

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on December 18, 2018 at 7:00 p.m. at the Niverville Heritage Centre. In attendance were Mayor Myron Dyck, Deputy Mayor John Funk and Councillors Kevin Stott, Chris Wiebe and Nathan Dueck.

Res#412-18 K. Stott – N. Dueck
 Agenda BE IT RESOLVED that the agenda be approved as presented. “Carried”

Res#413-18 C. Wiebe – J. Funk
 Minutes BE IT RESOLVED that the minutes of the regular Council meeting held on December 4, 2018 and Special Council meeting held on December 11, 2018 be approved as presented. “Carried”

Res#414-18 C. Wiebe – N. Dueck
 Interim BE IT RESOLVED that the following interim budget be adopted for 2019:

General Government Services	\$356,000	
Protective Services	185,000	
Transportation	496,000	
Environmental Health	111,000	
Public Health and Welfare Services	17,000	
Environmental Development Services	85,000	
Economic Development Services	53,000	
Recreation and Cultural Services	952,000	
Fiscal Services	<u>346,000</u>	
<i>Sub-Total</i>		\$2,601,000
Water Utility	110,000	
Sewer Utility	<u>109,000</u>	
<i>Sub-Total</i>		\$ 219,000

Reserves:		
Machinery	60,000	
Protective Equipment	125,000	
Capital Development	7,500	
Recreation Development	40,000	
Office	400,000	
Road Reconstruction	80,000	
General	1,300,000	
Community Resource Centre	--	
Gas Tax	--	
Sewer	100,000	
Water	<u>20,000</u>	
<i>Sub-Total</i>		\$2,132,000
TOTAL INTERIM		<u>\$4,952,500</u>

AND BE IT FURTHER RESOLVED that the Town Manager or his designate be authorized to pay all regular recurring expenses. “Carried”

Res#415-18 C. Wiebe – K. Stott
Construction Standards BE IT RESOLVED that Council approves an update to the Town’s Construction Standards, copy of which is available upon request from the Administration Office.
“Carried”

Res#416-18 J. Funk – K. Stott
BL 804-18 WHEREAS Section 130 of *The Municipal Act* provides that Council may by
1st Reading bylaw establish one or more designated officer positions to carry out the powers, duties and functions of a designated officer under the authority of a municipal bylaw or provincial legislation;
THEREFORE BE IT RESOLVED that Council gives first reading to Bylaw 804-18, being a bylaw to create the positions of designated officers for the Town of Niverville.
“Carried”

Res#417-18 K. Stott – N. Dueck
BL 805-18 BE IT RESOLVED that Council gives first reading to Bylaw 805-18, being a
1st Reading bylaw to provide for licensing, controlling, regulating and safety of local vehicles for hire within the municipality.
“Carried”

Res#418-18 J. Funk – C. Wiebe
BL 791-18 WHEREAS Bylaw 791-18 provides for the regulation and control of the use
Update of new and existing buildings and structures, including the construction, placement, alteration, repair, renovation, demolition, relocation, removal and erection of a structure or addition to a building;
AND WHEREAS Schedule “A” Fee Schedule of said Bylaw may be amended from time to time by resolution of Council;
THEREFORE BE IT RESOLVED that Schedule “A” of Bylaw 791-18 is hereby amended, copy of which is attached hereto as Schedule “A”.
AND BE IT FURTHER RESOLVED that changes to Schedule “A” of Bylaw 791-18 come into force and take effect on January 1st, 2019.
“Carried”

Res#419-18 N. Dueck – C. Wiebe
O/S Security Deposits WHEREAS Niverville’s Finance Department has compiled a listing of outstanding and unclaimed Building Permit and Sewer Permit security deposits from 2015 and 2016;
AND WHEREAS the list represents those properties for which final inspections have not been completed satisfactorily nor have arrangements been made by the applicant to complete the final inspections as per Town policy;
AND WHEREAS the residences have all been occupied with some properties having been sold to a third party since originally being constructed;
THEREFORE BE IT RESOLVED that the expired Building Permit and Sewer Permit security deposits from 2015 and 2016 in the amounts of \$26,500 for building permits and \$1,500 for sewer permits for properties that have not received satisfactory final inspections nor arrangements made for the completion of same be moved to the General Operating fund.
AND BE IT FURTHER RESOLVED that Council is prepared to review requests for reimbursement of the Building Permit and Sewer Permit security deposits from 2015/2016 should the original applicant provide evidence of compliance with final inspections and submit a written request to Council for consideration before September 1, 2019.
“Carried”

Res#420-18 J. Fun – C. Wiebe
Authorize BE IT RESOLVED that members of Council are authorized to attend the Waste Management Reduction seminar (Winnipeg Metro Region) on January 17th, 2019.
“Carried”

Mayor Dyck reported that Council had recently met with the new RM of Hanover Council and plans were in place to meet with the new RM of Ritchot Council on January 3rd, 2019. He also noted that Niverville was recently successful in their request to get re-assigned to the Springfield-Ritchot constituency, which is in keeping with the municipalities that Niverville converses with.

