



MUNICIPALITY OF MORRIS-TURNBERRY

COUNCIL MINUTES

Tuesday, February 7th, 2023, 7:30 pm

The Council of the Municipality of Morris-Turnberry met in Council Chambers in regular session on the 7th day of February 2023, at 7:30 pm.

Council in Attendance

Mayor Jamie Heffer
Deputy Mayor Kevin Freiburger
Sharen Zinn
Jodi Snell
Jamie McCallum

Staff in Attendance

Trevor Hallam	CAO/Clerk
Kirk Livingston	Chief Building Official / Drainage Superintendent / Property Standards Officer / Zoning Administrator
Meghan Tydd-Hrynyk	Huron County Planner

Others in Attendance

James Taylor	
Jeff Bannerman	
Terry Curran	Applicant, MV01-2023
Lexi Curran	Applicant, MV01-2023
Scott Stephenson	The Citizen
Mike Wilson	Wingham Advance Times

1.0 CALL TO ORDER

Mayor Heffer called the meeting to order at 7:30 pm

Mayor Heffer noted that Mike Wilson and Scott Stevenson disclosed the use of recording equipment for the purpose of writing articles to the Clerk in advance of the meeting.

2.0 ADOPTION OF AGENDA

Motion 18-2023

*Moved by Kevin Freiburger
Seconded by Sharen Zinn*

THAT the Council of the Municipality of Morris-Turnberry hereby adopts the agenda for the meeting of February 7th, 2023, as circulated.

Carried.

3.0 DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST

None.

4.0 MINUTES

Motion 19-2023

*Moved by Jodi Snell
Seconded by Jamie McCallum*

THAT the Council of the Municipality of Morris-Turnberry hereby adopts the January 17th and January 25th, 2023, Council Meeting Minutes as written.

Carried.

5.0 ACCOUNTS

Motion 20-2023

*Moved by Sharen Zinn
Seconded by Kevin Freiburger*

THAT the Council of the Municipality of Morris-Turnberry hereby approves for payment the February 7th accounts in the amount of \$317,048.68.

Carried.

6.0 PUBLIC MEETINGS AND DEPUTATIONS

6.1 CORRESPONDENCE REGARDING POTENTIAL SOIL CONTAMINATION

Jim Taylor expressed his concerns to Council regarding soil contamination on a neighboring property.

A report prepared by CAO/Clerk Trevor Hallam describing the information gathered by staff in advance of the meeting regarding this issue was provided for the information of Council.

Mr. Livingston offered to visit the site to inspect the surface runoff entering the storm drain in front of the subject property.

Council gave no further direction.

6.2 COMMITTEE OF ADJUSTMENT

Application MV01/23 (Terry and Lexi Curran/TJ Enterprise Inc)
Concession 12, Lot 16, Turnberry (91552 London Road)

Motion 21-2023

*Moved by Sharen Zinn
Seconded by Jamie McCallum*

THAT The Council of the Municipality of Morris-Turnberry hereby adjourns their Council Meeting and the Committee of Adjustment hereby opens a meeting to review application for Minor Variance MV01-2023, submitted by Terry and Lexi Curran for TJ Enterprise Inc.

Carried.

COMMITTEE OF ADJUSTMENT MEETING

6.2.1 Call to Order

Mayor Heffer called the meeting to order at 7:47 pm.

6.2.2 Declaration of Pecuniary Interest

None declared.

6.2.3 Purpose

The application proposes to reduce the MDS setback of 563 m to 410 m to the neighbouring house to the south-east of the subject property.

6.2.4 Application Process

An application for a Minor Variance was submitted by Terry and Lexi Curran and considered complete on January 23rd, 2023.

Notice of a Public Meeting was mailed by the municipality to all property owners within 60m of the property on January 24th, 2023, and notice was posted on the subject property. A change to the application was made by the applicants, and an amended notice was circulated and posted on January 27th, 2023.

A report prepared by Huron County Planner Meghan Tydd-Hrynyk regarding this application was provided to the Committee in advance of the meeting.

6.2.5 Comments

1. Planner's Report

Ms. Tydd-Hrynyk presented her report.

2. Committee's Questions and/or Comments

None.

3. Applicant and/or Agent

None.

4. Others

None.

6.2.6 Recommendation

It is recommended that application MV01-2023 be approved with the following conditions:

1. The structure be located within the footprint shown on the sketch that accompanied the application;
2. The variance approval is valid for a period of 18 months from the date of Council's decision.

