

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on February 20, 2018 at 9:00 a.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#49-18 N. Dueck – J. Funk
In Camera BE IT RESOLVED THAT in accordance with Section 152(3) of the Manitoba Municipal Act, that committee meet in camera.
“Carried”
- Res#50-18 K. Stott – C/ Wiebe
Resume BE IT RESOLVED that the meeting of committee be adjourned and that Council resume its former order of business;
AND BE IT FURTHER RESOLVED that the Council while in camera discussed development matters.
“Carried”
- Res#51-18 C. Wiebe – J. Funk
Agenda BE IT RESOLVED that the agenda be accepted as presented.
“Carried”
- Res#52-18 N. Dueck – C. Wiebe
Minutes BE IT RESOLVED that the minutes of the regular Council meeting held on February 6, 2018 be approved as presented.
“Carried”
- Res#53-18 J. Funk – C. Wiebe
Public Hearing BE IT RESOLVED that the Council meeting agenda be tabled and that
V1-18 Council sit in accordance with the Planning Act to hold the Public Hearing for Variation Application V1-18, to vary the following for a Planned Unit Development:
- Parking in front yard in a R3 Zone
- Front Setback from 30 feet to 27 feet
- Rear Yard setback (Building B) from 25 feet to 18 feet to accommodate open unenclosed stairways
- Rear yard setback (Building D) from 25 feet to 15 feet
on Lots 10 and 11, Block 6, Plan 19956, civically known as 71 & 79 4th Ave. S.
“Carried”
- Res#54-18 N. Dueck – J. Funk
Resume BE IT RESOLVED that the Public Hearing for Variation Application V1-18 be closed and Council resume its former order of business (7:20 p.m.)
“Carried”
- Res#55-18 C. Wiebe – K. Stott
V1-18 WHEREAS a Public Hearing was held for Variation Application V1-18, an application from 6135367 MB Inc. to vary the following:
- Parking in front yard in a R3 Zone
- Front Setback from 30 feet to 27 feet
- Rear Yard setback (Building B) from 25 feet to 18 feet to accommodate open unenclosed stairways
- Rear yard setback (Building D) from 25 feet to 15 feet

on Lots 10 and 11, Block 6, Plan 19956, civically known as 71 & 79 4th Ave. S.;
AND WHEREAS this variation order is requested to permit the construction of
four multi-family housing units as a Planned Unit Development;
AND WHEREAS the application was duly advertised and there one resident who
objected to the proposal based on the size of the proposed suites and subsequent
increase to traffic in the area;

THEREFORE BE IT RESOLVED that Variation Application V1-18 from
6135367 MB Inc. to vary the following:

- Parking in front yard in a R3 Zone
- Front Setback from 30 feet to 27 feet
- Rear Yard setback (Building B) from 25 feet to 18 feet to
accommodate open unenclosed stairways
- Rear yard setback (Building D) from 25 feet to 15 feet

on Lots 10 and 11, Block 6, Plan 19956, civically known as 71 & 79 4th Ave. S.
be approved as presented.

“Carried”

Res#56-18
Award
Contract
6th Ave. S.

J. Funk – C. Wiebe
BE IT RESOLVED that following the Town’s due tendering process, that the
contract for rebuilding 6th Avenue S. Phase 2 be awarded to Fast Brothers, who
submitted the highest scoring bid of \$273,400 plus applicable taxes, with a Town
controlled contingency up to \$300,000 (plus applicable taxes).

“Carried”

Res#57-18
Capital Dev.
Fee Increase

J. Funk – N. Dueck
WHEREAS Council has reviewed Niverville’s Capital Development Fees to
ensure that rates reflect an equitable contribution to Town assets;
AND WHEREAS Council has worked with the local developers on an equitable
timeline for both sides to increase the capital fees in new developments;
THEREFORE BE IT RESOLVED that Council approves the following rate
increases to Niverville’s Capital Development Fees (rates below reflect single
family residences):

1. February 20, 2018 \$5,000** (effective with new Development
Agreements for 2018 only)
2. January 1, 2019 \$5,750

AND BE IT FURTHER RESOLVED that the following rate increases are
proposed for the years 2020/2021 and will be reviewed and formally passed one
year prior to going into effect:

1. January 1, 2020 \$6,750
2. January 1, 2021 \$8,000

AND BE IT FURTHER RESOLVED that \$500 per lot collected from the Capital
Development Fees will be allocated to the Town’s marketing budget.

