



MUNICIPALITY OF MORRIS-TURNBERRY

COUNCIL MINUTES

Tuesday, May 18th, 2021, 7:30 pm

The Council of the Municipality of Morris-Turnberry met electronically in regular session on the 18th day of May 2021, 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
Kim Johnston	Deputy Clerk
Mike Alcock	Director of Public Works
Kirk Livingston	CBO/By-Law Enforcement
Kelly Tiffin	Tax Collector
Jenn Burns	Huron County Planner

Others in Attendance

Ron Davidson
Steven Michie
Jeremy Daw
Corry Lynne De Bruyn
Sheri DiGiovanni
Matt DiGiovanni
Jamie Morrison
Linda McGrail
William McGrail
Don Grein

Mike Wilson	Wingham Advance Times
Denny Scott	Blyth Citizen

1.0 CALL TO ORDER

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

Mayor Heffer noted that Mike Wilson of the Wingham Advance Times 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 107-2021

*Moved by Jamie McCallum
Seconded by Kevin Freiburger*

THAT the Council of the Municipality of Morris-Turnberry hereby adopts the agenda for the meeting of May 18th, 2021, as circulated.

Carried

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

None.

4.0 **MINUTES**

Motion 108-2021

*Moved by Sharen Zinn
Seconded by Jim Nelemans*

THAT the Council of the Municipality of Morris-Turnberry hereby adopts the May 4th, 2021, Council Meeting Minutes as written.

Carried.

5.0 **ACCOUNTS**

Councillor Freiburger asked if the invoice from CMT Engineering for expenses related to the spill clean-up on C-Line Road would be recovered. Mr. Alcock confirmed that the insurance company for the firm responsible for the spill would be invoiced to recover that amount.

Motion 109-2021

*Moved by Jim Nelemans
Seconded by Sharen Zinn*

THAT the Council of the Municipality of Morris-Turnberry hereby approves for payment the May 18th accounts in the amount of \$221,533.79.

Carried

6.0 **PUBLIC MEETINGS AND DEPUTATIONS**

6.1 OFFICIAL PLAN AMENDMENT PUBLIC MEETING

Official Plan Amendment 10, Rural Management Inc.
Plan 410 Lot 17 to 20, Plan 410 Lot 42 to 46, Plan 410 Lot 71 to 75, and Plan 410 Lot 90 to 94. Lowertown, Wingham.

Motion 110-2021

*Moved by Kevin Freiburger
Seconded by Jamie McCallum*

THAT the Council of the Municipality of Morris-Turnberry hereby Adjourns their regular meeting of Council and opens a Public Meeting to consider Official Plan Amendment MTu OPA-10.

Carried.

PUBLIC MEETING – OFFICIAL PLAN AMENDMENT

6.1.1 Call to Order

Mayor Heffer called the public meeting to order at 7:37pm.

6.1.2 Declaration of Pecuniary Interest

None.

6.1.3 Requirement

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

6.1.4 MTu OPA-10 Morris-Turnberry

County Planner, Jennifer Burns presented a report with regards to the Official Plan Amendment application submitted by Rural Management Inc.

6.1.5 Purpose

The subject lands are described as Plan 410 Lot 17 to 20, Plan 410 Lot 42 to 46, Plan 410 Lot 71 to 75, and Plan 410 Lot 90 to 94. This application also proposes to include a series of open and unopen municipally owned road allowances, referred to as a portion of Green Street, Queen Street, the Lane lying between Queen Street and Maitland Street, a portion of Maitland Street and a portion of Augusta Street as part of the subject lands. The proposed Official Plan Amendment will apply to the 3.63 hectares of land owned by the applicant as well as to the adjacent municipal road allowances.

This Official Plan Amendment (File No. OPA 10) application proposes to redesignate the subject lands from "Highway Commercial" to "Residential". The application also proposes to designate the municipally owned road allowances to "Residential". The purpose of the amendment is to allow for the subject lands to be developed for a residential land use. The applicant is proposing to develop the subject lands through the Plan of Subdivision process. A subsequent Plan of Subdivision Application and Zoning By-law Amendment Application and approvals will be required to facilitate the Plan of Subdivision development.

6.1.6 Application Process

An application was submitted by Ron Davidson Land Use Planning Consultant Inc (applicant/agent) and considered complete on April 15th, 2021.

Notice of the Public Meeting was mailed by the municipality to all property owners within 120m of the property on April 28th, 2021, and notice was posted on the subject property.

6.1.7 Comments

1. Huron County Planner

Ms. Burns noted that various neighbours had expressed concerns or raised questions regarding the following issues:

- A reduction of privacy
- Impacts on well water quality and quantity
- Potential drainage issues
- Opportunity to purchase unopened road allowances, such as Green Street
- Green space removal and associated environmental impacts
- Traffic
- Density of the proposed development
- Potential negative impact on property values

2. Council's Questions and/or Comments

Councillor Nelemans stated that there was a need for residential development, but voiced concern regarding the potential for communal wells on the future development and noted a preference for any communal water system to be maintained by owners and not become the responsibility of the Municipality.

