td><td>\$572,400</td><td>to</td><td>Building</td><td><u>\$545,000</u></td></tr><tr><td>Total</td><td>\$761,000</td><td>to</td><td>Total</td><td><u>\$720,000</u></td></tr></table>	Land	\$188,600	to	Land	\$175,000	Building	\$572,400	to	Building	<u>\$545,000</u>	Total	\$761,000	to	Total	<u>\$720,000</u>	“Carried”
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Building	\$572,400	to	Building	<u>\$545,000</u>													
Total	\$761,000	to	Total	<u>\$720,000</u>													
Res#290-25 Table Agenda	B. Fast – 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 Application C27-25 for Lots 16/17 Block 11 Plan 19955, civically known as 69 Main Street.	“Carried”															
Res#291-25 Resume	M. Beasant – B. Fast BE IT RESOLVED that the public hearing for Conditional Use Application C27-25 for Lots 16/17 Block 11 Plan 19955, civically known as 69 Main Street be closed, and Council resume its former order of business (7:40 p.m.).	“Carried”															
Res#292-25 C27-25	B. Fast – N. Dueck WHEREAS a Public Hearing was held regarding Conditional Use C27-25, an application from Forgotten Flavours to amend Condition #4 of Conditional Use C11-23, which approved a bakery including an eating and drinking establishment																

and an outdoor patio, by increasing the maximum combined seating capacity, for both indoor and patio areas, from 16 seats to 25 seats 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 C27-25, to amend Condition #4 of Conditional Use C11-23, which approved a bakery including an eating and drinking establishment and an outdoor patio, by increasing the maximum combined seating capacity, for both indoor and patio areas, from 16 seats to 25 seats 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 25;
- (5) That all signage will be in compliance with the Town's Zoning Bylaw in effect;
- (6) That the approval for this Conditional Use expires if the use has been discontinued for a period of 12 months or more; and
- (7) That approval is conditional upon compliance with the parking requirements established under the Town's Zoning Bylaw, and such compliance may be achieved through a third-party agreement for nearby off-site parking, subject to the approval of the Town.

"Carried"

Res#293-25
Table
Agenda

N. Dueck – 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 Application C28-25, for Lot 3 Plan 68985, civically known as 420 Wittick Street.

"Carried"

Res#294-25
Resume

M. Beasant – B. Fast

BE IT RESOLVED that the public hearing for Conditional Use Application C28-25, for Lot 3 Plan 68985, civically known as 420 Wittick Street be closed, and Council resume its former order of business (7:43 p.m.).

"Carried"

Res#295-25
C28-25

N. Dueck – M. Beasant

WHEREAS a Public Hearing was held regarding Conditional Use C28-25, an application from Delnita Holdings Inc. to allow for the operation of a trucking business, including the maintenance of trucks and trailers on Lot 3 Plan 68985, civically known as 420 Wittick Street in the Niverville Business Park;

AND WHEREAS the application was duly advertised;

AND WHEREAS the property already has a Development Agreement registered against it;

AND WHEREAS there was no opposition received to the proposal;

THEREFORE BE IT RESOLVED that Council approves Conditional Use C28-25 to allow for the operation of a trucking business, including the maintenance of trucks and trailers on Lot 3 Plan 68985, civically known as 420 Wittick Street.

"Carried"

