

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on March 5, 2024 at 9:00 a.m. at the Niverville Community Resource and Recreation Centre. In attendance were Mayor Myron Dyck, Deputy Mayor Chris Wiebe and Councillors Nathan Dueck, Bill Fast and Meghan Beasant.

- Res#37-24
Agenda
B. Fast – M. Beasant
BE IT RESOLVED that the agenda be approved subject to the following addition:
New Business: 10 b. Communities in Bloom Temporary Signage Request
“Carried”
- Res#38-24
Minutes
N. Dueck – B. Fast
BE IT RESOLVED that the minutes of the regular Council meeting held on February 20, 2024 be approved as presented.
“Carried”
- Res#39-24
Table
Agenda
C. Wiebe – B. Fast
BE IT RESOLVED that the Council meeting agenda be tabled and that Council sit in accordance with *The Planning Act* to hold the Public Hearing for Conditional Use application C2-24 for 227B Main Street.
“Carried”
- Res#40-24
Resume
B. Fast – M. Beasant
BE IT RESOLVED that the combined Public Hearing for Conditional Use C2-24 be closed, and Council resume its former order of business (9:04 a.m.).
“Carried”
- Res#41-24
C1-24
B. Fast – M. Beasant
WHEREAS a Public Hearing was held regarding Conditional Use C2-24, an application from LaShawn Giesbrecht to allow for a registered massage therapy practice on Lots 11 and 12 Block 10 Plan 19955, civically known as 229 Main Street;
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 Council approves Conditional Use C2-24 to allow for a registered massage therapy practice on Lots 11 and 12 Block 10 Plan 19955, civically known as 229 Main Street.
“Carried”
- Res#42-24
Table
Agenda
N. Dueck – C. Wiebe
BE IT RESOLVED that the Council meeting agenda be tabled and that Council sit in accordance with *The Planning Act* to hold the Public Hearing for Subdivision File 4340-23-8920 (revised), a proposal to subdivide Lot 104 Plan 66192 WLTO in SE ¼ 36-7-3E (Fifth Avenue Estates West).
“Carried”
- Res#43-24
Resume
C. Wiebe – M. Beasant
BE IT RESOLVED that the Public Hearing for Subdivision File 4340-23-8920 be closed and Council resume its former order of business. (9:12 a.m.)
“Carried”

Res#44-24
Subdivision
4340-23-8920
(revised)

C. Wiebe – M. Beasant

WHEREAS Section 125(2) of The Planning Act requires Council to hold a Public Hearing if a proposed subdivision will result in the creation of a new public road; AND WHEREAS the plan of subdivision for Lot 104 Plan 66192 WLTO in SE ¼ 36-7-3E, Community Planning file number 4340-23-8920 (revised as of Feb. 29, 2024) proposes to create 14 lots from CT 3232676/1, and create a new public road (cul de sac) for single-unit residential development; AND WHEREAS the Public Hearing for the proposed plan of subdivision for file no. 4340-23-8920 was duly advertised; AND WHEREAS no opposition was received to the proposal from the general public; AND WHEREAS the property owner has not provided the Town with a revised Concept Plan in support of this subdivision proposal; THEREFORE BE IT RESOLVED that Council rejects the plan of subdivision for Lot 104 Plan 66192 WLTO in SE ¼ 36-7-3E, Community Planning file number 4340-23-8920 (revised as of Feb. 29, 2024), which proposes to create 14 lots from CT 3232676/1, and create a new public road (cul de sac) for single-unit residential development, due to the current phase not aligning with previous concept plans and a revised concept plan showing new development is adequately serviced, compatible with surrounding uses, and properly integrated within the Town’s transportation and drainage system, has not been provided as a supporting document for the subdivision.

“Carried”

Res#45-24
Construction
Standards

C. Wiebe - N. Dueck

BE IT RESOLVED that Council approves 2024 updates to the Town’s Standards for Design and Construction of Public Works.

“Carried”

Res#46-24
Niv. Fair

N. Dueck – B. Fast

WHEREAS the Niverville Olde Tyme Country Fair has requested permission to host the Niverville Fair from June 6th through June 9th, 2024; AND WHEREAS the Town extends its support to the Niverville Olde Tyme Country Fair Committee for their initiative to host this event; THEREFORE BE IT RESOLVED that the Town authorizes the following:

1. That in accordance with Bylaw No. 655-07, sub-paragraph 3.1.6, that Council hereby provides permission to create a noise nuisance to 1:30 a.m. on June 7th and June 8th, 2024;
2. That approval to the request for Main Street closure is provided from June 6th at 5:00 p.m. through June 9th, 2024 (street to be reopened by 7:00 p.m. on June 9th, 2024) subject to the following conditions:
 - a. That the Niverville Fair Committee notify in writing all businesses along Main Street of their intentions to close the street and to address any concerns raised by business owners;
 - b. That all conditions as requested by Manitoba Infrastructure and Transportation are met by the Niverville Fair Committee;
 - c. That names and phone numbers of individuals who may be contacted should an emergency arise and it becomes necessary to access Main Street be provided to the Town;
 - d. That a map be provided to the Town’s Operations Manager outlining the detour route including locations for detour signs and clearly indicating alternative routes; and
 - e. That the Niverville Fair Committee ensure that the barricades to Main Street are staffed when equipment and supplies are being

moved in or out.

