



## MUNICIPALITY OF MORRIS-TURNBERRY

### COUNCIL MINUTES

Friday, April 17<sup>th</sup>, 2020, 7:30 pm

The Council of the Municipality of Morris-Turnberry met electronically in for an Emergency Meeting at the call of the Mayor in accordance with section 6.4 of the Municipality's Procedure By-Law to deal with the urgent issue of the consideration of a Minor Variance on the 17<sup>th</sup> day of April, 2020, at 7:30 pm.

#### **Council in Attendance**

Mayor Jamie Heffer  
Deputy Mayor Sharen Zinn  
Jamie McCallum  
Jim Nelemans  
Kevin Freiburger

#### **Staff in Attendance**

Trevor Hallam                      CAO/Clerk

#### **Others in Attendance**

Maitland Underwood  
Nelson Underwood

#### **1.0 CALL TO ORDER**

Mayor Jamie Heffer called the meeting to order at 7:31 pm.

#### **2.0 ADOPTION OF AGENDA**

Moved by Jim Nelemans  
Seconded by Kevin Freiburger

MOTION                      THAT the Council of the Municipality of Morris-Turnberry hereby adopts  
98-2020                      the agenda for the meeting of April 17<sup>th</sup> 2020 as circulated.

Carried.

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

Mayor Heffer declared a conflict of interest with regard to agenda item 4.1, the application for Minor Variance submitted by Nelson Underwood for Underwood Grain, as he is the neighbor of the applicant.

#### **4.0 BUSINESS**

#### **4.1 COMMITTEE OF ADJUSTMENT, UNDERWOOD GRAIN MINOR VARIANCE**

Application MV01-2020, Underwood Grain Minor Variance  
Concession 8, Part Lot 8, 22R3301 Pt Part 1, 41797 Howick-Turnberry Road

Moved by Kevin Freiburger  
Seconded by Jamie McCallum

MOTION                      THAT The Council of the Municipality of Morris-Turnberry hereby  
99-2020                      adjourns their Council Meeting and the Committee of Adjustment  
   hereby opens their Committee of Adjustment Meeting to review  
   application for minor variance MV01-2019, submitted by Nelson  
   Underwood/Underwood Grain.

Carried.

Mayor Heffer ceded the chair to Deputy Mayor Zinn.

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## **COMMITTEE OF ADJUSTMENT MEETING – MINOR VARIANCE**

### **1.0 Call to Order**

Deputy Mayor Zinn called the meeting of the Committee of Adjustment to order.

### **2.0 Declaration of Pecuniary Interest**

None declared by those still at the table.

### **3.0 Purpose**

The purpose of this application is to reduce the required number of parking spaces from 19 to 10, including one accessible and one limited mobility space and to reduce the front yard setback from required 20m to 16m, to allow for the construction of a new storage warehouse.

The specific variance requested is:

1. Relief from Section 3.32 of By-Law 45-2014 to reduce the required number of parking spaces from 19 to 10, including one accessible and one limited mobility space.
2. Relief from Section 6.4 of By-law 45-2014 to reduce the minimum front yard setback from the required 20m to 16m.

### **4.0 Application Process**

An application was submitted by Nelson Underwood on March 13<sup>th</sup>, 2020 and considered complete on March 24<sup>th</sup>, 2020.

Notice of a Public Meeting was mailed by the municipality to all property owners within 60m of the property on March 27<sup>th</sup>, 2020 and notice was posted on the subject property.

A public meeting was held in accordance with 45 (6) of the Planning Act on April 7<sup>th</sup>, 2020, at which the Committee deferred a decision on the application pending clarification from the Province regarding the impact of emergency orders on the Planning Act and limitation periods therein.

### **5.0 Comments**

#### **5.1.1 Clerk**

CAO/Clerk Hallam reviewed the variances requested in the application.

#### **5.1.2 Applicant and/or Agent**

None.

#### **5.1.3 Others**

None.

#### **5.1.4 Council's Questions and/or Comments**

None.

### **6.0 Recommendation**

The Huron County Planning department is currently reviewing Ontario Regulation 149/20, and is not yet providing official recommendations on planning applications. In the report that was presented at the April 7<sup>th</sup> meeting, no concerns regarding the proposed variances were raised. The recommendation for deferral was based solely on the need for clarification from the Province, which in the opinion of the Clerk has been received. Email correspondence was received from Huron County Planner Jenn Burns in advance of this meeting regarding the status of this application and the Planning Department's review process, and was provided for information.

Based on the information available, the Clerk is recommending that this application for Minor Variance be approved, subject to the following conditions.

1. The structure be located within footprint contained on the final approved site plan; and
2. The variance approval is valid for a period of 18 months from the date of Council's decision.

#### **7.0 Approve Application for Minor Variance**

Moved by Jamie McCallum  
Seconded by Jim Nelemans

MOTION  
100-2020

THAT The Committee of Adjustment of the Municipality of Morris-Turnberry, considering the variance to be minor, and 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 MV01-2020, submitted by Nelson Underwood, subject to the following conditions:

1. The structure be located within footprint contained on the final approved site plan; and
2. The variance approval is valid for a period of 18 months from the date of Council's decision.

Carried.

#### **8.0 Close Committee of Adjustment Meeting**

Moved by Jamie McCallum  
Seconded by Jim Nelemans

MOTION  
101-2020

THAT The Committee of Adjustment hereby adjourns their meeting and the Council of the Municipality of Morris-Turnberry hereby reconvenes their Regular Council Meeting.

Carried.

Deputy Mayor Zinn ceded the chair to Mayor Heffer.

#### **5.0 CONFIRMING BY-LAW**

Moved by Kevin Freiburger  
Seconded by Sharen Zinn

MOTION  
102-2020

THAT leave be given to introduce By-Law # 21-2020, being a by-law to confirm the proceedings of the Municipality of Morris-Turnberry meeting of Council held on April 17<sup>th</sup>, 2020, and that it now be read severally a first, second, and third time, and finally passed this 17<sup>th</sup> day of April 2020.

Carried.

#### **6.0 ADJOURNMENT**

Moved by Jim Nelemans  
Seconded by Jamie McCallum

MOTION  
103-2020

THAT the Council of the Municipality of Morris-Turnberry does now adjourn at 7:40 pm.

Carried.

#### **NEXT MEETINGS:**

- |    |                            |                |                                |
|----|----------------------------|----------------|--------------------------------|
| 1. | Regular Meeting of Council | Tuesday, April | 21 <sup>th</sup> 2019, 7:30 pm |
| 2. | Regular Meeting of Council | Tuesday, May   | 5 <sup>th</sup> 2019, 7:30 pm  |

'Original Signed By'  
Mayor, Jamie Heffer

'Original Signed By'  
Clerk, Trevor Hallam