Res#296-25 Table Agenda	<p>B. Fast – M. Beasant</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 Application C29-25 for Lot 8 Plan 72884, civically known as Unit 8 – 735 Schultz Avenue.</p> <p style="text-align: right;">“Carried”</p>
Res#297-25 Resume	<p>N. Dueck – B. Fast</p> <p>BE IT RESOLVED that the public hearing for Conditional Use Application C29-25 for Lot 8 Plan 72884, civically known as Unit 8 – 735 Schultz Avenue be closed, and Council resume its former order of business (7:49 p.m.).</p> <p style="text-align: right;">“Carried”</p>
Res#298-25 C29-25	<p>B. Fast – M. Beasant</p> <p>WHEREAS a Public Hearing was held regarding Conditional Use application C29-25, to allow for a welding business featuring robotic welding services on Lot 8 Plan 72884, civically known as Unit 8 – 735 Schultz Avenue;</p> <p>AND WHEREAS in accordance with <i>The Planning Act</i> the Conditional Use application was duly advertised;</p> <p>AND WHEREAS the property already has a Development Agreement registered against it;</p> <p>AND WHEREAS there was no opposition received to the proposal;</p> <p>THEREFORE BE IT RESOLVED that Council approves Conditional Use C29-25, to allow for a welding business featuring robotic welding services on Lot 8 Plan 72884, civically known as Unit 8 – 735 Schultz Avenue.</p> <p style="text-align: right;">“Carried”</p>
Res#299-25 Table Agenda	<p>B. Fast – M. Beasant</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 Application C30-25 for Lots 6, 7, & 8 Block 3 Plan 71566, civically known as 601, 611, and 621 Kuzenko Street;</p> <p style="text-align: right;">“Carried”</p>
Res#300-25 Resume	<p>M. Beasant – B. Fast</p> <p>BE IT RESOLVED that the public hearing for Conditional Use Application C30-25 for Lots 6, 7, & 8 Block 3 Plan 71566, civically known as 601, 611, and 621 Kuzenko Street be closed, and Council resume its former order of business (7:54 p.m.).</p> <p style="text-align: right;">“Carried”</p>
Res#301-25 C30-25	<p>N. Dueck – M. Beasant</p> <p>WHEREAS a Public Hearing was held on November 18, 2025, regarding Conditional Use application C30-25 to allow for a cabinet manufacturing business with a showroom and storage on Lots 6, 7, & 8 Block 3 Plan 71566, civically known as 601, 611, and 621 Kuzenko Street;</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 application C30-25, to allow for a cabinet manufacturing business with a showroom and storage on Lots 6, 7, & 8 Block 3 Plan 71566, civically known as 601, 611, and 621 Kuzenko Street, subject to the following condition:</p> <p>1) That the property owner enter into a Development Agreement with the Town.</p> <p style="text-align: right;">“Carried”</p>

Council took a short recess at 7:56 p.m. and resumed at 7:58 p.m.

Res#302-25
Table
Agenda

M. Beasant – N. Dueck
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 V26-25 for Lot 9 Block 10 Plan 19955, civically known as Unit A – 237 Main Street.

“Carried”

Res#303-25
Resumc

M. Beasant – B. Fast
BE IT RESOLVED that the public hearing for Variation Application V26-25 for Lot 9 Block 10 Plan 19955, civically known as Unit A – 237 Main Street be closed, and Council resume its former order of business (8:11 p.m.).

“Carried”

Res#304-25
V26-25

C. Wiebe – B. Fast
WHEREAS a Public hearing was held regarding Variance V26-25, an application from Ketan Patel and Jatin Patel to vary the required setback distance for a proposed retail cannabis and vape store at Lot 9 Block 10 Plan 19955, civically known as Unit A – 237 Main Street, reducing the setback from 1,000 feet to 377 feet from a school or indoor/outdoor participant recreation facility;
AND WHEREAS in accordance with *The Planning Act*, the Variance application was duly advertised;
AND WHEREAS there was one letter of opposition received to the proposal;
THEREFORE BE IT RESOLVED that Council denies Variance application V26-25 to vary the required setback distance for a proposed retail cannabis and vape store at Lot 9 Block 10 Plan 19955, civically known as Unit A – 237 Main Street, reducing the setback from 1,000 feet to 377 feet from a school or indoor/outdoor participant recreation facility.

