

**CITY OF MORDEN
AGENDA
REGULAR MEETING
June 24, 2019– 9:00 A.M.**

1.0 INVOCATION

2.0 CONFIRMATION OF MINUTES – May 27, 2019

3.0 ADDITIONS TO AGENDA

4.0 PUBLIC HEARINGS

4.1 VO 01-2019 Evergreen Drive Variance – 9:00 A.M.

5.0 RECOGNITION OF INDIVIDUALS AND/OR ORGANIZATION ACCOMPLISHMENTS IN THE COMMUNITY

6.0 HEARING OF DELEGATIONS

7.0 YOUTH MEMBER REPORT

8.0 GENERAL BUSINESS

8.1 Adopt minutes of Committee-of-the-Whole dated June 10, 2019

8.2 Accounts Payable to May 31, 2019

8.3 19BL02 Rezoning 212 6th Street – 1st Reading

8.4 Canadian Student Debate Grant Request

8.5 Kidsport Donation Request

9.0 NEW BUSINESS

10.0 OTHER BUSINESS

11.0 IN CAMERA

11.1 Legal

11.2 Land

11.3 Personnel

11.4 Personnel

12.0 ADJOURN

Next Regular Meeting of Council scheduled for July 22, 2019

CITY OF MORDEN
Planning Hearing Outline

(By-law 27-2017)

*** Read Explanation of Process for Planning Hearings unless already done for previous hearing scheduled for the same time ***

1. Resolution to open hearing
2. Presentation of Hearing Information (read by Director of Finance & Technology)
3. Presentation by applicant – questions of Council
4. Presentation by proponents – questions of Council
5. Presentation by opponents – questions of Council
6. Applicant's response – questions of Council
7. Resolution to close hearing
8. Decision of Council on application



CITY OF MORDEN APPLICATION FOR:

VARIATION _____ FILE NO: _____
CONDITIONAL USE _____ ROLL NO. _____
ZONING AMENDMENT _____ FEE: _____ CR: _____

Owner: Dave Hidebrand Construction

Legal description of property: Lot: 14 Block: / Plan: S2314

Location of property: 31 Evergreen Drive

Council requires that the following be supplied:

Site Plan drawn to scale

The Site plan includes the site boundaries (with dimensions), the location of all existing and proposed buildings, structures or uses of land, exterior views of proposed buildings, existing and proposed access points to the site, and location of off-street parking if applicable. Location of buildings shall include distances to property lines and other buildings.

Applicable Documents:

Zoning By-Law: City of Morden Zoning By-law No. 08-2017 amended

Subject Provision: _____

Proposed Changes for:

Variation Conditional Use _____ Amendment _____

Reason for Support (Please attach any information relevant to the application): To provide a 20 foot rear yard instead of minimum 2.5 foot rear yard.

Declaration: I undertake to observe and perform all provisions of The Planning Act, the applicable Development Plan, Zoning By-Law, and any development agreement entered into under The Planning Act and any condition imposed under applicable sections in the Act and the provisions of other relevant Laws or By-Laws.

Signature of Applicant [Signature]

