



## MUNICIPALITY OF MORRIS-TURNBERRY

### COUNCIL MINUTES

Tuesday, March 7<sup>th</sup>, 2023, 7:30 pm

The Council of the Municipality of Morris-Turnberry met in Council Chambers in regular session on the 7<sup>th</sup> day of March 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
Mike Alcock	Director of Public Works
Sean Brophy	Treasurer
Meghan Tydd-Hrynyk	Huron County Planner

#### **Others in Attendance**

Scott Patterson	Applicant – Z01-2023
Doug Kuyvenhoven	
Henri Frischknecht	
Kurtis Frischknecht	
Paul Coultres	
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 Stephenson 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 51-2023*

*Moved by Kevin Freiburger  
Seconded by Jodi Snell*

*THAT the Council of the Municipality of Morris-Turnberry hereby adopts the agenda for the meeting of March 7<sup>th</sup>, 2023, as amended.*

Carried.

#### **3.0 DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST**

None.

**4.0 MINUTES**

*Motion 52-2023*

*Moved by Sharen Zinn  
Seconded by Jamie McCallum*

*THAT the Council of the Municipality of Morris-Turnberry hereby adopts the February 21<sup>st</sup>, 2023, Council Meeting Minutes as written.*

*Carried.*

**5.0 ACCOUNTS**

*Motion 53-2023*

*Moved by Jodi Snell  
Seconded by Kevin Freiburger*

*THAT the Council of the Municipality of Morris-Turnberry hereby approves for payment the March 7<sup>th</sup> accounts in the amount of \$497,364.96.*

*Carried.*

**6.0 PUBLIC MEETINGS AND DEPUTATIONS****6.1 ZONING BY-LAW AMENDMENT PUBLIC MEETING****6.1.1 Application MTu Z01-2023 Vandeven Holdings Inc. (Patterson Planning Consultants Inc.)  
Plan 410, Part Park Lot 37 (182 Royal Road)**

*Motion 54-2023*

*Moved by Sharen Zinn  
Seconded by Jodi Snell*

*THAT the Council of the Municipality of Morris-Turnberry hereby Adjourns their regular meeting of Council and opens a Public Meeting to consider Zoning By-Law Amendment MTu Z01-2023.*

*Carried.*

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**PUBLIC MEETING – ZONING BY-LAW AMENDMENT****6.1.1.1 Call to Order**

Mayor Heffer called the meeting to order at 7:33 pm

**6.1.1.2 Declaration of Pecuniary Interest**

None.

**6.1.1.3 Requirement**

This Public Meeting was held under the Planning Act, which requires that Council hold at least one public meeting and that proper notice be given.

**6.1.1.4 MTu Z01-2023 Vandeven Holdings Inc.**

Staff provided Council with a report prepared by Huron County Planner, Meghan Tydd-Hrynyk regarding the Zoning By-Law Amendment application submitted by agent Scott Patterson (Patterson Planning Consultants Inc.) on behalf of Vandeven Holdings Inc. Three reports regarding the three corresponding undisputed severance applications were also included for context and information only.

#### 6.1.1.5 Purpose

The purpose of the proposed zoning by-law amendment is to change the zoning of the subject lands from "D" – Development to "VR1-Special" – Village Residential – Low Density – Special and "NE2" – Natural Environment – Limited Protection. The lands are designated "Residential" as illustrated on Schedule 'B' Land Use Plan of the Municipality of Morris-Turnberry Official Plan. The proposed zoning would implement the Official Plan intent for these lands. The rezoning to VR1-Special would facilitate the creation of 6 new residential lots that would be developed for single detached dwellings recognizing the deficiency in lot size. A portion of lot 1 will be rezoned to NE2 to recognize the natural hazard feature.

Three (3) concurrent Consent Applications to create the lots have been submitted as well as an application to seek Consent for a servicing easement across abutting lands (drainage). Various supporting studies have also been submitted to support the development proposal.

#### 6.1.1.6 Application Process

An application was submitted by Mr. Patterson and was considered complete on January 24<sup>th</sup> 2023.