“Carried”

Mayor Myron Dyck acknowledged the Remembrance Day Service, extending his thanks to the committee and volunteers for organizing such a wonderful service. He also acknowledged the team at the Community Resource and Recreation Centre (CRRC), along with Warren Britton, Eric King, and Councillor Nathan Dueck, for their prompt efforts in managing the change of venue, offering his thanks to all involved. In addition, Mayor Dyck noted that Council will be holding its Planning Session this weekend, dedicating 20 hours across Friday and Saturday to thoroughly review Town matters.

Res#305-25
Accounts

M. Beasant – B. Fast
BE IT RESOLVED that the following cheques and electronic fund transfers are approved for payment:

Accounts Payable EFT	\$ 236,272.38
November 13, 2025 Payroll EFT	\$ 69,356.46
Accounts Payable Cheques 45389 to 45406	\$ 23,308.40
Online Banking-BKAP	<u>\$ 41,674.92</u>
Total	\$ 370,612.16

“Carried”

Res#306-25 B. Fast – C. Wiebe
Oct. F.S. BE IT RESOLVED that Council approves the October 31, 2025, Financial Statement as presented.

“Carried”

Res#307-25 B. Fast – M. Beasant
Extension WHEREAS a request to extend the timeline within which a registered massage therapist is permitted to operate under Conditional Use C11-25 at Unit 1 – 735 Schultz Avenue was submitted before the expiry date;
AND WHEREAS the condition of Conditional Use C11-25 provided that an extension request of up to an additional six (6) months may be requested;
THEREFORE BE IT RESOLVED THAT Council approves the request to extend the timeline originally set to expire on November 20, 2025, for an additional six (6) months, with the new expiry date being May 20, 2026, for the registered massage therapist operating under Conditional Use C11-25 at Unit 1 – 735 Schultz Avenue.

“Carried”

Res#308-25 M. Beasant – B. Fast
Adjourn BE IT RESOLVED that the meeting be adjourned. (8:25 p.m.)

“Carried”



Mayor



Chief Administrative Officer

Minutes of the Board of Revision hearing held on November 18, 2025, at 7:02 p.m. to hear application number 1-2025 from Karl and Taylor Zborowsky, for Lot 12 Block 3 Plan 44820, civically known as 323 Troon Cove. Notice was provided as per *The Municipal Assessment Act*. Myron Dyck served as chairperson, with Chris Wiebe, Nathan Dueck, Bill Fast, and Meghan Beasant serving as members of the Board of Revision and Eric King acting as secretary.

Mr. Myron Dyck, chairperson, provided an overview of the procedures for the hearing.

Mr. Eric King, secretary of the Board of Revision, administered affirmation in lieu of oath to Mr. Wade Wiebe, Assessor on behalf of the Province, and to Mr. Karl Zborowsky, the applicant.

Mr. King read the application from Karl and Taylor Zborowsky, appealing the assessed value for Lot 12 Block 3 Plan 44820, civically known as 323 Troon Cove, citing that it exceeds the actual market value.

Mr. Dyck gave the applicant an opportunity to provide any additional information at this time. Mr. Zborowsky did not have anything to add.

Mr. Wade Wiebe, Provincial Assessor, noted he would be looking at Roll number 44820.312, being 323 Troon Cove, and presented an overview of the property outlining his assessment and comparables, and also noted that this would be using a market reference date of April 1, 2023. He summarized his report by saying that while the sale value of the property in November 2024 may be an accurate reflection of the property value, and it may be low for an average price value, and that his comparable 3 (702 Birkdale Cove) gives a clearer indication of market value at that time. Mr. Wiebe recommended that the assessment be confirmed at \$761,000.

Mr. Karl Zborowsky, applicant, provided an overview of their purchase of the property for \$635,000, in an arms-length transaction. He noted that the property had been on the market for 422 days, originally priced at \$780,000, and the price for the property kept being reduced, to where they purchased the property for \$635,000. Mr. Zborowsky had submitted a package with different comparables as part of his application, and he highlighted the recent sale of the neighboring house, which sold at \$650,000 after only being on the market for 3 days.