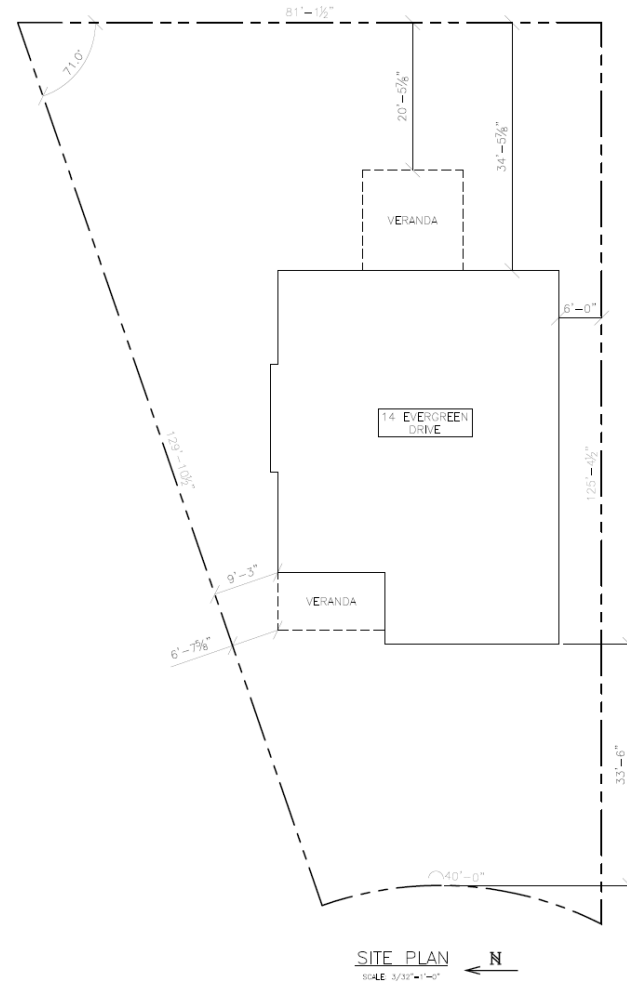
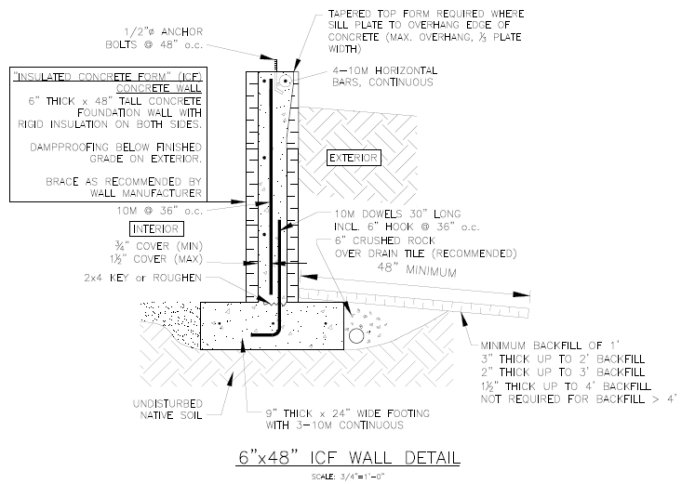
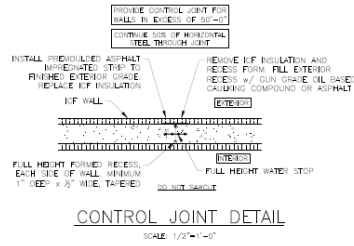
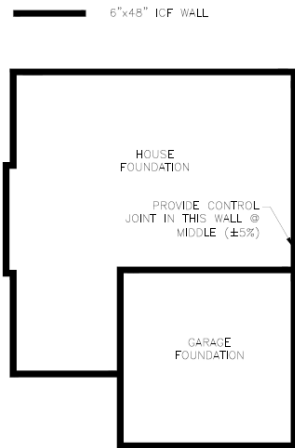
Signature of Owner (if Applicant not owner) _____

Mailing Address 20 Woodridge Bay Telephone 204-325-3184

Email davehconc@gmail.com

Date Received May 29/19

Deputy City Manager - Corporate



APEGM
Certificate of Authorization
Steckley Consulting
Engineers Inc.
No. 1432 Date: 2020.04.30



0	CLIENTS REVIEW	2019 05 14
STECKLEY CONSULTING ENGINEERS INC.		
1211 Neigamon Road Tel: 204 325 5114 Winnipeg, MB R2W 0E7 steckley@steckley.ca Fax: 204 325 0618		
DAVE HILDEBRAND CONSTRUCTION		
14 EVERGREEN DRIVE, MORDEN		
FOUNDATION PLAN & DETAILS & SITE PLAN		
DATE	BY	APP'D
2019 04 25	R.F.	R.F.
19F46-A2		

**31 Evergreen Drive
Variance**

Development Proposal Analysis

City of Morden
Planning & Engineering
133 7th Street, Morden

03 Jun 2019

Property(ies)	Lot 14 Plan 52314
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DEVELOPMENT APPLICATIONS:

Variance application VO 01-2019 – May 29 2019

COUNCIL’S OPTIONS:

Under Part 6 of *The Planning Act*, Council may consider a request to vary specific provisions of a zoning by-law. Where the proposed variance exceeds what can be approved as a minor variance [section 102], a public hearing is necessary per section 96.

Section 97 of the Act requires that Council, upon receiving the variance application, must consider the application and make an order to:

1. Reject the application;
2. Approve the application; or
3. Approve the application, with conditions consistent with section 98.

RECOMMENDATION:

That Council approve the variance application.

ZONING:

“RT – Residential Two Family” district.

LOCATION & CONTEXT:

The subject property is located along the north side of Evergreen Drive. The property is currently vacant.



Adjacent properties are developed and zoned as follows:

