

## TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on March 7, 2017 at 7:00 p.m. at the Niverville Heritage Centre. In attendance were Mayor Myron Dyck, Deputy Mayor John Funk, Councillors Kevin Stott, Chris Wiebe and Nathan Dueck.

Res#66-17 J. Funk – C. Wiebe  
In Camera BE IT RESOLVED that in accordance with Section 152(3) of the Municipal Act, that committee meet in camera.  
“Carried”

Res#67-17 K. Stott – N. Dueck  
Resume BE IT RESOLVED that the meeting of the committee held in camera be adjourned;  
AND BE IT FURTHER RESOLVED that the Council while in camera discussed matters in the preliminary stages respecting long term plans for the development of the community.  
“Carried

Res#68-17 N. Dueck – K. Stott  
Agenda BE IT RESOLVED that the agenda be approved subject to the following additions:  
New Business: 10 e. Clipper Ice Sports – Permission to serve liquor at tournament  
10 f. Appoint NCPP Coordinator  
“Carried”

Res#69-17 J. Funk – C. Wiebe  
Minutes BE IT RESOLVED that the minutes of the regular Council meeting held on February 21, 2017 be approved.  
“Carried”

A Public Hearing was held at 7:09 p.m. regarding Conditional Use C1-17, an application from 6135367 MB Inc. to allow a planned unit development in a R3 zone on Lot 10, Block 6, Plan 19956, civically known as 71 4<sup>th</sup> Avenue S., Niverville. Luke Wiebe was present on behalf of 6135367 MB Inc. to provide an overview of the proposal. A number of residents were present to register their objection to the proposal and ask questions.

Res#70-17 J. Funk – C. Wiebe  
C1-17 WHEREAS a public hearing was held for Conditional Use C1-17, an application from 6135367 MB Inc. to allow a planned unit development in a Multi- Family R3 zone on Lot 10, Block 6, Plan 19956, civically known as 71 4<sup>th</sup> Avenue S.; AND WHEREAS Lot 10, Block 6, Plan 19956 is zoned R3 Multiple-Family Residential which permits multiple family dwellings and associated or compatible uses;  
AND WHEREAS the Conditional Use application was duly advertised and there were a number of residents who registered their opposition to the proposal;  
AND WHEREAS the concerns regarding the back lane, drainage, water utilities, and lighting will be addressed in a Development Agreement;  
THEREFORE BE IT RESOLVED that Council approves Conditional Use C1-17, an application from 6135367 MB Inc. to allow a planned unit development in a Multi- Family R3 zone on Lot 10, Block 6, Plan 19956, civically known as 71 4<sup>th</sup>

Avenue S. subject to the applicant entering into a Development Agreement with the Town.

“Carried”

A Public Hearing was held at 7:45 p.m. regarding Conditional Use C2-17, an application from Wiens Furniture to adjust the permitted number of signs on a building from one to seven on Lot 1, Block 3, Plan 19956, civically known as 132 Main Street. CAO Jim Buys provided an overview of the proposal, indicating that Niverville’s current zoning bylaw 663-08 does not speak to this type of signage without a conditional use application. Ed Lennon of SRS Signs & Service was present on behalf of Wiens Furniture to answer any questions. Mr. Lennon also presented Council with supporting documentation that showed a visual of the new signs. There was no opposition brought forward to the application.

Res#71-17  
C2-17

N. Dueck – K. Stott

WHEREAS a Public Hearing was held regarding Conditional Use Application C2-17, an application from Wiens Furniture to allow in addition to the one permitted identification sign, 6 additional signs on Lot 1, Block 3, Plan 19956, civically known as 132 Main Street;

AND WHEREAS the application was duly advertised and there were no concerns brought forward;

THEREFORE BE IT RESOLVED that Conditional use Application C2-17, an application from Wiens Furniture to allow in addition to the one permitted identification sign, 6 additional signs on Lot 1, Block 3, Plan 19956, civically known as 132 Main Street be approved as presented.

“Carried”

A Public Hearing was held at 7:50 p.m. regarding Conditional Use C3-17, an application from Mel Buhler on behalf of 4838981 MB Inc. to allow for an automotive sales and equipment repair shop in a C2A Zone on 3E DESC 7 SE 36, civically known as 1789 Main Street. Mr. Ray Dowse was present on behalf of Mel Buhler to answer any questions. There were 2 residents present who requested clarification on the proposal. The matters in question included parking, fencing, lighting and security cameras. As Mr. Dowse was not prepared to address the specific details requested during the hearing, Council advised that permission would be provided in principle subject to the property owner discussing the questions and having the responses being addressed in a Development Agreement with the Town. There was no opposition brought forward to the application.

