

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on August 20, 2024, at 7:00 p.m. at the Niverville Community Resource and Recreation Centre. Mayor Myron Dyck, Deputy Mayor Chris Wiebe and Councillors Nathan Dueck, Bill Fast, and Meghan Beasant were in attendance.

Res#177-24
Agenda

B. Fast – M. Beasant

BE IT RESOLVED that the agenda be approved subject to the Mayor's Comments advancing from 7 b. to 2 a.

“Carried”

Mayor Myron Dyck advised those in attendance that the WMR and Plan 20-50 were not on the agenda for today. He noted that a Town of Niverville statement was made and directed everyone to the Minister of Municipal Affairs, Mr. Ian Bushie, as this is a provincial matter, a provincial bill, and a provincial plan by which the bill legislates all the municipalities to form the WMR board. Mayor Dyck advised those with questions or concerns, and in order to get consistent messaging, to please contact the WMR office or Minister Ian Bushie, Minister of Municipal Affairs. He added that currently, the WMR Executive Director Jennifer Freeman and the Board Chair Mr. Mike Moore are trying to get meetings with the province to find out what the next steps are and when the public hearing will be scheduled and until then, we are waiting as all of you are here are waiting. Mayor Dyck reiterated that this was not on the agenda for today, no discussion or questions, and to please take comments and concerns to Mr. Ian Bushie, Minister of Municipal Affairs, as it is a provincial jurisdiction matter, and Niverville awaits whether they are going to go forward with it, amend it, or abandon it – we don't know what they are going to do. He added that we are waiting for them to say something and have not received anything formal yet, and questions and comments should be made to the province to go on the record.

Res#178-24
Minutes

N. Dueck – B. Fast

BE IT RESOLVED that the minutes of the regular Council meeting held on July 16, 2024, and Special Council meeting held on July 24, 2024, be approved as presented.

“Carried”

Res#179-24
Table
Agenda

C. Wiebe – M. Beasant

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 Variance V7-24, Unit 1 – 21 Main Street.

“Carried”

Res#180-24
Resume

M. Beasant – B. Fast

BE IT RESOLVED that the Public Hearing for Variance V7-24 for Unit – 21 Main Street be closed and Council resume its former order of business (7:10 p.m.).

“Carried”

Res#181-24 V7-24	<p>C. Wiebe – N. Dueck</p> <p>WHEREAS a Public Hearing was held regarding Variance V7-24, an application from Growing Minds Child Care Centre to vary the required number of parking stalls from 25 to 10 for Lot 1 Plan 51623, civically known as Unit 1 – 21 Main Street.</p> <p>AND WHEREAS in accordance with <i>The Planning Act</i>, the Variance application was duly advertised;</p> <p>AND WHEREAS there was no opposition to the Variance proposal;</p> <p>THEREFORE BE IT RESOLVED that Council approves Variance V7-24, an application to vary the required number of parking stalls from 25 to 10 for Lot 1 Plan 51623, civically known as Unit 1 – 21 Main Street.</p>	“Carried”
Res#182-24 Table Agenda	<p>B. Fast – M. Beasant</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 C14-24 for Unit B - 501 Pauls Street.</p>	“Carried”
Res#183-24 Resume	<p>Fast - Wiebe</p> <p>BE IT RESOLVED that the Public Hearing for Conditional Use C14-24 for Unit B - 501 Pauls Street be closed and Council resume its former order of business (7:14 p.m.).</p>	“Carried”
Res#184-24 C14-24	<p>B. Fast – C. Wiebe</p> <p>WHEREAS a Public Hearing was held regarding Conditional Use C14-24, an application from Randy Kehler and Faron Trippier to allow for an indoor amusement center offering golf simulators to operate on Lot 1 Block 1 Plan 67816, civically known as Unit B, 501 Pauls Street;</p> <p>AND WHEREAS in accordance with <i>The Planning Act</i>, the Conditional Use application was duly advertised;</p> <p>AND WHEREAS there was no opposition received to the proposal;</p> <p>THEREFORE BE IT RESOLVED that Council approves Conditional Use C14-24 to allow for an indoor amusement center offering golf simulators to operate on Lot 1 Block 1 Plan 67816, civically known as Unit B, 501 Pauls Street, subject to the following condition:</p> <p>a) That the Landlord ensures that the Town has provided approval in writing for a revised parking plan that addresses parking requirements for all uses approved for the property.</p>	“Carried”
Res#185-24 Table Agenda	<p>C. Wiebe – M. Beasant</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 C15-24 for 67 Claremont Drive.</p>	“Carried”
Res#186-24 Resume	<p>N. Dueck – B. Fast</p> <p>BE IT RESOLVED that the Public Hearing for Conditional Use C15-24 for 67 Claremont Drive be closed and Council resume its former order of business (7:19 p.m.).</p>	“Carried”