6.2.7 Committee of Adjustment Decision

Motion 22-2023

*Moved by Jamie McCallum
Seconded by Jodi Snell*

THAT The Committee of Adjustment of the Municipality of Morris-Turnberry, considering the variance to be minor, to maintain the appropriate development of the lands, and to maintain the general intent of the Morris-Turnberry Zoning By-law 45-2014 and the Morris-Turnberry Official Plan, hereby approves application for minor variance MV01-2023, submitted by Terry and Lexi Curran for TJ Enterprise Inc., subject to the following conditions:

1. *The structure be located within the footprint contained on the sketch that accompanied the application;*
2. *The variance approval is valid for a period of 18 months from the date of Council's decision.*

Carried.

6.2.8 Close Committee of Adjustment

Motion 23-2023

*Moved by Sharen Zinn
Seconded by Kevin Freiburger*

THAT The Committee of Adjustment hereby adjourns their meeting.

Carried.

7.0 **STAFF REPORTS**

None.

8.0 **BUSINESS**

8.1 PROPOSED CHANGES DUE TO BILL 23 AND BILL 109

Kirk Livingston, Chief Building Official / Drainage Superintendent / Property Standards Officer / Zoning Administrator, presented a report in this regard.

Motion 24-2023

*Moved by Kevin Freiburger
Seconded by Jodi Snell*

THAT the Council of the Municipality of Morris-Turnberry hereby directs staff to return a Pre-Consultation by-law, updated Building by-law and updated Site Plan Control by-law for consideration at the next meeting of Council.

Carried.

8.2 GRANT MUNICIPAL DRAIN PETITION FOR IMPROVEMENT

Kirk Livingston, Chief Building Official / Drainage Superintendent / Property Standards Officer / Zoning Administrator, presented a report in this regard.

Motion 25-2023

*Moved by Jamie McCallum
Seconded by Jodi Snell*

THAT the Council of the Municipality of Morris Turnberry hereby accept the Petition for Drainage Works by Owners of South half Lot 30, Concession 4, (formerly Morris Ward) for a branch to the Grant Municipal Drain, as described in the petition submitted by Ross McCall under Section 4 of the Drainage Act;

AND FURTHER, that Council hereby accepts and approves the Petition for Drainage Works and instructs the Clerk to send the notice required under Section 5 of the Drainage Act to the Maitland Valley Conservation Authority, the Ontario Ministry of Agriculture Food and Rural Affairs, the Clerk of an adjacent Municipality and to the petitioners who submitted the Petition for Drainage Works;

AND FURTHER THAT Headway Engineering be appointed to prepare a report to fulfil the requirements under Section 8 of the Drainage Act for the area requiring drainage effective 30 days after the issuance of the notice to the prescribed parties.

Carried.

8.3 GARDEN SUITE TO ADDITIONAL RESIDENTIAL UNIT TRANSITION

CAO/Clerk Trevor Hallam presented a report in this regard.

Motion 26-2023

*Moved by Sharen Zinn
Seconded by Jamie McCallum*

THAT the Council of the Municipality of Morris-Turnberry hereby directs staff to return a by-law repealing existing garden suite agreements for properties where additional residential units are permitted as-of-right, and to return security deposits held by the municipality for enforcement of those agreements.

Carried.

8.4 ENABLING ACCESSIBILITY FUND AGREEMENT

CAO/Clerk Trevor Hallam presented a report in this regard.

Motion 27-2023

*Moved by Sharen Zinn
Seconded by Kevin Freiburger*

THAT leave be given to introduce By-Law # 08-2023, being a by-law to authorize the Mayor, Clerk, and Treasurer to execute and affix the Corporate Seal to an agreement between the Municipality of Morris-Turnberry and His Majesty the King in Right of Canada as represented by the Minister of Employment and Social Development, and that it now be read severally a first, second, and third time, and finally passed this 7th day of February 2023.

Carried.

9.0 COUNCIL REPORTS

Kevin Freiburger

January 25th, attended a Maitland Valley Conservation Authority Board meeting.
February 1st, attended a Bluevale Community Committee meeting.

Jamie McCallum

None.

Sharen Zinn

None.

Jodi Snell

Attended the Rural Ontario Municipalities Association Conference in Toronto from January 22nd to January 24th.

Jamie Heffer

Attended the Rural Ontario Municipalities Association Conference in Toronto from January 22nd to January 24th.
January 29th attended the Annual General Meeting of the Brussels Agricultural Society

10.0 CORRESPONDENCE, MINUTES, ITEMS FOR INFORMATION

- 10.1 Media Release – Coldest Night of the Year – United Way Perth Huron
- 10.2 Correspondence - Libraries Transforming Communities (LTC) project – Huron County Libraries
- 10.3 Monthly Report – Belgrave Water – December 2022
- 10.4 Draft Work Plan and Budget – MVCA 2023
- 10.5 Ontario Land Tribunal Appeal Acknowledgement Letter
- 10.6 Board Highlights – AMDSB Meeting January 31, 2023

