**TOWN OF NIVERVILLE**

Minutes of the regular meeting of the Niverville Town Council held on October 20, 2026, at 7:00 p.m. at the Niverville Community Resource and Recreation Centre. Mayor Myron Dyck, Deputy Mayor Nathan Dueck and Councillors Chris Wiebe and Meghan Beasant were in attendance.

Res#289-26
Excused

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

"Carried"

Res#290-26
Agenda

M. Beasant – N. Dueck
BE IT RESOLVED that the agenda be approved as presented.

"Carried"

Res#291-26
Minutes

M. Beasant – C. Wiebe
BE IT RESOLVED that the minutes of the regular Council meeting held on October 6, 2026, be approved as presented.

"Carried"

Res#292-26
Table
Agenda

N. Dueck – M. Beasant
BE IT RESOLVED that the Council meeting agenda be tabled and that Council sit in accordance with *The Planning Act* to resume the combined Public Hearing for the Town's Development Plan By-law 894-26 and Zoning By-law 895-26.

"Carried"

Res#293-26
Resume

M. Beasant – C. Wiebe
BE IT RESOLVED that the combined Public Hearing for the Town's Development Plan By-law 894-26 and Zoning By-law 895-26 be closed, and Council resume its former order of business (7:32 p.m.).

"Carried"

Res#294-26
Table
Agenda

N. Dueck – 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 Application V16-26 for Lot 2 Plan 33779, civically known as 200 2nd Avenue S.

"Carried"

Res#295-26
Resume

C. Wiebe – M. Beasant
BE IT RESOLVED that the public hearing for Variance Application V16-26 for Lot 2 Plan 33779, civically known as 200 2nd Avenue S. be closed, and Council resume its former order of business (7:36 p.m.).

"Carried"

Res#296-26
V16-26

M. Beasant – N. Dueck
WHEREAS a Public Hearing was held regarding Variance Application V16-26, an application from Niverville Senior Citizens Housing Inc. for Lot 2 Plan 33779, civically known as 200 2nd Avenue S., as follows:

a) To vary the permitted number of accessory structures from 3 to two sheds and one accessory structure for each of the 39 dwelling units, for a total of 41,
b) To vary the front yard (west side) setback from 30 ft to 20 ft,
c) To vary the north side yard setback from 15 ft to 8.3 ft for the primary building,

d) To vary the northwest side yard setback from 5 ft to 0 ft for the large shed,
e) To vary the northeast rear yard setback from 25 ft to 4 ft,
f) To vary the southeast rear yard setback from 25 ft to 24.95ft,
g) To vary the minimum distance requirement between the primary building and the accessory structures from 3 ft to 0 ft to allow for pergola/sunroom/deck enclosures, and
h) To vary the maximum site coverage from 60% to 65%, which accommodates the existing building, 2 accessory sheds, and allows for up to 39 pergola/sunroom/deck enclosures;

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

AND WHEREAS there was no opposition received to the proposal;

THEREFORE BE IT RESOLVED that Council approves Variance Application V16-26, for Lot 2 Plan 33779, civically known as 200 2nd Avenue S., as follows:

a) To vary the permitted number of accessory structures from 3 to two sheds and one accessory structure for each of the 39 dwelling units, for a total of 41,
b) To vary the front yard (west side) setback from 30 ft to 20 ft,
c) To vary the north side yard setback from 15 ft to 8.3 ft for the primary building,
d) To vary the northwest side yard setback from 5 ft to 0 ft for the large shed,
e) To vary the northeast rear yard setback from 25 ft to 4 ft,
f) To vary the southeast rear yard setback from 25 ft to 24.95ft,
g) To vary the minimum distance requirement between the primary building and the accessory structures from 3 ft to 0 ft to allow for pergola/sunroom/deck enclosures, and
h) To vary the maximum site coverage from 60% to 65%, which accommodates the existing building, 2 accessory sheds, and allows for up to 39 pergola/sunroom/deck enclosures.

"Carried"

Res#297-26
Table Agenda

N. Dueck – 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 Application V32-26 for Lot 4 Block 2 Plan 63570, civically known as 435 Wittick Street.

"Carried"

Res#298-26
Resume

M. Beasant – C. Wiebe

BE IT RESOLVED that the public hearing for Variance Application V32-26 for Lot 4 Block 2 Plan 63570, civically known as 435 Wittick Street be closed, and Council resume its former order of business (7:56 p.m.).

"Carried"

Res#299-26
V32-26

N. Dueck – C. Wiebe

WHEREAS a Public Hearing was held regarding Variance 32-26, an application from Peter Kehler to vary the rear yard setback from 15 feet to no less than 9 feet and vary the east side yard setback from 15 feet to no less than 13 feet to accommodate the placement of approved shipping containers and accessory buildings on Lot 4 Block 2 Plan 63570, civically known as 435 Wittick Street;

AND WHEREAS there was no opposition received to the proposal;

THEREFORE BE IT RESOLVED that Council approves Variance 32-26 to vary the rear yard setback from 15 feet to no less than 9 feet and vary the east side yard setback from 15 feet to no less than 13 feet to accommodate the placement of

approved shipping containers and accessory buildings on Lot 4 Block 2 Plan 63570, civically known as 435 Wittick Street subject to the following conditions:

1) That these setback variances apply only to approved accessory structures and shall not apply to any future principal building proposed for the property; and
2) That any additional shipping containers, accessory buildings, or other accessory structures proposed for the property beyond those previously approved shall require separate written approval from the Town.