Res#187-24 C. Wiebe – M. Beasant
C15-24 WHEREAS a Public Hearing was held regarding Conditional Use C15-24, an application from Kristen Fyfe to allow a home-based massage therapy business to operate on Lot 47, Plan 50833, civically known as 67 Claremont Drive;
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 and 4 letters of support for the proposal;
THEREFORE BE IT RESOLVED that Conditional Use C15-24, an application to allow a home-based massage therapy business to operate on Lot 47, Plan 50833, civically known as 67 Claremont Drive be approved subject to the following conditions:
1) That the applicant provide on-site parking for clients;
2) That the applicant obtain an annual Business License from the Town; and
3) That this Conditional Use approval will expire on August 20, 2026. 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 if application received on or before July 13, 2026.

“Carried”

Res#188-24 C. Wiebe – B. Fast
Table BE IT RESOLVED that the Council meeting agenda be tabled and that Council
Agenda sit in accordance with *The Planning Act* to hold the Public Hearing for Variance application V9-24 for 226 Main Street.

“Carried”

Res#189-24 B. Fast – N. Dueck
Resume BE IT RESOLVED that the Public Hearing for Variance application V9-24 for 226 Main Street be closed and Council resume its former order of business (7:26 p.m.).

“Carried”

Res#190-24 N. Dueck – C. Wiebe
V9-24 WHEREAS a Public Hearing was held regarding Variance V9-24, an application from Ray Dowse on behalf of 5584796 MB Ltd. to vary the following on Lot 6 Block 4 Plan 19956, civically known as 226 Main Street:
1) The parking requirement from 27 to 18,
2) The requirement for 2 accessible parking spots from 2 to 1,
3) The identification signage for the building’s Tenants “A to E” from one illuminated or non-illuminated fascia identification sign having an aggregate sign surface area not exceeding twenty (20) percent of the surface of the wall to which they are attached, to the following:
- West side of the building – One backlit identification sign listing the building’s Tenants “A” to “E”, maximum size of 64 sq. ft.,
- East side of the building – aggregate of all signage on the east side to be a maximum size of 360 sq. ft., one backlit identification sign listing the building’s Tenants “A” to “E”, one backlit identification sign that includes both Tenants “B” & “C” to fit within the timber frame entrance feature on the northeast side of the building, one backlit identification sign for Tenant “D”, one backlit identification sign for the most southeast-facing entrance above the door for Tenant “E”; and 1 set of identification address numbers,
- North side of the building – aggregate of all signage on the north side to be a maximum size of 60 sq. ft., one backlit identification sign for

Tenant "A" at the front entrance of the building, and 1 set of identification address numbers;

AND WHEREAS in accordance with *The Planning Act*, the Variance application was duly advertised;

AND WHEREAS there was no opposition to the Variance proposal;

THEREFORE BE IT RESOLVED that Variance V9-24, an application to vary the following on Lot 6 Block 4 Plan 19956, civically known as 226 Main Street:

- 1) The parking requirement from 27 to 18,
- 2) The requirement for 2 accessible parking spots from 2 to 1,
- 3) The identification signage for the building's Tenants "A to E" from one illuminated or non-illuminated fascia identification sign having an aggregate sign surface area not exceeding twenty (20) percent of the surface of the wall to which they are attached, to the following:
 - West side of the building – one backlit identification sign listing the building's Tenants "A" to "E", maximum size of 64 sq. ft.,
 - East side of the building – aggregate of all signage on the east side to be a maximum size of 360 sq. ft., one backlit identification sign listing the building's Tenants "A" to "E", one backlit identification sign that includes both Tenants "B" & "C" to fit within the timber frame entrance feature on the northeast side of the building, one backlit identification sign for Tenant "D", one backlit identification sign for the most southeast-facing entrance above the door for Tenant "E"; and 1 set of identification address numbers,
 - North side of the building – aggregate of all signage on the north side to be a maximum size of 60 sq. ft., one backlit identification sign for Tenant "A" at the front entrance of the building, and 1 set of identification address numbers;

be approved subject to the following conditions:

- 1) That the applicant gravels a portion south of the existing building to make the gravel driving lane 24 feet wide;
- 2) That the applicant rebuild the public lane behind 226 Main Street;
- 3) That the applicant enters into a lease agreement with the Town for the back lane; and
- 4) That the area on 226 Main Street where the jut out is removed will be paved.

