

**TOWN OF NIVERVILLE**

Minutes of the regular meeting of the Niverville Town Council held on February 4, 2025, at 7:00 p.m. at the Niverville Community Resource and Recreation Centre. In attendance were Mayor Myron Dyck, Deputy Mayor Chris Wiebe, Councillors Nathan Dueck and Bill Fast.

Res#22-25  
Excuse

B. Fast – N. Dueck  
BE IT RESOLVED that Councillor Meghan Beasant be excused due to a personal commitment.

“Carried”

Res#23-25  
Agenda

B. Fast – C. Wiebe  
BE IT RESOLVED that the agenda be approved subject to the following addition:  
11 a. New Business: Update Schedule A – By-law Enforcement By-law 778-17

“Carried”

Res#24-25  
Minutes

N. Dueck – B. Fast  
BE IT RESOLVED that the minutes of the regular Council meeting held on January 21, 2025, be approved as presented.

“Carried”

Res#25-25  
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 C2-25 for Lots 1 & 2 Plan 66192, in Fifth Avenue Estates West.

“Carried”

Res#26-25  
Resume

C. Wiebe – B. Fast  
BE IT RESOLVED that the Public Hearing for Conditional Use application C2-25 for Lots 1 & 2 Plan 66192, in Fifth Avenue Estates West be closed, and Council resume its former order of business (8:26 p.m.).

“Carried”

Res#27-25  
C2-15

N. Dueck – C. Wiebe  
WHEREAS a Public Hearing was held regarding Conditional Use C2-25, an application from Avedo Inc. to allow for a Planned Unit Development on Lots 1 and 2 Plan 66192, where on Lot 1, the primary use is commercial, and there is a minimum of 9,600 square feet of commercial space on the main floor of the multi-storey building proposed for the southeast corner, and where on Lot 2, the primary use is residential, with not less than 3,920 square feet of commercial space;  
AND WHEREAS the application was duly advertised;  
AND WHEREAS there was one letter of support received, and 1 letter of opposition received, and 6 people attending the public hearing noted their opposition to the proposal;  
THEREFORE BE IT RESOLVED that Council approves Conditional Use C2-25, to allow for a Planned Unit Development on Lots 1 and 2 Plan 66192, where on Lot 1, the primary use is commercial, and there is a minimum of 9,600 square feet of commercial space on the main floor of the multi-storey building proposed for the southeast corner, and where on Lot 2, the primary use is residential, with not

less than 3,920 square feet of commercial space subject to the following conditions:

- 1) That the Developer enter into a Development Agreement with the Town;
- 2) That this approval is subject to the closure of Venture Way and the creation of a private interior road to service the lots;
- 3) That the Developer obtain Conditional Uses approvals or Variance orders as necessary to ensure compliance with the Town's Zoning By-law; and
- 4) That should the multi-storey building currently proposed for the southeast corner of Lot 1 Plan 66192 not proceed at any location within Lot 1 Plan 66192, that the total minimum commercial square footage of 9,600 for Lot 1 then be reviewed and approved by the Town in writing.

"Carried"

Council took a short recess.

Res#28-25  
BL 871-24  
2<sup>nd</sup> Reading

C. Wiebe - B. Fast

BE IT RESOLVED that Council gives second reading to By-law 871-24, as amended, being a by-law for the purpose of licensing Mobile Food Service Units within the Town.

"Carried"

Res#29-25  
Revised  
SAM

B. Fast – C. Wiebe

WHEREAS on December 17, 2024, via Resolution 306-24, Council approved subdivision application File no. 4340-22-8729 for Block 3 and Lot 19 Block 2 Plan 66425 WLTO in SE ¼ 25-7-3-E, registered owner Sunset Estates Ltd., which proposed to subdivide 89 residential lots and one residual lot and a public reserve for new residential development, subject to the following:

- 1) That the Developer enter into a Development Agreement with the Town;
- 2) That an engineered drainage plan is provided and that concerns with drainage are satisfactorily addressed; and
- 3) That variance orders be obtained as necessary to ensure compliance with the Town's Zoning By-law.

AND WHEREAS the subdivision application map for subdivision file no. 4340-22-8729 has been amended to increase the size of the public reserve;

THEREFORE BE IT RESOLVED that Council approves an amended subdivision application map dated January 25, 2025 for subdivision file no. 4340-22-8729, subject to the following conditions:

- 1) That the Developer enter into a Development Agreement with the Town;
- 2) That an engineered drainage plan is provided and that concerns with drainage are satisfactorily addressed; and
- 3) That variance orders be obtained as necessary to ensure compliance with the Town's Zoning By-law.

