

CITY OF MORDEN
Regular Meeting
November 28, 2022

Minutes of the Regular Meeting of the Council of the City of Morden held in Council Chambers at Morden, Manitoba this 28th day of November, A.D. 2022 at 7:00 P.M.

- 1.0 Present:** Mayor Brandon Burley (chair), Deputy Mayor Gord Maddock, Councillors Doug Frost, Nancy Penner, Garry Hiebert, Florian Lassnig, City Manager Nicole Reidle, Deputy City Manager Santokh Randhawa, Director of Finance & Administration Ed Barnuevo, Executive Assistant Michelle Braun, Youth Council Member Maja Piekarska. Councillor Sheldon Friesen joined via ZOOM.

2.0 ADDITIONS TO/APPROVAL OF AGENDA

Agenda

MOVED BY Councillor Gord Maddock

SECONDED BY Councillor Florian Lassnig

BE IT RESOLVED that the agenda for the meeting of November 28, 2022 is hereby adopted with the following additions:

- *Accommodation of a third-party charitable donation to Minnewasta Golf & Country Club*
- *In-camera: Land*
- *Recognition: MCI debate team students; Dr. David Goertz*

(Carried)

3.0 PUBLIC HEARING

MOVED BY Councillor Garry Hiebert

SECONDED BY Councillor Doug Frost

3.1
Rezoning
By-law
15-2022

BE IT RESOLVED that the regular meeting of Council of the City of Morden be closed, and hereby convenes as a public hearing for Rezoning By-law 15-2022 for 20 Victoria St/277 1st Street.

(Carried)

There were 6 persons who appeared to be heard:

- Proponent/Applicant: Frank Klassen
- Opponents: Rich & Jan Nield, Joseph Menno, Jamie Nield, Robert Janzen

Frank Klassen (K-Block Developments)

- Example of what he wants to do: Roblin Estates in Winkler
- 3 buildings: 36 2-bedroom units, 12 1-bedroom units
- 3 phases (1 phase per building)
- Feels area lends well to all age groups

Rich & Jan Nield, 50 Victoria Street

- Originally a private & quiet location
- Came home one day to a man with survey equipment in his yard – he had no notification that this was to happen

- Balconies of apartments are to be 10 feet from his property line – does not like that he will lose privacy
- Traffic increase is a concern, as well as exhaust fumes from this increased traffic due to 48 new residential units in the area

Joseph Menno, 30 Victoria Street

- Concerned about depreciation of his property
- Feels like there would be a better location for these apartments, somewhere where it is already zoned multi-family and neighbors don't lose privacy

Jamie Nield

- His parents live immediately to the east of this proposed development at 50 Victoria Street
- There are 8 balconies that would overlook his parents' yard
- Also has concerns about increased traffic and depreciation of the property

Robert Janzen, 239 1st Street

- Concerns regarding privacy in his yard
- Echoes the same concerns of the other opponents regarding traffic increase
- Agrees 15th Street developments in Winkler (Roblin Estates) look great, however there are no residents around those developments, so privacy was not an issue
- Believes there is a better location for this development

Mayor Burley inquired whether the Victoria Street access would be for emergencies only, and Mr. Klassen stated that in order to alleviate the Victoria Street traffic concerns he might eliminate that access altogether, by amending the location of the most southerly building.

Mr. Klassen also stated that this development would be restricted to one vehicle per unit, so there would only be 48 additional vehicles maximum that would be using the parking lot. In addition, he addressed the concern regarding depreciation by stating that in his experience, these types of developments have a positive effect on the values of surrounding properties.

3.2
Hearing for
Subdivision
4433-22-8233

MOVED BY Councillor Nancy Penner

SECONDED BY Councillor Florian Lassnig

BE IT RESOLVED that the public hearing for Rezoning By-law 15-2022 be closed to convene as a public hearing for Subdivision 4433-22-8233.

(Carried)

No persons appeared to be heard.

3.3
Hearing for
Subdivision
4433-22-8233

MOVED BY Councillor Florian Lassnig
SECONDED BY Councillor Gord Maddock
BE IT RESOLVED that the public hearing for Subdivision 4433-22-8233 be closed to convene as a public hearing for Subdivision 4433-22-8238.