Res#421-18 C. Wiebe – J. Funk
Accounts BE IT RESOLVED that cheque nos. 36944 to 36994 totalling \$315,838.12 be hereby approved for payment.
“Carried”

Res#422-18 K. Stott – C. Wiebe
Nov. F.S. BE IT RESOLVED that the November 30, 2018 Financial Statement be approved as presented.
“Carried”

Res#423-18 N. Dueck – C. Wiebe
Adjourn BE IT RESOLVED that the meeting be adjourned. (7:18 p.m.)
“Carried”

Res#424-18 N. Dueck – C. Wiebe
Reverse BE IT RESOLVED that Resolution 423-18, being the adjournment of the December 18, 2018 Council meeting, be reversed to attend to an agenda item that was inadvertently overlooked.
“Carried”

Res#425-18 N. Dueck – C. Wiebe
BL 795-18 WHEREAS Zoning Bylaw 795-18 received had its public hearing on
2nd Reading December 11, 2018, where minor changes were requested;
AND WHEREAS minor changes were incorporated into Bylaw 795-18, copy of which are attached hereto as Schedule “B”;
THEREFORE BE IT RESOLVED that Bylaw 795-18 as amended, being a new zoning bylaw for Niverville, be given second reading.
“Carried”

Res#426-18 J. Funk – K. Stott
BL 795-18 BE IT RESOLVED that Bylaw 795-18 as amended, being a new zoning bylaw for
3rd Reading Niverville, be given third reading and passed.
“Carried”
In Favour: M. Dyck, J. Funk, K. Stott, C. Wiebe, N. Dueck

Res#427-18 N. Dueck – C. Wiebe
Adjourn BE IT RESOLVED that the meeting be adjourned. (7:25 p.m.)
“Carried”

Mayor

Chief Administrative Officer

SCHEDULE "A"
BYLAW 791-18 - FEE SCHEDULE

1. Sewer Permit/Curb Cut Fees \$ 35.00 **plus**
inspections
 - A. Sewer Connection Inspection (per) \$ 50.00
 - B. Where a connection is made to the sewer main a damage deposit of \$ **2,000.00** is required, refundable within 90 days of completion of and necessary road repair; if damages are in excess an invoice will be sent and due within 30 days. If invoice remains unpaid, balance due will be placed on property taxes.
 - C. Sewer connection to a sewer manhole requires prior written approval of Operations Manager.

2. Occupancy Permit
 - A. Where the nature of the occupancy is changed and where no other permit is required. \$ 50.00
 - B. When partial occupancy is requested and a permit has been taken out. \$ 50.00

3. Zoning Violations
That authority be hereby granted to the designated staff to grant or refuse at their discretion minor variations as per limits of *The Planning Act* and the following regulations:
 - A. Variation fees for all buildings and structures, **pre-construction**:
 1. Minor Tolerance: \$ 200.00 (see C)
 2. Major Tolerance: \$ 500.00 (see D)
 - B. Variation fees for all buildings and structures, **after construction has begun**:
 1. Minor Tolerance: \$ 500.00 (see C)
 2. Major Tolerance: \$ 1,000.00 (see D)
 - C. A **minor** variation tolerance shall not exceed fifteen (15) percent (according to *The Planning Act*).
 - D. A **major** variation tolerance would be in excess of fifteen (15) percent and requires Council approval.

4. Conditional Use Application Fee \$ 300.00
 - A. Post-Use without Approved Conditional Use in Place
 - i. Single Family Residential \$ 500.00
 - ii. Commercial / Industrial \$ 900.00

5. Zoning or Development Bylaw Amendments \$ 1,500.00
Includes cost of advertising.

6. Administrative Review (as per policy D3-13) \$ 250.00

7. Zoning Memorandum \$ 35.00
NOTE: opinion will be granted only on a true original copy of a surveyor's certificate being provided.

8. Tax Certificate \$ 35.00

9. Development Permit Fee
 - A. Structure **with a footprint less than 6,450** sq. ft. no charge
 - B. Structure **with a footprint more than 6,450** sq. ft. or larger, or higher than three (3) stories, or a public meeting place \$ 35.00 **plus**
\$ 0.05 / sq. ft.