"Carried"

Res#300-26
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 Conditional Use application C28-26 for Lot 2 Plan 71166, civically known as 420 Kuzenko Street.

"Carried"

Res#301-26
Resume

C. Wiebe – M. Beasant
BE IT RESOLVED that the public hearing for Conditional Use application C28-26 for Lot 2 Plan 71166, civically known as 420 Kuzenko Street be closed, and Council resume its former order of business (8:10 p.m.).

"Carried"

Council took a short recess.

Res#302-26
C28-26

C. Wiebe – M. Beasant
WHEREAS a Public Hearing was held on October 20, 2026 regarding Conditional Use C28-26, an application from Jordan Delaney to allow for a towing business and a scrap vehicle recycling business with indoor and outdoor storage to operate at Lot 2 Plan 71166, civically known as 420 Kuzenko Street;
AND WHEREAS in accordance with *The Planning Act* the Conditional Use application was duly advertised;
AND WHEREAS the property is subject to a Development Agreement registered in 2005, and a subsequent Development Agreement dated 2026 is currently pending registration at Land Titles;
AND WHEREAS there was no opposition received to the proposal;
THEREFORE BE IT RESOLVED that Council approves Conditional Use C28-26 to allow for a towing business and a scrap vehicle recycling business with indoor and outdoor storage to operate at Lot 2 Plan 71166, civically known as Unit 2 – 420 Kuzenko Street subject to the following conditions:

1. That the 2005 Development Agreement registered on title be discharged and removed from title within ninety (90) days of the date of Council's decision, with all associated costs to be borne by the property owner;
2. That any fence facing the front (north) side of the property shall be opaque;
3. That approval of this use is limited to Unit 2 of 420 Kuzenko Street only;
4. That derelict vehicles may only be stored outside of the fence for a maximum of one (1) week while awaiting pick up, dismantling or processing, after which they must be removed or relocated within the fenced compound; and
5. That this Conditional Use approval will expire on October 20, 2027. Should the applicant wish to continue the approved use beyond that date, a new Conditional Use application must be submitted no later than four (4) weeks prior to the expiry date. The Conditional Use application fee shall be waived for the renewal application, provided the application is received by the Town on or before September 20, 2027.

"Carried"

Mayor Dyck remarked that the four-year Council term has come to an end, much like graduating from high school or university. He reflected that throughout the term, members faced many tests, and projects, naturally achieving greater success in some areas than others. Mayor Dyck congratulated all members of Council on this graduation of working together, saying, "well done," and mentioned that whatever the next four years may hold for each member, he wished everyone well, conveying his sincere gratitude and thanks for the team and these last four years.

Res#303-26
Accounts

C. Wiebe – M. Beasant
BE IT RESOLVED that the following cheques and electronic fund transfers are approved for payment:

| | |
|---|---|
| Accounts Payable EFT | $ 342,617.89 |
| October 15, 2026 Payroll EFT | $ 73,791.11 |
| Accounts Payable Cheques 45732 to 45758 | $ 3,962,209.16 |
| Online Banking-BKAP | $ 68,271.59 |
| Total | $ 4,446,889.75 |

"Carried"

Res#304-26
Sept. F.S.

N. Dueck – M. Beasant
BE IT RESOVED that Council approves the September 30, 2026 financial statement as presented.

"Carried"

Res#305-26
BL 894-26
2nd Reading

N. Dueck – M. Beasant
BE IT RESOLVED that By-law 894-26, being a by-law to adopt a new Development Plan for the Town of Niverville be given second reading, subject to the incorporation of the minor amendments set out in Schedule "A" to the October 20, 2026, Council minutes.

"Carried"

Res#306-26
BL 895-26
2nd Reading

M. Beasant – C. Wiebe
BE IT RESOLVED that By-law 895-26, being a by-law to adopt a new Zoning By-law for the Town of Niverville be given second reading, subject to the incorporation of the minor amendments set out in Schedule "B" to the October 20, 2026, Council meeting minutes.

"Carried"

Res#307-26
BL 899-26
3rd Reading

N. Dueck – M. Beasant
BE IT RESOLVED that Council gives third reading and passes Bylaw 899-26, a bylaw to rename Arena Road to Nighthawks Way.

"Carried"

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

Res#308-26
Subdivision

C. Wiebe – M. Beasant
BE IT RESOLVED that Council approves subdivision application no. 4340-26-9313 for Lot 3 Block 2 Plan 8285 WLTO in SE ¼ 36-7-3 EPM, civically known as 195 Ritchot Drive, subject to the following conditions:

1) That the property owner enters into a Development Agreement with the Town;
2) That variance orders be obtained as necessary to ensure compliance with the Zoning By-law; and

3) That the encroachment of the neighbouring shed onto the subject property be resolved to the satisfaction of the Town no later than November 30, 2026, through its removal or relocation.

