

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on September 17, 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#220-24  
Agenda M. Beasant – N. Dueck  
BE IT RESOLVED that the agenda be approved as presented.  
“Carried”
- Res#221-24  
Minutes B. Fast – C. Wiebe  
BE IT RESOLVED that the minutes of the regular Council meeting held on September 3, 2024, and the special meeting of Council held on September 10, 2024, be approved as presented.  
“Carried”
- Res#222-24  
Table  
Agenda N. Dueck – 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 C18-24 for 50 Claremont Drive.  
“Carried”
- Res#223-24  
Resume M. Beasant – C. Wiebe  
BE IT RESOLVED that the Public Hearing for Conditional Use application C18-24 for 50 Claremont Drive be closed, and Council resume its former order of business (7:12 p.m.).  
“Carried”
- Res#224-24  
C18-24 B. Fast – N. Dueck  
WHEREAS a Public Hearing was held regarding Conditional Use C18-24, an application from Shawn and Merris Dyck to allow for a bed and breakfast business to operate on Lot 46, Plan 47826, civically known as 50 Claremont Drive;  
AND WHEREAS in accordance with The Planning Act, the Conditional Use application was duly advertised;  
AND WHEREAS there was one letter of support, one letter in opposition, and one letter with concerns received to the proposal;  
THEREFORE BE IT RESOLVED that Conditional Use C18-24, an application to allow for a bed and breakfast business to operate on Lot 46, Plan 47826, civically known as 50 Claremont Drive be approved subject to the following conditions:  
1) That the applicants comply with the use-specific standards for Bed and Breakfasts as outlined in the Town’s Zoning By-law;  
2) That the applicants obtain an annual Business License from the Town; and  
3) That this Conditional Use approval will expire on September 17, 2026.  
Applicant(s) 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 August 14, 2026.  
“Carried”
- Res#225-24  
Travel  
Card C. Wiebe – M. Beasant  
BE IT RESOLVED that Council authorizes a Travel Card to be issued to Eric King, CAO, for booking travel arrangements for staff and Council to attend Town conferences and other travel.  
“Carried”

Res#226-24 Subdivision	<p>C. Wiebe – B. Fast</p> <p>BE IT RESOLVED that Council approves subdivision file no. 4340-24-8991 for Lot 26 Block 6 Plan 19956, civically known as 86 3<sup>rd</sup> Avenue S., to create a bareland condominium consisting of four residential units and a common element, subject to the following condition:</p> <p>1) That the 10-foot drainage easement along the south side of 86 3rd Avenue S. is recognized and honored in full.</p> <p style="text-align: right;">“Carried”</p>
	<p>Mayor Myron Dyck noted that we are at the start of a new year with many exciting things, and acknowledged and extended a welcome to the new principal in the High School and to the students in all grades in our community, wishing them all well. He also mentioned that this is the starting point for all athletic programs and wished the coaches and players a successful year. Mayor Dyck mentioned the need for lodging in the community, citing the upcoming national championships that will be hosted in this building (CRRC) in the spring, wedding venues in the area, and people coming in to visit family for all sorts of reasons, and that you only get one chance to be the first hotel in Town.</p>
Res#227-24 Accounts	<p>C. Wiebe – B. Fast</p> <p>BE IT RESOLVED that cheque nos. 44619 to 44684, totaling \$236,023.80, be hereby approved for payment.</p> <p style="text-align: right;">“Carried”</p>
Res#228-24 Aug. F.S.	<p>FAST - BEASANT</p> <p>BE IT RESOLVED that Council approves the August 31, 2024 Financial Statement as presented.</p> <p style="text-align: right;">“Carried”</p>
Res#229-24 BL866-24 2 <sup>nd</sup> Reading	<p>C. Wiebe – B. Fast</p> <p>BE IT RESOLVED that Council gives second reading to By-law 866-24, a by-law to rename Barry Avenue to Henry Redekop Avenue.</p> <p style="text-align: right;">“Carried”</p>
Res#230-24 BL866-24 3 <sup>rd</sup> Reading	<p>B. Fast – C. Wiebe</p> <p>BE IT RESOLVED that Council gives third reading and passes By-law 866-24, a by-law to rename Barry Avenue to Henry Redekop Avenue.</p> <p style="text-align: right;">“Carried”</p> <p>In Favour: M. Dyck, C. Wiebe, N. Dueck, B. Fast, M. Beasant</p>
Res#231-24 Adjourn	<p>M. Beasant – B. Fast</p> <p>BE IT RESOLVED that the meeting be adjourned. (7:24 p.m.)</p> <p style="text-align: right;">“Carried”</p>

