

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on December 16, 2025, at 7:00 p.m. at the Niverville Community Resource and Recreation Centre. Mayor Myron Dyck, Deputy Mayor Chris Wiebe, and Councillors Nathan Dueck and Meghan Beasant were in attendance.

Res#330-25 Excused	C. Wiebe – N. Dueck BE IT RESOLVED that Councillor Bill Fast be excused due to illness. “Carried”
Res#331-25 Agenda	M. Beasant – C. Wiebe BE IT RESOLVED that the agenda be approved as presented. “Carried”
Res#332-25 Minutes	C. Wiebe – M. Beasant BE IT RESOLVED that the minutes of the regular Council meeting and Special Council meeting held on December 2, 2025, be approved as presented. “Carried”
Res#333-25 Table Agenda	C. Wiebe – M. Beasant BE IT RESOLVED that the Council meeting agenda be tabled and that Council sit in accordance with The Planning Act to hold a public hearing for Community Planning Subdivision file #4340-25-9176 (Highlands West). “Carried”
Res#334-25 Resume	C. Wiebe – M. Beasant BE IT RESOLVED that the public hearing for Community Planning Subdivision file #4340-25-9176 (Highlands West) be closed and Council resume its former order of business (7:40 p.m.). “Carried”
Res#335-25 Subdivision 4340-25-9176	C. Wiebe – M. Beasant 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 a public hearing was duly advertised and held regarding Community Planning Subdivision file #4340-25-9176, being part of NW ¼ 25-7-3 EPM to create 155 new lots (156) total for residential and commercial development, including opening new public roads and public reserves from the current title, being approximately 116 acres; AND WHEREAS no opposition was received to the proposal; THEREFORE BE IT RESOLVED that Council hereby approves Community Planning Subdivision file #4340-25-9176, subject to the following conditions: 1. That the Developer enter into a Development Agreement with the Town; and 2. That a Zoning Bylaw amendment be obtained, rezoning all or portions of proposed lots to “CC” Commercial Corridor, “CN” Commercial Neighbourhood, “RSL” Residential Small Lot, “RMD” Residential Medium Density, “RHD” Residential High Density, and “PR” Parks and Open Space, as proposed. “Carried”

Res#336-25 Table Agenda	<p>M. Beasant – 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 Application C34-25 for Lots 12-14 Block 12 Plan 19955, civically known as Unit 2 – 41 Main Street.</p> <p style="text-align: right;">“Carried”</p>
Res#337-25 Resume	<p>M. Beasant – N. Dueck</p> <p>BE IT RESOLVED that the public hearing for Conditional Use Application C34-25 for Lots 12-14 Block 12 Plan 19955, civically known as Unit 2 – 41 Main Street be closed, and Council resume its former order of business (8:03 p.m.).</p> <p style="text-align: right;">“Carried”</p>
Res#338-25 C34-25	<p>N. Dueck – M. Beasant</p> <p>WHEREAS a Public Hearing was held regarding Conditional Use C34-25, an application from 10044400 Manitoba Ltd. to amend Condition #3 of Conditional Use C18-20, which authorized the operation of a retail Cannabis store, by permitting exterior business signage to include references to Cannabis and Vape on Lots 12-14 Block 12 Plan 19955, civically known as Unit 2 - 41 Main Street; AND WHEREAS in accordance with <i>The Planning Act</i>, the Conditional Use was duly advertised;</p> <p>AND WHEREAS there was one letter of opposition received to the proposal; THEREFORE BE IT RESOLVED that Council approves Conditional Use C34-25 to amend Condition #3 of Conditional Use C18-20, which authorized the operation of a retail Cannabis store, by permitting exterior business signage to include references to Cannabis and Vape on Lots 12-14 Block 12 Plan 19955, civically known as Unit 2, 41 Main Street, subject to the following conditions:</p> <ol style="list-style-type: none"> 1. That permitted hours of operation are set as follows: <p style="margin-left: 40px;">Monday through Saturday 8:00 a.m. to 10 p.m.</p> <p style="margin-left: 40px;">Sundays 12:00 p.m. to 10 p.m.;</p> 2. That the business complies with all directives and standards as set out by the Liquor, Gaming and Cannabis Authority of Manitoba (LGCA) and that where these conditions noted conflict with LGCA, the most restrictive conditions shall prevail; 3. That the exterior business signage will not contain any logo containing graphics relating to Cannabis; and 4. That there be no view into the interior of the store from the exterior. <p style="text-align: right;">“Carried”</p>
Res#339-25 Table Agenda	<p>M. Beasant – C. Wiebe</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 Variance application V28-25 for Lot 3 Plan 70869, civically known as 14 Gleneagles Street.</p> <p style="text-align: right;">“Carried”</p>
Res#340-25 Resume	<p>M. Beasant – N. Dueck</p> <p>BE IT RESOLVED that the public hearing for Variance Application V28-25 for Lot 3 Plan 70869, civically known as 14 Gleneagles Street be closed, and Council resume its former order of business (8:27 p.m.).</p> <p style="text-align: right;">“Carried”</p>