"Carried"

Res#309-26 Flower Contracts

C. Wiebe – M. Beasant

BE IT RESOLVED that following the Town's due tendering process, that the contract for the Town's 2027 Flower Tender be awarded to Red Valley Plant Market and Landscaping Inc., who submitted the submitted the lowest qualifying bid of $10,658.03.

"Carried"

Res#310-26 Sewer Replacement Contract

C. Wiebe – M. Beasant

BE IT RESOLVED that following the Town's due tendering process, that the contract for the Town's Main Street Sewer Replacement be awarded to Southwood Ventures Inc., the lowest compliant bidder, for a total tender price of $2,229,755.00 plus GST.

"Carried"

Res#311-26 Adjourn

M. Beasant – N. Dueck

BE IT RESOLVED that the meeting be adjourned. (8:30 p.m.)

"Carried"

Mayor

Chief Administrative Officer

**Schedule "A"**

**Amendments to Development Plan By-law 894-26 following first reading of the by-law:**

- Removed blank pages
- Corrected By-law number on page 15
- 3.3.6 removed capitalization for developer, added "and no more than 10%) to Greenspace Dedication along with reference to Planning Act, School Site Dedication – changed 10 acres to 10% may be dedicated instead of shall, and added reference to Planning Act, removed Municipal Purposes Dedication and renumbered section
- 4.2.9 – removed capitalization for universal design
- 5.2.3. Municipal Road Hierarchy – removed reference to Map 4
- 6.2.9 Location of Utilities and Services – edited numbering and added point 3 "Setback distances prescribed by regulators in and around oil and gas facilities shall be adhered to.
- 7.2.1. Designated Flood Area – clarified that much of the Town of Niverville falls with the Red River Valley Designated Flood Area and that development not inside the ring dike requires a Designated Flood Area Permit.
- 7.2.5 minor sentence structure change and removed "and preservation", added point 2 "Where the potential to impact **heritage resources** and/or human remains has been identified by a municipal, provincial, or federal government, the required identification and assessment work, and any associated requirements, must be completed to mitigate any potential adverse effects prior to commencement of work."
- Included Appendix C, Background Study by Consultant

**Glossary changes:**

- Removed Agricultural operation, Agricultural producer, Farmstead site, Prime agricultural land, and Viable lower class land
- Added definitions for Crown and Crown land

**Development Plan Map**

- Updated the Town Centre designation to include the area west of Prairie Trail, which is proposed to be rezoned from MG Industrial Mixed Use to RMU (Residential Mixed Use)
- Mapping corrections to fix misaligned streets and designated land compared to proposed zoning

**Schedule "B"**

**Amendments to Zoning By-law 895-26**

**List of changes that have been made to Zoning By-law 895-26 following first reading of the by-law:**

- Added date of first reading
- Page numbers updated in index
- Removed blank pages
- Added clarification to where flagpoles can be located 3.3.4. a) iii) 4)
- Wrote out complete words instead of abbreviations for things like foot, feet and square feet in sections 3.3.4, 4.10, 4.12, 4.15, 4.16.2 [also added "part" under vi) and numbering of vii)], 4.16.3, 4.16.5 [removed "five" under f) and underlined Table 1 in g)], 4.17.1, 4.19, 4.22 [also removed "two" leaving (2) under 4.22.3 a) and g)], section 6, underlined Table 9 in 6.7,
- Added Duties of the Owner section 3.15 back into the by-law
- Added 3.17 Previous Violations back into the by-law
- Updated section numbering
- Added 3.20 Public Works and Services and 3.21 Rules of Construction back into the by-law
- 4.5.2. changed "per cent" to % symbol
- Section 4.10.1 and 4.10.2 changed "family" to "unit"
- Section 4.11 c) updated the name of the Act referenced to "The Transportation Infrastructure Act" and added point d) Setback distances prescribed by regulators in and around oil and gas facilities shall be adhered to"
- 4.15 a) iii) Page 18 – numbering edit
- Table 1 – Minimum Off-Street Parking Requirements – wrote out abbreviations of square feet, removed metric measurements, removed "participant" wording under Other
- Table 2 Parking Area Layout - wrote out abbreviations of square feet, removed metric measurements
- Table 4 Minimum Required Loading Spaces wrote out abbreviations of square feet
- Table 5 Entrances and Exit Requirements wrote out abbreviations of feet
- 4.19 Vehicular-Oriented Uses i) moved acronym of "ATMs" within sentence
- Table 6. Fence Heights in All Zones – edited where and how "feet" is referenced
- Table 8 – Use Table, heading now underlined and the following changes made:
    - Removed Agrichemical Storage Facility, Auctioneering Establishment (Not including Livestock), Automobile, Recreational Vehicle, and Farm Implement Sales/Rentals/Repairs, Club, Private, Non-Profit & Recreational, Professional / financial / office services, Spiritual / Cultural Retreats/Facilities, Garden Centres and Other Seasonal Businesses, Outdoor Patio/Eating Area
    - Edited names of uses for Accessory / Secondary Building or Structures, Advertising Signs/Billboard, Animal Shelter, Automobile Sales and Rental, Automobile Service Station / Gas Bar, Boarding House, Community/Recreation Centre, Outdoor Recreation Service, Public Utility, Fuel Yard (Enclosed), Funeral Chapel or Mortuary, Indoor Recreation Service, Manufacturing, Veterinary Clinic
    - Added Apiary as permitted in AL zone and Conditional as a secondary use in the RR zone, as well as use specific standard 6.2
    - moved Camping and Tenting Grounds and Dwelling, Multi-Unit alphabetically in table
    - edited title of Childcare Services to make it plural
    - Custom Manufacturing now a secondary use in AL zone
    - Club, Recreational (Private or Non-Profit) now a secondary use in the EI zone
    - Added Rapid Drive-through Vehicle Service as permitted uses in CC, MG and MM zones
    - Fuel Yard (enclosed) now a secondary use in AL zone

