

**TOWN OF NIVERVILLE**

Minutes of the regular meeting of the Niverville Town Council held on December 3, 2024, at 9:03 a.m. at the Niverville Community Resource and Recreation Centre. Mayor Myron Dyck, Deputy Mayor Chris Wiebe, and Councillors Nathan Dueck and Meghan Beasant were in attendance.

Res#274-24 Excuse	N. Dueck – M. Beasant BE IT RESOLVED that Councillor Bill Fast be excused due to a personal commitment.	“Carried”
Res#275-24 Agenda	M. Beasant – C. Wiebe BE IT RESOLVED that the agenda be approved subject to the following addition: New Business: 11 b. Council support for Climate Adaptation and Asset Management Plan.	“Carried”
Res#276-24 Minutes	M. Beasant – C. Wiebe BE IT RESOLVED that the minutes of the regular Council meeting held on November 19, 2024, be approved as presented.	“Carried”
Res#277-24 NBP Guidelines	C. Wiebe – N. Dueck BE IT RESOLVED that Council adopts revised Design Guidelines for the Niverville Business Park, which shall take effect January 1, 2025, copy of which is attached as Schedule “A”.	“Carried”
Res#278-24 Appointments	N. Dueck – C. Wiebe BE IT RESOLVED that the 2025 Council Committee and Board appointments be accepted as presented, copy of which is attached hereto as Schedule “B”.	“Carried”
Res#279-24 Emerg. Plan	N. Dueck – M. Beasant BE IT RESOLVED that Council approves the Town’s 2025 Emergency Plan as presented.	“Carried”
Res#280-24 Interim Budget	C. Wiebe – M. Beasant BE IT RESOLVED that the following interim budget be adopted for 2025:	
	General Government Services	\$557,000
	Protective Services	448,000
	Transportation	615,000
	Environmental Health	160,000
	Public Health and Welfare Services	19,000
	Environmental Development Services	97,000
	Economic Development Services	63,000
	Recreation and Cultural Services	597,000
	Fiscal Services	<u>580,000</u>
	<i>Sub-Total</i>	\$ 3,136,000
	Water Utility	279,000
	Sewer Utility	<u>211,000</u>
	<i>Sub-Total</i>	<u>\$ 490,000</u>

Reserves:	
Machinery	160,000
Protective Equipment	369,000
Capital Development	774,000
Recreation Development	395,000
Office	50,000
Road Reconstruction	615,000
General	655,000
Community Resource Centre	950,000
Gas Tax	237,000
Sewer	2,400,000
Water	<u>195,000</u>

*Sub-Total*

\$ 6,800,000

**TOTAL INTERIM**

**\$10,426,000**

AND BE IT FURTHER RESOLVED that the Chief Administrative Officer or his designate be authorized to pay all regular recurring expenses.

“Carried”

Res#281-24  
Accounts

C. Wiebe – M. Beasant  
BE IT RESOLVED that cheque nos. 44942 to 44966 totaling \$208,501.77, and Electronic Fund Transfers totaling \$198,461.30 are hereby approved for payment.

“Carried”

Res#282-24  
BL 867-24  
1<sup>st</sup> Reading

N. Dueck – C. Wiebe  
BE IT RESOLVED that By-law 867-24, being a Council Remuneration By-law for 2025 is given first reading.

“Carried”

Res#283-24  
BL 867-24  
2<sup>nd</sup> Reading

N. Dueck – M. Beasant  
BE IT RESOLVED that By-law 867-24, being a Council Remuneration By-law for 2025 is given second reading.

“Carried”

Res#284-24  
BL 868-24  
1<sup>st</sup> Reading

C. Wiebe – M. Beasant  
BE IT RESOLVED that By-law 868-24, being a Staff Remuneration By-law for 2025 is given first reading.

“Carried”

Res#285-24  
BL 868-24  
2<sup>nd</sup> Reading

C. Wiebe – M. Beasant  
BE IT RESOLVED that By-law 868-24, being a Staff Remuneration By-law for 2025 is given second reading.

“Carried”

Res#286-24  
BL 869-24  
1<sup>st</sup> Reading

C. Wiebe – M. Beasant  
BE IT RESOLVED that Council gives first reading to By-law 869-24, The Fire Prevention and Emergency Services By-law, being a by-law for the prevention and control of fires, to regulate fireworks and define the authority of the Niverville Fire & Emergency Services and the Chief Administrative Officer.