Res#341-25 V28-25	<p>C. Wiebe – N. Dueck</p> <p>WHEREAS a Public hearing was held regarding Variance V28-25, an application from Lucas Ulmer to vary the required setbacks as follows:</p> <ol style="list-style-type: none"> (1) Reduce the minimum setback between an accessory structure and the east side yard property line from 3 feet to 1 foot; and (2) Reduce the minimum separation distance between an accessory structure and the primary building from 3 feet to 0 feet <p>on Lot 3 Plan 70869, civically known as 14 Gleneagles Street;</p> <p>AND WHEREAS in accordance with The Planning Act, the Variance application was duly advertised;</p> <p>AND WHEREAS there was one letter of support and no opposition received to the proposal;</p> <p>AND WHEREAS Council wishes to postpone the decision on the Variance application until January 20, 2026, in order to allow additional time for review and for consultation with the Town's Fire Chief;</p> <p>THEREFORE BE IT RESOLVED that Council hereby postpones its decision on Variance Application V28-25 until January 20, 2026, to allow additional time for review and for consultation with the Town's Fire Chief.</p> <p style="text-align: right;">"Carried"</p>
Res#342-25 Alert MB	<p>C. Wiebe – M. Beasant</p> <p>WHEREAS the Province of Manitoba has established the <i>Alert MB</i> program as a public emergency notification system designed to provide timely and critical information to residents during emergencies, disasters, and significant public safety events;</p> <p>AND WHEREAS the Town of Niverville recognizes the importance of ensuring that residents, businesses, and visitors receive accurate and immediate alerts to safeguard lives, property, and community well-being;</p> <p>AND WHEREAS participation in the <i>Alert MB</i> program will enhance the Town's emergency preparedness and response capabilities by integrating local communications with provincial systems;</p> <p>THEREFORE BE IT RESOLVED THAT the Council of the Town of Niverville hereby declares its intention to participate in the <i>Alert MB</i> program.</p> <p>AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer and designated municipal staff be authorized to take all necessary steps to register the Town of Niverville with the <i>Alert MB</i> program, coordinate with provincial authorities, and implement local procedures to ensure effective use of the system.</p> <p style="text-align: right;">"Carried"</p>
Res#343-25 Tax Sale	<p>N. Dueck – C. Wiebe</p> <p>BE IT RESOLVED that in accordance with Section 365(2) of The Municipal Act, that Council designate 2024 as the designated year for tax sale for 2026, and that all properties in tax default for 2023 or earlier be offered for sale by auction on December 15, 2026.</p> <p style="text-align: right;">"Carried"</p>
Res#344-25 F4-16 Update	<p>C. Wiebe – M. Beasant</p> <p>BE IT RESOLVED that Council approves an amendment to the Business Incentive Grant (BIG) Policy F4-16, copy of which is attached hereto as Schedule "A".</p> <p style="text-align: right;">"Carried"</p> <p>Mayor Myron Dyck extended season's greetings, happy holidays, and to those who celebrate, a Merry Christmas.</p>