"Carried"

Res#191-24
Table
Agenda

B. Fast – M. Beasant

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 C16-24 for 822 Riel Cove.

"Carried"

Res#192-24
Resume

B. Fast – C. Wiebe

BE IT RESOLVED that the Public Hearing for Conditional Use C16-24 for 822 Riel Cove be closed and Council resume its former order of business (7:31 p.m.).

"Carried"

Res#193-24
C16-24

B. Fast – M. Beasant

WHEREAS a Public Hearing was held regarding Conditional Use C16-24, an application from Performance Insulation to allow for an insulation supply and installation business to operate, including an office and interior/exterior storage, on Lot 18 Block 3 Plan 71566, civically known as 822 Riel Cove;

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 C16-24 to allow for an insulation supply and installation business to operate, including an office and interior/exterior storage, on Lot 18 Block 3 Plan 71566, civically known as 822 Riel Cove, subject to the following condition:

- a) That the applicant enters into a Development Agreement with the Town.
"Carried"

Res#194-24
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 Variance V10-24 for 720 Birkdale Cove.

"Carried"

Res#195-24
Resume

B. Fast – C. Wiebe

BE IT RESOLVED that the Public Hearing for Variance V10-24 for 720 Birkdale Cove be closed and Council resume its former order of business (7:36 p.m.).

"Carried"

Res#196-24
V10-24

B. Fast – M. Beasant

WHEREAS a Public Hearing was held regarding Variance V10-24, an application from Richard Muntain and Lory Muntain to vary on Lot 11 Block 2 Plan 61073, civically known as 720 Birkdale Cove, the allowable setback in the rear yard from 15 feet to 0 inches to accommodate a deck around a pool, and the rear yard setback from 5 feet to 2 feet and the north side yard from 5 feet to 3 feet to accommodate a pool and pool equipment;

AND WHEREAS in accordance with *The Planning Act*, the Variance application was duly advertised;

AND WHEREAS there was no opposition to the Variance proposal;

THEREFORE BE IT RESOLVED that Council approves Variance V10-24, an application from Richard Muntain and Lory Muntain to vary on Lot 11 Block 2 Plan 61073, civically known as 720 Birkdale Cove, the allowable setback in the rear yard from 15 feet to 0 inches to accommodate a deck around a pool, and the rear yard setback from 5 feet to 2 feet and the north side yard setback from 5 feet to 3 feet to accommodate a pool and pool equipment.

"Carried"

Res#197-24
Accessibility
Plan 2024

M. Beasant – C. Wiebe

WHEREAS The Accessibility for Manitobans Act, C.C.S.M. c. A1.7, section 33(2) requires a public sector body to prepare an annual accessibility plan every two years that addresses the identification, prevention and removal of barriers that disable people in the policies, programs, practices and services of the public sector body;

THEREFORE BE IT RESOLVED that Council approves the Town's 2024 Accessibility Plan to comply with section 33(2) of The Accessibility for Manitobans Act.

"Carried"

Res#198-24 Noise Exemption	C. Wiebe – B. Fast BE IT RESOLVED THAT in accordance with Niverville’s Noise Bylaw No. 655-07, sub-paragraph 3.1.6, that Council hereby provides permission to the Niverville Nighthawks to create a noise nuisance between 8 p.m. to 1:00 a.m. on September 13, 2024 through 14 th , for their kickoff event being held in the outdoor rink at the Centennial Arena.	“Carried”
Res#199-24 Nighthawks Grant	C. Wiebe – B. Fast WHEREAS Tom and Barb Kleysen, through the Wellington West Foundation, have donated funds to support the Niverville Nighthawks Legacy Capital; AND WHEREAS the Niverville Nighthawks are owned by the Niverville Junior A Hockey Club, a community-owned not-for-profit hockey organization representing Niverville and region; THEREFORE BE IT RESOLVED that a grant in the amount of \$22,480.00 representing the donation received for the Niverville Nighthawks Legacy Capital be provided to the Niverville Junior A Hockey Club Inc.	“Carried”
Res#200-24 BL801-18 Updates	C. Wiebe – B. Fast BE IT RESOLVED that Council approves the updates to the Traffic and Parking Bylaw 801-18, Schedule “A”, a copy of which is included as Schedule “A” of the Council minutes.	“Carried”
Res#201-24 Accounts	C. Wiebe – B. Fast BE IT RESOLVED that cheque nos. 44455 to 44566 totaling \$777,456.94, be hereby approved for payment.	“Carried”
Res#202-24 June/July F.S.	B. Fast – M. Beasant BE IT RESOLVED that Council approves the June 30, 2024, and July 31, 2024, financial statements as presented.	“Carried”
Res#203-24 Added Taxes	B. FAST – N. Dueck BE IT RESOLVED that in accordance with Section 326 of <i>The Municipal Act</i> , that supplementary taxes as provided by the Manitoba Assessment Services dated August 13, 2024, are hereby added to the Tax Roll.	“Carried”
Res#204-24 Award Contract	C. Wiebe – M. Beasant BE IT RESOLVED that following the Town’s due tendering process, that the contract for the Fifth Avenue West Landscaping be awarded subject to signing an agreement with the Town’s CAO, to JJ Excavation & Leveling, who submitted the lowest bid of \$15.50 per square meter plus GST.	“Carried”
Res#205-24 Award Contract	B. Fast – C. Wiebe BE IT RESOLVED that following the Town’s due tendering process, that the contract for 2024 Sewer Cleaning be awarded to 3231275 Manitoba Ltd., O/A Ray Bateman Enterprises, who submitted the lowest overall bid of \$61,275.76 plus applicable taxes.	“Carried”