Notice of the Public Meeting was mailed by the municipality to all property owners within 120m of the property on January 31<sup>st</sup>, 2023, and notice was posted on the subject property.

#### 6.1.1.7 Comments

1. Huron County Planner

Ms. Tydd-Hrynyk presented her report.

2. Council's Questions and/or Comments

None.

3. Applicant/Agent

Mr. Patterson spoke to clarify that there had been a correction made to the by-law regarding the lot area that differed from the circulated material.

4. Others

None.

#### 6.1.1.8 Recommendation of the Huron County Planner

It was recommended that zoning by-law amendment application Z01-2023 be approved.

#### 6.1.1.9 Close public meeting

*Motion 55-2023*

*Moved by Kevin Freiburger*

*Seconded by Sharen Zinn*

*THAT the Council of the Municipality of Morris-Turnberry hereby closes the Public Meeting to consider Zoning By-Law Amendment MTu Z01-2023 and reconvenes its regular meeting of Council.*

*Carried.*

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6.1.2 Consideration of Zoning By-Law Amendment MTu Z01-2023

6.1.2.1 Motion pursuant to 34(17) of the *Planning Act* – No further notice required.

*Motion 56-2023*

*Moved by Jamie McCallum  
Seconded by Sharen Zinn*

*WHEREAS Council of the Corporation of the Municipality of Morris-Turnberry has held a Public Meeting pursuant to Section 34(12) of the Planning Act, RSO 1990 with respect to a proposed amendment to the Morris-Turnberry zoning by-law through application MTuZ01-2023;*

*AND WHEREAS certain changes have been made to the proposed by-law after the holding of the public meeting;*

*NOW, THEREFORE, the Council of the Corporation of the Municipality of Morris-Turnberry hereby resolves that, pursuant to Section 34(17) of the Planning Act, RSO 1990, no further notice is to be given in respect of the proposed by-law.*

*Carried.*

6.1.2.2 By-Law 16-2023

*Motion 57-2023*

*Moved by Kevin Freiburger  
Seconded by Sharen Zinn*

*THAT leave be given to introduce By-Law # 16-2023, being a by-law to amend by-law 45-2014 of the Municipality of Morris-Turnberry in accordance with application MTu Z01-2023, and that it now be read severally a first, second, and third time, and finally passed this 7<sup>th</sup> day March 2023.*

*Carried.*

6.2 COMMITTEE OF ADJUSTMENT

Application MV02/23 - McNichol Farms Inc. (Mike McNichol)  
North Part Concession 9, Lot 13, Morris (41247 Moncrieff Road)

*Motion 58-2023*

*Moved by Jodi Snell  
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 MV02-2023, submitted by Mike McNichol for McNichol Farms Inc.*

*Carried.*

COMMITTEE OF ADJUSTMENT MEETING

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6.2.1 Call to Order

Mayor Heffer called the meeting to order at 7:41 pm

6.2.2 Declaration of Pecuniary Interest

None.

6.2.3 Purpose

The application proposed to reduce the MDS setback of 559 m to 455 m to the neighbouring barn to the south-west of the subject property.

#### 6.2.4 Application Process

An application for a Minor Variance was submitted by Mike McNichol and considered complete on February 22<sup>nd</sup>, 2023.

Notice of a Public Meeting was mailed by the municipality to all property owners within 60m of the property on February 22<sup>nd</sup>, 2023, and notice was posted on the subject property.

A report prepared by Huron County Planner Meghan Tydd-Hrynyk regarding this application was provided.

#### 6.2.5 Comments

##### 1. Planner's Report

Ms. Tydd-Hrynyk presented her report.

##### 2. Council's Questions and/or Comments

None.

##### 3. Applicant and/or Agent

None.

##### 4. Others

None.