Res#345-25 Accounts	<p>N. Dueck – C. Wiebe</p> <p>BE IT RESOLVED that the following cheques and electronic fund transfers are approved for payment:</p> <table> <tr> <td>Accounts Payable EFT</td><td>\$ 339,594.71</td></tr> <tr> <td>December 11, 2025 Payroll EFT</td><td>\$ 68,888.11</td></tr> <tr> <td>Accounts Payable Cheques 45423 to 45432</td><td>\$ 10,255.24</td></tr> <tr> <td>Accounts Payable Post Date Cheque</td><td>\$ 608,613.60</td></tr> <tr> <td>Online Banking-BKAP</td><td>\$ 50,183.60</td></tr> <tr> <td>Total</td><td>\$1,077,535.26</td></tr> </table> <p>“Carried”</p>	Accounts Payable EFT	\$ 339,594.71	December 11, 2025 Payroll EFT	\$ 68,888.11	Accounts Payable Cheques 45423 to 45432	\$ 10,255.24	Accounts Payable Post Date Cheque	\$ 608,613.60	Online Banking-BKAP	\$ 50,183.60	Total	\$1,077,535.26
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Total	\$1,077,535.26												
Res#346-25 Nov. F.S.	<p>M. Beasant – C. Wiebe</p> <p>BE IT RESOLVED that the November 30, 2025, Financial Statement be approved as presented.</p> <p>“Carried”</p>												
Res#347-25 BL 884-25 1 st Reading	<p>C. Wiebe – N. Dueck</p> <p>BE IT RESOLVED that Council gives first reading to Bylaw 884-25, a bylaw to re-zone Part of NW ¼ 25-7-3 EPM, Deposit number 1475-2025, Subdivision File# 4340-25-9176.</p> <p>“Carried”</p>												
Res#348-25 BL 882-25 2 nd Reading	<p>N. Dueck – M. Beasant</p> <p>BE IT RESOLVED that Bylaw 882-25, being a Staff Remuneration Bylaw for 2026 is given second reading.</p> <p>“Carried”</p>												
Res#349-25 BL 882-25 3 rd Reading	<p>N. Dueck – M. Beasant</p> <p>BE IT RESOLVED that Bylaw 882-25, being a Staff Remuneration Bylaw for 2026 is given third reading and passed.</p> <p>“Carried”</p> <p>In Favour: M. Dyck, C. Wiebe, N. Dueck, M. Beasant Absent: B. Fast</p>												
Res#350-25 BL 883-25 2 nd Reading	<p>C. Wiebe – N. Dueck</p> <p>BE IT RESOLVED that Bylaw 883-25, being a Council Remuneration Bylaw for 2026 is given second reading.</p> <p>“Carried”</p>												
Res#351-25 BL 883-25 3 rd Reading	<p>C. Wiebe – M. Beasant</p> <p>BE IT RESOLVED that Bylaw 883-25, being a Council Remuneration Bylaw for 2026 is given third reading and passed.</p> <p>“Carried”</p> <p>In Favour: M. Dyck, C. Wiebe, N. Dueck, M. Beasant Absent: B. Fast</p>												
Res#352-25 BL 872-24 Updates	<p>N. Dueck – M. Beasant</p> <p>BE IT RESOLVED that Council approves updates to Schedules A, B, F, G and H of Bylaw 872-24 Fees & Charges By-law.</p> <p>“Carried”</p>												