Mr. W. Wiebe, during his cross-examination opportunity, pointed out that Mr. Zborowsky's comparables in his package were post-reference date by a year or more, a number of them are not in the same neighbourhood, and that the best comparable from this package would be 126 Saint Andrews Way. He questioned Mr. Zborowsky whether he was able to provide any comparables prior to the reference date.

Mr. Zborowsky noted that his comparables were the ones his realtor had provided, including details about when they bought it a year ago.

During Mr. Zborowsky's opportunity to cross-examine, he said that he noticed the number had been pulled as of a number of years ago, and he asked where that number had come from, whether it was from other houses or when the house first went for sale.

Mr. Dyck clarified with Mr. Zborowsky, that he was asking about the effective date.

Mr. W. Wiebe noted that the analysis was drawn from sales of similar properties prior to the reference period, usually looking at 2-year portions for a period of sale, and that real estate listings don't have any bearing as it is based on completed sales.

Mr. Chris Wiebe noted looking at the reference date to comparable number 2, which is a house across the street from him (127 Saint Andrews Way), which was sold during Covid, and a lot of these sales were during Covid, that this was a "bump" and questioned at what point would this get back to reality, as the houses are not selling for what they did during Covid.

Mr. W. Wiebe explained that the re-assessment was delayed by a year for that reason, as April 1, 2020, was supposed to be a reassessment year, as there is normally a 2-year period for reassessment.

Mr. Dyck explained that the assessment period is every 2 years, so the house value for a sale today is not the assessed value, rather, the assessed value is based on April 1, 2023. He also noted that he is a property appraiser, and advised that during the Covid years, market values excelled greater than normal. During his research of sales between 2022 and 2023, there were very few sales, and during this time there was an increase in the interest rates as well, and he added that it is the value on April 1, 2023 that the Board is being asked to decide upon.

Mr. Nathan Dueck questioned whether the house was fully furnished with appliances and whether the applicant felt that he had received good value for the purchase.

Mr. Zborowsky advised that appliances were included in the sale, but not furniture. He noted that they had looked all over in Grande Point and Oakbank, where his parents are, and for them it didn't seem like a great deal, but rather a desirable home, due to having a 1-year-old and newborn en route.

Mr. Dueck questioned whether interest rates in April 2023 were quite high, and concluded that the rates would have been 6.7% at the time and that this would have hindered the market for higher valued properties at the time.

Mr. Dyck reviewed the research that they had prepared with the comparable of 314 Troon Cove, which sold in January of 2023 for \$630,000. He reviewed the various amenities between the two properties, noting where values needed to be boosted, and how overall, the comparable of 314 Troon's amenities made it an inferior property for value. He summarized by noting that after adjusting for the various amenities, the assessed value for 323 Troon would be \$720,000.

Mr. Zborowsky questioned what would happen for the next reassessment.

Mr. Dyck explained the common misunderstanding that the public has when it comes to reassessment, and how April 1, 2025 will be used for the 2027 assessments.

Mr. Zborowsky noted that he could only speak for the amount that they purchased the property for, how it was on the market for 422 days, and that the price that it was sold for was what the market would accept.

Mr. Wiebe thanked the Board for being such an educated board and engaging with the process, and that he couldn't disagree with Mr. Dyck's analysis.

The Board of Revision hearing was closed at 7:31 p.m.

Minutes of the public hearing held on November 18, 2025, at 7:37 p.m. regarding Conditional Use C27-25 to amend Condition #4 of Conditional Use C11-23, which approved a bakery including an eating and drinking establishment and an outdoor patio, by increasing the maximum combined seating capacity, for both indoor and patio areas, from 16 seats to 25 seats 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.