#### 6.2.6 Recommendation

It was recommended that application MV02-2023 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 59-2023*

*Moved by Sharen Zinn  
Seconded by Jamie McCallum*

*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 MV02-2023, submitted by submitted by Mike McNichol for McNichol Farms 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 60-2023*

*Moved by Jamie McCallum  
Seconded by Kevin Freiburger*

*THAT The Committee of Adjustment hereby adjourns their meeting.*

*Carried.*

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### 6.3 MEETING TO CONSIDER ENGINEER'S REPORT – SCHWARTZENTRUBER MUNICIPAL DRAIN

#### 6.3.1 Engineer's Report

A Notice of Request for Drain Improvement was received May 20, 2022, for a new closed tile drain to be installed to replace the existing closed undersized drain at North Part Lot 2 and 3, Concession 3, Morris Ward. An on-site meeting was held on August 23, 2022.

Notice of the meeting to consider the engineer's report was issued to landowners on February 22<sup>nd</sup>, 2023.

Project Engineer, Stephen Brickman attended virtually to present the Engineer's report to Council.

#### 6.3.2 Questions and Comments

- Council  
None.
- Landowners in attendance

Paul Coultes asked if Maple Ridge Beef Farms could be left out of the watershed, whether work would be done in the woodlot on his property, and how his assessment was determined. Mr. Brickman provided answers to the satisfaction of Mr. Coultes.

#### 6.3.3 Consideration of Provisional By-Law

*Motion 61-2023*

*Moved by Sharen Zinn  
Seconded by Jamie McCallum*

*THAT leave be given to introduce By-Law # 17-2023, being a by-law to provisionally adopt the engineer's report for the Schwartzentruber Municipal Drain 2023, and that it now be read a first and second time this 7<sup>th</sup> day of March 2023.*

*Carried.*

#### 6.3.4 Date of Court of Revision and instruction to Tender.

*Motion 62-2023*

*Moved by Kevin Freiburger  
Seconded by Jodi Snell*

*THAT the Court of Revision for the Schwartzentruber Municipal Drain 2023 be set for April 11<sup>th</sup>, 2023 at 7:30 pm and the project be tendered with results to be presented on May 2<sup>nd</sup>, 2023, pending no appeals.*

*Carried.*

#### 6.3.5 Appointment of Members to the Court of Revision

*Motion 63-2023*

*Moved by Kevin Freiburger  
Seconded by Sharen Zinn*

*THAT the members of the Court of Revision for the Schwartzentruber Municipal Drain 2023 shall be:*

- 1 – Mayor Jamie Heffer*
- 2 – Councillor Jodi Snell*
- 3 – Councillor Jamie McCallum*

*Carried.*

## **7.0 STAFF REPORTS**

### 7.1 PUBLIC WORKS

#### 7.1.1 Operations Report

A report was presented by Director of Public Works Mike Alcock to provide an update on Public Works operations and activities.

*Motion 64-2023*

*Moved by Jamie McCallum  
Seconded by Sharen Zinn*

*THAT the Council of the Municipality of Morris-Turnberry hereby direct staff to issue formal correspondence to the County of Huron expressing thanks for the use of a tandem truck.*

*Carried.*

#### 7.1.2 Association of Ontario Road Supervisors Delegation Support Request.

Mr. Alcock reported that the Association of Ontario Road Supervisors (AORS) is doing advocacy work with the goal of establishing education opportunities to increase the number of qualified applicants for public works operator positions across the province. AORS would like to make a Ministerial Delegation at the Ontario Good Roads Association Conference, but only Municipalities are eligible to request a delegation. Mr. Alcock requested, on behalf of AORS that Council consider supporting an application for a delegation by AORS by allowing the organization to submit a request under the name of the municipality.

*Motion 65-2023*

*Moved by Jamie McCallum  
Seconded by Kevin Freiburger*

*THAT the Council of the Municipality of Morris-Turnberry hereby supports the application by AORS for a Ministerial Delegation at the OGRA Conference under Morris-Turnberry's name.*

*Carried.*

## **8.0 BUSINESS**

### 8.1 TENDER RESULTS – 23-111 MAINTENANCE GRAVEL

A report was presented by Director of Public Works Mike Alcock in this regard.