Res#353-25 O/S Security Deposits	<p>N. Dueck – M. Beasant</p> <p>WHEREAS Niverville's Building Permits Department has compiled a listing of expired Building Permits originally dated 2022 and 2023;</p> <p>AND WHEREAS the list represents those properties for which final inspections have not been completed satisfactorily within the required time limit nor have arrangements been made for an extension to the permit;</p> <p>THEREFORE BE IT RESOLVED that the expired Building Permit security deposits from permits dated 2022 and 2023 in the amount of \$12,500.00 for building permits that have not completed satisfactory final inspections nor arrangements made for the completion of same be moved to the General Operating fund.</p> <p style="text-align: right;">“Carried”</p>
Res#354-25 Donations	<p>M. Beasant – C. Wiebe</p> <p>BE IT RESOLVED that Council authorizes donation receipts to be issued to donors who designated a total of \$7,255.00 to the Niverville Fire Fighter Association, with all funds directed toward the construction of the new Firehall.</p> <p style="text-align: right;">“Carried”</p>
Res#355-25 Donation Receipt	<p>C. Wiebe – M. Beasant</p> <p>BE IT RESOLVED that Council authorizes a donation receipt to local residents for a \$1,000.00 donation to the Town's Fire Department, with funds to be directed toward the construction of the new Firehall.</p> <p style="text-align: right;">“Carried”</p>
Res#356-25 F1-25	<p>C. Wiebe – M. Beasant</p> <p>BE IT RESOLVED that Council approves Policy No. F1-25, Receipt of E-Transfer Payments, a policy to provide clarity to Town staff regarding the circumstances under which e-transfer payments may be received, and to outline the information that must be communicated to the public to ensure accurate processing and record-keeping, a copy of which is attached here as Schedule “B”.</p> <p style="text-align: right;">“Carried”</p>
Res#357-25 Adjourn	<p>M. Beasant – N. Dueck</p> <p>BE IT RESOLVED that the meeting be adjourned. (8:56 p.m.)</p> <p style="text-align: right;">“Carried”</p>


Mayor


Chief Administrative Officer

Minutes of a public hearing held on December 16, 2025, at 7:01 p.m. regarding Community Planning Subdivision file #4340-25-9176, being part of NW ¼ 25-7-3 EPM, to create 155 new lots (156) total for residential and commercial development, including opening new public roads and public reserves from the current title, being approximately 116 acres. 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 and Meghan Beasant in attendance.

Mr. Eric King, Chief Administrative Officer, advised that this was an application from Len Peters for subdivision file #4340-25-9176, a proposal to create 155 new lots (156) from title 3312949/1, owned by 10108464 Manitoba Ltd. This is for residential and commercial development, including opening new public roads and public reserves from the current title, being approximately 116 acres.

Mr. Shaun Macsymbic of 212 Carnoustie Cove, advised that he was speaking on behalf of himself and his neighbours. He cited concerns with losing their panoramic view, how the existing movie studio would blend in, weeds that had been in an area once farmed, traffic-related issues including speeding along Krahn Road, a missed step in the advertising concerning the rezoning, whether the public reserve was for drainage, density and not knowing what was being proposed, and parking. He wanted to know what the plan was to address the issues, whether the intersection improvements would still be happening, and whether construction access would be limited to Wallace Road.

Mayor Myron Dyck commented that the Town was getting close to having the intersection improvements and that these improvements take time. He advised that this hearing was to address how the roads would be laid out and that the rezoning would be dealt with in the new year.

Mr. Macsymbic asked about the proposed lots and the types of zones that would be going there.

Mayor Dyck clarified that we don't know the sizes of buildings that will be going there, that Council has a policy about speed bumps/humps, and that height restrictions are dependent on zoning. He noted that the subdivision gets reviewed by provincial departments and that the drainage issues are being dealt with by the neighboring municipality.