3. That the Town of Niverville hereby serves notice to the Province of Manitoba that the Town through its insurance broker, will continue the practice of saving harmless the Province of Manitoba from and against all claims, liabilities, losses or suits which may arise from vehicles using the designated detour routes which will result from the closing of Main Street from June 6th, 2024 to June 9th, 2024 within the Town of Niverville.

“Carried”

Res#47-24
Licensed
Event

C. Wiebe – B. Fast

WHEREAS the Niverville Olde Tyme Country Fair will be holding a licensed event during the 2024 Fair on Friday, June 7th, 2024 and Saturday, June 8th, 2024; THEREFORE BE IT RESOLVED that Council approves the following hours for the Niverville Olde Tyme Country Fair licensed event:

- June 7th, 2024 5:00 p.m. to 1:00 a.m.
- June 8th, 2024 1:00 p.m. to 1:00 a.m.

“Carried”

Mayor Myron Dyck provided an update for Council on the Winnipeg Metro Region, stating he had attended a meeting on Thursday. The first reading for Plan 20/50 is scheduled for June, with a final report due on the Minister’s desk in January 2025. The Plan is currently being reviewed for edits and municipalities need to submit their recommendations by April, as the Board will be reviewing the Plan and recommendations at that time. Mayor Dyck plans to sit down with the CAO to review and to ensure he has speaking notes. He also advised that the province rather than the municipalities will be covering the \$95,000 cost for legal fees to change the name from Winnipeg Capital Region to Winnipeg Metro Region.

Mayor Dyck further advised that February Reading month at the Niverville Elementary School is being extended into March due to school closures and he is looking forward to reading to students. He stated that he had been invited and is looking forward to attending the Niverville Chamber of Commerce event in April, and he will be sitting down with the Chamber president to discuss matters. He extended a thank you to all those who came out on Friday to the Open House for the Core Water Main, along with Council and staff; lots of conversations were had, the information is on the website and surveys can be completed until the end of March, with the feedback to provide direction to Council.

Res#48-24
Accounts

C. Wiebe – B. Fast

BE IT RESOLVED that cheque nos. 43895 to 43943 totalling \$242,435.05 be hereby approved for payment.

“Carried”

Res#49-24
BL864-24
1st Reading

C. Wiebe – B. Fast

BE IT RESOLVED that Council gives first reading to By-law 864-24, the Fire Prevention and Emergency Services By-law, being a (consolidated) by-law for the prevention and control of fires, to regulate fireworks and define the authority of the Niverville Fire & Emergency Services.

“Carried”

Res#50-24
BL865-24
1st Reading

C. Wiebe – M. Beasant

BE IT RESOLVED that Council gives first reading to By-law 865-24, a By-law to amend By-law 507-96, which concerns the control of junk, weeds, and nuisance and stagnant water.

“Carried”

Res#51-24
Subdivision
4340-21-8429
(revised)

C. Wiebe – N. Dueck

WHEREAS Section 125(1) of The Planning Act requires Council to consider a subdivision application and decide by resolution to reject it or to approve the application with or without conditions;
AND WHEREAS subdivision file no. 4340-21-8429 (revised) for Lots 2 and 4 Pt. of Lot 3 Plan 66192, proposes to subdivide 36 lots (34 new) along with their common part wall for duplex development with public reserve, as well as six lots (4 new) for high density residential development with public reserve, along with the closure of Venture Way and consolidation of the public road with six proposed lots fronting Centre Street;
AND WHEREAS the subdivision application has not been accompanied by a revised Concept Plan and supporting documents demonstrating that the impacts or conflicts with surrounding uses are properly mitigated;
THEREFORE BE IT RESOLVED that Council rejects the plan of subdivision for Lots 2 and 4 Pt. of Lot 3 Plan 66192, Community Planning file number 4340-21-8429 (revised), a proposal to subdivide 36 lots (34 new) along with their common part wall for duplex development with public reserve, as well as six lots (4 new) for high density residential development with public reserve, along with the closure of Venture Way and consolidation of the public road with six proposed lots fronting Centre Street due to the subdivision application not being accompanied by a revised Concept Plan, nor supporting documents demonstrating that the impacts or conflicts with surrounding uses are properly mitigated.

