

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on November 20, 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#365-18 Agenda	K. Stott – C. Wiebe BE IT RESOLVED that the agenda be approved subject to the following additions: 9 d. Staff Remuneration Bylaw 803-18 – 1 st Reading 9 e. Council Remuneration Bylaw 802-18 – 1 st Reading 10 a. Request to Use the Town’s Christmas Tree <p style="text-align: right;">“Carried”</p>
Res#366-18 Minutes	J. Funk – K. Stott BE IT RESOLVED that the minutes of the regular Council meeting held on November 6, 2018 and Special Council meeting held on November 13, 2018 be approved as presented. <p style="text-align: right;">“Carried”</p> <p>The Board of Revision was cancelled as the (one) appeal to the Board had been resolved between the applicant and Provincial Assessment.</p>
Res#367-18 Table Agenda	N. Dueck – C. Wiebe 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 C17-18; to allow TruEnergy Source Inc. to operate an office and fleet maintenance on Lot 23 Plan 61759, civically known as 758 Schultz Avenue. <p style="text-align: right;">“Carried”</p>
Res#368-18 Resume	J. Funk – K. Stott BE IT RESOLVED that the Public Hearing for Conditional Use application C17-18 be closed and Council resume its former order of business (7:06 p.m.) <p style="text-align: right;">“Carried”</p>
Res#369-18 C17-18	C. Wiebe – K. Stott WHEREAS a Public Hearing was held regarding Conditional Use C17-18, an application from Mike Millard on behalf of TruEnergy Source Inc. to operate an office and fleet maintenance on Lot 23 Plan 61759, civically known as 758 Schultz Avenue (Niverville Business Park); AND WHEREAS there was no opposition received to the proposal; THEREFORE BE IT RESOLVED that Conditional Use application C17-18, an application from Mike Millard on behalf of TruEnergy Source Inc. to operate an office and fleet maintenance on Lot 23 Plan 61759, civically known as 758 Schultz Avenue (Niverville Business Park) be approved subject to the applicant entering into a Development Agreement with the Town. <p style="text-align: right;">“Carried”</p>

Res#370-18 Table Agenda	<p>K. Stott – J. Funk</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 C19-18; to allow for a veterinary clinic (small animal) and animal food and supply sales on Parcels A, E and F, Plan 59119, civically known as 303 Main Street.</p> <p style="text-align: right;">“Carried”</p>
Res#371-18 Resume	<p>N. Dueck – C. Wiebe</p> <p>BE IT RESOLVED that the Public Hearing for Conditional Use application C19-18 be closed and Council resume its former order of business (7:18 p.m.)</p> <p style="text-align: right;">“Carried”</p>
Res#372-18 C19-18	<p>K. Stott – J. Funk</p> <p>WHEREAS a Public Hearing was held regarding Conditional Use C19-18, an application from Ronald Hamilton on behalf of 3683266 Manitoba Ltd. to allow for a veterinary clinic (small animal) and retail sales of animal food and supplies on Parcels A, E and F, Plan 59119, civically known as 303 Main Street;</p> <p>AND WHEREAS there was no opposition received to the proposal;</p> <p>THEREFORE BE IT RESOLVED that Conditional Use application C19-18, an application from Ronald Hamilton on behalf of 3683266 Manitoba Ltd. to allow for a veterinary clinic (small animal) and retail sales of animal food and supplies on Parcels A, E and F, Plan 59119, civically known as 303 Main Street, be approved as presented.</p> <p>AND BE IT FURTHER RESOLVED that the zoning designation for Parcels A, E and F, Plan 59119 will be changed from Industrial to Commercial Corridor under proposed Bylaw 795-18, which will then allow for an animal shelter, veterinary service and retail sales as a permitted use.</p> <p style="text-align: right;">“Carried”</p> <p>Members of the Communities in Bloom Committee made a presentation to Council highlighting the following items:</p> <ul style="list-style-type: none"> - Review of 2018 achievements; - Carry forward projects for 2019; - 5 new projects identified for 2019; - Secondary wish list for 2019; - 2019 Budget recommendations; - Other future considerations; and - Graffiti Free Community report and recommendations. <p>Council encouraged the Committee to partner with Native Plant Solutions for the design and story boards that will be located in the Wetlands educational kiosk, and also expressed appreciation to the Committee for their contribution to the Town’s beautification efforts and historical education/preservation.</p>
Res#373-18 Extension B1940	<p>K. Stott – C. Wiebe</p> <p>WHEREAS a request was received from Victoria Petrenko for an extension to the building permit deadline for 121 Breckenridge Drive, #B1940 originally dated October 28, 2016;</p> <p>THEREFORE BE IT RESOLVED that Council approves an extension to the building permit deadline for #B1940, 121 Breckenridge Drive subject to a completion date of September 1, 2019.</p> <p style="text-align: right;">“Carried”</p>