“Carried”

Res#58-18
BL
Enforcement

N. Dueck – C. Wiebe
BE IT RESOLVED that Niverville’s Animal Control Bylaw 691-10 and Zoning
Bylaw 663-08 (plus new zoning bylaw scheduled for implementation in 2018)
and excluding Development Agreements, be added to Bylaw Enforcement 778-17
Schedule A.

“Carried”

Res#59-18 J. Funk – N. Dueck
Health Found. BE IT RESOLVED that the Town purchase 10 tickets at a total cost of \$600 for
Banquet the 2018 Health Foundation/Fire and Emergency Services Fundraising banquet
scheduled for March 2, 2018 to allow Council members to be in attendance.
“Carried”

Res#60-18 C. Wiebe – N. Dueck
Policy A2-18 BE IT RESOLVED that Council approves Niverville’s Accessibility
Standards/Customer Service Policy A2-18, copy of which is attached hereto as
Schedule “A”.
“Carried”

Res#61-18 K. Stott – J. Funk
Accounts BE IT RESOLVED that cheque nos. 35904 to 35955 totalling \$96,991.98
be hereby approved for payment.
“Carried”

Res#62-18 C. Wiebe – K. Stott
BL 789-18 BE IT RESOLVED THAT Council gives first reading to Bylaw 789-18, a bylaw
to rezone the area generally described as Lots 69-78, Plan 53344 from “R1”
Single Family Residential Zone to “R2” Two Family Residential Zone, civically
known as Breckenridge Drive.
“Carried”

Res#63-18 J. Funk – N. Dueck
Subdivision BE IT RESOLVED that Council approves subdivision application Community
Sunset Est. Planning File no. 4340-18-7980, a minor subdivision to realign the boundary and
consolidate Lots 1 & 3, Plan 47174, NE1/4 25-7-3 EPM, registered owner Sunset
Estates Ltd.
“Carried”

Res#64-18 N. Dueck – C. Wiebe
Adjourn BE IT RESOLVED that the meeting be adjourned. (7:50 p.m.)
“Carried”

Mayor

Town Manager

SCHEDULE “A”



TOWN OF NIVERVILLE-ADMINISTRATION

POLICY NO. A2-18:	<u>Accessibility Standards/Customer Service</u>	
EFFECTIVE DATE:	<u>February 20, 2018</u>	RESOLUTION# <u>60-18</u>
REVISION DATE:	_____	RESOLUTION# _____

BACKGROUND/INTENT:

The Town of Niverville is committed to the following:

- a) Accessibility for Manitobans Act and its accessibility standard;
- b) Accessibility Customer Service Standard under the Accessibility for Manitoban Act; and
- c) Excellence in serving all customers including people with disabilities.

Our accessible customer service policies are consistent with the principles of independence, dignity and equality of opportunity for people with disabilities.

POLICY/PROCEDURE:

A. Communication

The Town of Niverville will communicate with people disabled by barriers in ways that take into account the nature of the barrier. This may include the following:

- Use of the phrase “How can we help?”
- Easy to read fonts and plain language
- Paper and pen available

The Town of Niverville will work with the person to determine the barrier and what method of communication works for them.

1. Signage on Municipally Owned Facilities:

The Town of Niverville will initiate a protocol to adopt the following sign guidelines when replacing signage at any Town owned facility:

a) Accessible Sign Guidelines

Signs typically have three functions.