Res#206-24
Adjourn

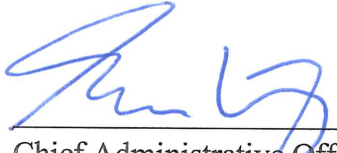
M. Beasant – B. Fast

BE IT RESOLVED that the meeting be adjourned. (7:52 p.m.)

“Carried”



Mayor



Chief Administrative Officer

**Schedule “A” of the June 4, 2024 Council Minutes
Traffic & Parking Bylaw 801-18
Schedule “A”**

Amended July 9, 2019, Sept. 3, 2019, Nov. 5, 2019, April 21, 2020, Dec. 21, 2021, June 21, 2022, Oct. 18, 2022, Nov. 15, 2022, Dec. 20, 2022, July 18, 2023, Sept. 5, 2023, Oct. 3, 2023, Nov. 7, 2023, Aug. 20, 2024

The following traffic signs are hereby authorized to be erected and enforced, namely:

“NO PARKING”

West of CPR Tracks (north of PR311)

Arena Road	- both sides	- entire length
Centre Street	- south side	- entire length
Church Avenue	- south side	- entire length
Mulberry Avenue	- east side	- north of Centre Street
	- between PR311 and Centre Street	
Ritchot Drive	- inside of Drive	- entire length
Ridgemont Drive	- north side	- entire length
Van Riesen Drive	- south side	- entire length

West of CPR Tracks (south of PR311)

Aberdeen Drive	- west side	- entire length
Balgownie Street	- north side	- entire length
Montrose Avenue	- west side	- entire length
Birkdale Cove	- south side	- entire length
Carnoustie Cove	- west side	- entire length
Dochart Gate	-south side of Gate	-entire length
Drover’s Run	- both sides	- entire length
Fairway Drive	- west side	- entire length
Gleneagles Street -	- north side	- entire length
Gullane Street -	- north side	- entire length
Kingshead Road	- east side	- entire length
Krahn Road	- west side	- between PR311 and Crown Valley Road
Lytham Place	- south side	- entire length
Muirfield Cove	- south side	- entire length
Murcar Street	- north side	- entire length
Prestwick Street -	- north side	- entire length
Range Avenue	- both sides	- entire length
Saint Andrews Way	- inside or west side	- entire length
Saint George Place	- south side	- entire length
Station Road	- east side	- entire length
Troon Cove	- west side	- entire length
Tweed Lane	-north & west of Lane-	entire length
Tweed Lane North	- hammerhead section on Tweed north	
Turnberry Cove	- south side	- entire length

Between CPR Tracks and Fifth Avenue

First Street North	- south side	- entire length
First Street South	- south side	- 2 nd Ave. S. to 5 th Ave. S.

	- north side	- Heritage Trail to Second Ave South
Second Avenue North	- east side	- First St North to Third St North
Second Avenue North	- west side	- entire length
Second Avenue South *	- west side	- First St. South to Fourth St. South
Second Street North	- south side	- entire length
Second Street South*	- south side	- entire length
Third Avenue North	- east side	- entire length
Third Avenue South	- west side	- First St. South to Fourth St. South
Third Street North	- south side	- entire length
Third Street South	- south side	- entire length except Sunday
Fourth Avenue North	- east side	- entire length
Fourth Avenue South	- west side	- Fourth St. South to First St. South
Fourth Avenue South	- east side	- Main Street to First St. South
Fourth Street South	- north side	- entire length
Fifth Avenue North	- east side	- entire length
Ashgrove Crescent	- inside of Crescent	- entire length
Aspen Avenue	- east side	- entire length
Elmdale Place	- south side	- entire length
Heritage Trail	- west side	- entire length
Hespeler Park Drive	-both sides	- entire length
Lilac Place	- south side	- entire length
Linden Place	- south side	- entire length
Maplewood Crescent	- inside of Crescent	- entire length
Prairie Trail	- east side	- entire length
Prairie Trail	-west side	-Prairie Crossings to 2 nd St. North
Redwood Place	- south side	- entire length
South Park Drive	- inside of Drive	- entire length