Chief Administrative Officer Eric King noted that this was an application from Forgotten Flavours to amend condition #4 of Conditional Use C11-23, which approved a bakery including an eating and drinking establishment and an outdoor patio, by increasing the maximum combined seating capacity, for both indoor and patio areas, from 16 seats to 25 seats. Background: the applicant is undertaking the final phase of their bakery expansion at 69 Main Street, transforming the establishment into an eat-in café and bistro. To accommodate customer parking needs, they have secured an arrangement with the United Church to use 9 parking spaces located in the church's lot across 2nd Avenue North. He added that the recommendation from Admin involved mostly the same conditions from the original Conditional Use, with some changes:

- (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 25; (updated from the 16)
- (5) That all signage will be in compliance with the Town's Zoning Bylaw in effect;
- (6) That the approval for this Conditional Use expires if the use has been discontinued for a period of 12 months or more; and
- (7) That approval is conditional upon compliance with the parking requirements established under the Town's Zoning Bylaw, and such compliance may be achieved through a third-party agreement for nearby off-site parking, subject to the approval of the Town.

Mr. Chris Holbrow, on behalf of Forgotten Flavours, commented that they were looking to serve the community, had reviewed what would be needed to increase the seating from 16, and working with the community had secured some parking for their customers.

There was no opposition received to the proposal.

The Public Hearing was closed at 7:40 p.m.

Minutes of the public hearing held on November 18, 2025, at 7:42 p.m. regarding Conditional Use C28-25, an application from Delnita Holdings Inc. to allow for the operation of a trucking business, including the maintenance of trucks and trailers on Lot 3 Plan 68985, civically known as 420 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 Chris Wiebe and Councillors Nathan Dueck, Bill Fast and Meghan Beasant in attendance.

Chief Administrative Officer Eric King noted that this was an application from Delnita Holdings Inc., for a Conditional Use to allow for the operation of a trucking business, including the maintenance of trucks and trailers at 420 Wittick Street in the Niverville Business Park. Background - the applicant is expanding their trucking business, originally established at 430

Wittick Street in 2023, to include operations at 420 Wittick Street. Note that the owner of the property entered into a Development Agreement with the Town in 2022. Mr. King added that the recommendation is to approve the Conditional Use as requested. There was no opposition received to the proposal.

The Public Hearing was closed at 7:43 p.m.

Minutes of the public hearing held on November 18, 2025, at 7:46 p.m. regarding Conditional Use C29-25, to allow for a welding business featuring robotic welding services on Lot 8 Plan 72884, civically known as Unit 8 – 735 Schultz Avenue. 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.

Chief Administrative Officer Eric King noted that this was an application from Plan B Metalworks to allow for a welding business featuring robotic welding services in Unit 8 – 735 Schultz Avenue. Background - the applicant proposes to establish a robotic welding business that will provide specialized welding services to existing manufacturing businesses. Note that the original owner of the property entered into a Development Agreement with the Town in 2021. Mr. King added that the recommendation was to approve the Conditional Use as requested.

Council questioned how many robots there would be, whether this was metal fabrication, what sizes this would accommodate, and what the original Development Agreement was for in 2021.

Mr. Vernon Snidal, applicant, advised that there were 3 robots and that these could accommodate an envelope from small to 5 ft x 5 ft by 5 ft.

Mr. King noted that the original Development Agreement was for a condo-izing the building, as it was an Avedo building and it set up the parking and how each of those buildings works.

There was no opposition received to the proposal.

The Public Hearing was closed at 7:49 p.m.

Minutes of the public hearing held on November 18, 2025, at 7:51 p.m. regarding Conditional Use C30-25 to allow for a cabinet manufacturing business with a showroom and storage on Lots 6, 7, & 8 Block 3 Plan 71566, civically known as 601, 611, and 621 Kuzenko 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.

Chief Administrative Officer Eric King noted that this was an application from Canadian Prime Solutions Inc., a Conditional Use to allow for a cabinet manufacturing business with a showroom and storage to operate at 601, 611, and 621 Kuzenko Street. The applicant proposes to construct a single building spanning the three properties civically known as 601, 611, and 621 Kuzenko Street. The facility will accommodate cabinet manufacturing, a showroom and office space, as well as storage and warehouse areas for tiles and cabinets. The business is anticipated to employ approximately three to four staff members. He added that the recommendation was to approve the Conditional Use, subject to the property owner entering into a Development Agreement with the Town.