- Added Kennel/Pet Daycare as secondary permitted use in AL zone, permitted use in the CC zone and conditional use in the CMS, CN, MG, MM zones
- Manufacturing added as conditional use in AL zone
- Office (small) now secondary use in AL zone
- Edited use specific standard reference for Wind Energy Generating System

- Table 9 – Bulk Dimensional Standards for Zone Categories – edited names of Indoor Recreation Service and Outdoor Recreation Service, under CC Dwelling, Multi-Unit (change from family)
- 6.3 edited Heading of Automobile Sales and Rental and name in text
- 6.5 edited heading of Camping, Tenting Grounds and RV Parks

**Definitions**

- **Updated names of**: Accessory/Secondary Buildings/Shelters, Auctioneering Establishment and edited its definition, Automobile Sales and Rental, Garage and Public Parking Area and edited definition of same, Green Space, Heavy Equipment and edited definition of same, Hotel/Motel, Indoor Recreation Service, Kennel/Pet Day Care, Medical, dental, optical, wellness, or counselling services, Outdoor Recreation Service, Parcel, Recycling Facility and also changed "facility" to "building" within definition, Retail Sales and Service and also updated definition to remove Retail (small) and Retail (large), School, Private or Public and edited definition, Self-storage Facility, Sign, Address, Sign, Advertising/Billboard (and edited definition), Sign, Awning, Sign, Business, Sign, Construction, Sign, Digital, Sign, Fascia or Marquee (and punctuation of ft to feet), Sign, Free-Standing, Sign, Identification, Sign, Inflatable, Sign, Mobile, Sign, Projecting, Sign, Roof, Sign, Sidewalk or Sandwich Board, Temporary, Sign, Window, Sign, Yard, Special Event (Carnival, Circus, Fair, Concert or Similar), Waste Disposal Site

- **Updated punctuation, capitalization, acronym formatting, and numbering along with minor wording revisions:**

  Accessory Building Attached, Detached, and Semi-detached, Alterations, incidental, Animal Unit, Automated Teller Machine (ATM), Awning, Canopy or Marquee, Bare Land Condominium, Bay Window, Bed and Breakfast, Buffer Strip, Bulk Storage, Camping and Tenting Grounds, Cannabis, Retail, Cannabis, Licence, Retail, Car Wash, Childcare Services, Condominium Use, Condominium Unit, Development Application, Development Permit, Drinking Establishment, Drive-through Facility, Eating and Drinking Establishment, Elevation/Lot Grade, Environmental Impact Statement, Equestrian Establishment, Farmers' Market, Farmstead Site, Flag Lot, Floor Area Main, Total and Ratio and moved "means" within sentence, and changed "total" to "area", Funeral Chapel or Mortuary, General Agriculture, Golf Course, Group Home, Height, Building (numbering), Home-based Business, Hotel/Motel, Indoor Recreation Service, Infill Development, Lane, Public (and changed ft to feet), Loading Aisle, Loading Driveway, Loading Space, Lockable Bicycle Space, Manufactured Home, Mobile Sign, Modular Home, Motor Home, Non-conforming Use (or Non-conformity), Legal, Offensive or Objectionable, Office small and large – sq ft to square feet, Open Space, Outdoor Recreation Service, Outside Operations, Park, Plaza, Square, Playground, Parking Aisle, Parking Driveway, Parking Facility, Parking Space, Party Wall, Passenger Vehicle, Permitted Use, Personal Service Shop, Place of Worship, Planned Unit Development, Portable Garage (and changed "is" to "means"), Principal Building, Principal Use, Private Communications Facilities, Public Park, Public Utility Building, Rapid Drive-through Vehicle Service, Recreational Vehicle, Research Institution, Road Allowance, Roof Line, Salvage Yard, Seasonal Sales, Secondary Suite, Self-storage Facility, Semi-detached Housing, Serviced Lot, Shipping container ("Sea Can"), Shopping Centre, Site, Corner, Site, Interior, Site, Through, Site, Reverse, Site, Width,