“Carried”

Res#287-24 BL 869-24 2 <sup>nd</sup> Reading	N. Dueck – M. Beasant BE IT RESOLVED that Council gives second reading to By-law 869-24, The Fire Prevention and Emergency Services By-law, being a by-law for the prevention and control of fires, to regulate fireworks and define the authority of the Niverville Fire & Emergency Services and the Chief Administrative Officer. “Carried”
Res#288-24 BL 870-24 1 <sup>st</sup> Reading	C. Wiebe – M. Beasant BE IT RESOLVED that Council gives first reading to Building By-law 870-24, a by-law to regulate and control the use of new and existing buildings and structures, including the construction, placement, alteration, repair, renovation, demolition, relocation, removal and the erection of a structure or addition to a building. “Carried”
Res#289-24 BL 870-24 2 <sup>nd</sup> Reading	M. Beasant – N. Dueck BE IT RESOLVED that Council gives second reading to Building By-law 870-24, a by-law to regulate and control the use of new and existing buildings and structures, including the construction, placement, alteration, repair, renovation, demolition, relocation, removal and the erection of a structure or addition to a building. “Carried”
Res#290-24 BL 871-24 1 <sup>st</sup> Reading	M. Beasant – N. Dueck BE IT RESOLVED that Council gives first Reading to By-law 871-24, a by-law for the purpose of licensing Mobile Food Service Units within the Town. “Carried”
Res#291-24 BL 871-24	N. Dueck – C. Wiebe BE IT RESOLVED that Council postpones indefinitely the second reading to By-law 871-24, a by-law for the purpose of licensing Mobile Food Service Units within the Town, to allow the Niverville Chamber of Commerce an opportunity to review the proposed changes. “Carried”
Res#292-24 BL 872-24 1 <sup>st</sup> Reading	C. Wiebe – M. Beasant BE IT RESOLVED that the Fees and Charges By-law 872-24, being a by-law to establish, consolidate, revise and update the fees and charges payable to the Town of Niverville for products and municipal services rendered under the authority of The Municipal Act, The Planning Act, and the by-laws of the Town, is given first reading. “Carried”
Res#293-24 BL 872-24 2 <sup>nd</sup> Reading	N. Dueck – M. Beasant BE IT RESOLVED that the Fees and Charges By-law 872-24, being a by-law to establish, consolidate, revise and update the fees and charges payable to the Town of Niverville for products and municipal services rendered under the authority of The Municipal Act, The Planning Act, and the by-laws of the Town, is given second reading. “Carried”
Res#294-24 Award Contract	M. Beasant – N. Dueck BE IT RESOLVED that following the Town’s due tendering process and subject to the Town receiving the Green Municipal Fund Climate Ready Plans and Processes Grant, that the contract for the Town’s Climate Ready Plans and

Processes Consulting Services be awarded to LandInfo Technologies Inc., who submitted the highest scoring bid of \$87,500.00 plus applicable taxes.

“Carried”

Res#295-24  
Climate  
Adaptation &  
Asset Mgmt  
Plan

M. Beasant – N. Dueck

WHEREAS the Town of Niverville is interested in a Climate Adaptation and Asset Management Plan to improve the community’s climate resilience by determining how climate change may impact the community, the severity and probability of those risks, and to create a plan to implement strategic measures that mitigate the risk of those climate change impacts;

AND WHEREAS staff are undertaking a Climate Adaptation and Asset Management Plan subject to the Town receiving funding through the Green Municipal Fund Climate Ready Plans and Processes Grant for Climate Ready Plans and Processes Consulting Services;

THEREFORE BE IT RESOLVED that Council directs staff to apply for a funding opportunity from the Federation of Canadian Municipalities’ Local Leadership for Climate Adaptation initiative for the Town of Niverville Climate Adaptation and Asset Management Plan.

“Carried”


Res#296-24  
Adjourn

M. Beasant – N. Dueck

BE IT RESOLVED that the meeting be adjourned. (9:31 a.m.)

