

# TOWN OF MORDEN

## Regular Meeting

June 14, 2010

Minutes of the Regular Meeting of the Council of the Town of Morden held in the Council Chambers at Morden, Manitoba this 14th day of June, A.D. 2010 at 7:00 P.M..

**1. Present** **Present:** Mayor Doug Wilson, Councillors Maurice Butler, Alex Fedorchuk, Ron Laverty and Wayne Hosea  
**Absent with Regrets:** Councillor Irvin Wiebe and Youth Member Shelisa Klassen

**2. Minutes** **MOVED BY COUNCILLOR WAYNE HOSEA**  
**SECONDED BY COUNCILLOR RON LAVERTY**  
**BE IT RESOLVED** that the minutes of the Regular Meeting of the Council of the Town of Morden held on the 25th day of May, 2010 be adopted as circulated, all Statutory requirements having been fulfilled.  
(Carried)

**3. RECOGNITION OF INDIVIDUALS AND/OR ORGANIZATION**  
On behalf of Council, I am pleased to highlight the fact that Deanna Pentland of FitWell Centre, was awarded the **'Excellence in Service'** Award at the 18<sup>th</sup> Annual Manitoba Woman Entrepreneur of the Year gala event held on May 20<sup>th</sup>, 2010 at the Fairmont Hotel in Winnipeg. Morden is proud to have a business woman of this caliber in our community. Congratulations.

**4. Agenda Additions** **MOVED BY COUNCILLOR RON LAVERTY**  
**SECONDED BY COUNCILLOR WAYNE HOSEA**  
**BE IT RESOLVED** that the Council of the Town of Morden agree to add the following items to the agenda:

- Line of Credit Agreement (Access Credit Union)
- Sale of Land
- Skate Park Design
- Extension on Offer to Purchase

(Carried)

**5. HEARING OF DELEGATIONS**

**6. PUBLIC HEARINGS – 7:10P.M.**

**Explanation of Process** – read by the Director of Finance & Administration

**6.1.a Subdivision Hearing – Road Creation** (Len Peters proposed Subdivision Application No. 4433-10-5575)

**6.1.b By-law 5-2010** – Zoning Amendment to By-law 22-2008 (for Pt Lots 20,30 & 41 Plan 2020 MLTO and including Pt Lot 1, Plan 24518 MLTO) From Partly "RT" & Partly "CR" to "RS-2"

**6.1.c Conditional Use 3-2010** – (as submitted by Sunset Estates Ltd to provide for two family dwellings in a RS-2 zone) Part of Lot 39, Plan 2020 MLTO; Roll No. 210420

Close  
Meeting

**6.1.1 MOVED BY COUNCILLOR RON LAVERTY  
SECONDED BY COUNCILLOR WAYNE HOSEA**

**BE IT RESOLVED** that the Regular Meeting of Council be closed to convene as a Planning Hearing to consider Subdivision Application No. 4433-10-5575 resulting in the creation of public roads on Part Lot 39, Plan 2020 MLTO, By-law 5 – 2010 and Conditional Use Order 3-2010.

(Carried)

The Presiding Officer called the meeting to order to hear representation regarding By-law 5-2010 being a by-law to amend Zoning By-law 22-2008.

The proposal as outlined in the Notice of Public Hearing was mailed by regular mail as required by Section 168 of the Planning Act to the Minister of Local Government, the MSTW Planning District and all member municipalities of the Planning District on May 12<sup>th</sup>, 2010. The Notice of Public Hearing was also advertised in the Morden Times on May 28<sup>th</sup> and June 4<sup>th</sup> and posted in the Municipal Office on May 11<sup>th</sup>, 2010.

The administration office has not received any representation either for or against the By-law.

The hearing this evening has been called subject to Section 125(2) of the Planning Act, which states that if a proposed subdivision will result in the creation of new public roads, Council must hold a hearing to receive representation on the proposed subdivision. The proposed subdivision, which will result in the creation of new public roads, is located on a Part of Lot 39, Plan 2020 MLTO.

The proposal as outlined in the Notice of Public Hearing was mailed by regular mail as required by Section 169(2) of the Planning Act to the Minister of Local Government and the property owner on May 21<sup>st</sup>, 2010 and subject to Section 169(3) to the property owners within 100 meters of the affected property on May 21<sup>st</sup>, 2010. And further subject to Section 169(2), the Notice of Public Hearing was also posted in the Municipal Office on May 19<sup>th</sup>, 2010.

The administration office has not received any representation either for or against the proposal.

The hearing this evening has been called to hear representation regarding Conditional Use Order 3-2010 as submitted by Sunset Estates, for a part of Lot 39, Plan 2020 MLTO in the Town of Morden.

The proposal as outlined in the Notice of Public Hearing was mailed as required by Section 169(2)(3) of the Planning Act to Owner of the applicable property and to property owners within 100 meters of the affected property on May 26<sup>th</sup>, 2010. In addition the notice was posted in the Municipal Office May 26<sup>th</sup>, 2010.

The administration office has not received any representation either for or against the Conditional Use application.