Site, Zoning, Site Area, Site Coverage, Site Depth, Site Frontage, Site Line, Site Line, Front, Site Line, Rear, Site Line, Side, Solar Collector, Solar Collector, Rooftop, Special Event (Carnival, Circus, Fair, Concert or Similar), Specialized Agriculture, Stacking Lane, Stacking Space, Substantial Improvement, Temporary Building/Use (also removed "and"), Tot Lot, Total Turbine Height, Wind Energy Generating System, Wind Energy Generating System, Commercial, Wind Energy Generating System, On-site, Wind Energy Generating System, Rooftop, Yard Required

- **Removed the following definitions:**
  Agri-business, Agricultural activity, Agricultural building, Agricultural cultivation, Agricultural grazing, Agricultural implement sales and services, Amusement device, Amusement enterprise, indoor, Amusement enterprise, outdoor, Animal Hospital or Veterinary Clinic, Apex, Assisted living facility, Auction yard, Auditorium, concert hall, theatre or cinema, Auto parts and supplies, sales, Aviary, Building footprint, Building, main or principal, Building Location Certificate, Bulletin Board, Bus depot, Business Support Services, Cannabis Distributor, Cannabis concentrate, Cannabis-infused product, Cannabis local sale, Cheque cashing facility, Clubhouse, Commercial School, Community Gardens, Cultural Centre, Curb Cutting, Dormitory, Emergency residential shelter, family, fitness or wellness centre, indoor, Freight or truck yard, Gallery/museum, Parking area, Grain storage, Hall, Industrial, Heavy, Industrial Light, Pet day care, Landfill, Landscape or garden supplies, Landscape/garden contractor or production, Light truck, Lot of record, Micro-brewery, distillery or winery, Mining and extraction, Mobile vending unit, Outdoor Display Case, Parking area, Parking area, public, Parking Structure, Parking, surface lot, Pawn shop, Performance standard, Personal care home, Pet day care, Principal building entrance, Private education service, Private pool, Public education service, Racetrack, Real estate sales offices and model sales homes, Recycling collection centre, School, senior high, Sign, Single-room occupancy, Solar collector, commercial, Solar collector, on-site use, Sports or entertainment arena/stadium, indoor, Sports or entertainment arena/stadium, outdoor, Stable or riding academy, Stable, private, Trucking Operation

- **Added the following definitions:**
  Agricultural Processing Facility, Automobile Service Station and Gas Bar, Boarding House, Broadcasting and Motion Picture Studio, Cereal and Special Crop Production, Chemical Processing and Storage, Club, Recreational (Private or Non-Profit), Concrete Batch Plant or Asphalt Plant, Contractor's Yard, Crown, Crown Land, Custom Manufacturing Establishment, Education Service, Emergency Service, Entrance, Building, Footprint, Building, Fuel Yard, Enclosed, Garden Centre/Nursery, Household Repair Service, Information Technology, Legally Non-conforming Lot/Lot of Record, Library/Cultural Facility, Liquor Sales, Manufacturing including Manufacturing, Light and Manufacturing, Heavy, Outdoor Amusement Establishment, Play Structure, Portable Asphalt Plant, Portable/Temporary Classroom, Residential Care Facility, Sewage Treatment Site, Sign Surface Area, Swimming Pool, Private, Veterinary Clinic (removed reference to Animal Hospital), Warehouse, Yard, Side, Yard, Rear

- Cannabis Cultivation, Production or Processing – name update, punctuation and numbering update and removed "Cannabis processing includes the following".

- Outside/Exterior Storage – name change and definition change

- Porch/Veranda – punctuation update and edited definition

- Public Library – punctuation update and edited definition

Minutes of the (resumed from September 15, 2026) Public Hearing held on October 20th, 2026, at 7:03 p.m. regarding Development Plan By-law 894-26 and Zoning By-law 895-26. The proposal was duly advertised as per Section 168 of *The Planning Act*. Mayor Myron Dyck served as chairperson, with Deputy Mayor Nathan Dueck, and Councillors Chris Wiebe and Meghan Beasant in attendance.

Chief Administrative Officer Eric King read the list of items that have been updated in the Development Plan By-law 894-26 since first reading of the by-law was given on August 18, 2026.

Mayor Myron Dyck provided an overview of what was happening during the hearing, noting that every 5 years every municipality is asked to present to the Province a Development Plan as it relates to how the land will be used, and this is a general seek of what we do on a weekly basis; how land is going to be used, how it impacts surrounding properties, as it relates to drainage and where things should go and why, things as far as development when we are trying to set land aside for parks and schools, what do we determine to be infrastructure, and what is a pond – is it green space and a park or is it infrastructure because its technically meant to hold rainwater in high rain events. He also noted that some of those things get applied to glossary definitions. Mr. King added that this is the Development Plan and Mayor Dyck went on to say and then how do we apply zoning to the Development Plan as far as what you want to zone industrial, single-family housing, multi-family housing, commercial, etc.