“Carried”

Res#52-24
Temporary
Signs

C. Wiebe – B. Fast

BE IT RESOLVED that Council approves the request from Communities in Bloom to install 4 temporary signs on public property in Fifth Avenue Estates to promote the 2024 Street Tree Planting Project for Claremont Drive.
AND BE IT FURTHER RESOLVED that the temporary signs are to be removed by April 1, 2024.


“Carried”

Res#53-24
Adjourn

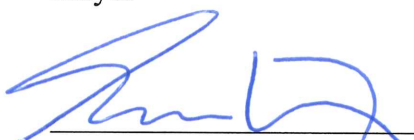
M. Beasant – B. Fast

BE IT RESOLVED that the meeting be adjourned. (9:44 a.m.)

“Carried”



Mayor



Chief Administrative Officer

Minutes of the Public Hearing held on March 5, 2024, at 9:01 a.m. regarding Conditional Use C2-24, an application from LaShawn Giesbrecht to allow for a registered massage therapy practice to operate on Lots 11/12 Block 10 Plan 19955, civically known as 227B Main Street. The proposal was duly advertised as per Section 169 of *The Planning Act*. Mayor Myron Dyck served as chairperson, Deputy Mayor Chris Wiebe and Councillors Nathan Dueck, Bill Fast and Meghan Beasant in attendance.

Mr. Eric King, CAO, gave an overview of the proposal, noting this was an application from LaShawn Giesbrecht to allow for a registered massage therapy practice to operate at 227B Main Street. The applicant is proposing to open up a registered massage therapy practice at 227B Main Street, and this business will be located within the Prairie Glow Beauty rental unit and the recommendation is to approve the Conditional Use as proposed.

Ms. LaShawn Giesbrecht, applicant, advised that she has this practice with over 200 patients, that come from all over southeast Manitoba, and Winnipeg and wants to continue to practice at 229 Main Street. Mayor Myron Dyck questioned the civic address Ms. Giesbrecht referenced (it was advertised as 227B Main Street) and said that it would be confirmed.

Councillor Nathan Dueck asked the applicant if she had any concerns about the wording and if she could continue to work at this point, as well as where she was working right now.

Ms. Giesbrecht advised that she doesn't have another commercial place that is feasible for her.

Deputy Mayor Chris Wiebe asked if this was where that little store used to be, which unit it was.

Councillor Meghan Beasant confirmed that it was where the little boutique used to be.

There was no opposition to the proposal.

The hearing was closed at 9:04 a.m.

Minutes of the Public Hearing held on March 5, 2024 at 9:07 a.m. regarding the Public Hearing for Subdivision File #4340-23-8920 (revised), for Lot 104 Plan 66192 WLTO in SE ¼ 36-7-3E, which proposes to create 14 lots from CT 3232676/1, and create a new public road (cul de sac) for single-unit residential development. The proposal was duly advertised as per Section 169 of *The Planning Act*. Mayor Myron Dyck served as chairperson, with Deputy Mayor Chris Wiebe, and Councillors Nathan Dueck, Bill Fast and Meghan Beasant in attendance.

CAO Eric King provided an overview of the subdivision proposal, noting this was an application for subdivision file no. 4340-23-8920 (revised); a proposal to subdivide Lot 104 Plan 66192 in SE ¼ 36-7-3E, which is Fifth Avenue Estates West. Mr. King clarified the subdivision location for Council and advised that the revision had been submitted yesterday, which decreased the number of cul de sacs from 2 to 1. The recommendation from Administration is to reject the plan of subdivision due to the current phase not aligning with previous concept plans and a revised concept plan showing new development is adequately serviced, compatible with surrounding uses, and properly integrated within the Town's transportation and drainage system, has not been provided as a supporting document for the subdivision.

Mayor Myron Dyck stated that the application had been submitted to the provincial department, and that the Town had received their report which noted a concern for the plan of subdivision being un-zoned. Mr. King clarified that it was for undeveloped surplus lands on the north side of the CRRC. (*Report indicates proposal does not align with previous concept plans or existing zoning classifications of the area, as some of the proposed lots are located within un-zoned areas – areas that were previously left open for public roads.*)

Councillor Nathan Dueck commented that he didn't have a clear picture of what he was seeing in the application; no idea about the drainage, water, sewer, engineering as there was no supporting documentation and we need to know what is going on.

Deputy Mayor Chris Wiebe added that you don't see how the proposal works with the rest of the property.

Mayor Dyck stated that it appears that a developer would have an overall development plan for the site at large, and not piecemeal a street or crescent here or there.

Deputy Mayor Wiebe commented about what happens beside and behind there and down the road; it needs to be complete.

There was no opposition from the public to the subdivision proposal.

The Public Hearing was closed at 9:12 a.m.
