

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on July 23, 2019 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#207-19 C. Wiebe – N. Dueck
Agenda BE IT RESOLVED that the agenda be approved subject to the following additions:
New Business: 10 a. Happy Kidz Stay & Play Request
10 b. Sewer Infill Levy for 2019
“Carried”
- Res#208-19 K. Stott – J. Funk
Minutes BE IT RESOLVED that the minutes of the regular Council meeting held on July 9, 2019 be approved as presented.
“Carried”
- Res#209-19 C. Wiebe – J. Funk
Table BE IT RESOLVED that the Council meeting agenda be tabled and that
Agenda Council sit in accordance with The Planning Act to hold a Public Hearing for Conditional Use C8-19, to allow for a homebased business on Lot 137, Plan 47826, civically known as 23 Kipling Lane, Niverville.
“Carried”
- Res#210-19 N. Dueck – J. Funk
Resume BE IT RESOLVED that the Public Hearing for Conditional use C8-19 be closed and Council resume its former order of business. (7:08 p.m.)
“Carried”
- Res#211-19 N. Dueck – C. Wiebe
C8-19 WHEREAS a Public Hearing was held regarding Conditional Use C8-19, an application from Stephanie White to allow for a homebased spray tan salon business on Lot 137, Plan 47826, civically known as 23 Kipling Lane;
AND WHEREAS in accordance with The Planning Act, the Conditional Use application was duly advertised;
AND WHEREAS there was no opposition received to the proposal;
THEREFORE BE IT RESOLVED that Conditional Use C8-19, an application from Stephanie White to allow for a homebased spray tan salon business on Lot 137, Plan 47826, civically known as 23 Kipling Lane, be approved subject to the following conditions:
(1) Conditional Use permit will expire on July 23, 2020. Applicant will be required to reapply a minimum of 4 weeks in advance of expiry date, with Conditional Use application fee to be waived for second application;
(2) Hours/days of operation will be 6 p.m. to 10 p.m., Monday through Friday and 11 a.m. to 5 p.m. on Saturdays; and
(3) Applicant must keep in good standing an annual business license with the Town of Niverville.
“Carried”

Res#212-19 J. Funk – C. Wiebe
Table BE IT RESOLVED that the Council meeting agenda be tabled and that
Agenda Council sit in accordance with The Planning Act to hold the Public Hearing for
Conditional Use C10-19, to allow for a homebased business on Lot 11, Block 6,
Plan 19956, civically known as Unit 22, 79 4th Avenue S., Niverville.
“Carried”

Res#213-19 C. Wiebe – K. Stott
Resume BE IT RESOLVED that the Public Hearing for Conditional use C10-19 be closed
and Council resume its former order of business. (7:18 p.m.)
“Carried”

Res#214-19 N. Dueck – K. Stott
C10-19 WHEREAS a Public Hearing was held regarding Conditional Use C10-19, an
application from Stephanie Enns to allow for a homebased massage therapy
business on Lot 11, Block 6, Plan 19956, civically known as Unit 22, 79 4th
Avenue S.;
AND WHEREAS in accordance with The Planning Act, the Conditional Use
application was duly advertised;
AND WHEREAS there were two residents who registered opposition to the
proposal;
AND WHEREAS the proposed homebased business is in a new multi-family
development where the overall impact of the complex on the neighbourhood is
still being established;
THEREFORE BE IT RESOLVED that Conditional Use C10-19, an application
from Stephanie Enns to allow for a homebased business on Lot 11, Block 6, Plan
19956, civically known as Unit 22, 79 4th Avenue S. is denied.
AND BE IT FURTHER RESOLVED that Stephanie Enns may reapply for a
homebased massage therapy business at 79 4th Avenue S. following a one year
waiting period, with the application fee to be waived for that second application,
subject to the application being received by Town Administration prior to August
1, 2020.
“Carried”

Res#215-19 J. Funk – C. Wiebe
Table BE IT RESOLVED that the Council meeting agenda be tabled and that
Agenda Council sit in accordance with The Planning Act to hold the Public Hearing for
Conditional Use C9-19, to allow for a retail cannabis store at Lot 7 Block 2 Plan
23182, civically known as 349 Bronstone Drive, Niverville.
“Carried”

Res#216-19 J. Funk – K. Stott
Resume BE IT RESOLVED that the Public Hearing for Conditional use C9-19 be closed
and Council resume its former order of business. (9:08 p.m.)
“Carried”

Res#217-19 C. Wiebe – K. Stott
Table BE IT RESOLVED that the Council meeting agenda be tabled and that
Agenda Council resume the Public Hearing for Conditional Use C9-19, to allow for a
retail cannabis store at Lot 7 Block 2 Plan 23182, civically known as 349
Bronstone Drive, Niverville.
“Carried”