- i. Informative, advising about availability of a facility or service
- ii. Directional, directing individuals to a specific facility
- iii. Locational, identifying the place where the facility is provided

b) Readability by Sight:

- Use a sans serif typeface. Suitable typefaces are Arial, and Helvetica
- Avoid using italics, underlining, and block capitals
- Lettering should be in title case or sentence case
- Ensure the background contrasts with the print. Clear combinations include black text on a white background, white on black, yellow on black or black on yellow
- Do not print information over pictures or patterns

c) Pictograms

- Use internationally recognized symbols

d) Placement

- Signs should be at a consistent height and location around the building
- Place signs logically as close as possible to the object they are indicating
- Signs should be placed at a height of 55” from the floor to the bottom of the sign. This is considered optimum viewing height for people standing up and in wheelchairs
- For playgrounds or facilities where the main population is likely to be children, the signs can be 36-40” from the floor to the bottom of the sign.
- Avoid suspended signs where possible; they are difficult to locate and too high to be read by a low-vision person
- Avoid protruding or sandwich boards, they are a safety hazard

e) Contrast/Layout

- Ensure that the sign contrasts with its background so it can be located more easily by low-vision people. For example, on a light-colored wall, use a sign with a dark background and light print.
- Avoid placing signs on backgrounds which contain a lot of visual clutter
- Ensure the sign is in an area with good lighting
- Use non-reflective surfaces and ensure there is no glare
- All text on a sign should be left-aligned and set horizontally

B. Assistive devices

People with disabilities may use their personal assistive devices when accessing our goods, services or facilities.

In cases where the assistive device presents significant and unavoidable health or safety concerns, other measures will be used to ensure the person with a disability can access our goods, services or facilities.

If an employee is required to touch or move an assistive device they must ask for permission.

C. Support persons

A person with a disability is welcomed to be accompanied by a support person. The Town will accommodate the support person with the provision of free access to a facility or event. Staff is reminded however, that the person with the disability, not the support person is the customer.

D. Service animals

The Town of Niverville welcomes people with disabilities and their service animals.

Service animals are allowed on the parts of our premises that are open to the public.

When it is not easy to identify that an animal is a service animal and if appropriate, staff may ask:

- Is the animal assisting you with a disability?
- What assistance has the dog or other animal been trained to provide related to the disability?

[(A service animal can often be identified through visual indicators, such as its harness or vest, or through the assistance it is providing. In some cases, a person’s disability may prevent the individual from maintaining physical control of the animal. Then, the person is expected to maintain control of the animal through voice, signal or other means.)]

If service animals are prohibited by another law or extenuating circumstance, we will do the following to ensure people with disabilities can access our goods, services or facilities:

- Explain why the animal is excluded

- Discuss with the customer another way of providing goods, services or facilities
- The Town of Niverville under Bylaw 691-10 exempts the license fee for a dog specifically trained as a “Guide Dog”.

E. Maintain Barrier Free Access

The Town of Niverville will maintain barrier-free access by:

- Keeping hallways and waiting meeting rooms clear of clutter such as boxes
- Keeping entrance ways cleared of snow and ice
- Ensuring the placement of standing signage is not a tripping hazard having space for mobility device device in waiting room

F. Notice of Temporary Disruption

In the event of a planned or unexpected disruption of services or facilities for customers disabled by barriers, The Town of Niverville will promptly post notices and, when possible, announce the disruption. A clearly posted notice or announcement will include information about the reason for the disruption, its anticipated length of time, and a description of alternative facilities or services, if available.

Services/Facilities include:

- Accessible washroom
- Elevator where applicable
- Automatic doors

The notice will be made publicly available in the following ways:

- Posted on website and Facebook
- Posted at entrance

G. Feedback Process

The Town of Niverville welcomes feedback on how we provide accessible customer service. Customer feedback will help us identify barriers and respond to concerns.

Customers will be notified how to provide feedback in the following ways:

- Website
- Phone
- Visit reception desk

All feedback, including complaints, will be handled in the following manner:

- Feedback will be directed to the appropriate staff or Council member

We will make sure our feedback process is accessible to people with disabilities by providing accessible formats and communication supports, on request.