Res#374-18 Authorize	J. Funk – C. Wiebe BE IT RESOLVED that members of Council are authorized to attend a Winnipeg Capital Region meeting on November 23, 2018 at the Viscount Gort Hotel in Winnipeg.	“Carried”
Res#375-18 Lift Stn. Review	K. Stott – C. Wiebe BE IT RESOLVED that Council approves a scope change of \$945.00 for additional expenses incurred by WSP Engineering during their preparation of the Lift Station Review.	“Carried”
Res#376-18 P5-16	J. Funk – N. Dueck BE IT RESOLVED that Council approves an amendment to Show Home Policy P5-16 to provide further clarification on the application process, copy of which is attached hereto as Schedule “A”.	“Carried”
	Mayor Dyck noted a busy upcoming schedule for Council, namely, the Association of Manitoba Municipalities 20 th Annual Convention on November 26-28, meeting with RCMP D Division, and Council’s annual Planning Session on November 30 and December 1.	
Res#377-18 Accounts	J. Funk – C. Wiebe BE IT RESOLVED that cheque nos. 36845 to 36908 totalling \$367,031.92 be hereby approved for payment.	“Carried”
Res#378-18 Oct. F.S.	N. Dueck – K. Stott BE IT RESOLVED that the October 31, 2018 Financial Statement be approved as presented.	“Carried”
Res#379-18 BL 803-18 1 st Reading	C. Wiebe – N. Dueck BE IT RESOLVED that Bylaw 803-18, being a Staff remuneration bylaw, is given first reading.	“Carried”
Res#380-18 BL 802-18 1 st Reading	J. Funk – C. Wiebe BE IT RESOLVED that Bylaw 802-18, being a Council remuneration bylaw, is given first reading.	“Carried”
Res#381-18 Christmas Tree	K. Stott – C. Wiebe WHEREAS a request was received from the Niverville Heritage Centre to display the Town’s (metal) Christmas Tree on Heritage Centre property for the 2018 Christmas Season; AND WHEREAS the Niverville Chamber of Commerce did not host the Annual Christmas Tree lighting ceremony this November; THEREFORE BE IT RESOLVED that the Niverville Heritage Centre is granted permission to use the Town’s (metal) Christmas Tree on Heritage Centre property for the 2018 Christmas Season.	“Carried”

Res#382-18
Adjourn


N. Dueck – C. Wiebe

BE IT RESOLVED that the meeting be adjourned. (8:00 p.m.)

“Carried”



Mayor



Chief Administrative Officer

SCHEDULE "A"



TOWN OF NIVERVILLE-PLANNING AND DEVELOPMENT

POLICY NO. P5-16 :	<u>SHOW HOME POLICY</u>	
EFFECTIVE DATE:	<u>December 6, 2016</u>	RESOLUTION# <u>330-16</u>
REVISION DATE:	<u>November 20, 2018</u>	RESOLUTION# <u>376-18</u>

Background: The Town of Niverville acknowledges the importance show homes have for residential builders in marketing their products within the community. The opportunity for prospective buyers to walk-thru a furnished model is an industry proven approach in the promotion of the sale of new residential lots and similar type residences.

In acknowledgment of these benefits Niverville Council desires to provide an incentive grant beyond its current policy of taxation not beginning on unoccupied spec homes until the second full year after building completion (*See Policy F1-14 for additional details*). The Show Home grant's purpose is to encourage the construction of show homes marketing both the builder's opportunity and the community at-large. In essence, the grant, which will be calculated based on the new building's assessment, will provide for a limit of five years, with a reduced general municipal tax (*see Municipal Tax definition on the subject property*).

An overview of the application process is as follows: The property owner will be required to pay the current property tax invoice in full prior to the property tax due date. The Town will review the grant application, identify the general Municipal Tax portion of the bill, and process the application accordingly by October 31st.

The grant applicant is required to hold (*see Hold definition below*) a minimum of five (5) serviced available lots for each type of show home. The home builder and/or their subsidiary company are limited to one show home per category (*see Show Home Categories definition*).