"Carried"

Res#30-25  
BL 872-24  
Updates

B. Fast – C. Wiebe

BE IT RESOLVED that Council approves updates to the schedules for By-law 872-24 Fees & Charges By-law.

"Carried"

Mayor Myron Dyck noted that it is "I like to read month", and that he is looking forward to spending two Friday mornings reading to kids in the Elementary School. He also mentioned 2 upcoming events in March; national championships and basketball provincials at school and extended a thank you to the committee who produced the Niverville Art Show on January 30<sup>th</sup>, commenting that he appreciates those who are passionate about the arts and being willing to do something like that.

Res#31-25  
Accounts

B. Fast – N. Dueck  
BE IT RESOLVED that cheque nos. 45057 to 45073 totaling \$428,652.86, and Electronic Fund Transfers totaling \$317,024.31 are hereby approved for payment.  
“Carried”

Res#32-25  
BL 873-25  
2<sup>nd</sup> Reading

C. Wiebe – B. Fast  
BE IT RESOLVED that Council gives second reading to By-law 873-25, being a By-law authorizing the alteration of street names and repealing of By-law 853-23, being a By-law for the purpose of closing a portion of Montrose Avenue and Balgownie Street, and repealing By-law 829-21 to rename Balgownie Bay.  
“Carried”

Res#33-25  
BL 873-25  
3<sup>rd</sup> Reading

N. Dueck – C. Wiebe  
BE IT RESOLVED that Council gives third reading and passes Bylaw 873-25, being a By-law authorizing the alteration of street names and repealing of By-law 853-23, being a By-law for the purpose of closing a portion of Montrose Avenue and Balgownie Street, and repealing By-law 829-21 to rename Balgownie Bay.  
“Carried”

In Favour: M. Dyck, C. Wiebe, N. Dueck, B. Fast  
Absent: M. Beasant

Res#34-25  
BL 874-25  
2<sup>nd</sup> Reading

C. Wiebe – B. Fast  
BE IT RESOLVED that Council gives second reading to By-law 874-25, The Public Property Preservation By-law, being a by-law to regulate the maintenance of public property, regulate nuisances or obstructions that impact the safety and ongoing operation and maintenance of municipal roads, boulevards, flankages, drains and public property, and to conserve, prohibit, protect, restrict, and regulate the protection, preservation and removal of trees and vegetation and regulate site alterations on public land, public shorelines and private shorelines within the Town of Niverville.  
“Carried”

Res#35-25  
BL 874-25  
3<sup>rd</sup> Reading

N. Dueck – B. Fast  
BE IT RESOLVED that Council gives third reading and passes By-law 874-25, The Public Property Preservation By-law, being a by-law to regulate the maintenance of public property, regulate nuisances or obstructions that impact the safety and ongoing operation and maintenance of municipal roads, boulevards, flankages, drains and public property, and to conserve, prohibit, protect, restrict, and regulate the protection, preservation and removal of trees and vegetation and regulate site alterations on public land, public shorelines and private shorelines within the Town of Niverville.

AND BE IT FURTHER RESOLVED that the Town’s Policy on Private Improvements on Town Boulevards is hereby repealed as the policy has been incorporated into By-law 874-25.  
“Carried”

In Favour: M. Dyck, C. Wiebe, N. Dueck, B. Fast  
Absent: M. Beasant

Res#36-25  
BL 871-24  
3<sup>rd</sup> Reading

B. Fast – C. Wiebe  
BE IT RESOLVED that Council gives third reading and passes By-law 871-24, as amended, being a by-law for the purpose of licensing Mobile Food Service Units within the Town.

“Carried”

In Favour: M. Dyck, C. Wiebe, N. Dueck, B. Fast  
Absent: M. Beasant

Res#37-25  
BL 778-17  
Update

C. Wiebe – B. Fast  
BE IT RESOLVED that the following updates be made to Schedule “A” of By-law 778-17 By-law Enforcement:

Remove:

By-law 685-10 Nuisances / Obstructions to Operations and Maintenance of Municipal Roads, Drains and Public Places

By-law 854-23 Mobile Food Service Units

By-law 857-23 Site Alteration, Shoreline and Tree Preservation for Public or Private Property

Add:

By-law 871-24 Mobile Food Service Units

By-law 874-25 The Public Property Preservation By-law

“Carried”

Res#38-25  
Adjourn

B. Fast – N. Dueck  
BE IT RESOLVED that the meeting be adjourned. (9:00 p.m.)

“Carried”

  
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Mayor

  
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Chief Administrative Officer