Ms. Natalia Dunavetska, on behalf of Canadian Prime Solutions, noted that they were purchasing three lots, they would only be storing tiles, not manufacturing them, and they wanted to expand their business to manufacturing cabinets and have storage.

Deputy Mayor Chris Wiebe questioned whether they were constructing one building over the three lots, a long building with partitions and whether they would be starting this year.

Mr. Igor Dunavetskyi, on behalf of Canadian Prime Solutions confirmed it would be one building and Ms. Dunavetska confirmed it would be one unit, with construction starting next year.

There was no opposition received to the proposal.

The Public Hearing was closed at 7:54 p.m.

Minutes of the public hearing held on November 18, 2025, at 7:59 p.m. regarding Variation Application V26-25, an application from Ketan Patel and Jatin Patel to vary the required setback distance for a proposed retail cannabis and vape store at Lot 9 Block 10 Plan 19955, civically known as Unit A – 237 Main Street, reducing the setback from 1,000 feet to 377 feet from a school or indoor/outdoor participant recreation facility. 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.

Chief Administrative Officer Eric King noted that this was an application from Ketan Patel and Jatin Patel for a variance to vary the required setback distance for a proposed retail cannabis and vape store at Unit A – 237 Main Street, reducing the setback from 1,000 feet to 377 feet from a school or indoor/outdoor participant recreation facility. Background - this variance is requested as a prerequisite for an application to establish a new cannabis and vape store, representing a setback variance of 62.3%. In addition, approval of a Conditional Use would be required as part of the overall process to permit the operation of a retail cannabis store. He added that for context, in 2020, Council of the day approved a variance to allow a cannabis store to operate in Unit 2 of 41 Main Street. That location had a setback distance of 744 feet from a school or indoor/outdoor participant recreation facility, which represented a variance of 25.6%. Mr. King indicated that Administration recommends the consideration of a denial of the requested variance, based on the 62.3% reduction from the required 1,000-foot setback is excessive and significantly exceeds past precedent, such as the 25.6% variance approved in 2020. The other alternative that Council could consider for the future would be to remove the 1,000-foot setback or reduce the 1,000-foot setback to avoid a request of 62.3% for a variance.

Mr. Simi Sandu, owner of Urban Flavours (a cannabis business at 41 Main Street), seconded what Mr. King said in terms of the distance, understanding that at some point there would be competition coming to the Town. He questioned whether this business, if approved, would be held to the same signage standards as his cannabis business.

Mr. King advised that this Variance hearing was dealing with the setback and other considerations would be looked at if this moved forward, and those considerations would probably be in line with what was previously done.

Councillor Nathan Dueck noted that he was happy with the outcome from the 248 meters setback from the edge of the school approved by Council back in 2020, and that they did their best to accommodate the business, and questioned whether Mr. Sandu had any issues with the distance for his own store and security issues from kids trying to look in the windows or get into the store.

Mr. Sandu noted that they did their best to accommodate the conditions asked of them and added that they have had some security issues, but not a lot, and their staff know how to deal with these.

Mayor Dyck questioned whether the RCMP had been contacted and made aware, to which Mr. Sandu confirmed this had been done. Mr. Dyck further questioned whether onsite security was required, and Mr. Sandu confirmed that it was.

The property owner noted that he would be constructing a wall in the common entrance.

Mr. King read a letter of opposition from the Hanover School Division, which expressed concerns about student exposure, negative community perception, and the incompatibility of such a business with the values promoted within their schools. The letter further asserted that approving the proposal would undermine the protective intent of the 1,000-foot setback regulation and establish a concerning precedent for future decisions involving developments near schools. Mr. King also corrected the distances mentioned in the letter, as the 377 ft setback is from Youth for Christ, not the elementary school.

The Public Hearing was closed at 8:11 p.m.