Ms. Sarah Manteuffel, on behalf of Urban Systems, being the Town's consultant engaged to undertake the update of the Development Plan and Zoning By-law, noted these are forward-looking planning documents that set a long-term development vision for a community and guides decision making for development and land use. This vision is based on a community's current and future needs. Ms. Manteuffel advised that the overall goal is to make the Development Plan and Zoning By-law easier to use and interpret for Council, staff and the public. She noted that the 2026 Development Plan generally keeps the same overall vision as the 2018 plan, but updates it for a larger and faster-growing community, and pointed out the main changes as:

- Clearer and more consistent organization and user-friendly structure.
- Background research moved to a separate study, keeping the plan focused on policy.
- Expanded definitions and modern planning concepts that improve clarity and interpretation.
- More emphasis on sustainability, climate change, and resilience.
- Greater focus on housing diversity and affordability.
- Stronger support for active transportation, accessibility, and walkability.
- New policies addressing hazards and risk management such as flooding and hazardous uses.
- More detailed implementation and development approval tools.
- A stronger foundation in updated growth, infrastructure, and background analysis.

Chief Administrative Officer Eric King read the list of items that have been updated in the Zoning By-law 895-26 since first reading of the by-law was given on August 18, 2026.

Ms. Manteuffel pointed out the following main changes to the Zoning By-law:

- More housing options and flexibility, including new residential zoning and updated housing provisions. (RSL Zone is new)
- Much more detailed regulations for parking, signage, fencing, accessibility, servicing, and site design.
- Expanded standards for specific uses such as secondary suites, shipping containers, home businesses, solar energy systems, and planned unit developments.
- Stronger administration, permitting, enforcement, and non-conformity provisions.

- Larger and clearer definitions section to improve interpretation and consistency.
- Easier navigation
- Illustrations for clarity

Councillor Meghan Beasant questioned whether definitions were removed because they were not mentioned and Mr. King confirmed yes, they were not mentioned and added that the definitions were updated to be specific. She asked about the AL and RR zones and whether it was about the size of the properties and Mr. King confirmed that AL was Agricultural zone and RR was the Rural Residential zone, with Rural Residential being 5th Avenue S. Mayor Dyck added that it was also about the property's use. Councillor Beasant further questioned what the difference was, and Mr. King mentioned that the RR property allowed for larger garages and that in Ag you could get away with more, noting the Artel Farms property. Mayor Dyck added that maybe you can farm but maybe you can't add animal units or maybe there are definitions regarding spreading of waste and if you are trying to increase your Ag activity as far as buildings that go on a farmyard, there are some controls that limit this and that in AL there are more restrictions.

Deputy Mayor Nathan Dueck commented he had 4 questions:

1) Changes to the map on page 78 – he noted that he had not noticed any changes to the zoning map and asked for clarification that there were no changes for zoning in any areas; Director of Planning & Development Audrey Neufeld, asked whether he meant changes from the current zoning map or since first reading was given; and he clarified from the current zoning map. Mr. King advised that there had been small level changes; lot by lot, as for example (on the Development Plan map) in the area of Centre Street and Mulberry, in the northeast corner of where the apartment buildings were going, there used to be a residential zoned area of land there, but it is no longer residential as it is commercial corridor.
2) He asked Ms. Manteuffel for clarification on the difference between the RSL, RLD and RSU zones and why the RSL zone was created. Mr. King advised that Ms. Manteuffel has been working with this project since the beginning, however her colleague Jeff Palmer had been the primary consultant for the first 2 years (and has since left), and the RSU was created as an amendment between 2018 and now, and RSL is creating small lots which would provide more opportunities for affordable housing and smaller, narrower lots, so that is being created as it was previously being accomplished by variations and now a zone has been created.
3) He pointed out page 54 section 6.17 about swimming pools and hot tubs up to this point – only new construction needed to have permits and there was a grandfather clause in a lot of stuff, and that permits are required as per Manitoba provincial guidelines, while up to this point there was a lot of things without permits. Ms. Manteuffel advised that anything grandfathered in should have been legally complying at the time of the last zoning by-law.

Mayor Dyck questioned if something has been done without a permit, and it is non-compliant (whether it can be grandfathered in) and Ms. Manteuffel confirmed that this is still non-compliant (grandfather clause not applicable).

Deputy Mayor Dueck added that something may be without a permit but still be compliant based on previous bylaws.

Mayor Dyck expressed concern about liability, such as an infant drowning, and the Town may not have addressed a non-compliance issue. Mr. King noted that the short answer is yes, the Town is covered if the rules were followed at the time. Ms. Manteuffel added that what she was referring to was 3.16 on page 6 of the by-law regarding a legally existing use and if something was developed at the time and was in compliance at the time of development.

Deputy Mayor Dueck added that it was never addressed until our previous zoning by-law and if it became an issue you would have to go back to a previous zoning by-law from 1950 to now.

4) Deputy Mayor Dueck commented about the new hydro substation being located outside the dike in the RM of Ritchot and not requiring a permit from the Town and Mr. King had read that it does, to this Mr. King clarified that it is anything outside the dike that is within the Town of Niverville and added that technically there was no land like that now but could be one day.

There was no opposition brought forward to either By-law.

The public hearing closed at 7:32 p.m.

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Minutes of the Public Hearing held on October 20th, 2026, at 7:43 p.m. regarding Variance Application V32-26 for Lot 4 Block 2 Plan 63570, civically known as 435 Wittick Street. The proposal was duly advertised as per Section 169 of *The Planning Act*. Mayor Myron Dyck served as chairperson, with Deputy Mayor Nathan Dueck, and Councillors Chris Wiebe and Meghan Beasant in attendance.