Ms. Burns explained that those details are not yet finalized, as servicing options will form part of the process at the Plan of Subdivision phase which will be a subsequent and separate planning process.

Mr. Michie, owner of the subject property, noted that the developer will be responsible for the costs of installing the wells, and that the current plan would have four properties on a common well, which is below the number of connections that would require the system to be managed by the Municipality.

Mayor Heffer clarified that the developer will have to provide a plan to address any issues about the particulars of the development at a later stage.

Deputy Mayor Zinn asked how many lots would be in the development.

Ms. Burns reiterated that the application being considered is focused solely on the change of designation in the Official Plan, and that the number of lots, road pattern and other such issues will be determined in the processes that will follow.

3. Applicant/Agent

Applicant Ron Davidson expanded on Ms. Burns' presentation, clarifying that the application is only related to the changing the land use, and that the final details of lot number and layout, street routing, and servicing are being determined, and that process will include a servicing options report.

Mr. Davidson noted that there is a demand for residential land in the area, and while the older studies that are available suggest there is enough residential land in practice there is not. There is a high demand for residential lands and there are insufficient home listings to meet that demand.

Mr. Davidson noted that land use compatibility is a consideration in the proposed change as well, with the surrounding lands all being established as residential. He provided examples of what would be permitted under the current designation such as a gas bar, a contractor's yard, motor vehicle repair, a tavern, or lumber yard, and suggested that residential use would be more compatible than any of these.

4. Others

Sheri DiGiovanni asked about what was being accomplished through the application considered tonight, and what will happen next. She noted that she was under the impression this was an application to re-zone the property and would like clarification.

Ms. Burns clarified that this application is to amend the Official Plan to change the designation on the subject property. If approved by Morris-Turnberry Council, Huron County Council will hear a similar presentation regarding the change. Once that process is done there is a plan of subdivision process as well as a rezoning process, both of which will be considered at a future Morris-Turnberry Council meeting. She went on to state that the re-zoning is approved at the municipal level and plan of sub is approved at the County level. Both are public processes, and the re-zoning does have an appeal process as well.

6.1.8 Recommendation of the Huron County Planner

It is recommended that the Municipality of Morris-Turnberry Council approve Official Plan Amendment No. 10 and direct the CAO/Clerk to forward the required materials to the County of Huron.

6.1.9 Close public meeting

Motion 111-2021

*Moved by Jim Nelemans
Seconded by Jamie McCallum*

THAT the Council of the Municipality of Morris-Turnberry hereby closes the Public Meeting to consider Official Plan Amendment MTu OPA-10 and reconvenes its regular meeting of Council.

Carried.

6.1.10 Consideration of Official Plan Amendment MTu OPA-10.

Motion 112-2021

*Moved by Jim Nelemans
Seconded by Kevin Freiburger*

THAT leave be given to introduce By-Law # 27-2021, being a by-law to amend the Official Plan of the Municipality of Morris-Turnberry, as amended, and that it now be read severally a first, second, and third time, and finally passed this 18th day of May 2021.

Carried.

6.1.11 Effect of public and agency comments on the decision of Council

*Moved by Kevin Freiburger
Seconded by Jim Nelemans*

That with regard to the decision of the Council of the Municipality of Morris-Turnberry concerning Amendment No. 10 to the Morris-Turnberry Official Plan, public comments were received on the issues of:

- *Privacy*
- *Impacts on well water quality and quantity*
- *Potential drainage issues*
- *Opportunity to purchase unopened road allowances, such as Green Street*
- *Green space removal and associated environmental Impacts*
- *Traffic*
- *Density of the proposed development*
- *Potential negative impact on property values*

Comments were thoroughly considered but the effect did not influence the decision of Council to approve the application.

And that agency comments were received in support of the application, the effect of which resulted in a decision to approve the application.

Carried.

7.0 STAFF REPORTS

7.1 CLERK

7.1.1 COVID-19 Update

A report was presented by CAO/Clerk Trevor Hallam in this regard for the information of Council.

7.2 BUILDING

7.2.1 Building Department Activities – March and April 2021

A report was presented by CBO/By-Law Enforcement Officer Kirk Livingston regarding building department activities for March and April for the information of Council.

Mr. Livingston noted that 22 of the 28 permits issued are for residential work, indicating that there is a lot of residential development in the municipality.

7.3 BY- LAW ENFORCEMENT

7.3.1 By-Law Enforcement Activities - March and April 2021

A report was presented by CBO/By-Law Enforcement Officer Kirk Livingston regarding by-law enforcement activities for March and April.

