

## TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on June 3, 2014. In attendance were Deputy Mayor John Funk and Councillors Myron Dyck, John Falk, and Angela Janz.

Res#169-14 A. Janz – J. Falk  
In Camera BE IT RESOLVED that in accordance with Section 152(3) of the Municipal Act, that Council meet as committee of the whole in camera.  
“Carried”

Res#170-14 M. Dyck – J. Falk  
Resume BE IT RESOLVED that the meeting of the committee of the whole be adjourned; AND BE IT FURTHER RESOLVED that Council, while in committee of the whole met with Staff Sgt. Ron Poirior regarding ongoing policing matters.  
“Carried”

Res#171-14 A. Janz – J. Falk  
Agenda BE IT RESOLVED that the agenda be approved as presented.  
“Carried”

Res#172-14 M. Dyck – A. Janz  
Minutes BE IT RESOLVED that the minutes of the regular Council meeting held on May 20, 2014 be approved as presented.  
“Carried”

A Public Hearing was held at 7:07 p.m. to hear reasons for and against a re-zoning proposal to amend the Town’s Zoning Bylaw 663-08 as follows:

1. The following zones have been deleted: “R1AS” Compact Single Family Residential, R2S” Small Lot Two Family Residential, “C2A” Restricted Highway Commercial and “I” Institutional. The following new commercial zone has been created “CN” Commercial Neighbourhood.
2. To include sign regulations applicable to the newly created/revised zones;
3. To include Niverville’s current “Infill Housing Compatibility Guidelines” within the Zoning By-law; and
4. That the current Zoning By-law Map known as Map 1 attached to and being part of the Town of Niverville Zoning By-law is deleted and replaced with a new map which updates the map to reflect current and proposed development.

CAO Jim Buys provided an overview of the proposal. There was no opposition brought forward to the proposal.

Res#173-14 A. Janz – M. Dyck  
BL733-14 WHEREAS Council deems it expedient to amend By-law No. 663-08 to create  
2<sup>nd</sup> Reading two commercial zones, namely a Commercial and Industrial Limited zone and a Commercial Neighbourhood Zone, and to revise regulations within all zones for consistency of application;  
THEREFORE BE IT RESOLVED that Council gives second reading to By-law 733-14, a by-law to amend the Town of Niverville By-law 663-08, as amended.  
“Carried”

Res#174-14 M. Dyck – J. Falk  
BL733-14 WHEREAS Council deems it expedient to amend By-law No. 663-08 to create  
3<sup>rd</sup> Reading two commercial zones, namely a Commercial and Industrial Limited zone and a Commercial Neighbourhood Zone, and to revise regulations within all zones for consistency of application;

THEREFORE BE IT RESOLVED that Council gives third reading to By-law 733-14, a by-law to amend the Town of Niverville By-law 663-08, as amended.

“Carried”

In Favor: J. Funk, J. Falk, M. Dyck, A. Janz

Res#175-14 A. Janz – J. Falk

Noise By-law WHEREAS a request was received from Hank and Marie Dueck to allow a noise  
Exemption by-law exemption for a family celebration event in which a live band will be performing on June 28<sup>th</sup>, 2014 at 224 4<sup>th</sup> Street S.;

THEREFORE BE IT RESOLVED that in accordance with By-law No. 655-07, Council hereby provides Hank and Marie Dueck permission to create a noise nuisance to 12:00 a.m. on June 28<sup>th</sup>, 2014 at 224 4<sup>th</sup> Street S. subject to the following conditions:

- a) All neighbors within a 100 metre radius must be notified prior to the event with a copy of the notice to be provided to the Administration office; and
- b) Noise levels to be such that outside of the 100 metre radius that the sound will not annoy, disturb or distract from the comfort, health and peace of any person; and
- c) This permission is strictly for the purpose of a noise bylaw exemption and does not provide any authorization for a fireworks display.

“Carried”

Res#176-14 J. Falk – A. Janz

PCH Grant WHEREAS Council is of the opinion that the funds raised at the 2013 Niverville Gala should be directed to the Heritage Life Personal Care Home, a community social service which benefits those in need of specialized services;

THEREFORE BE IT RESOLVED that a grant of \$36,500 be provided to the Niverville Heritage PCH Inc. to assist in the purchase of furniture and equipment for the Heritage Life Personal Care Home.

“Carried”

Res#177-14 A. Janz – M. Dyck

Reimburse WHEREAS a request was received from Stan & Marylou Peterson to be  
Frozen Sewer reimbursed for expenses incurred when the sewer line under the street at 23-4<sup>th</sup>  
Line Expenses Avenue S. was frozen;

AND WHEREAS it was determined that in this specific situation, the Town had given approval for the line installation under the street with the understanding that the depth was sufficient that the sewer connection would not freeze;

THEREFORE BE IT RESOLVED that the Town will reimburse Stan & Marylou Peterson the amount of \$887.05; representing the expenses that were incurred to thaw the main sewer line that was frozen under the street at 23-4<sup>th</sup> Avenue S.