“Carried”

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

## Schedule "A"

# NIVERVILLE BUSINESS PARK DESIGN GUIDELINES

January 1, 2025

Purpose: The purpose is to create a basic set of parameters governing development features regulating the Business Park to ensure a well-coordinated attractive industrial environment. These standards are intended to offer all property owners confidence that each building will complement the development and protect their investment. **Whenever a provision of the Town's Zoning By-law or any other by-law or regulation of the provincial or federal government contains a restriction governing the same subject matter contained in these guidelines, the most restrictive or highest standard shall prevail. If clarification is needed on any requirement, please contact the Town's Planning Department.**

### A. Definitions

1. Designated Officer: means the person appointed by the Chief Administrative Officer to enforce or administer the Design Guidelines or Town By-laws.
2. Sign: means any writing, illustration, or emblem, which directs attention to a building, use, business, commodity, service or entertainment. Refer to the Town's Zoning Bylaw for regulations.
3. Lighting Pattern Plan: shows the location of all exterior lighting and the glare zone of each light. Refer to the Town's Zoning Bylaw for regulations.
4. Natural Landscaping: includes the required trees and shrubs in conjunction with topsoil (maintained free of weeds), wood chips (or other organic top layer), or grass.
5. Rough Grade Elevations: means cutting and filling the earth to within 6 inches of the design lot line grades and crowning the lot to prevent standing water onsite.
6. Town: Town of Niverville
7. NBP: Niverville Business Park
8. NCDC: Niverville Community Development Corporation
9. Site Coverage: means that part or percentage of the site occupied by buildings, including accessory buildings. Refer to the Town's Zoning By-law for site coverage specifications.

### B. Signs

1. All signs (including identification and advertising) in the Niverville Business Park are subject to the signage regulations in the Town's Zoning By-law currently in effect.
2. All lots should, at minimum, have identification signage (civic address) posted on the lot once construction commences to assist emergency crews should a response be required.

### C. Lights on Private Property

1. See outdoor lighting requirements in the Town's Zoning By-law for regulations. Lighting pattern plan to be submitted for inclusion in the Development Agreement.

### D. Landscaping

1. Greenspace Requirements:
  - a) Each lot is required to maintain natural landscaping for the first ten feet of yard frontage:
    - i. A corner lot must maintain a minimum of ten feet of natural landscaping on both sides of its street frontage and flankage.
    - ii. All front yards must contain a minimum of one deciduous or coniferous tree for each thirty (30) feet of linear *street frontage*, plus three (3) shrubs for each twenty (20) feet of linear *street frontage* (frontage calculation to exclude the width of the driveway).
    - iii. Trees must be a minimum of 3 feet in height when planted and shrubs must be a minimum of 1 foot in height and 1 foot in width when planted and shall be maintained in a good manner.
    - iv. A fence may be constructed on the property line; however, any required natural landscape and greenspace requirements must be outside the fenced enclosure.
  2. Parking bumper guards must be installed when parking a vehicle on a designated parking spot within five (5) feet of any public property line, designated green space, naturally landscaped area or private property line unless a fence separates the naturally landscaped area and the parking area. Parking bumper guards are required to prevent encroachment on adjoining lands.
  3. Fencing:
    - a) All fencing types enclosing storage shall ensure that the following guidelines for an opaque fence are followed:
      - i. Fence along frontage must be opaque;
      - ii. Fence along rear property line must be opaque when lot backs onto a public road;
      - iii. Corner lots must have an opaque fence on both the frontage and side yard that is adjacent to a street.

Gates do not need to be opaque. The opaque feature could include either a chain link fence with slats or fabric or masonry wall. Opaqueness is required to obstruct view of outdoor storage.
    - b) Chain link fencing with coniferous trees and shrubs with mature height equal or greater than height of fence and maintained by lot owners is a permitted alternative option.
    - c) Steel (or its equivalent) siding used for fencing and wooden fences are not permitted.
    - d) A fence and associated visual barrier are required to be maintained in good condition as determined by Town.
    - e) A fence may be constructed on the property line however, any required natural landscaping must be outside the fenced enclosure.
    - f) See the Town's Zoning By-law for fence heights and materials regulations.
  4. Storage:
    - a) All exterior storage must be in an opaque fenced enclosure in compliance with fencing requirements.

- b) Waste and recycling bins for all properties cannot be stored in the front yard unless in an opaque fenced-in enclosure.