Mr. Len Peters, Developer for Highlands West, provided an overview of how the zoning would be laid out for the subdivision, noting the commercial zone, and transition in density from the lower ones and twos density along Krahn Road, with medium density (rowhouses with 5 and 6 units in the center of Stirling Bay), then high density further west. He pointed out the swale/retention pond in the (large) public reserve and that the small 10 ft public reserve between the lots may change pending how the drainage would be laid out in the area. Mr. Peters noted that the development concept was from north to south, being cognizant of existing owners and then heading west with increasing density, keeping in mind existing homeowners. He noted that the distance between the two Krahn Road fence lines (Carnoustie Cove and Stirling Bay) was 115 feet and that there was a strip where Krahn Road would get widened, to increase and improve the drainage. He advised that the weedy area was deliberately not planted, as that was done to give the school division access to their lot to complete their testing and due diligence, and that this area would get cleaned up in the springtime. Mr. Peters added that the only way to alleviate flooding in emergency cases in the past was to pump across Crown Valley Road, and that the new ponds will be connected to the old ones, using gravity to empty them rather than having to pump them into the PR311 ditch, and these will have more slope to move the water quicker to the borrow area by the movie studio. He stated he doesn't know the exact timing of the roundabout.

Councillor Nathan Dueck commented that the traffic design provided two or three years ago was probably still valid.

Mayor Dyck noted that we asked the Province for money to do it and we need to know that we have the money to do it.

Mr. Peters advised that he has to pay towards highway improvements and outlined how the roads in the new subdivision would eventually connect to Highlands (east), thereby reducing traffic along Krahn Road in the long term, as residents may elect to come through the roundabout rather than driving down Krahn Road.

Mayor Dyck commented that the province was on board with the road design.

Mr. Peters stated that the new roundabout will help with traffic, along with the changes proposed for the Krahn Road intersection, and added that his responsibility is to pay for improvements, with the intersection costs shared with the province.

Mr. Macsymic asked whether there would be a 4-way stop at Saint Andrews and whether this section would always be blocked off.

Mr. Peters confirmed that the section would always be blocked off and that he didn't know specifically what type of traffic stops would be put in place. Mr. King added that there could be a 3-way stop. Mr. Peters added that the movie studio has the first option on the "Commercial Neighbourhood" land to the south of the existing building to facilitate an expansion, and if they don't want it, this will be changed to residential.

Councillor Meghan Beasant commented that the tallest apartment that can be built without extra approval from Council would be a 4-story look, as is across the street currently.

There was no opposition received to the proposal.

The hearing was closed at 7:40 p.m.

Minutes of the public hearing held on December 16, 2025, at 7:55 p.m. regarding Conditional Use C34-25, an application from 10044400 Manitoba Ltd. to amend Condition #3 of Conditional Use C18-20, which authorized the operation of a retail Cannabis store, by permitting exterior business signage to include references to Cannabis and Vape on Lots 12-14 Block 12 Plan 19955, civically known as Unit 2 - 41 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, and Meghan Beasant in attendance.

Chief Administrative Officer Eric King noted that this was an application from 10044400 Manitoba Ltd. to amend Condition #3 of Conditional Use C18-20, which authorized the operation of a retail Cannabis store, by permitting exterior business signage to include references to Cannabis and Vape. All other provisions of Condition #3 shall remain in effect, including the prohibition on logos incorporating Cannabis-related graphics. In 2020, the Council of the day approved the operation of a retail Cannabis store at Unit 2 - 41 Main Street, subject to a number of conditions. The Planning Act notes under Section 106(4), that "A condition imposed on the approval of a conditional use may be changed only by following the same process required to approve a new conditional use under this Part". The applicant is asking to amend Condition #3 so that he can add "Cannabis & Vape" to the front façade signage. Note the applicant did not want the ability to use Cannabis-related graphics, which was the second part of Condition #3. Mr. King noted that there has been one letter of opposition received from Hanover School

Division, who asked for the current restriction on exterior signage to be maintained. The recommendation from Admin is to approve the Conditional Use subject to the following conditions:

1. That permitted hours of operation are set as follows:
Monday through Saturday 8:00 a.m. to 10 p.m.
Sundays 12:00 p.m. to 10 p.m.;
2. That the business complies with all directives and standards as set out by the Liquor, Gaming and Cannabis Authority of Manitoba (LGCA) and that where these conditions noted conflict with LGCA, the most restrictive conditions shall prevail;
3. That the exterior business signage will not contain any logo containing graphics relating to Cannabis; and
4. That there be no view into the interior of the store from the exterior.