East of Fifth Avenue

Bronstone Drive	- north side	- entire length
Cedar Drive	- south side	- entire length
Edelweiss Crescent	- inside of Crescent	- entire length
Roselawn Bay	- inside of Bay	- entire length
Spruce Drive	- north side	- entire length

6th Avenue - both sides, except for the west parking lane (south)

Fifth Avenue Estates East

Alders Gate	- east side	- entire length
Ashcroft Cove	- north side	- entire length
Beaumont Circle	- outside of circle	- entire length
Bentley Place	- west side	- entire length
Breckenridge Dr	- east side	- entire length
Briarfield Court	- south and east side	- entire length
Cambridge Way	- south side	- entire length
Carling Circle	- outside of circle	- entire length
Claremont Drive	- west side	- entire length
Cobblestone Court	- outside of Court	- entire length
Denby Cove	- east side	- entire length
Ellington Way	- inside of Way	- from Claremont to elbow
Ellington Way	- west side from elbow to Hampton Drive	
Errington Place	- north side	- entire length
Errington Way	- north side	- entire length

Foxdale Way	- east side	- entire length
Hampton Drive	- south side	- entire length
Hawthorne Way	- north side	- entire length
Hill Crest Court	- west side	- entire length
Kipling Lane	- north side	- entire length
Kingsley Gate	- south side	- entire length
Kirkdale Drive	- east side from Hampton to elbow	
Kirkdale Drive	- south side from elbow to Claremont	
Landsbury Lane	- north side	- entire length
Landsbury Terrace	- east side	- entire length
Landsbury Terrace	- hammerhead section at end of street	
Sheffield Way	- north side	- entire length
Stratford Place	- north east side	- entire length
Wyldeewood Crescent	- east side	-entire length
Wyndham Court	- outside of loop	- entire length

***NO PARKING 8:15 A.M. TO 9:15 P.M.- MONDAY THRU FRIDAY**

First Street North	- north side	- Third Avenue North to Fourth Avenue North
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***2 HOUR PARKING LIMIT BETWEEN THE HOURS OF 6 A.M. TO 6 P.M., MONDAY THRU FRIDAY**

Second Avenue South	-east side	-between 2 nd St. S and Elmdale Place
Second Street South	-north side	-between 3 rd Ave. S. and Heritage Trail

***15 MINUTE PARKING LIMIT BETWEEN THE HOURS OF 6 A.M. TO 11 P.M., SEVEN DAYS A WEEK**

Fourth Avenue South	-east side	-between First St. S. & Main St.
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Niverville Business Park

“NO PARKING”