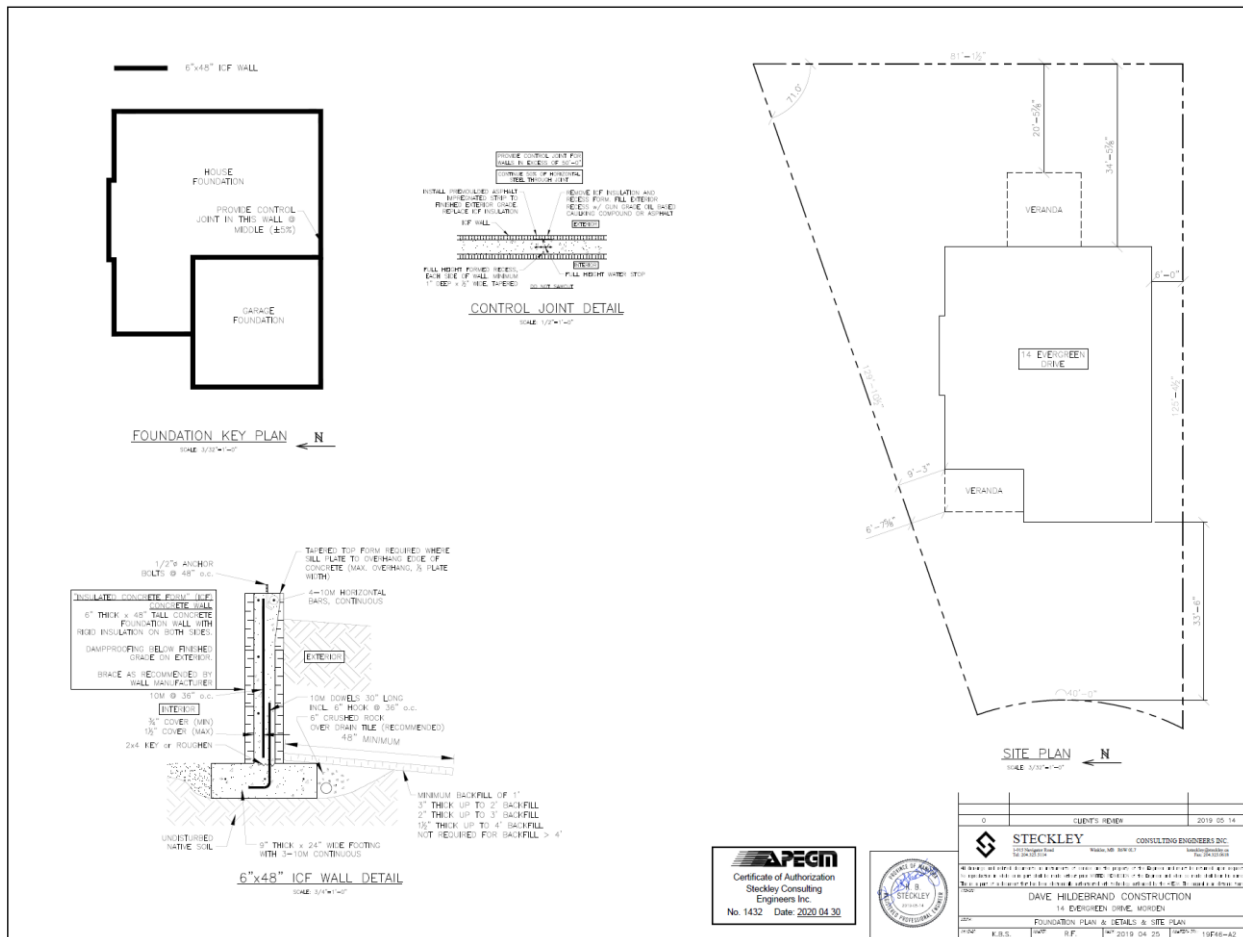
North – Livingston Drive, then estate-sized residential and agricultural, zoned “CR – Community Reserve”;

East and south – low-density residential, zoned “RT”;

West – low-density residential, zoned “RS-L – Residential Single Family Large”.

PROPOSED DEVELOPMENT:

The applicant proposes to construct a single-family dwelling with a covered veranda attached at the rear of the principal building. A portion of the veranda protrudes into the required 25-foot rear yard.



ANALYSIS:

The proposed development is located within the "Urban Neighbourhood Area" designation in the *MSTW Planning District Development Plan*. This designation accommodates a range of residential densities, neighbourhood-scale commercial uses, and institutional and recreational amenities. This development will access existing sanitary sewer and water services, is not located in a flood-prone area, is close to open space and recreation opportunities, and represents a good fit with neighbouring properties. As such, this development application meets the development plan's evaluation criteria for development in this designation and is consistent with its intent and policies.

The shape of this property [i.e. moderately tapered] is such that the proposed house must be substantially set back from the front property line in order to comply with required side yards. While doing so is considerate of immediately abutting properties, it has the effect of reducing the rear yard area. Without the veranda the house complies in all respects with "RT" built form requirements. Although including the veranda results in a reduction in the required rear yard setback, doing so has no adverse affect on immediate neighbours or on the surrounding area.

Provided Council is of the opinion the proposed variance complies with the criteria specified in section 97(1) of *The Planning Act*, the development can be approved.

UNDER THE AUTHORITY OF THE PLANNING ACT

NOTICE OF PUBLIC HEARING

On the date and at the time and location shown below, a PUBLIC HEARING will be held to receive representations from any person who wish to make them in respect to the following matter:

APPLICATION FOR VARIANCE ORDER UNDER THE CITY OF MORDEN ZONING BY-LAW NO. 08-2017.

HEARING	Council Chambers at Morden Civic Centre, 195 Stephen Street Morden, Manitoba
DATE and TIME	Monday, 24 June, 2019 At 9:00 am
APPLICATION	Variance Order No. 01-2019
OWNERS/APPLICANT:	Dave Hildebrand Construction
PROPOSAL	To provide a 20-foot rear yard instead of the minimum 25-foot yard for a principal building in the "RT" district
AREA AFFECTED:	31 Evergreen Dr Lot 14 Plan 52314 Roll No. 333565
FOR INFORMATION CONTACT:	Martin Sandhurst City Planner, Planning and Engineering City of Morden Phone: 822-4434

A copy of the above proposal and supporting material may be inspected at the location noted above during normal office hours 9:00 A.M. to 4:30 P.M., Monday to Friday. Copies may be made and extracts taken therefrom, upon request.