AND BE IT FURTHER RESOLVED that the sewer line on 4<sup>th</sup> Avenue South have a clean out installed on its north end and that in keeping with current policy, that the Operations Department to be contacted on all sewer systems malfunctions prior to outside parties being consulted.

“Carried”

Res#178-14 A. Janz – M. Dyck

Lagoon WHEREAS the Town of Niverville is entering into its final phases of  
Decommission development of the wetlands, being the decommissioning of former sewage lagoon cells;

AND WHEREAS the bioremediation of the lagoon site plan will include education, recreation, environment and management functions, pathways and structures, plantings, interpretive material, all requiring budget considerations together with a 5 year implementation strategy;

THEREFORE BE IT RESOLVED that the CAO is authorized to enter into a Letter of Agreement with Native Plant Solutions-Ducks Unlimited Canada for professional services in the amount of \$10,500 plus applicable taxes to be provided in support of activities associated with the decommissioning of the Niverville Lagoon.

“Carried”

Res#179-14 A. Janz – J. Falk  
Authorize BE IT RESOLVED that Council members are authorized to attend the National Frog Jumping VIP Event in St-Pierre-Julys on Sunday, July 13, 2014.

“Carried”

Res#180-14 M. Dyck – A. Janz  
Accounts BE IT RESOLVED that cheques nos. 30781 to 30828 in the amount of \$131,948.72 are hereby approved for payment.

“Carried”

Res#181-14 M. Dyck – J. Falk  
Financial BE IT RESOLVED that the April 30, 2014 financial statement be accepted as presented.

“Carried”

Res#182-14 A. Janz – J. Falk  
BL 736-14 WHEREAS in 2012 Lot 1 and 2, Plan 52450 (civically known as 6 & 12 2<sup>nd</sup>  
1<sup>st</sup> Reading Street S.) was rezoned from “R1” (Single Family Residential Zone) to “R3” (Multiple Family Residential Zone) subject to a specific Development Agreement setting out terms and conditions for the proposed building;  
AND WHEREAS the Developer has since determined that the original Development Agreement is not in keeping with the current community residential requirements and is requesting that the Development Agreement be revised;  
AND WHEREAS to respect and ensure the integrity of the planning process, Town Council is required to repeal the zoning change and enact a new bylaw as a two-step process, with by-laws 736-14 and 737-14 being those two steps;  
AND WHEREAS citizens will once again have the opportunity to review and express concerns, if any, regarding the Developer’s building proposal;  
THEREFORE BE IT RESOLVED By-law No. 736-14, a by-law to amend By-law No. 663-08, is given first reading.

“Carried”

Res#183-14 M. Dyck – J. Falk  
BL 737-14 WHEREAS in 2012 Lot 1 and 2, Plan 52450 (civically known as 6 & 12 2<sup>nd</sup>  
1<sup>st</sup> Reading Street S.) was rezoned from “R1” (Single Family Residential Zone) to “R3” (Multiple Family Residential Zone) subject to a specific Development Agreement setting out terms and conditions for the proposed building;  
AND WHEREAS the Developer has since determined that the original Development Agreement is not in keeping with the current community residential requirements and is requesting that the Development Agreement be revised;  
AND WHEREAS to respect and ensure the integrity of the planning process, Town Council is required to repeal the zoning change and enact a new bylaw as a two-step process, with by-laws 736-14 and 737-14 being those two steps;  
AND WHEREAS citizens will once again have the opportunity to review and express concerns, if any, regarding the Developer’s building proposal;  
THEREFORE BE IT RESOLVED By-law No. 737-14, a by-law to amend By-law No. 663-08, is given first reading.

“Carried”

Res#184-14 A. Janz – M. Dyck  
Historical Commission WHEREAS a request has been brought to Council to reactivate the Niverville Historical Commission;  
AND WHEREAS Council would like to encourage the retention of historical data for the benefit of successive generations;

THEREFORE BE IT RESOLVED that Helen Sparrow be appointed as chair of the Niverville Historical Commission and encouraged to bring forward names of individuals for further appointment to the commission.

“Carried”

Res#185-14 A. Janz – M. Dyck

In Camera BE IT RESOLVED that in accordance with Section 152(3) of the Municipal Act, that Council meet as committee of the whole in camera.

“Carried”

Res#186-14 A. Janz – M. Dyck

Resume BE IT RESOLVED that the meeting of the committee of the whole be adjourned; AND BE IT FURTHER RESOLVED that Council, while in committee of the whole discussed matters that are in its preliminary stages and respecting which long terms plans for the development of the community.

“Carried”

Res#187-14 A. Janz – J. Falk

Adjourn BE IT RESOLVED that the meeting be adjourned. (9:15 p.m.)

“Carried”

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Deputy Mayor

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CAO