Riel Cove	both sides	- entire length
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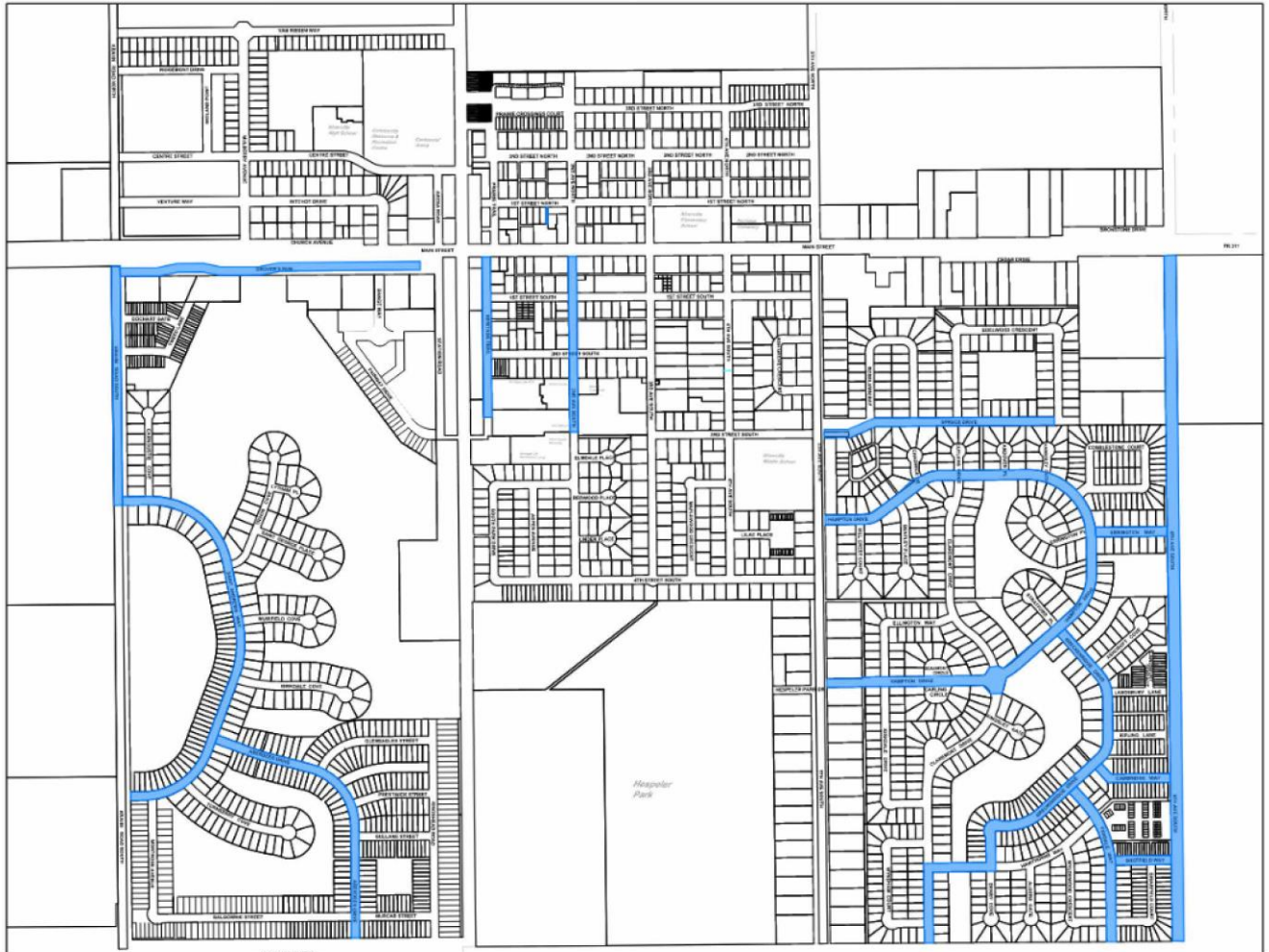
***NO PARKING MIDNIGHT TO 6 A.M.- MONDAY THRU SUNDAY**

Barry Avenue	-both sides	-entire length
Kuzenko Street	-both sides	-entire length
Pauls Street	-both sides	-entire length
Schultz Avenue	-both sides	-entire length
Wittick Street	-both sides	-entire length
Yellowquill Avenue	-both sides	-entire length

“NO STOPPING”, “5 MINUTES PARKING LIMIT”, “NO PARKING, LOADING ZONE”
 “4-WAY STOP” Intersections, “LOAD RESTRICTIONS”, As posted on the authority of a
 Resolution of Council when necessary. “PLAYGROUND” SIGNS”

Designated Snow Route

During the period of November 1st, through May 1st annually, a **Designated Snow Route** will be in effect. This means that all vehicles (including trailers) are not permitted to park on any of the streets identified below between the hours of **6 am to 6 pm**, 7 days a week. Vehicles (including trailers) that are parked on the streets identified below may be ticketed and towed at the owner's expense.



2nd Avenue S.

6th Ave. S. (not including gravelled parking lane)

Aberdeen Drive

Back lane behind 41 Main Street

Breckenridge Drive

Cambridge Way

Claremont Drive (south portion as shown)

Drover's Run

Errington Way

Foxdale Way

Hampton Drive

Hawthorne Way (as shown)

Heritage Trail

Krahn Road (PR 311 to Saint Andrews Way north entrance)

Sheffield Way

Spruce Drive

Saint Andrews Way

Minutes of a Public Hearing held on August 20, 2024, at 7:08 p.m. regarding Variation V7-24, an application from Growing Minds Child Care Centre to vary the required number of parking stalls from 25 to 10 for Lot 1 Plan 51623, civically known as Unit 1 – 21 Main Street. 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 advised that this is an application from Growing Minds Child Care Centre. The variance is requested to vary the required number of parking stalls from 25 to 10 for Unit 1 – 21 Main Street. Background: The applicant requests this variance to accommodate an expansion to the daycare space and bring the parking requirement into compliance. Administration's recommendation is to approve this variance as proposed.

Councillor Nathan Dueck questioned whether this was primarily due to expansion and whether most of the traffic would be drop-off and pick-up.