Res#72-17  
C3-17

K. Stott – C. Wiebe

WHEREAS a Public Hearing was held regarding Conditional Use Application C3-17, an application from Mel Buhler on behalf of 4838981 MB Inc. to allow for an automotive sales and equipment repair shop in a C2A Zone on 3E DESC 7 SE 36, civically known as 1789 Main Street;

AND WHEREAS the application was duly advertised and there was to opposition brought forward to the application;

AND WHEREAS the items of parking, fencing, lighting and security cameras require further clarification from the property owner in order to determine the impact on the surrounding properties and potential conditions being mandatory;

THEREFORE BE IT RESOLVED that Conditional use Application C3-17, an application from Mel Buhler on behalf of 4838981 MB Inc. to allow for an automotive sales and equipment repair shop in a C2A Zone on 3E DESC 7 SE 36, civically known as 1789 Main Street be approved in principle subject to the

matters of parking, fencing, lighting and security cameras being included in a Development Agreement with the Town.

“Carried”

Res#73-17 J. Funk – K. Stott  
Road Rehab BE IT RESOLVED that following the Town’s due tendering process, that the  
Contracts following contracts are awarded for the Town’s annual road rehabilitation  
program for 2017:  
a) MSO Construction Limited (Etobicoke, ON) for Microseal at the rate of  
\$9.72/square meter plus applicable taxes; and  
b) Bituminex Paving Ltd. (Winnipeg, MB) for the road asphalt patching at the  
rate of \$59/square meter, \$49,500 for paving the Cedar Drive Intersection and  
\$61.14/Linear meter (walking path) plus applicable taxes.

“Carried”

Res#74-17 K. Stott – N. Dueck  
Imagine Run WHEREAS the Imagine Run 2017 is scheduled to occur in Niverville on  
September 23, 2017;  
AND WHEREAS the Imagine Run organizing committee has requested  
permission for certain road closures;  
AND WHEREAS the Imagine Run organizing committee has requested  
permission to host a color run and paint party;  
AND WHEREAS the Town recognizes the significance of promoting Mental  
Health Matters initiatives and commends the Imagine Run committee for their  
role as advocate for mental health;  
THEREFORE BE IT RESOLVED that Council approves the road closure as  
described on Schedule “A” attached hereto, subject to permitting local traffic  
access.  
AND BE IT FURTHER RESOLVED that advance notification be provided to  
Niverville’s Emergency Services and the RCMP.  
AND BE IT FURTHER RESOLVED that the Imagine committee will be  
responsible for any clean up required for the hosting of the color party.

“Carried”

Res#75-17 C. Wiebe – N. Dueck  
Sponsor BE IT RESOLVED that Niverville sponsor the “Exhibitor Mixer” event on March  
31, 2017 for the Southeast Home Inspirations Show at a cost of \$2,000.

“Carried”

Res#76-17 K. Stott – J. Funk  
Accounts BE IT RESOLVED that cheque nos. 34771 to 34813 totalling \$322,154.20 be  
hereby approved for payment.

“Carried”

Res#77-17 J. Funk – N. Dueck  
Fire WHEREAS the RM of Hanover has requested a revised reciprocal services  
Agreement agreement with the Town of Niverville;  
AND WHEREAS the RM of Hanover has served notice that it intends to request  
that the Niverville Fire and Emergency Service attend any structure fire located  
within 2 miles of the Town’s boundaries;  
THEREFORE BE IT RESOLVED that the Town enter into a revised agreement  
with the RM of Hanover for Fire Protection Services which shall be effective  
upon the execution of the agreement and remaining in force until terminated by  
either party.

“Carried”

Res#78-17 C. Wiebe – J. Funk  
Emergency Plan WHEREAS an updated Emergency Plan to provide guidance for prompt and coordinated response to emergencies or disasters affecting the Town of Niverville has been prepared by QMEC NET Ltd. and subsequently reviewed by staff, including the Town’s Emergency Coordinator;  
AND WHEREAS it is understood the Town’s Emergency Plan is a “living” document that will be amended on a regular basis to reflect evolving situations that may negatively impact residents and businesses;  
THEREFORE BE IT RESOLVED that Council approves the Emergency Plan dated March 7, 2017 as the Town’s policy in the event of emergency or disaster affecting Niverville.

“Carried”

Res#79-17 N. Dueck – C. Wiebe  
NCOC Grant WHEREAS the Niverville Chamber of Commerce is proposing to raise their membership rates for 2017 by \$10 to \$95;  
AND WHEREAS the Town of Niverville has provided a matching grant equal to each business located within Town boundaries who is a member of the Chamber;  
AND WHEREAS the Town wishes to continue in 2017 to acknowledge the important roll an involved and active Chamber can perform in developing a successful progressive community;  
THEREFORE BE IT RESOLVED that the 2017 Chamber of Commerce grant paid to the Niverville Chamber of Commerce for current members effective March 7, 2017 be raised to \$95 per each full-year business member located within Town boundaries and \$47.50 for each Niverville individual member.