Chief Administrative Officer Eric King reported that this was a Variance application from Peter Kehler to vary the rear yard setback from 15 feet to no less than 9 feet and vary the east side yard setback from 15 feet to no less than 13 feet to accommodate the placement of approved shipping containers and accessory buildings. The background is that on November 15, 2022, Council approved Conditional Use C28-22 to permit the parking of vehicles and trailers at 435 Wittick Street. Subsequently, the property owner entered into a Development Agreement with the Town on February 2, 2023. On September 25, 2026, the Town granted written approval for the placement of two shipping containers (sea cans) and one accessory building on 435 Wittick Street prior to the establishment of a principal building on the property, despite the requirement of Zoning By-law No. 795-18, as amended, that a principal building be established before accessory structures are permitted. He added that the applicant is requesting a variance to reduce the required rear and side yard setbacks in order to accommodate the placement of the approved shipping containers and proposed accessory building on the site. Mr. King advised that the recommendation from Administration is to approve the Variance as requested, subject to the following conditions:

1) That these setback variances apply only to approved accessory structures and shall not apply to any future principal building proposed for the property; and
2) That any additional shipping containers, accessory buildings, or other accessory structures proposed for the property beyond those previously approved shall require separate written approval from the Town.

Mr. Peter Kehler questioned why Council denied his request to have a sea cans with fabric roof structure. Mayor Myron Dyck provided a historical account on why and how the Niverville Business Park was developed; considering that lots in the St. Agathe and Grande Pointe business parks sell for $200,000 to $250,000, Niverville choose to sell lots for $50,000 and above to accomplish 2 things; to create jobs and get assessment, hoping that this lot price would attract businesses and their assessment would offset the price of the land. Mayor Dyck went on to explain that the concept of sea cans with a tarp (roof) with minimal assessment defeats this purpose, and if Niverville's lots had been sold for $250,000, then perhaps Council's decision would have been different. He also advised that while Mr. Kehler's lot is grandfathered in, there is now a new business park standard that requires a building of a certain size on a lot within two years and that if the property owner chooses not to, the Town will start to tax them to meet the intent. He went on to explain that the rate payers of the community have questioned why the lots are being sold so cheap and the explanation is that we want to bring extra employment into the

community and want to make sure the assessment is there to pay the taxes which funds things within the community such as infrastructure and other community demands. A property owner can choose to wait to put up a building, but they will be paying in the interim. He summed it up by reiterating that the reason for not wanting the sea cans with a tarp is that they wanted jobs and assessment.

Mr. Kehler questioned why his tax bill had an assessment for a building on it when there was no building and the Mayor advised that the assessment is done by the province of Manitoba, that assessments may be repealed and suggested he visit the office in Steinbach. Mr. Kehler explained that he called them and they told him the Town of Niverville does this, and the Mayor offered to contact their office and get things clarified for him.

Mr. Kehler advised that he wants to go forward with building a shelter and he may be putting up another building next year. Mayor Dyck questioned whether Mr. Kehler had purchased a 20 x 40 building and Mr. Kehler confirmed that he had. Mr. Kehler also questioned the different treatment of lots, as some properties including themselves had to put up a fence in front because of parking and some properties have cars stored in the front yard with no fence. Mayor Dyck briefly explained that there are some properties derelict of duty, and that the Town is trying to call them into compliance.

Mr. Kehler also mentioned that he had been speaking with his neighbour about the mesh (opaque) requirement for fences, and his neighbour said they don't have to do this anymore.

Mayor Dyck advised that we are trying to make the business park as inviting as we can, understanding how some businesses will operate, and trying for the business park to not look like a junk yard, so trying to work with businesses while still allowing them to do business. The goal for the opaque fence was to keep what might be stored in someone's yard with a cleaner site line, and we don't want businesses coming here thinking that they don't want to be a part of that. He went on to clarify that the opaque fencing was causing the wind to uproot fence poles out of the ground and causing things to shear, which is why the Town has removed the opaque requirement at this point, which may also change again, similar to how we update the zoning by-law for example and things like specs on roads. We continue to work on things and try to find a balance.

Mr. Kehler commented that if they had come back and said it doesn't work then they would have been told that they have to do it, however, no one asked them and so they have at the very least, the front yards matching.

Mayor Dyck advised that he had mentioned to Council Peter's great idea of affixing things to the fence with clamps and that he had passed his ideas on.

Mr. Kehler said he liked the mesh at the front at least.

Mayor Dyck also mentioned having a primary use established before an accessory use and how Mr. Kehler's development concept was essentially spread over 2 titles of land, noting that due to Mr. Kehler's estate planning, he is not wanting to consolidate the lots but keep them under individual titles. He commented that we do have other lots in the business park with individual titles so there is precedence for that, so technically then because it's all operating as one business, that he already has a primary building on the middle of the three lots, which is why we are considering this accessory building on the east lot where there is not a primary building at this time, which might not be for a bit, as this is how he is operating his business.