Res#218-19 C. Wiebe – K. Stott
Resume BE IT RESOLVED that the Public Hearing for Conditional use C9-19 be closed and Council resume its former order of business. (9:16 p.m.)
“Carried”

Res#219-19 N. Dueck – C. Wiebe
C9-19 WHEREAS a Public Hearing was held regarding Conditional Use C9-19, an application from Canna Cabana Inc. to allow for a retail cannabis store at Lot 7 Block 2 Plan 23182, civically known as 349 Bronstone Drive;
AND WHEREAS in accordance with The Planning Act, the Conditional Use application was duly advertised;
AND WHEREAS the Town’s CAO has reviewed the federal, provincial and municipal laws that govern the proposed location, finding no legal reason or concern for the operation of a retail cannabis store at 349 Bronstone Drive;
THEREFORE BE IT RESOLVED that Conditional Use C9-19, an application from Canna Cabana Inc. to allow for a retail cannabis store at Lot 7 Block 2 Plan 23182, civically known as 349 Bronstone Drive be approved subject to the following conditions:
1) That the hours and days of operation be as follows:
Sunday 12 noon to 5 p.m.
Monday through Saturday 9 a.m. to 9 p.m.;;
2) That the front parking lot at 349 Bronstone Drive be asphalted;
3) That the Conditional Use will expire on July 23, 2029. Applicant will be required to reapply a minimum of 4 weeks in advance of expiry date, with Conditional Use application fee to be waived for second application; and
4) That the applicant have exterior security cameras, to which the RCMP may have access to the footage.
“Defeated”

Mayor Dyck reported that the Communities In Bloom (CIB) judges had visited Niverville earlier in the day. He also acknowledged the beautification efforts of Shirley Hoult along with the other members of the local CIB Committee.

Res#220-19 K. Stott – C. Wiebe
Accounts BE IT RESOLVED that cheque nos. 37710 to 37773 totalling \$384,684.78 be hereby approved for payment.
“Carried”

Res#221-19 K. Stott – J. Funk
June F.S. BE IT RESOLVED that the June 30, 2019 Financial Statement be approved as presented.
“Carried”

Res#222-19 J. Funk – K. Stott
BL 812-19 BE IT RESOLVED that Council gives third reading and passes Bylaw 812-19, a
3rd Reading bylaw to acquire land located in Lot 2, Plan 63084 in SE ¼ 36-7-3 EPM (Deposit No. 507/2019) for the purpose of constructing a Community Resource Centre.
“Carried”

In Favour: M. Dyck, J. Funk, K. Stott, C. Wiebe, N. Dueck

Res#223-19 C. Wiebe – N. Dueck
BL 809-19 WHEREAS Bylaw 809-19, a bylaw to rezone the back lane closed under Bylaw

Not Proceed 807-19 was given first reading and duly advertised;
AND WHEREAS the Town was subsequently advised by Community Planning that a rezoning of the back lane closed under Bylaw 807-19 was not required due to the consolidation of the closed lane and the adjacent property fronting Main Street, as Niverville's Zoning Bylaw 795-18 notes that in this situation the boundary shall follow the limit of the consolidating property;
THEREFORE BE IT RESOLVED that Council will not proceed with Bylaw 809-19, a bylaw to rezone the back lane closed under Bylaw 807-19.

“Carried”

Res#224-19 J. Funk – C. Wiebe
Waive Fees WHEREAS Crystal Woligrowski and Maegan May have submitted a request to Council to allow their Happy Kidz Stay & Play group; a free bi-weekly playgroup drop in program open to the community, use of the South End of the Arena at no charge for the 2019/2020 fall and winter season;
AND WHEREAS Council supports this local community initiative that provides an opportunity for care givers and children to connect with each other at no cost;
THEREFORE BE IT RESOLVED that as per Town Policy R1-17 Facility Fee Rebate, that Council waives the rental fees for Happy Kidz Stay & Play group to host a bi-weekly drop in program on Thursday mornings from 9:30 a.m. – 11:30 a.m. in South End of the Niverville Centennial Arena for the 2019/2020 fall and winter season.

“Carried”

Res# 225-19 N. Dueck – C. Wiebe
Infill Levy BE IT RESOLVED that Council approves an Infill Lift Station and Forcemain Levy for 2019 at a rate of \$650.00 per Residential Equivalency Unit (REU) as defined by Bylaw 711-12.

“Carried”

Res#226-19 N. Dueck – C. Wiebe
Adjourn BE IT RESOLVED that the meeting be adjourned. (9:53 p.m.)

“Carried”

Mayor

Chief Administrative Officer