UNDER THE PLANNING ACT
VARIANCE ORDER BY COUNCIL OF THE CITY OF MORDEN
Variance Order No. 01-2019

WHEREAS

Dave Hildebrand Construction

the owner(s) of property
legally described as
and located at

Lot 14 Plan 52314, Roll No. 333565

31 Evergreen Dr

in the City of Morden, have applied to the Council of the City of Morden to vary the application of The Morden Zoning By-law No. 08-2017 as amended provided under The Planning Act as it applied to the property in order to vary, is in accordance with the sketch attached:

To provide a 20-foot rear yard instead of the minimum 25-foot yard for a principal building in the "RT" district

And after careful consideration of the application and any representations made for or against the variance sought by the applicant, the Council of the City of Morden in Council duly assembled this **24 June, 2019 APPROVED/REJECTED** said variation.

Subject to Section 101(1) of the Planning Act, approval shall expire if not acted upon within twelve (12) months being the date of **24 June, 2020**

City Manager

MINUTES
CITY OF MORDEN
COMMITTEE-OF-THE-WHOLE MEETING
June 10, 2019 9:00 AM

Present: Mayor Brandon Burley, Councillors Nancy Penner, Doug Frost, Garry Hiebert, Jim Hunt, Hank Hildebrand, and Councillor Gordon Maddock.

City Manager Faisal Anwar, Deputy City Manager Corporate Patrick Dueck, Fire Chief Andy Thiessen, Police Chief Brad Neduzak, Executive Assistant Kelsey Wood.

1.0 ADDITIONS TO AGENDA

2.0 BUSINESS ARISING OUT OF THE MINUTES

3.0 PRESENTATIONS

The Corporate section is chaired by Councillor Hildebrand

4.0 CORPORATE (finance, city planning, community services)

4.1 Financial Statements to May 31, 2019

Moved by Councillor Doug Frost and Second by Councillor Jim Hunt
That Council approve the Financial Statements to May 31, 2019.

(Carried)

4.2 Community Services and Events Report

- For information
- Mayor Burley acknowledged the great work that Stephanie Dueck did promoting and executing Mental Health Week within the community.

4.3 18BL02 Rezoning 212 6th Street/212 6th Street Zoning Amend Variance

- For information
- First reading to take place at the Council Meeting on June 24, 2019.

4.4 VO 01-2019 31 Evergreen Drive Variance

- For information
- Public Hearing to take place at Council Meeting on June 24, 2019.

4.5 Subdivision 4433-19-7849 Lot 15, Block 1, SS Plan 856 N1/2 5-3-5W

- For information

- 4.6 Deputy City Manager Report – Corporate
- Property Tax bills distributed this week.
 - Status of 2017 Audit still with Auditor, hoping for an update shortly.

The Operations section is chaired by Councillor Frost.

5.0 OPERATIONS (*maintenance – facilities, parks, pw catchall, utilities, engineering*)

5.1 Facilities Report

- For information

5.2 Parks and Urban Forestry Report

- For information
- A heavy presence of weeds in the community, and citizens have been expressing concerns.

5.3 Water Treatment Report

- For information

5.4 Utilities Report

- For information

5.8 ~~Deputy City Manager Operations Report~~

6.0 COMMITTEE-OF-THE-WHOLE

6.1 Fire Chief Report

- For information
- Use for Code Red program not being utilized to its full benefit. Council would like to see it used for more notifications rather than just emergencies. Administration will take the lead on finding out how we can improve the use of this app.
- Washing extractor is scheduled to arrive June 10, 2019. It is a great necessity to the Fire Department.
- New Fire Truck is expected to arrive in the first part of December.

6.2 Police Chief Report

- For information
- Stolen vehicles have increased from May to June, with the majority of them having had the keys left inside allowing easy accessibility for thieves.
- Advertisement for a new Constable position has been posted. The end of June will see a short list with a series of exams to follow.

6.3 SERC 2018 Emergency Plan Approval

Moved by Councillor Hank Hildebrand Second by Councillor Garry Hiebert
That Council approve the 2018 SERC Emergency Plan.

(Carried)

6.4 Graveyard and Park Conditions

- Conditions of the long grass a concern.
- Councillor Maddock provided pictures.
- Concerns with the headstones sinking with the changes in ground conditions.
- Columbarium concerns as to whether or not they are being utilized and/or presold.
- Community Parks and Baseball Park conditions have also become a concern with unruly grass.
- Administration is going to address the situation with the contractors in a meeting with Parks and Urban Forestry this afternoon.

6.5 City Manager Report (*CM report, HR, Communications*)

- Waste water treatment plan.
- Waste water lagoon management plan to submit to sustainable development with regional supervisor.