CAO Eric King confirmed it would be drop-off and pick-up, 1 or 2 more staff additional staff, and currently "rush hour" has about 4-5 cars doing drop off/pick up.

Deputy Mayor Chris Wiebe questioned how many daycare spaces would be added.

Mr. King advised 30 spaces, which Rhonda Kenning confirmed.

There was no opposition to the proposal.
The public hearing was closed at 7:10 p.m.

Minutes of a Public Hearing held on August 20, 2024, at 7:11 p.m. regarding Conditional Use C14-24, an application from Randy Kehler and Faron Trippier to allow for an indoor amusement center offering golf simulators to operate on Lot 1 Block 1 Plan 67816, civically known as Unit B, 501 Pauls Street as Unit 1 – 21 Main Street. 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 advised that this was a Conditional Use from Randy Kehler and Faron Trippier to allow for an indoor amusement center offering golf simulators at Unit B, 501 Pauls Street. Background: All uses in the Niverville Business Park are Conditional Uses. Unit A of this building is approved for a landscaping business to have interior storage, perform minor repairs, and exterior storage of vehicles and equipment. Another unit is approved for a vehicle restoration/welding business. Also approved for this location is a self-service storage facility business for an accessory building and a Caretaker's Suite as a secondary conditional use in conjunction with a permitted industrial use development. The recommendation is to approve the Conditional Use as requested, subject to the following condition: a) that the Landlord ensures that the Town has provided approval in writing for a revised parking plan that addresses parking requirements for all uses approved for the property.

Mr. Randy Kehler, the applicant, advised that they would like to put in 2 possibly 3 golf simulators, vending machines, they have 2 parking stalls, his and his partner's, that are never used, they have a total of 9 spots in the front, as well as another 2 or 3 in back and another acre of parking available in the adjacent lot.

Deputy Mayor Chris Wiebe questioned when they would open and if it would be staffed.

Mr. Kehler advised they were hoping to open in September, before winter, and that he would be taking care of that unless it grows.

There was no opposition to the proposal.

The public hearing was closed at 7:14 p.m.

Minutes of a Public Hearing held on August 20, 2024, at 7:16 p.m. regarding Conditional Use C15-24, an application from Kristen Fyfe to allow a home-based massage therapy business to operate on Lot 47, Plan 50833, civically known as 67 Claremont Drive. 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 advised that this was an application from Kristen Fyfe to allow a home-based massage therapy business to operate in a Residential Single-Unit Zone, civically known as 67 Claremont Drive. Background: The applicant proposes operating a massage therapy business out of her home. Five area residents have sent in notice of their support for this business.

Recommendation: In keeping with past precedent, approve the Conditional Use subject to the following conditions:

- 1) That the applicant provide on-site parking for clients;
- 2) That the applicant obtain an annual Business License from the Town; and
- 3) That this Conditional Use approval will expire on August 20, 2026. 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 if application received on or before July 13, 2026.

Mr. King read letters from the following residents expressing their support for the business:

- Kasia Duval of 69 Claremont Drive
- Jeff Mayo of 17 Carling Circle
- Tonya Mayo of 17 Carling Circle
- Tammy & Jay Meyer of 65 Claremont Drive

There was no opposition to the proposal.

The public hearing was closed at 7:19 p.m.

Minutes of a Public Hearing held on August 20, 2024, at 7:21 p.m. regarding Variance V9-24, an application from Ray Dowse on behalf of 5584796 MB Ltd. to vary parking requirements and signage requirements on Lot 6 Block 4 Plan 19956, civically known as 226 Main Street. 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 advised that this was an application from Ray Dowse on behalf of 5584796 MB Ltd. Variance is requested to vary the following:

- 1) The parking requirement from 27 to 18,
- 2) The requirement for 2 accessible parking spots from 2 to 1,
- 3) The identification signage for the building's Tenants "A to E" from one illuminated or non-illuminated fascia identification sign having an aggregate sign surface area not exceeding twenty (20) percent of the surface of the wall to which they are attached, to the following:

- West side of the building - One backlit identification sign listing the building's Tenants "A" to "E", maximum size of 64 sq. ft.,
- East side of the building – aggregate of all signage on the east side to be a maximum size of 360 sq. ft., one backlit identification sign listing the building's Tenants "A" to "E", one backlit identification sign that includes both Tenants "B" & "C" to fit within the timber frame entrance feature on the northeast side of the building, one backlit identification sign for Tenant "D", one backlit identification sign for the southeast-facing entrance above the door for Tenant "E"; and 1 set of identification address numbers,
- North side of the building – aggregate of all signage on the north side to be a maximum size of 60 sq. ft., one backlit identification sign for Tenant "A" at the front entrance of the building, and 1 set of identification address numbers.