There was no opposition brought forward to the proposal.

The public hearing closed at 7:56 p.m.

Minutes of the Public Hearing held on October 20th, 2026, at 7:57 p.m. regarding Conditional Use application C28-26 for Lot 2 Plan 71166, civically known as 420 Kuzenko Street. The proposal was duly advertised as per Section 169 of *The Planning Act*. Mayor Myron Dyck served as chairperson, with Deputy Mayor Nathan Dueck, and Councillors Chris Wiebe and Meghan Beasant in attendance.

Chief Administrative Officer Eric King reported this was a Conditional Use application from Jordan Delaney to allow for a towing business and a scrap vehicle recycling business with indoor and outdoor storage at 420 Kuzenko Street. Twin Rivers Auto Recycling is a full-service scrap vehicle buyer and recycler. They purchase end-of-life or derelict vehicles no longer fit for the road and dismantle/process in accordance with the Scrap Metal Act and recycling policies outlined by facilities they sell their products to. Vehicles awaiting disassembly and parked outdoors will be done so in a linear, organized fashion behind the shop, in the fenced in compound. No derelict vehicles will be sitting outside the fenced in compound unless sitting on a tow truck or trailer, awaiting transport to the city or transition in the shop for processing. All vehicles will be properly and safely dismantled indoors and prepped for removal. Any material that may be stored outside will be limited to wheels and tires, stacked in neat, organized "towers". The owner of the property entered into a Development Agreement with the Town on October 9, 2026.

Mr. King went on to provide some background, advising that the proposed business involves the recycling and dismantling of motor vehicles, which falls within the definition of a Wrecking and Salvage Yard under the Town's Zoning By-law. A Wrecking and Salvage Yard is defined as any lot upon which two (2) or more motor vehicles that are incapable of being operated due to their condition or lack of valid licensing or registration are stored for the purpose of obtaining parts for recycling or resale. The definition also includes the storage of building materials, scrap metal, and other forms of salvage. He added that the property is also affected by a Development Agreement dated December 7, 2005, which is registered on title. Section 7(n) of the Agreement contains the following building restriction: *"No automobile wrecking yard, junk yard or scrap yard shall be permitted on any lot within the Planned Area."* Mr. King stated that Administration does not support the proposed use because the use is contrary to the intent of the 2005 Development Agreement currently registered on title and this would need to be removed to allow this to operate on this lot and that there were also things to consider in this package.

Mr. Jordan Delaney, applicant, noted that dealing with junk vehicles is the nature of his business, and that it is different in that he is trying to change to make it more legitimately environmental, while still dealing with this type of business.

Councillor Meghan Beasant asked the following questions, with Mr. Delaney's response noted immediately after:

- Whether the applicant is not the one who actually scraps the vehicles but is in that in between place– Mr. Delaney advised that he buys vehicles, processes them at his facility and then will tow the vehicles to the city and sell it them to a scrap panel facility, who takes the whole shell of the vehicles and will process them.
- Confirmation that the applicant doesn't sell parts – Mr. Delaney advised that his focus is on volume and getting rid of a scrap vehicle, however, if it is a popular vehicle he will pull stuff out like tail lights and head lights before selling; he is not parking cars in the back on jack stands for months and months, but rather no longer than probably a few weeks.
- How long is he storing cars as it is a small lot, understanding that he has already acknowledged that vehicles would have to be behind the fenced in compound and whether he has concerns of building up this junkyard – Mr. Delaney mentioned that they way they mark prices it won't be a barrier as the cars basically go in and out of the shop quickly. He stores some parts inside the shop, which he estimates can hold

5-6 vehicles, he utilizes multiple stores and has 2 businesses that he works with as well as the scrap metal facility he uses in the city. If he has more vehicles than he can handle, they will be rebounded to the city and would never even come into the facility because they will just be processed off site.

- If there was any staff – Mr. Delaney advised this is a one-man operation, but he may get help from time to time.
- What the front part of the business would look like – Mr. Delaney said his personal vehicle would be in the front, his trailer would be in the back, and the only time that cars and a trailer would be in front is during transition.
- Are the accumulation of tires inside or outside – these are outside, and he has an application with Tire Stewardship Manitoba where a tire guy comes out to pick them up, the steel rims stay with the vehicle and the aluminum rims are recycled.
- Do you ever accumulate random scrap metal – Mr. Delaney advised that the vehicles get picked up and the only stuff he collects are batteries, alternators and catalytic converters for separate recycling.

Councillor Chris Wiebe asked the following questions, with Mr. Delaney's response noted immediately after:

- How long with vehicles be sitting on a tow truck or deck in the front yard – Mr. Delaney advised that they would be sitting probably an hour as anything coming out of the shop will go on a deck and they might tow multiple vehicles to the city or they may leave them on the truck inside the fence. He noted that he is not a hobbyist or doing this for fun, but doing this for a living.
- What about fluids – Mr. Delaney advised that the only fluid he intentionally drains is gasoline, which he can filter to be reused, while coolant and other fluids stay inside cars, as they don't dismantle the power train or differential.

There was no opposition brought forward to the proposal.

The public hearing closed at 8:09 p.m.