6.6 Mayor Report

- Attended FCM with City Manager and Councillor Hildebrand.
- Very good and valuable information.
- Attended meetings with Waste Water Treatment to discuss Lagoon capacity options.

External Organizations (*if decisions of Council committee are needed*)

6.7 Boundary Trails Health Center AGM Invitation

- For information

6.8 Boundary Trails Health Center Foundation Golf Tournament Sponsorship Request.

This is an annual sponsorship, with a review of the policy a sponsorship amount will be distributed as designated for annual contribution.

6.9 Canadian Student Debate Grant Request

Moved by Councillor Hank Hildebrand Second by Councillor Doug Frost
That Council approves \$1000.00 Gold level sponsorship.

(Carried)

6.10 Corn and Apple Request Letter to the City

- The Corn and Apple Festival request to close 9th Street and 8th Street from Grant Street to Thornhill on Wednesday, August 21st for the moving of the stage.
- Administration will look in to this request in more detail and report back to Council.

6.11 Kidsport Donation Request

Moved by Councillor Gordon Maddock Second by Councillor Jim Hunt
That Council approve \$500.00 for sponsorship to Kidsport.

(Carried)

6.12 Pride Rally

- The flag can be flown at the Access Event Centre, there are no longer road closures, and the rout has been changed from Stephen Street to Thornhill sidewalk.
- Deputy Mayor Nancy Penner will bring greetings.
- City Manager will call a Management Meeting to ensure everyone is on the same page to appropriately accommodate the event.

6.13 Legion Banner Progress Report

- Requesting that the City purchase a number of new brackets for the hangers along Stephen Street.
- Administration will provide details from investigation and return to Council.

~~Organizational Strategies (corp plan, asset mgmt., future projects)~~

7.0 IN-CAMERA

7.1 Legal

7.2 Legal

8.0 ADJOURN



CITY OF MORDEN APPLICATION FOR:

VARIATION	YES	FILE NO:	ZA -2019; VO -2019
CONDITIONAL USE	_____	ROLL NO.	71300
ZONING AMENDMENT	YES	FEE:	\$700

Owner: _____

Legal description of property: Lot: 3,4 Block: 14 Plan: 863

Location of property: 212 6th Street

Council requires that the following be supplied:

Site Plan drawn to scale YES

The Site plan includes the site boundaries (with dimensions), the location of all existing and proposed buildings, structures or uses of land, exterior views of proposed buildings, existing and proposed access points to the site, and location of off-street parking if applicable. Location of buildings shall include distances to property lines and other buildings.

Applicable Documents:

Zoning By-Law: City of Morden Zoning By-law No. 08-2017 amended

Subject Provisions: Section 23.3 1) Parking; 23.3 3) Waste Materials Storage; 25.2 Land Use; 25.3 Dimensions & Design

Proposed Changes for:

Variation YES Conditional Use _____ Amendment YES

To rezone from "RT – Residential Two Family" to "RM-M – Residential Multiple Family Medium.

- To provide a 15-foot front yard instead of a 25-foot front yard;
- To provide a 4-foot side yard instead of a 10-foot side yard;
- To establish a 16-foot wide two-way driveway instead of a 20-foot wide driveway;
- To provide 0-foot separation from waste materials storage to side and rear yard instead of 5-foot separation.

Reason for Support (Please attach any information relevant to the application): _____

To establish a 9-unit multiple-family building – PLANS ATTACHED

Declaration: I undertake to observe and perform all provisions of The Planning Act, the applicable Development Plan, Zoning By-Law, and any development agreement entered into under The Planning Act and any condition imposed under applicable sections in the Act and the provisions of other relevant Laws or By-Laws.