Background: The applicant is updating his entire building and façade, which includes removing the east side jut out. He is also acquiring property on the south side of the back lane (through a subdivision) to increase the parking for the building to 18 stalls (33% variance). The "new" parking area to the south of the back lane is not required to be paved, and the applicant will be required to gravel a portion south of the existing building to make the gravel driving lane 24 feet, rebuild the public lane behind 226 Main Street and enter into a lease agreement with the Town for the back lane. The area on 226 Main Street where the jut out is removed will be paved. Note there is an agreement with MCC for access to 226 Main Street over the MCC property.

Mr. King noted that the recommendation is to approve this variance as proposed, subject to the following conditions:

- 1) That the applicant gravels a portion south of the existing building to make the gravel driving lane 24 feet wide;
- 2) That the applicant rebuild the public lane behind 226 Main Street;
- 3) That the applicant enters into a lease agreement with the Town for the back lane; and
- 4) That the area on 226 Main Street where the jut out is removed will be paved.

Mr. Ray Dowse, the applicant, stated that this was an older building, that the back self-storage area of 570 square feet, being the jut out, was being removed to add an additional 5 parking stalls there, that he was working with residents directly to the south to add an additional 6 parking stalls there, and an application has been made with Community Planning for a subdivision was in process. He advised that this is the most parking that he could create for the area, that there will be new applicants (tenants) coming in for a conditional use, with other tenants to remain the same and some shifting within. He added that the entire façade was being updated, and was doing a full professional signage package which was billboard style and backlit, which will make the building look like a "new" building.

Deputy Mayor Chris Wiebe questioned why Mr. Dowse was purchasing land from the neighbour.

Mr. Dowse advised that it was to add a net of 3 parking stalls, which will be consistent with what MCC (neighbour) has done to the south and that he would be adding a fence line.

Deputy Mayor Chris Wiebe questioned whether it would look like MCC's parking and Mr. Dowse confirmed it would.

There was no opposition to the proposal.

The public hearing was closed at 7:26 p.m.

Minutes of a Public Hearing held on August 20, 2024, at 7:30 p.m. regarding Conditional Use C16-24, an application from Performance Insulation to allow for an insulation supply and installation business to operate, including an office and interior/exterior storage, on Lot 18 Block 3 Plan 71566, civically known as 822 Riel Cove. 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 advised that this was an application from Performance Insulation, for a Conditional Use to allow for an insulation supply and installation business to operate, including an office and interior/exterior storage at 822 Riel Cove. Background: All uses in the Niverville Business Park are Conditional Uses and this proposed use is in line with the industrial uses that the Industrial General Zone is intended to accommodate. Recommendation: Approve the Conditional Use as requested, subject to the following condition: a) That the applicant enters into a Development Agreement with the Town.

Deputy Mayor Chris Wiebe commented that he was impressed on how fast the parking lot was being installed.

There was no opposition to the proposal.

The public hearing was closed at 7:31 p.m.

Minutes of a Public Hearing held on August 20, 2024, at 7:33 p.m. regarding Variance V10-24, an application from Richard Muntain and Lory Muntain to vary on Lot 11 Block 2 Plan 61073, civically known as 720 Birkdale Cove, the allowable (projection) setback in the rear yard from 15 feet to 0 inches to accommodate a deck around a pool, and the rear yard setback from 5 feet to 2 feet and the north side yard from 5 feet to 3 feet to accommodate a pool and pool equipment. 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 advised that this was a Variance application from Richard and Lory Muntain to vary at 720 Birkdale Cove:

- 1) the allowable setback in the rear yard from 15 feet to 0 inches, to accommodate a deck around a pool, and
- 2) the rear yard setback from 5 feet to 2 feet and the north side yard setback from 5 feet to 3 feet to accommodate a pool and pool equipment.

Background: The applicant is requesting the variance to bring the location of a pool, pool equipment, and a deck around the pool into compliance with the Town's Zoning Bylaw.

Recommendation: The recommendation is to approve this variance as proposed, as no opposition has been received from adjacent neighbours, and the rear yard backs onto the golf course.

The applicant, Mr. Richard Muntain, questioned the 15-foot setback requirement for a deck, which he had not found in the Zoning Bylaw.

Mrs. Audrey Neufeld (staff) advised that there was a maximum that you could extend into the required setback, and that maximum was 15 feet because it is a 25-foot setback, and noted that it was in the Zoning Bylaw and this could be sent to him if he would like it.

There was no opposition to the proposal.

The public hearing was closed at 7:36 p.m.