10. Standard Home Inspection Rates

A. Single Family Home	\$ 750.00
B. Duplex	\$ 1,270.00
C. 3 Plex	\$ 1,520.00
D. 4 Plex	\$ 1,740.00
E. 5 Plex	\$ 2,280.00
F. 6 Plex	\$ 2,510.00
G. 7+ units	As determined by the Building
Inspector	

11. Building Permit Fee shall be:

\$ 35.00 **plus** inspection **plus**

A. A single storey building:	\$ 0.10 / sq. ft.
B. A bi-level residential home:	
i. Main Floor:	\$ 0.10 / sq. ft.
ii. Finished Secondary Floor:	\$ 0.05 / sq. ft.
C. For multi-storey buildings:	
i. Main floor:	\$ 0.10 / sq. ft.
ii. Each additional floor:	\$ 0.05 / sq. ft.
D. For multi-story residential buildings:	
i. All floors	\$ 0.10 / sq. ft.
E. Finished Basements:	\$ 0.06 / sq. ft.
F. Commercial / Industrial:	
i. Main Floor General Use (less than 6,450 sq. ft. footprint)	\$ 0.10 / sq. ft.
ii. Office Space (less than 6,450 sq. ft. footprint)	\$ 0.10 / sq. ft.
iii. Each additional floor (less than 6,450 sq. ft. footprint)	\$ 0.05 / sq. ft.
iv. Residential on Second Storey & Above	\$ 0.10 / sq. ft.
G. Sunroom / Screened-in Porch	\$ 0.06 / sq. ft.
H. Secondary Suites:	\$ 0.10 / sq. ft.
I. Master Bedroom on 2 nd Floor above Garage	\$ 0.10 / sq. ft.

12. Accessory Building Permit Fees shall be:

\$ 35.00 **plus**

inspections **plus**

A. Square footage of building	\$ 0.06 / sq. ft.
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13. Renovations (improvements to building)

\$ 35.00 **plus** inspections **plus**

A. Square footage of project in basement	\$ 0.06 / sq. ft.
B. Square footage of project on main floor	\$ 0.10 / sq. ft.
C. Square footage of project on 2 nd floor & up	\$ 0.05 / sq. ft.
D. Sunroom / Screened-in Porch	\$ 0.06 / sq. ft.
E. Secondary Suites	\$ 0.10 / sq. ft.
F. Master Bedroom on 2 nd Floor above Garage	\$ 0.10 / sq. ft.

14. Deck Permit

\$ 35.00 **plus**

A. Inspections	\$ 50.00 / inspection
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15. Demolition Permit

\$ 35.00 **plus**

A. Sewer Abandonment Inspection (if applicable)	\$ 50.00 / inspection
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16. Driveway Permit (if not requested with Building Permit)

\$ 35.00 **plus**

A. Inspections	\$ 50.00 / inspection
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17. Portable Garages (Annual Fee)

\$ 125.00

18. Inspection Fees

- | | |
|---|-----------|
| A. Standard | \$ 50.00 |
| B. Additional (at request of property owner) | \$ 60.00 |
| C. No Show (property owner / builder does not attend or prepared) | \$ 100.00 |
| D. Re-Inspection | \$ 100.00 |

19. Damage Deposits

- | | |
|---|-------------------------------------|
| A. Single-unit Residential | \$ 2,500.00 |
| B. Multi-unit Residential Agreement | As per Development |
| C. Niverville Business Park (max \$ 10,000) | \$ 2,500.00 per ½ acre |
| D. Other | As determined by Designated Officer |

*** All inspections are subject to GST.**

SCHEDULE “B”
Changes to Zoning Bylaw 795-18

1. Opa’s Park to remain Residential Single Family rather than rezoned to Parks and Open Space;
2. The property owned by Kerry Church in an emailed dated December 8, 2018 and located generally at the southern end of Station Road will remain Residential Single Family rather than rezoned to Residential Medium Density;
3. 7.2 (g) will be deleted as per the letter of December 10, 2018 from Roberta Coleman (Manitoba Infrastructure) to Rayson Wong (Community and Regional Planning);
4. Part 7: Signage will be deleted and replaced with the existing Sign Regulations – General (Paragraphs 2.1 through 2.5 of the existing Zoning By-Law No. 663-08) and updated to ensure consistency with Zones as proposed in By-Law No. 795-18, in order to allow time for the Niverville Chamber of Commerce to respond;
5. Minor text changes to various bulk regulations, in order to ensure that they properly reflect lot sizes throughout the Town;
6. Define “greenspace” to ensure that an accessible, minimum useable area of 1000 is provided within the proposed development;
7. 7.2 (f) will be revised to require Town Council approval for any sign placed on public property;
8. Parking stalls for multi-family developments must be at least 12x20 feet. Where a stall is enclosed, the minimum interior footprint must be 12x20 feet;
9. Additional designated visitor parking stalls will be required for multi-family residential developments (the amount to be determined);
10. The table in 3.25 will be updated to allow 10 foot front yard fence heights in the Industrial – General (MG) zone (the Niverville Business Park);
11. Remove the requirement for a Development Permit for pools greater than 24 inches in depth, as described in 5.14 (c);
12. With regard to the letter dated December 10, 2018 from Mr. Stephen Walker, Regional Manager, Community and Regional Planning Branch, Steinbach, we are in general agreement with the letter and will revise the By-Law as such except for the following two items:
 - a. Planned Unit Developments will remain as described in 5.8;
 - b. The Recreational Community Complex Zone will remain as described on Page 79.