Signature of Applicant _____

Signature of Owner (if Applicant not owner) _____

Address _____ Telephone _____

Date Received _____

Director, Planning & Engineering

PRELIMINARY PLANS-NOT FOR CONSTRUCTION
glenberg
homes & design

PRELIMINARY PLANS-NOT FOR CONSTRUCTION
glenberg
homes & design

PRELIMINARY PLANS-NOT FOR CONSTRUCTION
glenberg
homes & design

PRELIMINARY PLANS-NOT FOR CONSTRUCTION
glenberg
homes & design



Front Elevation

PRELIMINARY PLANS-NOT FOR CONSTRUCTION
glenberg
homes & design

PRELIMINARY PLANS-NOT FOR CONSTRUCTION
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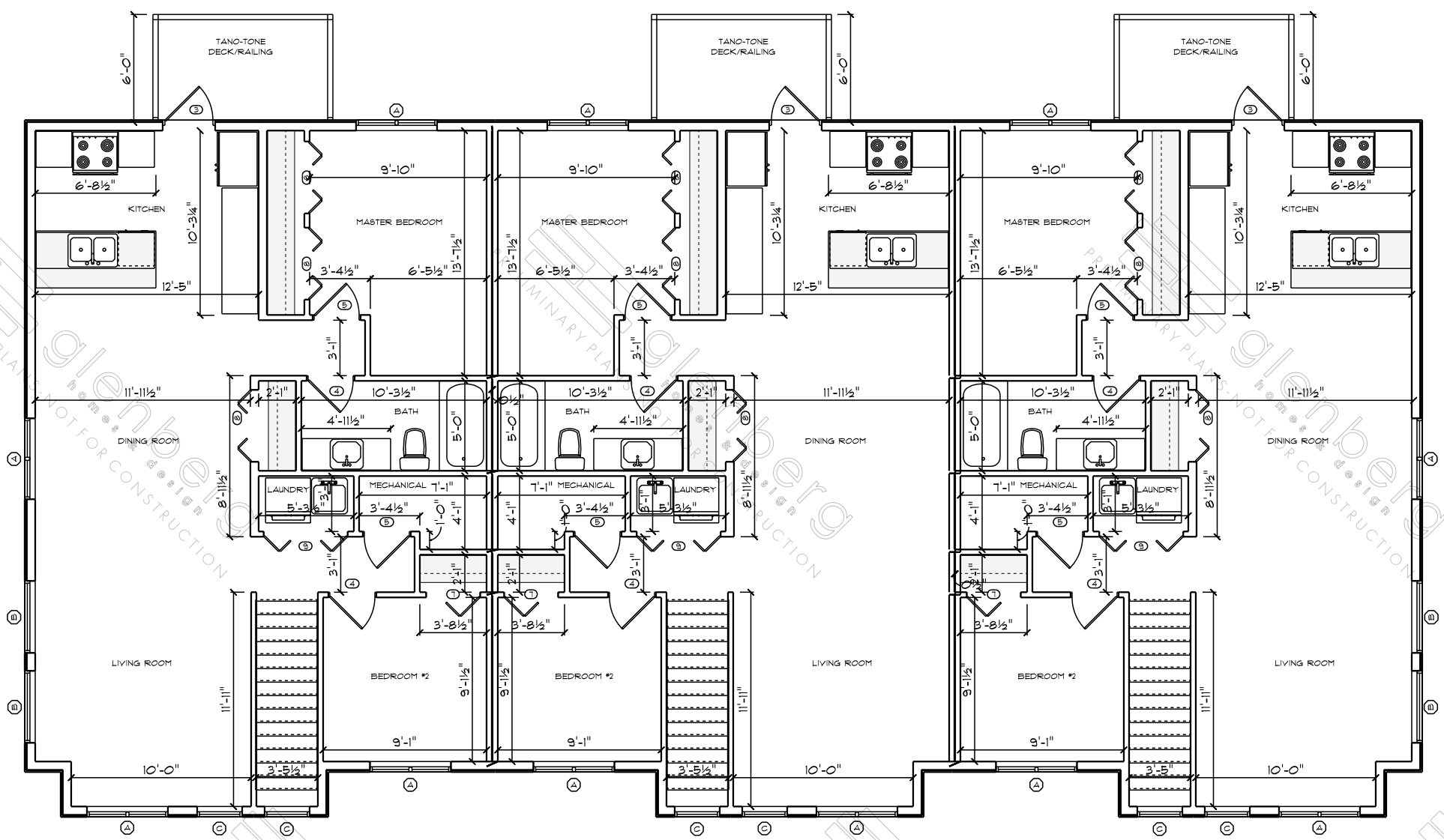
glenberg
homes & design
PRELIMINARY PLANS-NOT FOR CONSTRUCTION