(Carried)

There was 1 person who appeared to be heard:

- Paula Diaz, 38 Geneva Drive

Paula Diaz

- Inquired where the egress comes out at the north end – admin will get more information as the area to the north gets developed
- Debris pile to the north – would be nice to have it gone
- We can add a fence requirement to the development agreement

4.0

MOVED BY Councillor Gord Maddock
SECONDED BY Councillor Florian Lassnig
BE IT RESOLVED that the public hearing for Subdivision 4433-22-8238 hereby closes to resume the regular meeting of Council.

(Carried)

DELEGATIONS/PRESENTATIONS

None

5.0

CONFIRMATION OF MINUTES

Councillors Lassnig and Friesen abstained from the following resolution due to not yet being on Council for said meeting.

5.1
Oct 24/2022
Regular
Meeting

MOVED BY Councillor Garry Hiebert
SECONDED BY Councillor Doug Frost
BE IT RESOLVED that the minutes of the regular meeting of Council held on the 24th day of October 2022 be adopted as presented.

(Carried)

5.2
Oct 31/2022
Inaugural/
Organizational
Meeting

MOVED BY Councillor Doug Frost
SECONDED BY Councillor Garry Hiebert
BE IT RESOLVED that the minutes of the Inaugural/Organizational Council meeting held on the 31st day of October 2022 be adopted as presented.

(Carried)

5.3
Nov 8/2022
Committee of
the Whole

MOVED BY Councillor Gord Maddock
SECONDED BY Councillor Florian Lassnig
BE IT RESOLVED that the minutes of the Committee of the Whole meeting held on the 8th day of November 2022 be adopted as presented.

(Carried)

5.4
Nov 9/2022
Committee of
the Whole

MOVED BY Councillor Nancy Penner

SECONDED BY Councillor Florian Lassnig

BE IT RESOLVED that the minutes of the special meeting of Council held on the 9th day of November 2022 be adopted as presented.

(Carried)

6.0 **Recognition of Individuals and/or Organizations Accomplishments in the Community**

- Councillor Penner congratulated the Morden Collegiate Institute students who participated in the debate competition that was recently held in Winnipeg, specifically winners Jaxon Forster and Bijan Salimi.
- Councillor Maddock recognized Dr. David Goerz, who was a local recipient of the Queen's Platinum Jubilee Medal.

7.0 **Youth Member Report**

Council welcomed Youth Council Member Maja Piekarska. Ms. Piekarska is excited to join the City of Morden Council, and looks forward to the experience of working with everyone over the next 9 months.

8.0 **General Business**

8.1
Accounts

MOVED BY Councillor Garry Hiebert

SECONDED BY Councillor Doug Frost

BE IT RESOLVED that the accounts payable to October 31st, 2022 be confirmed in the amount of \$2,702,536.60 which includes the following:

- \$ 2,284,872.11 - cheque numbers 19559 to 19807
- \$ 12,326.72 – credit card payments
- \$ 379,701.94 – payroll
- \$ 25,635.83 – Pembina Valley Water Co-op

(Carried)

Deputy Mayor Gord Maddock requested a recorded vote for the following resolution.

8.2
By-law
12-2022-
2nd reading

MOVED BY Councillor Doug Frost

SECONDED BY Councillor Garry Hiebert

BE IT RESOLVED that Council of the City of Morden give 2nd reading to By-law 12-2022, being a by-law to rezone Lots 16 & 17, Block 36, Plan 863 in NW ¼ 5-3-5 WPM, known as 833 North Railway Street.

For: Councillor Frost

Against: Mayor Burley, Councillors Hiebert, Friesen, Lassnig, Penner, Hiebert

(Defeated)

8.3
South Central
Regional
Library Board
citizen rep

MOVED BY Councillor Garry Hiebert
SECONDED BY Councillor Doug Frost

WHEREAS Suzanne Sigurdson has resigned from the South Central Regional Library Board as the City of Morden citizen representative;

THEREFORE BE IT RESOLVED that Council of the City of Morden appoint Wes Hildebrand as the new citizen representative on the South Central Regional Library Board, effective immediately.