Mr. Kris Friesen, manager of the Cannabis store, advised that no graphics would be added and that the intent was to clearly identify the business to their customers while remaining compliant.

Councillor Nathan Dueck questioned whether they were keeping the existing signage and adding two words, which Councillor Meghan Beasant responded to by referencing the signage mock-up that had been provided.

Deputy Mayor Chris Wiebe asked whether a lot of people were coming in thinking it was a bakery, which Mr. Friesen confirmed that they had some.

Councillor Beasant commented that the mock-up signage looked good and that it was subtle.

Mr. King read a letter of opposition into the record from the Board of Trustees of the Hanover School Division, whose concerns were proximity to students and daily youth traffic, normalization and youth perception of risk, conflict with youth protection and well-being objectives, and precedent-setting.

The Public Hearing was closed at 8:03 p.m.

Minutes of the public hearing held on December 16, 2025, at 8:08 p.m. regarding Variance V28-25, an application from Lucas Ulmer to vary the required setbacks as follows:

- (1) Reduce the minimum setback between an accessory structure and the east side yard property line from 3 feet to 1 foot; and
- (2) Reduce the minimum separation distance between an accessory structure and the primary building from 3 feet to 0 feet

on Lot 3 Plan 70869, civically known as 14 Gleneagles 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, and Meghan Beasant in attendance.

Chief Administrative Officer Eric King noted that this was a Variance application from Lucas Ulmer to vary the required setbacks for 14 Gleneagles Street as follows:

- (1) Reduce the minimum setback between an accessory structure and the east side yard property line from 3 feet to 1 foot; and
- (2) Reduce the minimum separation distance between an accessory structure and the primary building from 3 feet to 0 feet.

Mr. King read a letter of support from Jideofo Mbanefo, the adjacent property owner of 16 Gleneagles Street, who felt that there were reasonable grounds for the Town to consider accommodating the variance request.

Mayor Myron Dyck mentioned that they had the drawings, and in order to provide some background, referenced the Town's historical challenges with things like cantilevers which limit emergency access to the rear of a property. He posed the question of what would happen if a neighbour would do the same thing and the impact this would have on emergency access, and how others would feel entitled if this application were to receive approval.

Councillor Meghan Beasant asked if the shed was attached to the building.

Mr. Garnell Ulmer, who was present on behalf of the applicant, advised that the shed was not attached.

Deputy Mayor Chris Wiebe pointed out how Council recently turned down a variance for 65%, as that was too much, and now this variance is for almost 100%. Mr. King confirmed that it was a 100% variance.

Mayor Dyck commented that this would be different if the shed were situated at the rear of the house and with that proximity to the house, he wouldn't have a problem with it.

Deputy Mayor Wiebe commented on how the next property owner might want to build a fence.

Mr. Ulmer noted that the other side of the property allowed for access to the rear.

Mayor Dyck commented that when you ask for a variance, you set a precedent, and that all 2,000 property owners would then be able to do the same thing, and that if the neighbours all do the same thing, you would have a barrier in theory. He added that this is the difficulty in approving this specific variance.

Mr. Ulmer referenced the letter that his son (Lucas Ulmer) submitted with his application, noting that there are other sheds around Town that have sheds placed against a house, that the topography doesn't allow for it to be situated in the rear as there is a major slope, and that if the shed is put in the center of the rear yard that it affects the view of the retention pond. He questioned why this situation is different.