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homes & design



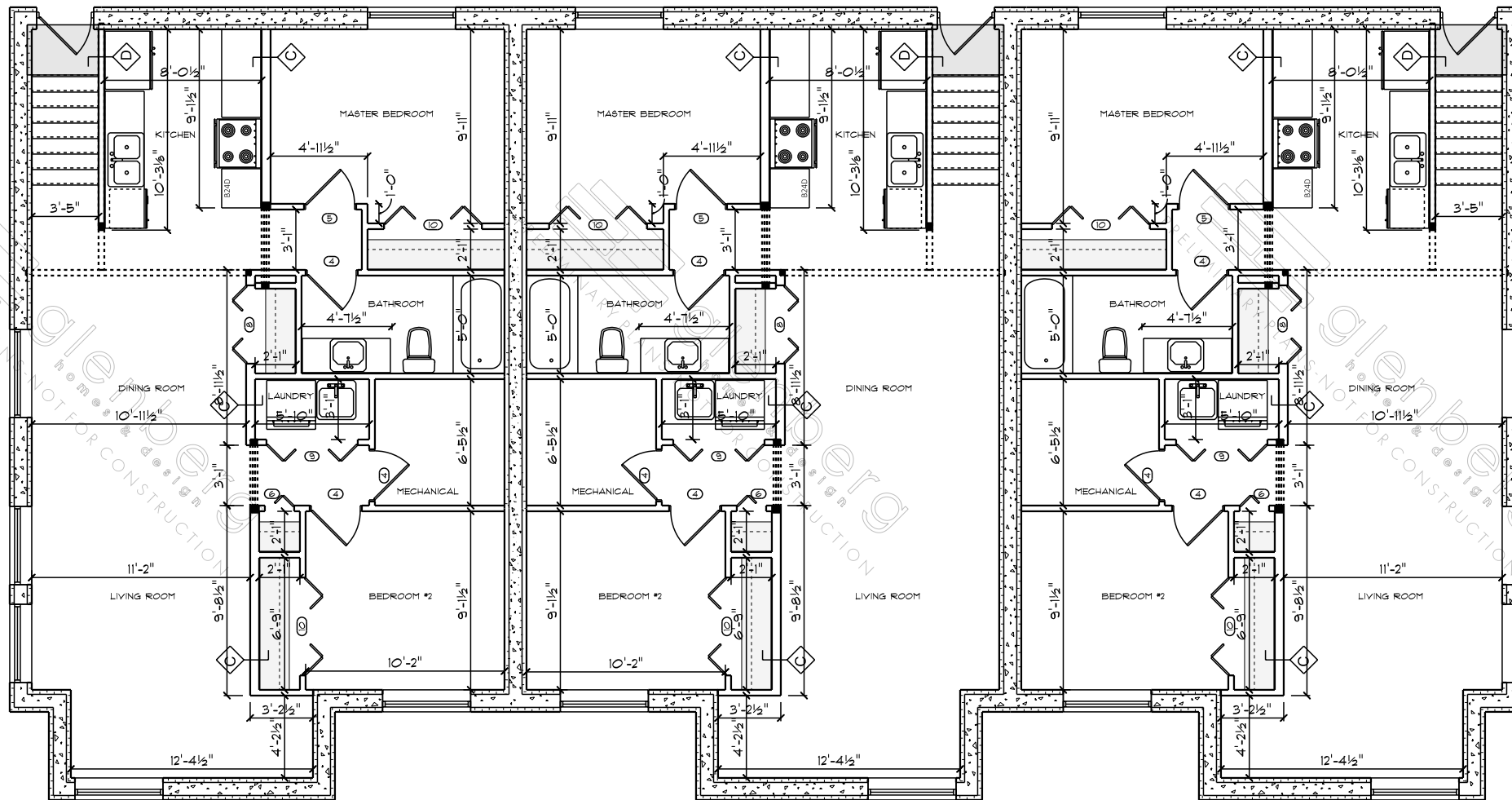
Second Floor

PRELIMINARY PLANS-NOT FOR CONSTRUCTION
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homes & design

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PRELIMINARY PLANS-NOT FOR CONSTRUCTION
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homes & design



Basement

27 May 2019

Property(ies)	Lots 3,4 Block 14 Plan 863
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DEVELOPMENT APPLICATIONS:

Zoning Amendment 01-2019 – May 30 2019

“To rezone from ‘RT – Residential Two Family’ district to ‘RM-M – Residential Multiple Family Medium’ district”

1st reading of amending by-law – June 24th 2019

Public hearing and 2nd & 3rd readings – July 22nd 2019 [provided Council gives 1st reading on June 24th and public notice is given in accordance with legislated requirements]

Variance 02-2019 – May 30 2019

“To provide a 15-foot front yard instead of a 25-foot front yard”

“To provide a 4-foot side yard instead of a 10-foot side yard”

“To establish a 16-foot wide two-way driveway instead of a 20-foot wide driveway”

“To provide 0-foot separation from waste materials storage to side and rear yard instead of a 5-foot separation”

Public hearing and resolution – July 22nd 2019 [to coincide with related zoning amendment application public hearing and provided public notice is given in accordance with legislated requirements]

COUNCIL’S OPTIONS:

Zoning Amendment

Section 80 of *The Planning Act* requires that Council, upon receiving application to amend the zoning by-law, must:

1. Give 1st reading of the amending by-law and authorize public hearing; or
2. Reject the application if it is deemed to be without merit, is inconsistent with the development plan, or is substantially similar to an application that had been refused within the past year.

Between 1st and 2nd readings of the amending by-law Council must hold a public hearing, with public notice provided in accordance with section 168 of the Act. Council has the following options:

1. Give 3rd reading to the amendment and approve the proposal as applied for;
2. Give 3rd reading to the amendment and approve the proposal subject to a condition requiring a Development Agreement;
3. Reject the proposal;
4. Give 3rd reading to the amendment and approve a less intensive residential district.

Variances

Section 96 of *The Planning Act* requires that Council provide notice of and then conduct a public hearing concerning a variance of a zoning regulation, with notice provided in accordance with section 168 of the Act. Council has the following options:

1. Approve the application as submitted;
2. Approve the application, subject to condition;
3. Reject.

RECOMMENDATION:

Zoning Amendment

That Council approve the zoning amendment to the “RM-S – Residential Multiple Family Small” district, with condition:

Given the following factor, a condition of approval to require a Development Agreement is warranted in this case:

- The “RM-S” district limits the number of dwelling units to a maximum of 7—a departure from the proposed 9 dwelling units—which may lead to built form, configuration, and orientation modifications to the site plan and elevations. Should this be the case, the condition would provide Council with the opportunity to review these details prior to a Development Permit being issued.