#### **E. Setbacks / Max Building Height / Max Site Coverage**

1. See the Town's Zoning By-law for minimum setback requirements, maximum height and maximum site coverage requirements.

#### **F. Accessory Buildings**

1. Accessory buildings (if any) must be included on the building permit application and site plan submitted with a permit application. Subsequent accessory buildings or structures may require a new building permit prior to being located on the property.
2. All main and accessory buildings combined must not create a maximum site coverage in excess of allowable percentage of coverage of the property as per the Town's Zoning By-law.
3. All accessory buildings are required to be constructed in accordance with Town of Niverville By-laws and construction standards, setbacks, and are subject to inspections by the Town's Designated Officer.
4. Shipping containers are regulated under the Town's Zoning By-law and must comply with all noted standards.
5. Accessory buildings and structures are not permitted in the required front yard, except for waste and recycling bins enclosed by a structure.
6. Construction of an accessory building is permitted prior to the construction of the primary building IF the primary building will be constructed within six months of accessory building and the building permit is issued simultaneously for both primary and accessory buildings.
7. There is no limit on the number of accessory buildings per lot other than the requirement to meet the site coverage limitation and property line setbacks as per the Town's Zoning By-law. A Conditional Use may be required for an accessory building if it will house a new use on the property – please check with Town staff to confirm.
8. Distance requirements between all accessory and/or main buildings will be determined by the construction materials as defined either in the Manitoba Building Code, amendments thereto and/or associated Acts or Town By-laws.

#### **G. Driveway / Culvert**

1. Once property ownership has transferred from the Town to the property owner, the property owner may submit their request to the Town for the preferred driveway location and width of the driveway. The Town will arrange for the installation of the driveway approach on the public road allowance at a mutually agreed upon location acting reasonably, construction of which will be in accordance with Town specifications. The Town's decision on the location of the driveway is final and non-appealable.

2. Driveway approaches are limited to between 15 feet and 30 feet in width unless otherwise arranged with the Town. The cost of an oversized culvert and installation will be the responsibility of the property owner.
3. There must be a minimum of 15 feet separation between driveway approaches on adjacent lots, and driveways must be constructed to maintain the natural drainage in conjunction with the NBP Drainage Plan. Registered drainage easements are required to be registered on both lots when a drain is located along a property line where adjacent land is owned by two different property owners.
4. Replacement of culverts damaged due to everyday use as determined solely by the Town will be completed at the sole cost of the Town. However, when either a driveway approach is requested to be expanded or a culvert repaired due to damage caused by the property owner or their clientele (e.g. trailer drives over the culvert ends restricting water flow), the cost of culvert and installation will be at the sole cost of the property owner. No alterations to driveway approaches on public road allowance is permitted except by the Town.
5. Culvert installation specifications are as per the Town's Construction Standards as amended from time to time by resolution of Council, and associated costs are as per applicable rates at the time of installation.

## **H. Dedicated Vehicle Parking Requirements**

1. A vehicle parking spot is defined as a dedicated 10-foot by 20-foot area with a 24-foot driving aisle to access the parking spot, based on angled parking of 75° to 90°.
  - a) Employee Parking spots required for either the greater of: 1 for each 500 square feet of floor area (no less than 2), or
  - b) Minimum of one per employee at the maximum shift.
2. Visitor Parking:
  - a) Minimum of four parking spots.
  - b) In addition, when the business has dedicated commercial / customer retail space, an additional requirement of one spot for every 500 square feet of retail floor space.
3. Handicap Parking – see requirements under the Town's Zoning By-law.
4. Loading Zones – see requirements under the Town's Zoning By-law.
5. Designated parking spots are not permitted within designated greenspace.
6. Parking requirements are subject to review when any new development is proposed, including a change of use of an existing development, or when any existing development, in the opinion of the Designated Officer, has or will be substantially enlarged or increased in capacity.

## **I. Building Permit Application and Construction**

1. Permit Fees: **(All fees are subject to change by resolution of Town Council)**
  - a) Security Deposit: flat rate based on lot size: \$2,500 per each half acre up to a maximum of \$10,000.
  - b) Driveway / Culvert and installation fees (if oversized) to be provided at the time that the building permit is pulled or when a new or revised driveway is requested.