  
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Mayor

  
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Chief Administrative Officer

Minutes of a Public Hearing held on September 17, 2024, at 7:00 p.m. regarding Conditional Use C18-24, an application from Shawn and Merris Dyck to allow for a bed and breakfast business to operate on Lot 46, Plan 47826, civically known as 50 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 Shawn and Merris Dyck for a Conditional Use to allow for a bed and breakfast business at 50 Claremont Drive. Background – the applicants propose operating a bed and breakfast in one bedroom of their home at 50 Claremont Drive, with 1 parking space available for their clients. For clarity purposes, this application does not speak to the use of this property to operate an Air BnB, only a bed and breakfast. The Town's Zoning By-law includes the following use-specific standards for Bed and Breakfasts:

*“A bed and breakfast shall only be allowed on a site in a zone in which it is a permitted or conditional use if it meets all of the following requirements:*

- a) the operator must reside within the principal residence to which the Bed and Breakfast is an accessory use;*
- b) no more than three bedrooms shall be used for the bed and breakfast operation;*
- c) one additional on-site parking spot shall be provided for each bedroom that is used for the bed and breakfast operation; and*
- d) signs shall follow the regulations for home-based businesses in the zone in which the bed and breakfast is located.”*

Mr. Shawn Dyck (applicant) noted that they looked at the growth of the Town and wondered if there was any need for a bed and breakfast in Town. In their research, they found out that there wasn't really any, and there were others that have not been approved by the Town. They wanted to go through the proper channels and had looked at the requirements for 1 bedroom, which was 1 parking space. He commented that people say there is no place for relatives to stay when they come to Town, and cited examples where accommodations could be needed (hockey tournaments, weddings, friends, family, etc.) Mr. Dyck added that he and his wife have been in the hospitality industry for 11 years, operating a restaurant, and have experience being in public service throughout their careers.

Councillor Nathan Dueck commented that it was owner-operated and questioned whether there were 2 suites in the house already.

Mr. Dyck confirmed that they have one suite in the basement with a bedroom, bathroom, and kitchenette, that the suite has a separate entrance, and that it is still open to the rest of the house.

Councillor Meghan Beasant questioned whether the bed and breakfast was for short stays and not as a rental suite.

Mr. Dyck confirmed it was for short-term rentals.

Councillor Dueck mentioned that some short-term rentals have gone to longer-term rentals, which may be zoning issues.

Mr. Dyck advised that that is why they have done this as a bed and breakfast.

Mrs. Merris Dyck (applicant) advised that the reason they are going with short-term rentals is to have the option to use the full space of their house when the room is not booked, and that they don't want to have a long-term rental.

Deputy Mayor Chris Wiebe mentioned that he had talked to Juliette from Jette Studios who said she was concerned that there wasn't enough space in Niverville right now for immediate stays, and the hotel won't be completed by the time they start production.

Mr. Dyck confirmed that that was their line of thinking as well, and providing place for people to stay for tournaments, etc.

Mr. King read the following letters into the record:

- Robert and Megan Grant, 48 Claremont Drive, expressed concerns regarding increased traffic, noise levels, parking issues, safety concerns, altered neighborhood character, privacy issues, and security.
- Madeline Marino, 112 Claremont Drive, objected to the proposal, citing concerns with strangers and possible crime it would bring into the area, increased traffic and depreciating the area, and safety for the children that live on the street.
- Melinda Bidzinski, 17-10 Foxdale Way, provided a letter of support for the proposal as something that the community needs, and the risk of problems to neighbors would be low.

Mayor Dyck advised the those in attendance that these Conditional Use applications are dealt with in two steps, usually done for 2 years as a trial home-based business, should Council decide in favor. This allows for 2 years to evaluate and then it goes through another public hearing process like this, where information is distributed, and neighbours can then come out and say it has been ok or this is absolutely something that needs to go. The application fee (after the 2 year trial period) is waived, and should Council approve it then, it becomes permanent at that point.

The public hearing was closed at 7:12 p.m.

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