**Applicant:** **Len Peters**, Developer – hopes to proceed with development in six phases; current “back lane” belongs to subdivision property – does not plan to keep lane; open to selling back lane land to 1<sup>st</sup> St property owners, for a limited time (everyone would need to be on board); smaller lots 30’ – 52’ leading to denser development, combination of single and two-family dwellings; all dwellings are intended for sale to individuals, including duplexes.  
Existing “back lane” not an actual street; developed by 1<sup>st</sup> St residents as access to back yards. Personal property currently found on proposed subdivision area is movable

**Opponent/  
Proponent** **Stan Brunn** – concerns with amount of extra traffic; drainage, i.e. Parkhill Dr drainage is an example of bad drainage; 1<sup>st</sup> Street be made wider to handle extra traffic, pedestrian crossings, ditches, improve drainage – high truck traffic, concerns with new subdivision access road width; sidewalks.

Close  
Hearing **6.1.2 MOVED BY COUNCILLOR MAURICE BUTLER  
SECONDED BY COUNCILLOR ALEX FEDORCHUK  
BE IT RESOLVED** that the statutory hearing for Subdivision Application No. 4433-10-557, By-law 5-2010 and Conditional Use Order 302010 be hereby closed.  
(Carried)

Ernie Subdivision  
4433-10-5575  
Sunset  
Estates **6.1.3 MOVED BY COUNCILLOR ALEX FEDORCHUK  
SECONDED BY COUNCILLOR MAURICE BUTLER  
BE IT RESOLVED** that Council grant conditional approval to Subdivision Application 4433-10-5575 – Sunset Estates, subject to the following:

- A Development Agreement be entered in to
- Rezoning of the area to RS-2 (Residential Single Family)
- Conditional Use be obtained for two-family dwellings

(Carried)

**6.1.4 MOVED BY COUNCILLOR RON LAVERTY  
SECONDED BY COUNCILLOR WAYNE HOSEA  
BE IT RESOLVED** that By-law 5–2010 being a By-law of the Town of Morden to amend Morden Zoning By-law 22-2008 having been read a first time be read a second time.  
(Carried)

**7. COMMITTEE REPORTS**

**8. GENERAL BUSINESS**

**8.1**  
Accounts                    **MOVED BY COUNCILLOR ALEX FEDORCHUK**  
**SECONDED BY COUNCILLOR MAURICE BUTLER**  
**BE IT RESOLVED** that the accounts as recommended for payment be confirmed.

(Carried)

Garry                    **8.2**  
Access                    **MOVED BY COUNCILLOR ALEX FEDORCHUK**  
Credit                    **SECONDED BY COUNCILLOR MAURICE BUTLER**  
Union                    **BE IT RESOLVED** that Council approve an increase in the line of  
Line of                    credit with Access Credit Union to a maximum of \$3,000,000 and the  
Credit                    Mayor and Chief Administrative Officer be authorized to sign the  
Commercial Credit Application and Line of Credit Agreement.

(Carried)

Cheryl                    **8.3**  
Accept                    **MOVED BY COUNCILLOR MAURICE BUTLER**  
Offer to                    **SECONDED BY COUNCILLOR ALEX FEDORCHUK**  
Purchase fr                    **BE IT RESOLVED** that Council accept the offer to purchase from  
MCDC                    MCDC for Lots 8 & 9, Plan 44521 and the Mayor and Chief  
Administrative Officer be authorized to sign same.

(Carried)

Cheryl                    **8.4**  
Accept 1-yr                    **MOVED BY COUNCILLOR ALEX FEDORCHUK**  
Option to                    **SECONDED BY COUNCILLOR MAURICE BUTLER**  
Purchase                    **BE IT RESOLVED** that Council approve accept a one-year option to  
Elite                    purchase from Elite Crushing Inc for Lot 7, Plan 44521 and the Mayor  
Crushing Inc                    and Chief Administrative Officer be authorized to sign same.

(Carried)

Clare                    **8.5**  
Approve                    **MOVED BY COUNCILLOR MAURICE BUTLER**  
Skateboard                    **SECONDED BY COUNCILLOR ALEX FEDORCHUK**  
Park                    **BE IT RESOLVED** that Council approve the Skateboard Park Design  
Design                    and installation of the park based on the information provided by the  
Director of Community Services.

(Carried)

Cheryl                    **8.6**  
Extension                    **MOVED BY COUNCILLOR WAYNE HOSEA**  
on Offer to                    **SECONDED BY COUNCILLOR RON LAVERTY**  
Purchase                    **BE IT RESOLVED** that Council grant an extension to July 15, 2010 to  
Burnett                    Burnett Management Company Ltd for the offer to purchase on 4  
Mgmt                    acres of lot 2, Plan 44579 MLTO.

(Carried)

**9.                    NEW BUSINESS**

**10.                  OTHER BUSINESS**

**11.                  IN CAMERA**

7:54PM

12.  
Adjourn

**MOVED BY COUNCILLOR WAYNE HOSEA  
SECONDED BY COUNCILLOR RON LAVERTY  
BE IT RESOLVED** that we do now adjourn.

(Carried)

Next Regular Session of Council on Monday, June 28, 2010 at 7:00P.M.

## **TOWN OF MORDEN**

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**Mayor**

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**Chief Administrative Officer**