Mayor Dyck said he wasn't personally aware of this situation on other properties.

Councillor Beasant mentioned that this wasn't necessarily to do with being adjacent, but that they are not necessarily being in compliance with other aspects of the Bylaw.

Mayor Dyck reiterated that it would be reasonable if this were up against the rear of the house, or in the back corner of the yard, right up against the boundary rear or side lot lines, and that it is more about the access to the rear of the house.

Councillor Beasant commented that he (Mr. Ulmer) is asking about the difference between other sheds being against the Bylaw in a different way.

Mayor Dyck noted that it is up to bylaw enforcement to bring issues forward.

Mr. Ulmer commented that there are numerous sheds in the Highlands that are not in compliance, that the rear yard has a major slope, and how placing the shed 3 feet from the property line in the rear would see it pretty much in the center of the yard, obstructing the beautiful lookout onto the pond.

Mayor Dyck reiterated that the safety aspect and referenced the historical decision of Council whereby a cantilever was only allowed to project into a side yard by 1 foot, to ensure that people

and equipment had access to the rear, which essentially is more of a safety perspective. He asked staff if the rules had changed and whether the existing sheds would be grandfathered.

Director of Planning & Development Audrey Neufeld advised that the previous Zoning Bylaw allowed for sheds to be placed up to the property line as long as the eaves didn't encroach, and not up against the house, which may help explain the location of some of the sheds that appear to be non-compliant.

Mr. Ulmer commented this probably accounts for some properties that back onto the golf course.

Mayor Dyck commented that if these were pond lots, that it could be acceptable that access could be gained from the rear.

Deputy Mayor Chris Wiebe commented that such a variance may lead to someone wanting to build a house one foot from the property line and that this was no different concept-wise, as you still can't access the rear. Mayor Dyck agreed there was no difference.

Councillor Nathan Dueck shared his observations that on Gleneagles, setbacks for driveways are 15 feet and back yards in some places are less than 10 feet so you really have no back yard, this property has a really small back yard compared to the rest of the Highlands, and if you put the shed in the back yard you have no back yard.

Mr. Ulmer mentioned that the slope in the rear prevented the shed from being located there.

Mayor Dyck noted that we are talking about risking the convenience of not having a back yard to making sure we have safety for the homeowner.

Deputy Mayor Wiebe questioned whether there was an attached garage on the other side of the house.

Mr. Ulmer confirmed that there was an attached garage on the same side as the shed and pointed out that there were windows around the back side of the house. He commented that they were hoping to find a way to keep the shed in its location, and feel that access to the rear can be done from the other side.

Mayor Dyck made a rhetorical comment about what Bylaw do we make that says you can only do it on one side and not the other side. Deputy Mayor Wiebe added that another neighbour will want it on the other side and one neighbour will have started on this side. Mayor Dyck added that floor plans at times are mirrored, and what if they weren't mirrored, would it make sense to put it on the same side.

Councillor Beasant asked why the Bylaw had been changed to require a 3-foot setback.

Mr. King thought it might be about combustibility, so for example, if you stored your propane tanks in your shed that your house wouldn't automatically go up if the propane tanks were to explode.

Councillor Beasant understood this for reasons of not locating a shed up against a house, and reiterated the question about the reason behind the 3 foot setback from a side or rear property line.

Mr. King added that drainage is usually an issue, as swales should match on either side of your property.

Mayor Dyck noted that not all lots are sloped back to front, some are split drainage, and this (approval) would require word-smithing the concept in order to allow this. If lots are back to front and everyone had a shed like this, you would be draining your lot through your shed.

Mr. Ulmer stated that you would still have room in between the lots.

Mr. King commented until you have a 7-inch rain.

Mr. Ulmer said they did have 5 inches and there was no problem.

There was no opposition received to the proposal.

The Public Hearing was closed at 8:27 p.m.