“Carried”

Res#80-17 K. Stott – J. Funk  
Ice Rental Rate WHEREAS a request was received from Eddie Walker on behalf of the grade 3 teachers of the Niverville Elementary (NES) to secure ice time (on March 23, 2017) at no cost or at a cost lower than the standard ice rental rate as a means to support a day of health and exercise for students;  
AND WHEREAS in 2012 Council passed Resolution#364-12 indicating that NES be advised that the Town will be increasing its Centennial Arena subsidies rental rate in subsequent years by \$50.00 per year until such time as the variable operational costs of the Niverville Centennial Arena are covered by the rental fee;  
AND WHEREAS abiding by the 2012 precedent, the total cost of the March 23, 2017 ice rental would be \$475.00 for 12 hours, rounded up to \$40/hour;  
THEREFORE BE IT RESOLVED that the March 23, 2017 ice rental rate for the grade 3 students of the Niverville Elementary be \$40/hour plus GST, for a total of \$84.00.

“Carried”

Res#81-17 K. Stott – C. Wiebe  
Liquor Permit WHEREAS a request was received from Clipper Ice Sports for permission to serve liquor during their annual 4 on 4 adult hockey tournament on March 24-26, 2017;  
THEREFORE BE IT RESOLVED that subject to the following conditions, Council grants Clipper Ice Sports (CIS) permission to serve liquor during their annual 4 on 4 adult hockey tournament on March 24-26, 2017:  
1) CIS will be responsible for obtaining any permit approval required under Manitoba Liquor and Gaming;  
2) Tournament participants will be required to stay in the South End after the ice rental has ended and players have vacated the dressing rooms; and

2) CIS will be responsible for the clean-up of the South End and locking up the facility by 1:00 a.m. on Friday and Saturday and 8:00 p.m. on Sunday.

“Carried”

Res#82-17 J. Funk – K. Stott

NCPP

WHEREAS Jim Mahoney after serving for 2 years as the coordinator of the Niverville Crime Prevention Patrol (NCPP) has asked to be relieved of his duties though wishing to stay on as a volunteer with the organization;

AND WHEREAS the community is indebted to Jim Mahoney for reorganizing and coordinating the NCPP program to the successful levels it is currently enjoying;

AND WHEREAS Keith Brazil has volunteered to assume the coordinator’s role of NCPP;

THEREFORE BE IT RESOLVED that Council appoints Keith Brazil as the coordinator of the Niverville Crime Prevention Patrol (NCPP), a Town sponsored program involving volunteers patrolling the community , serving as its “eyes and ears” in effectively deterring and reporting suspicious activity to the RCMP.

“Carried”

Res#83-17 N. Dueck – C. Wiebe

Adjourn

BE IT RESOLVED that the meeting be adjourned. (8:21 p.m.)

“Carried”

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Mayor

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Town Manager

*An Open House forum showcasing the Town’s draft 2017 Financial Plan followed the Council meeting.*

Minutes of a Public Hearing regarding Conditional Use Application C1-17 from 6135367 MB Inc., to allow a planned unit development in a R3 zone on Lot 10, Block 6, Plan 19956, civically known as 71 4<sup>th</sup> Avenue S. All member of Council were present with Mayor Myron Dyck serving as chairperson.

1. Sara Monk (Chris Murphy) of 60 3<sup>rd</sup> Avenue S. brought forward a letter of opposition with concerns about the following:
  - a. Potential disruption to the root system of their trees located at the rear of their property line;
  - b. Privacy;
  - c. Use of the back lane between 3<sup>rd</sup> Avenue S. and 4<sup>th</sup> Avenue S.;
  - d. Drainage;
  - e. The increase in density and subsequent concern for security;
  - f. Increase in noise;
  - g. Water Utilities affecting well system;
  - h. Lighting into rear yard;
  - i. Construction time frame, hours of work and dust/materials (allergy) affecting neighboring property; and
  - j. Effect on property value.
2. Helen Peters of 56 3<sup>rd</sup> Avenue S. expressed concern about the following:
  - a. The use of the back lane as she is currently using this as a driveway;
  - b. Drainage; and
  - c. Density of development and increase in number of vehicles.
3. Dawn Prystensia of 50 3<sup>rd</sup> Avenue S. echoed Helen Peters' concerns.
4. Karl Reimer of 15 Alders Gate voiced a concern that the increase in density was too great.

One other resident was observing at the hearing but did not indicate whether he was in favour or objected to the proposal.

Questions from Council members and response from Developer and Staff were as follows:

- a. Is there potential to protect the treeline by moving the location of the fence?
  - The Developer will consider this option.
- b. What are the fence height maximums under the Manitoba Building Code?
  - The fence height can be amended through the variation process. Based on where the actual base of the fence is placed on the fence posts, the resulting height of the fence in relation to the ground may be increased.
  - The Developer is willing to increase the fence height as high as possible to protect the privacy of the neighbours.
- c. Suggestion to have the trees evaluated to determine where they are at in terms of life expectancy to gauge how much effort should be expended to save them.
- d. Engineers have reviewed the back lane with respect to the drainage. There is a LDS system (buried drainage) currently in place that could potentially be lowered to increase drainage.

The Public Hearing was adjourned at 7:45 p.m.

# SCHEDULE "A"

## Imagine Run 2017 Race Route