H. Training

The Town of Niverville will provide accessible customer service training to:

- All employees and volunteers

Training will include:

- The purpose of The Accessibility for Manitobans Act and the requirements of the customer service standard
- Explaining all policies relating to the Accessibility Standard for Customer Service
- Awareness of the Human Rights Code
- How to interact and communicate with people disabled by barriers
- How to interact with people with disabilities who use an assistive device or require the assistance of a service animal or a support person
- What to do if a person with a disability is having difficulty in accessing our goods, services or facilities
- Staff will also be informed and or trained when changes are made to our accessible customer service policies

I. Accessible Public Events

The Town of Niverville will make public events accessible by:

- Announcing events in a manner that is accessible
- Holding event(s) in accessible meeting places

J. Municipal Facilities:

The Town of Niverville has adopted a detailed checklist of minimum standards for accessibility (see **Schedule A** of this Policy)

The Town of Niverville will rely on these guidelines when identifying a location to host Municipal gatherings (events, programs, meetings, etc.) so that facilities meet a minimum standard of accessibility.

K. Modifications to this or other policies/actions/implementation

Any policies of The Town of Niverville that do not respect and promote the principles of dignity, independence, integration and equal opportunity for people with disabilities will be modified or removed.

- Includes a review of existing policies

SCHEDULE A
TOWN OF NIVERVILLE POLICY A2-18
Accessibility Standards Municipal Facility Standards Checklist

Parking

- Are there accessible parking spaces reserved?
- Are the accessible parking spaces located closest to the accessible route and accessible building entrance?
- Is the accessible space identified with a permanent sign
- Is the curb cut/ramp flush with the surrounding grade?

Exterior Accessible Route

- Does the accessible route provide for a clean, unobstructed width of at least 36 inches?
- Is the surface firm, stable and slip resistant
- Are all slopes along the accessible route less than 1:20?
- Does the accessible route properly connect the accessible buildings, elements and spaces?

Entrance/Exterior Doors

- If there are stairs at the entrance is there also a ramp?
- If a main entrance is not accessible is a public entrance to the building accessible?
- If alternate public entrance is used is it kept unlocked to provide for independent usage?
- Does entrance door have a 32 inch clear opening? (Minimum)
- If the door has a closer does it take at least 5 seconds to close from the door angle of 90 degrees to 12 degrees?
- Is there a kick plate 12 inches high extending the width of the door on the push side? (Except for automatic and power doors)

Ramps

- Do all ramps longer than 6 feet have handrails on both sides?
- Are the handrails sturdy?
- Is the ramp firm, stable and non-slip and designed to prevent water build up on the surface?
- Is there a level landing located at the top and bottom of the ramp?

Interior Accessible Route

- Does the accessible entrance provide direct access to the main floor, lobby?
- Are all public spaces on an accessible path of travel?
- Is the accessible route at least 36 inches wide?
- Are all aisles and pathways to all goods and services at least 36 inches wide?

Bathrooms

- Do washroom entrances have automatic doors?
- If not, are the washroom doors easy to open?
- Is there at least one accessible washroom facility that includes more space for turning around, with wider doors, pull-up handles and fixtures that are placed no higher than 36 inches?
- Do the sinks allow for toe space and for a wheelchair to fit underneath?
- Are the faucets of the type that don't allow twisting, pinching or grasping?
- For hand-drying, either paper or hot air, is the dispenser placed less than 48" from the floor?

SCHEDULE "B"

Minutes of a Public Hearing held on February 20, 2018 at 7:05 p.m. regarding Variation Application V1-18, being an application from 6135367 MB. Inc. to vary the following for a Planned Unit Development:

- Parking in front yard in a R3 Zone
- Front Setback from 30 feet to 27 feet
- Rear Yard setback (Building B) from 25 feet to 18 feet to accommodate open unenclosed stairways
- Rear yard setback (Building D) from 25 feet to 15 feet

on Lots 10 and 11, Block 6, Plan 19956, civically known as 71 & 79 4th Ave. S.

Mayor Myron Dyck served as chairperson, with all members of Council in attendance.

1. Luke Wiebe on behalf of 6135367 MB. Inc. provided an overview of the proposed development for 71 and 79 4th Avenue S.
2. Viola Toews of 61 4th Avenue S. objected to the size of the suites in the development proposal and the subsequent increase to traffic in the area.

Hearing was adjourned at 7:20 p.m.