Terms & Conditions:

1. Grant pertains to the annual general municipal portion of the Show Home's taxes being levied in any one full calendar year.
2. LIDs fees, Utility fees, Education Tax, Special Services tax, and Land Tax will not be eligible for a grant under this program.
3. Applicant must provide annually proof of efforts to sell lots/construct residences when payment of property taxes occurs. Proof could include but not limited to MLS listing showing sale price and days on market.
4. The home must be fully furnished (including kitchen, bathrooms, and room furniture). Exterior of property must be fully finished as well (including landscaped / sodded yard, and hard surfaced driveway). The home must be properly maintained in a first class state.
5. Homes cannot be occupied. Should the residence be lived in and a grant received, the grant must be returned to the Town and be removed from future eligibility of this policy.

6. Applications for a grant must be made at the time building permit application is made with the Town. Once construction is completed, the property owner must contact the Town and confirm intention is to continue with property being a Show Home.

Definitions:

- A) **Show Home:** is a residence that is fully built and furnished and not occupied other than for display purposes, to market buildings of similar style/type for a property owner.
- B) **Hold:** the property owner must be the registered owner of five lots for a single intended type of show home category; to be considered as part of program the lots must be actively for sale via a reputable method such as real estate agent websites or realtor.ca. The lots may be in various states (empty, partially developed or fully serviced).
- C) **Municipal Tax:** each property will be granted back a portion of municipal general taxes after the property owner has paid the taxes in full prior to the property tax due date.
- D) **Show Home Categories:** for the purpose of eligibility there are four categories of homes that a home builder can apply under (limit of one per category per property owner):
- Duplex
 - Single Detached
 - Multi-Unit – Town house
 - Multi-Unit – Apartment condo / Life Lease
- E) **Local Improvement District (LIDs):** all show homes are expected to pay in full the applicable LIDs fees on their properties; this amount is associated with the land and will not be considered for grant eligibility.
- F) **Education Tax:** the school tax levy for the Hanover School Division is a mandated fee collected by the Town on behalf of the school division. Therefore these taxes will not be considered for grant eligibility.
- G) **Special Services Tax:** the tax levy to provide for protective services such as Fire, policing, Emergency responders, Flood Control and other emergency preparedness costs.
- H) **Land Tax:** the property owner will be required to pay all the taxes levied on the value of the land.
- I) **Application process:**
- i) Applicant obtains building permit from Town Office.
 - ii) Applicant registers building permit with Town.
 - iii) Applicant emails taxes@wheretheyoubelong.ca to register the dwelling as a Show Home and request application form.
 - iv) Building permit approved by Town.
 - v) Upon substantial construction completion, the Assessment Branch completing its review, and following the expiry of Policy FI-14, the Applicant completes the application form (Schedule A) for the Show Home Grant and submits it to the Town Office.
 - vi) Applicant completes and returns application form with supporting documentation to Town Office.
 - vii) The Town activates the application, reviews current status of all tax and utility accounts made by titleholder.
 - viii) Town approves/denies request and provides basis for decision
 - ix) IF:
 - a. Approved –Town will provide approved grant within thirty days after tax deadline given full payment has been made by the titleholder of the property tax statement;
 - b. Denied – Applicant has option to request review by Council; must submit letter to Council within fifteen (15) days of notice of denied application with reasoning for additional consideration.

Minutes of the Public Hearing held on November 20, 2018 at 7:02 p.m. with respect to Conditional Use C17-18; an application from Mike Millard on behalf of TruEnergy Source Inc. to operate an office and fleet maintenance on Lot 23 Plan 61759, civically known as 758 Schultz Avenue (Niverville Business Park). Mayor Myron Dyck served as chairperson, with all members of Council in attendance.

Mike Millard was present on behalf of TruEnergy Source Inc. and provided an overview of their proposal. In response to questions from Council, confirmation was provided that this development would have a fenced-in compound and that there would be no extraordinary hazardous waste stored on site. There was no opposition was received to the proposal.

The Public Hearing was closed at 7:06 p.m.

Minutes of the Public Hearing held on November 20, 2018 at 7:08 p.m. with respect to Conditional Use C19-18; an application from Ronald Hamilton on behalf of 3683266 Manitoba Ltd. to allow for a veterinary clinic (small animal) and retail sales of animal food and supplies on Parcels A, E and F, Plan 59119, civically known as 303 Main Street. Mayor Myron Dyck served as chairperson, with all members of Council in attendance.

Ronald Hamilton and Eric Hamilton were present on behalf 3683266 Manitoba Ltd., to provide an overview of their proposal. The applicant noted in their overview that they would like a change to the current zoning (Industrial) so that the function would be a compatible use. *Note that the zoning designation for Parcels A, E and F, Plan 59119 will be changed from Industrial to Commercial Corridor under proposed Bylaw 795-18, which will then allow for an animal shelter, veterinary service and retail sales as a permitted use.* There was no opposition was received to the proposal.

The Public Hearing was closed at 7:18 p.m.