(Carried)

8.4
Subdivision
4433-22-8233

MOVED BY Councillor Gord Maddock
SECONDED BY Councillor Nancy Penner

BE IT RESOLVED that Council of the City of Morden approve Subdivision 4433-22-8233, to subdivide 68 residential lots on +/- 22 acres, leaving a large residual parcel to be consolidated with the surrounding holdings, with the following conditions:

1. Taxes on the land to be subdivided for the current year and any arrears have been paid.
2. Applicant obtains a zoning amendment to zoning bylaw 08-2017 to rezone the proposed subdivision area to RS-L zoning District;
3. Applicant / owner enters into a Development Agreement with the City to address items including, but not limited to:
 - a) an engineered road, sidewalk, water, sewer, street lighting and drainage plan and an easement plan for drainage to the satisfaction of City Engineer;
 - b) a landscape plan prepared by landscape Specialist to the satisfaction of City Parks Manager;
 - c) construction of roads, drainage and installation and extension of municipal water and sewer system and landscaping;
 - d) Hydro, gas, telephone and internet services to be provided by third party agencies;
 - e) requirements from Canada Post and MI;
 - f) letter of credit for servicing;
 - g) limiting the number of dwelling units that can be constructed to 20 dwelling units until a new wastewater treatment plant is constructed;
 - h) payment of Capital Levies and Parkhill Trunk Sewer Levy;
4. The City Planning and Engineering requires that the surveyor's drawing includes lot area and site width calculations, and that the applicant provides a georeferenced (UTM 14 NAD 83), digital plan of subdivision.
5. Applicant/owner to provide Teranet Manitoba a multi-lot plan of subdivision showing a public road and public reserves as proposed. The balance of CTs 2798428/4, 2669048/4 & balance of Lots 6 & 7 Block 6 Plan 1854 (CT 2669051/1) included as lots. Additionally, the plan will have to be signed by encumbrances on titles affected by the proposed public road and public reserve.
6. Applicant / owner submits written confirmation from Manitoba Hydro and Centra Gas that an Easement Agreement(s) has been entered into with Manitoba Hydro and Centra Gas with respect to existing and / or future facilities associated with the subdivision and a Plan of Easement, as required by The Real Property Act, has been provided. Registration of this agreement will be included as a condition of the final Certificate of Approval.
7. Applicant / owner submits written confirmation from BellMTS that an Easement Agreement has been entered into with BellMTS with respect to existing and / or future facilities associated with subdivision with the subdivision and a Plan of Easement, as required by The Real Property Act. Registration of this agreement will be included as a condition on the final Certificate of Approval.
8. Applicant / owner submits written confirmation from Valley Fiber that an Easement Agreement has been entered into with Valley Fiber with respect to existing and / or future facilities

- associated with subdivision and a Plan of Easement, as required by The Real Property Act or confirmation that easement is not required. Registration of this agreement will be included as a condition on the final Certificate of Approval.
9. Applicant / owner submits written confirmation that approval from the Office of Drinking Water (Department of Environment Climate and Parks) has been acquired for the proposed subdivision.
 10. Applicant to provide written confirmation from Manitoba Infrastructure
 - that either drainage is not an issue or that the applicant had adequately addressed any potential drainage issues related to the highway drainage system.
 - that a Traffic Impact Study prepared by a qualified transportation engineer was received and approved for this development.
 11. Canada Post advises that a developer poured concrete pad a per CPC specifications is required.
 12. The Historic Resources department advises that a heritage permit and a heritage resource impact assessment (HRIA) and mitigation is required prior to the start of the project.

(Carried)

8.5
Subdivision
4433-22-8238

**MOVED BY Councillor Florian Lassnig
SECONDED BY Councillor Nancy Penner**

BE IT RESOLVED that Council of the City of Morden approve Subdivision 4433-22-8238, to:

1. enlarge the anticipated school site from 9.96 acres to +/- 12.57 acres by consolidating 2.61 acres from surrounding holdings;
2. create a new public reserve by consolidating portions of land from three titles, and;
3. create a new public road from two titles extending off Parkhill Drive

AND BE IT FURTHER RESOLVED that said subdivision is conditional upon the following:

- a) Taxes on the land to be subdivided for the current year and any arrears have been paid.
- b) Applicant / owner enters into a Development Agreement with the City to address items including, but not limited to:
 - i. an engineered road, sidewalk, water, sewer, street lighting and drainage plan and an easement plan for drainage to the satisfaction of City Engineer;
 - ii. a landscape plan prepared by landscape Specialist to the satisfaction of City Parks Manager;
 - iii. construction of roads, drainage and installation and extension of municipal water and sewer system and landscaping;
 - iv. letter of credit for servicing;
- c) Applicant to provide a One-Lot Plan of Subdivision with Public Road and Public Reserve is required to Teranet Manitoba. The plan will have to be signed by encumbrancers on titles affected by the proposed public road and public reserve.
- d) Applicant to prepare and submit a Heritage Resource Protection Plan (HRRP), acceptable to Historic Resources Department, to be included in planning, development and operations, in the event heritage resources (including humans remains and paleontological resources) are accidentally encountered.
- e) Applicant to obtain a valid Water Rights License is required to control, establish, maintain or alter any water control works from ECP-Water Stewardship.
- f) Applicant to provide written confirmation from Manitoba Hydro and Centra Gas that an Easement Agreement(s) has been entered into with Manitoba Hydro and Centra Gas with respect to existing and / or future facilities associated with the subdivision and a Plan of Easement, as required by The Real Property Act, has

been provided. Registration of this agreement will be included as a condition of the final Certificate of Approval.

- g) Provide City of Morden a georeferenced (UTM 14 NAD 83), digital plan of subdivision along with a PDF copy of the plan of subdivision showing the total area of each lot, new roads and any public reserves, calculated by a surveyor, in either square feet or square metres. please email the copy to info@mymorden.ca. note that the pdf must contain the deposit no. and the surveyor's sworn to date.

(Carried)

8.6
2021 Audited
Financial
Statements

MOVED BY Councillor Garry Hiebert

SECONDED BY Councillor Doug Frost

BE IT RESOLVED that Council of the City of Morden approve the Audited Consolidated Financial Statements as presented by Sensus Chartered Professional Accountants, and take full responsibility for said statements for the year ended December 31, 2021.

(Carried)

8.7
MWSB – Raw
Water Supply Pre-
design & EAP

MOVED BY Councillor Nancy Penner

SECONDED BY Councillor Gord Maddock

BE IT RESOLVED that Council of the City of Morden authorize the City Manager to sign the Manitoba Water Services Board – Raw Water Supply Pre-design & EAP project: Agreement Amendment No. 2, as presented.

(Carried)

8.8
MWSB – Sewage
Lift Station
agreement

MOVED BY Councillor Nancy Penner

SECONDED BY Councillor Gord Maddock

BE IT RESOLVED that Council of the City of Morden authorize the City Manager to sign the Manitoba Water Services Board – Sewage Lift Station Upgrade project: Agreement Amendment No. 2, as presented.

(Carried)

8.9
Donation of
shares

MOVED BY Councillor Garry Hiebert

SECONDED BY Councillor Florian Lassnig

WHEREAS Council of the City of Morden received a request to accept a donation of shares on behalf of the Minnewasta Golf & Country Club;

THEREFORE BE IT RESOLVED that Council of the City of Morden approve the City Manager to work with the Access Credit Union and Minnewasta Golf & Country Club to accept the share donation and provide signing authority for the same.

(Carried)

9.0 **NEW BUSINESS**

None

10.0 **OTHER BUSINESS**

- 10.1 2022 Board of Revision Minutes from October 24th Hearing
 - received as information only
- 10.2 Western Teachers Association – Thank-you letter
 - received as information only

11.0 **IN-CAMERA**

MOVED BY Councillor Gord Maddock

- 11.1 **SECONDED BY Councillor Florian Lassnig**

BE IT RESOLVED that Council moves from the Regular Meeting to In-Camera to discuss land matters, as per *The Municipal Act*, Section 152(3).

(Carried)

MOVED BY Councillor Doug Frost

SECONDED BY Councillor Garry Hiebert

BE IT RESOLVED that Council move out of camera and resume the Regular Meeting of Council.

(Carried)

12.0 **ADJOURN**

Adjourn

MOVED BY Councillor Florian Lassnig

SECONDED BY Councillor Nancy Penner

BE IT RESOLVED that the regular meeting of Council of the City of Morden does now adjourn.

(Carried)

Next regular meeting of Council scheduled for December 28, 2022 at 7:00pm.

CITY OF MORDEN

Mayor

City Manager