*Motion 66-2023*

*Moved by Kevin Freiburger  
Seconded by Sharen Zinn*

*That the Council of the Municipality of Morris-Turnberry accepts the quotation of Joe Kerr Ltd. for RFQ MT 23-111 – Granular “M” Supply and Place in the North Half of the Geographic Township of Turnberry, in the amount of \$85,910.00 (excluding HST) and authorizes the Mayor and CAO/Clerk to execute the tender and all other required documents.*

*Carried.*

### 8.2 TENDER RESULTS – 23-112 MAINTENANCE GRAVEL

A report was presented by Director of Public Works Mike Alcock in this regard.

*Motion 67-2023*

*Moved by Jamie McCallum  
Seconded by Jodi Snell*

*That the Council of the Municipality of Morris-Turnberry accepts the quotation of Joe Kerr Ltd. for RFQ MT 23-112 – Granular “M” Supply and Place, in the South half of the Geographic Township of Morris, in the amount of \$ 338,195.00 (excluding HST) and authorizes the Mayor and CAO/Clerk to execute the tender and all other required documents.*

*Carried.*

## 8.3 TENDER RESULTS – M060 MONCRIEF ROAD BRIDGE

A report was presented by Director of Public Works Mike Alcock in this regard.

*Motion 68-2023*

*Moved by Sharen Zinn  
Seconded by Kevin Freiburger*

*THAT the Council of the Municipality of Morris-Turnberry accept the tender of AJN Builder Inc. for Contract No. BR902b repairs to structure M060 on Moncrief Road estimated value of \$126,257.50 (based on estimated quantities and excluding HST) and authorize the Mayor and Clerk to execute the tender and all other required documents:*

*AND FURTHER THAT any budget surplus be transferred to the roads reserve for future projects after completion of this project.*

*Carried.*

## 8.4 TENDER RESULTS – 23-113 DUST CONTROL 2023

A report was presented by Director of Public Works Mike Alcock in this regard.

*Motion 69-2023*

*Moved by Sharen Zinn  
Seconded by Jamie McCallum*

*That the Council of the Municipality of Morris-Turnberry accepts the tender of Pollard Distribution Inc. for a 1 Year Dust Control Contract for \$189,472.50 (excluding HST) based on estimated quantities and unit prices and authorizes the Mayor and CAO/Clerk to execute the tender and all other required documents.*

*Carried.*

## 8.5 2023 BUDGET UPDATE

Treasurer Sean Brophy provided a presentation in this regard for the information of Council.

## 8.6 INVESTMENT OPTIONS

Treasurer Sean Brophy provided a presentation in this regard.

There was a consensus of Council that in considering any investment product the protection and guarantee of the principal investment amount should be a priority.



*Motion 70-2023*

*Moved by Kevin Freiburger  
Seconded by Sharen Zinn*

*THAT the Council of the Municipality of Morris-Turnberry hereby directs staff to investigate options for investing in GICs;*

*AND FURTHER THAT staff are directed to develop a draft investment policy to establish investment objectives and guidelines for staff and fund managers to follow;*

*AND FURTHER THAT staff report back to Council once all requested information has been gathered.*

*Carried.*

#### 8.7 BELGRAVE WATER ANNUAL REPORT AND SUMMARY

The Belgrave Well Supply 2022 Operation and Maintenance Annual Report as well as an Annual Summary have been prepared by Veolia Water and were presented for the information of Council.

*Motion 71-2023*

*Moved by Jamie McCallum  
Seconded by Jodi Snell*

*THAT the Council of the Municipality of Morris-Turnberry adopts the Belgrave Well Supply 2022 Operation and Maintenance Annual Report, as prepared by Veolia Water.*

*Carried.*

#### 9.0 **COUNCIL REPORTS**

Kevin Freiburger

March 1<sup>st</sup> attended a Bluevale Community Committee meeting. They are planning a tractor pull for June 10<sup>th</sup> of this year and the Bluevale Homecoming for August 9<sup>th</sup> to 11<sup>th</sup> 2024.

Jamie McCallum

No report.

Sharen Zinn

No report.

Jodi Snell

No report.

Jamie Heffer

February 28<sup>th</sup> attended a Belmore Arena Board meeting on behalf of Councillor McCallum.