- c) Building permit fees are subject to size and type of building and as per the building permit fee structure currently in effect.
  - d) A Development Permit is required for buildings over 6,458 sq. ft. or buildings that require a Part 3 Building Permit.
  - e) Effective January 1, 2025, Capital Development Fee per lot. Sewer and water capital fees will be due upon connection to Town services (when available), with fees outlined in the Town's Fees & Charges By-law.
2. **A master site plan drawn to scale showing the location and size of all buildings (including all setbacks), parking layout (including sizes of parking spaces and driving aisle width), fencing plan (including location and height), landscaping plan (including the required number of trees and shrubs) and lighting pattern plan along with lot drainage plan are required as part of the building permit application process and Development Agreement documentation.**

## **J. Pre-Construction Inspections / Requirements**

1. Under the Town's Zoning By-law, a Conditional Use is required for all uses in the business park except accessory/secondary buildings and structures, and shipping containers unless they house different uses from the primary use. This permission must be obtained before a building permit or Development Permit is approved and is required before the commencement of every new use on a property. Failure to obtain the Conditional Use approval prior to the commencement of the use on the property will result in a higher Conditional Use application fee and may result in fines being levied by By-law Enforcement.
2. A Development Agreement with the Town is required prior to establishing the primary building on the property. An amending Development Agreement may be required for building expansions.
3. Town staff will provide the building permit applicant with five lot elevations including the four lot corners and building floor pad elevation.
4. Prior to construction, upon the request from the building permit applicant, the Town will provide five stakes on site with elevation markings thereon. The Town provides one free lot staking for a property purchased directly from the Town. If the free staking is not completed when the original purchaser (from the Town) owns the property, the original purchaser forfeits the right to this free staking. Grade stake integrity is only confirmed by the Town at the time that lot grades are staked. Immediately following staking, it is the responsibility of the party ordering the staking and/or the property owner to ensure stakes are protected from being disturbed by people, equipment, weather, or any other means. The Town recommends completing lot grading immediately after staking to help maintain the integrity of the lot staking. Should any factors suggest that a stake may have been disturbed, the Town recommends ordering another staking by the Town.
5. To ensure correct drainage within the entire business park, the property owner must bring their lot to rough-grade elevations as determined by the Town within six months of purchase closing date. Extensions may be granted by the Town due to adverse circumstances (e.g. weather). A one-month extension may be requested by the property owner a minimum of five (5) working days prior to the deadline. Should the rough grade elevations not be completed by the property owner, the Town at its sole discretion, will complete the work on behalf of the property owner and at the cost of the property owner. If this work is not paid within thirty (30) days of invoice issuance, the full cost will be placed on property taxes.

## **K. Inspections during Construction**

1. The Designated Officer shall be responsible for determining the number of standard inspections required for a Part 9 building, and the Town's Part 3 Building Inspector shall be responsible for determining the number of standard inspections required for a Part 3 building.

The Designated Officer shall be responsible for determining the number of standard inspections for fire-monitored buildings

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**Schedule "B"**  
**Council Organization – December 3, 2024**

**Deputy Mayor – Chris Wiebe**

**Niverville Community Development Corporation**

Myron Dyck – President

Directors – Chris Wiebe, Nathan Dueck, Bill Fast, Meghan Beasant

Treasurer – Dawn Penner

Secretary – Eric King

**Niverville Health Care Services Inc.**

Nathan Dueck – President

Directors – Myron Dyck, Chris Wiebe, Bill Fast, Meghan Beasant

Secretary – Eric King

**Niverville Recreation Committee (Dormant)**

Myron Dyck – President

Directors – Chris Wiebe, Nathan Dueck, Bill Fast, Meghan Beasant

**Seine Rat River Conservation District**

Ryan Dyck - member

Eric King – alternative delegate

**Community Futures Triple R Development**

Alexander (Sandy) Wallace – member

Myron Dyck – alternative delegate

**Council Committee**

Myron Dyck – Chairperson

Spokesperson for:

Business Development – Chris Wiebe

Medical Services – Nathan Dueck

**Board of Revision**

Myron Dyck – Chairperson

Eric King – Secretary

**RSR Wastewater Cooperative (joint with RM of Ritchot, RM of Hanover, RM of Tache)**

Myron Dyck – Director

Eric King - Director