- 10.7 Minutes – MVCA Meeting December 21, 2022
- 10.8 Minutes – Coalition for Huron Injury Prevention – November 9, 2022
- 10.9 Minutes – Saugeen Grey Sauble Source Protection Committee – March 25, 2022
- 10.10 Minutes – Saugeen Grey Sauble Source Protection Committee – July 22, 2022
- 10.11 Minutes – Saugeen Valley Conservation Authority Meeting – December 15, 2022
- 10.12 Event Notice – Women in Skilled Trades – Huron Perth Catholic District School Board
- 10.13 Event Notice – Farmland Forum 2023
- 10.14 Notice of Public Meeting – MTu Z01-2023 – March 7th, 2023
- 10.15 Notice of Information Meeting – Shortreed Municipal Drain – February 14th, 2023
- 10.16 Notice of AGM – MVCA AGM February 15th, 2023
- 10.17 Resolution – Compensation for Schoolboard Trustee Election Administration – Town of Petrolia
- 10.18 Outstanding Action Items

Motion 28-2023

*Moved by Jamie McCallum
Seconded by Sharen Zinn*

THAT the Council of the Municipality of Morris-Turnberry hereby supports the resolution of the Town of Petrolia requesting that school boards become responsible for conducting their own trustee elections, or a minimum municipalities be compensated by the school boards for overseeing such trustee elections.

Carried.

Motion 29-2023

*Moved by Sharen Zinn
Seconded by Jodi Snell*

THAT the Council of the Municipality of Morris-Turnberry hereby appoints Councillor McCallum to attend the Farmland Forum in Guelph as a representative of Council.

Carried.

11.0 NEW BUSINESS

None.

12.0 BY-LAWS AND AGREEMENTS

12.1 COMMUNITY SAFETY AND WELL BEING PLAN OVERSIGHT COMMITTEE

At the December 20th meeting of Council, staff presented the terms of reference for the Community Safety and Well Being Plan Oversight Committee, and appointed Councillor Zinn to the Committee. By-law 06-2023 was presented to adopt the terms of reference.

Motion 30-2023

*Moved by Kevin Freiburger
Seconded by Jamie McCallum*

THAT leave be given to introduce By-Law # 06-2023, being a by-law to establish an Oversight Committee for the Huron County Community Safety and Well Being Plan, and to appoint members to that Committee, and that it now be read severally a first, second, and third time, and finally passed this 7th day of February 2023.

Carried.

12.2 AMEND PROPERTY STANDARDS

At the January 17th meeting of Council, staff were directed to return a by-law to amend Property Standards by-law 36-2020.

Motion 31-2023

*Moved by Jamie McCallum
Seconded by Sharen Zinn*

THAT leave be given to introduce By-Law # 07-2023, being a by-law to amend by-law 36-2020 of the Municipality of Morris-Turnberry, and that it now be read severally a first, second, and third time, and finally passed this 7th day of February 2023.

Carried.

Mayor Heffer called a brief recess at 8:15 pm

13.0 CLOSED SESSION

13.1 Enter closed session.

Motion 32-2023

*Moved by Jamie McCallum
Seconded by Sharen Zinn*

THAT the Council of the Municipality of Morris-Turnberry enter a closed session at 8:25 p.m., with the CAO/Clerk remaining in attendance, for the purpose of discussing confidential matters pursuant to the following sections of the Municipal Act:

1. *Section 239 (2) (e) regarding litigation before an administrative tribunal.*

Carried.

13.2 Return to open session.

Motion 33-2023

*Moved by Kevin Freiburger
Seconded by Jamie McCallum*

THAT the Council of the Municipality of Morris-Turnberry rise from a closed session at 8:57 p.m.

Carried.

13.3 Report and Action from Closed Session.

Council discussed OLT Appeal OLT-23-000041.

14.0 CONFIRMING BY-LAW

Motion 34-2023

*Moved by Jodi Snell
Seconded by Sharen Zinn*

THAT leave be given to introduce By-Law # 09-2023, being a by-law to confirm the proceedings of the Municipality of Morris-Turnberry meeting of Council held on February 7th, 2023, and that it now be read severally a first, second, and third time, and finally passed this 7th day of February 2023.

Carried.

15.0 ADJOURNMENT

Motion 35-2023

*Moved by Jamie McCallum
Seconded by Sharen Zinn*

*THAT the Council of the Municipality of Morris-Turnberry does
now adjourn at 8:58 pm.*

Carried.

NEXT MEETINGS:

Regular Meeting of Council – Tuesday, February 21st, 2023, 7:30 pm
Regular Meeting of Council – Tuesday, March 7th, 2023, 7:30 pm

Mayor, Jamie Heffer

Clerk, Trevor Hallam