#### 10.0 **CORRESPONDENCE, MINUTES, ITEMS FOR INFORMATION**

- 10.1 Minutes – SVCA Annual Meeting – January 15, 2023
- 10.2 Board Highlights – AMDSB – February 28, 2023
- 10.3 Resolution – Accuracy of Permanent List of Electors – Ashfield-Colborne-Wawanosh
- 10.4 Outstanding Action Items

*Motion 72-2023*

*Moved by Jamie McCallum  
Seconded by Sharen Zinn*

*THAT the Council of the Municipality of Morris-Turnberry supports the resolution of the Council of the Township of Ashfield-Colborne-Wawanosh requesting that the Province of Ontario, through Elections Ontario and the Chief Electoral Officer, utilize any resources available to produce the highest quality Permanent Register of Electors.*

*Carried.*

**11.0 NEW BUSINESS**

None.

**12.0 BY-LAWS AND AGREEMENTS**

**12.1 DEMOLITION AGREEMENT - SHORTREED**

At the February 21<sup>st</sup> meeting of Council, staff were directed to return a by-law to enter into a demolition agreement with the owner of 42204 Blyth Road. By-law 18-2023 was provided for consideration.

*Motion 73-2023*

*Moved by Kevin Freiburger  
Seconded by Jodi Snell*

*THAT leave be given to introduce By-Law # 18-2023, being a by-law to authorize an agreement for the demolition of a residence within the Municipality of Morris-Turnberry, and that it now be read severally a first, second, and third time, and finally passed this 7<sup>th</sup> day of March 2023.*

*Carried.*

**12.2 DEMOLITION AGREEMENT – VAN CAMP**

At the February 21<sup>st</sup> meeting of Council, staff were directed to return a by-law to enter into a demolition agreement with the owner of 40924 Morris Road. By-law 19-2023 was provided for consideration.

*Motion 74-2023*

*Moved by Sharen Zinn  
Seconded by Jodi Snell*

*THAT leave be given to introduce By-Law # 19-2023, being a by-law to authorize an agreement for the demolition of a residence within the Municipality of Morris-Turnberry, and that it now be read severally a first, second, and third time, and finally passed this 7<sup>th</sup> day of March 2023.*

*Carried.*

**13.0 CLOSED SESSION**

13.1 Enter closed session.

*Motion 75-2023*

*Moved by Jodi Snell  
Seconded by Jamie McCallum*

*THAT the Council of the Municipality of Morris-Turnberry enter a closed session at 9:17 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) (k) regarding negotiations to be carried on by the municipality*

*Carried.*

13.2 Return to open session.

*Motion 76-2023*

*Moved by Jamie McCallum  
Seconded by Sharen Zinn*

*THAT the Council of the Municipality of Morris-Turnberry rise from a closed session at 9:59 p.m.*

*Carried.*

13.3 Report and Action from Closed Session.

Council discussed negotiations regarding cross border servicing and a recreation agreement.

**14.0 CONFIRMING BY-LAW**

*Motion 77-2023*

*Moved by Sharen Zinn  
Seconded by Kevin Freiburger*

*THAT leave be given to introduce By-Law # 20-2023, being a by-law to confirm the proceedings of the Municipality of Morris-Turnberry meeting of Council held on March 7<sup>th</sup>, 2023, and that it now be read severally a first, second, and third time, and finally passed this 7<sup>th</sup> day of March 2023.*

*Carried.*

**15.0 ADJOURNMENT**

*Motion 78-2023*

*Moved by Sharen Zinn  
Seconded by Jamie McCallum*

*THAT the Council of the Municipality of Morris-Turnberry does now adjourn at 10:00 pm.*

*Carried.*

NEXT MEETINGS:

Regular Meeting of Council – Tuesday, March 21<sup>st</sup>, 2023, 7:30 pm  
Regular Meeting of Council – Tuesday, April 11<sup>th</sup>, 2023, 7:30 pm

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Mayor, Jamie Heffer

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Clerk, Trevor Hallam