VariANCES

That Council approve the variances to the following extent:

- Provide an 18-foot front yard, consistent with the shallowest building setback along the block of 6th Street.

The balance of the requested variances would not be necessary should the property be rezoned to the “RM-S” district, due in part to lesser side yard requirement [i.e. minimum 4-foot for “RM-S”; minimum 10-foot for “RM-M”] and to anticipated reduced building footprint and parking space requirements.

ZONING:

“RT – Residential Two Family” district.

LOCATION & CONTEXT:

The subject property is located along the west side of 6th Street, in the block between Thornhill Street and Wardrop Street. The lot is approximately 100 feet wide and 125 feet deep.



Adjacent properties are developed and zoned as follows:

North – single- and two-family homes, zoned “RT”;

East – across 6th Street, single- and two-family homes, zoned “RT”;

West – single-family homes, zoned “RT”;

South – single-family homes, zoned “RT”.

PROPOSED DEVELOPMENT:

The applicant proposes to establish a 9-unit multiple-family building—in stacked townhouse form—on the currently vacant site, with accessory parking area provided at the rear of the proposed building. Each floor [i.e. sub-grade, 1st-storey, 2nd-storey] of each of the three bays is to be a 2-bedroom dwelling unit. To do so, the property must be rezoned from “RT – Residential Two Family” to “RM-M – Residential Multiple Family Medium” district.



ANALYSIS:

The proposed development is located within the “Urban Neighbourhood Area” designation in the *MSTW Planning District Development Plan*. This designation accommodates a range of residential densities, neighbourhood-scale commercial uses, and institutional and recreational amenities. This development will access existing water and sanitary sewer services, is not located in a flood-prone area, is close to open space and recreation opportunities, and is located near a potential multi-modal transportation route.

Although the subject property is surrounded on all sides by low-density housing, it is a good candidate for multiple-family development—provided its form and intensity are considerate of this context. Were this property located along Thornhill Street or a similarly higher-order traffic route, the proposed or higher density would be anticipated and should be approved. Since this is a transitional site between low-density housing and a potential higher density site [e.g. 255 and 265 Thornhill], the appropriate density for the subject property is the 7 dwelling units possible under the recommended “RM-S” district.

With its adoption in June 2017, the Morden Zoning By-Law 08-2017 introduced two new multiple-family districts in order to provide developers, Council, and community members with a more nuanced range of density options for circumstances such as this. Limiting this site to 7 dwelling units will still result in additional development opportunity for the developer and will provide contextual compatibility for adjacent properties. For the record, under the previous zoning by-law’s “RM – Residential Multiple Family” district, the maximum density possible on this site would have been 6 dwelling units. Should Council concur with the recommended “RM-S” zoning, details concerning building form, configuration, and orientation and concerning parking/loading area setbacks to rear and property lines will be captured in the Development Agreement’s terms and conditions.

The intensity and form of the proposed 9-unit stacked townhouse development leads to the need for relief from built form requirements. A reduced building setback from the front property line enables the accessory parking area to be located behind the building. There are a range of setbacks along this block, with 18-foot being the shallowest [30-foot is the most frequent setback]. In combination with a reduced number of dwelling units [maximum of 7 units instead of the proposed 9 units], an 18-foot setback will accommodate ample off-street parking [at least 9 spaces], sufficient separation between the parking area and adjacent properties [10 feet +/-], and better integrated waste materials storage.

Since the outcome of the zoning amendment is to accommodate an increased number of dwelling units, capital lot levies are warranted for the additional units above base entitlement.

CITY OF MORDEN
BY-LAW NO. 02-2019

BEING a by-law of the City of Morden to amend the Morden Zoning By-law 08-2017.

WHEREAS Section 80 of The Planning Act gives the Council of a municipality the power to amend a Zoning By-law;

NOW THEREFORE the Council of the City of Morden in meeting duly assembled enacts as follows:

THAT the zoning map, being Part VIII of the Morden Zoning By-law No. 08-2017, be amended so that:

Lot 3,4 Block 14 Plan 863

As shown outlined in red lines on the map attached hereto as Schedule "A", and forming part of this by-law, be rezoned

From: "RT" Residential Two Family
To: "RM-S" Residential Multiple Family Medium

DONE AND PASSED in open Council assembled on this XX day of XXXX, A.D. 2019.

CITY OF MORDEN

Brandon Burley

Mayor

Faisal Anwar

City Manager

Read a first time this	24 th	day of	June	A.D. 2019
Read a second time		day of		A.D. 2019
Read a third time this		day of		A.D. 2019



Schedule "A"

Legend

XX Parcels To Be Rezoned

City of Morden
 Lots 3, 4, Block 14, Plan 863
 Date: 24 Jun 2019

Attached to and forming part of
 BY-LAW No. 02-2019
 Amending Zoning By-Law No. 08-2017
 FROM: "RT" Residential Two-family
 TO: "RM-M" Residential Multiple-family Medium