Mr. Livingston explained that there were five new complaints in addition to the outstanding files and ongoing investigations. He noted that there are a couple of sites on that list that represent larger projects, and that staff is working with landowners and waiting for additional studies and documentation. The reoccurring properties staff are trying to work with on Brussels Line and Blyth Road in Walton will potentially be seeing escalated action soon, and another update will come to council to keep them up to date on the process.

Councillor Nelemans asked if costs are levied against the property taxes when the municipality pays to clean up a property. Mr. Livingston explained that first the costs would be invoiced to the landowner and that hopefully they can be collected in that manner, but that the municipality does have the ability to apply the costs to taxes if the invoice goes unpaid.

7.4 PUBLIC WORKS

7.4.1 Operations Report

A report was presented by Director of Public Works Mike Alcock to provide an operations update for the information of Council.

Councillor Nelemans expressed concerns about the insurance company responsible for the costs of the clean up on C-Line Road. He asked if it is a reputable company and if it could be investigated to make sure. Mr. Alcock explained that the insurance company has contracted the professionals for the clean-up, and that the Municipality has no other involvement and holds no contracts for the work. To date the engineering expenses on tonight's accounts are the only expenses incurred by the Municipality, and they will be recovered.

7.4.2 Entrance request – 89416 Kieffer Line

A report was presented by Director of Public Works Mike Alcock in this regard. Staff sought the direction of Council on how to proceed with the entrance request that did not meet minimum sight distance standards.

Councillor Nelemans asked if the applicant looked into entrances before the garage was built. Mr. Alcock noted that the garage was framed when sight lines were measured, but that the applicant had all the approvals he needed at the time to do the work that was being done.

Mayor Heffer noted that this property is the result of an old severance, and that there isn't much of a footprint to work with. He clarified that Mr. Alcock cannot give approval on the application as it is, and so it is up to Council to give direction.

Deputy Mayor Zinn asked if there are hills anywhere near the property or if it is just straight, flat road. Mr. Alcock stated that there is a hill which is stopping the sight distance. He also noted that the existing entrance would not be approved if applied for today, but it's grandfathered in because it was there before the standards changed.

Councillor Nelemans noted that the property is on a sideroad, and it is not a heavily travelled road or a connecting route, and that should be considered. Most traffic on the road would be residents and they would be aware of the driveways.

Motion 113-2021

*Moved by Jim Nelemans
Seconded by Sharen Zinn*

THAT the Council of the Corporation of the Municipality of Morris-Turnberry hereby approves the application for an entrance at 89416 Kieffer Line as received.

Carried.

7.4.3 2021 Public Works Summer Student Wages

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

Councillor Nelemans stated that the recommended increase proposed by Mr. Alcock is a fair wage and should be adopted.

Councillor McCallum stated he was opposed, noting that he was supportive of minimum wage but not the proposed increase.

Councillor Freiburger voiced support for the recommended increase and scale, stating that it seemed reasonable based on the type of work required of the summer students. He noted that it is good to encourage youth to come back to the area by providing good paying jobs.

Deputy Mayor Zinn stated she was in favour of increasing the first-year wage to \$15.25 and agreed it should be above the minimum wage. She suggested looking at the second-year students at a later date.

Mr. Alcock clarified that the Municipality does currently employ a first-year student and a second-year student in case that factors into Council's decision.

Motion 114-2021

*Moved by Jim Nelemans
Seconded by Kevin Freiburger*

THAT the Council of the Corporation of the Municipality of Morris-Turnberry hereby directs staff to bring forward an amendment to Schedule 'A' of By-Law 57-2020 to increase the student hourly wage to \$15.25 in year one, \$16.00 in year two, and \$16.75 in the third year and every year thereafter, and that the amendment be made effective January 1st, 2021.

Carried.

8.0 BUSINESS

8.1 Huron County OPP Detachment Board

A report was presented by CAO/Clerk Trevor Hallam in this regard.

Motion 115-2021

*Moved by Jim Nelemans
Seconded by Jamie McCallum*

That the Council of the Corporation of the Municipality of Morris-Turnberry has been represented by staff in consultations with other Huron County Municipalities regarding the composition of a future Huron County OPP Detachment Board as required by Section 67 of the Community Safety and Policing Act, 2019

And further that Morris-Turnberry supports the establishment of a Huron County OPP Detachment Board without the representation of an elected member of its Council.

Carried.

8.2 Rotating Mass Vaccination Clinic Follow Up

A report was presented by CAO/Clerk Trevor Hallam in this regard for the information of Council.

Councillor Freiburger asked if there was an age limit for volunteers, noting that High School students require community service hours and may be willing to volunteer.

Mayor Heffer confirmed that the link to register as a volunteer was sent out to all of staff and Council should be shared freely to anyone who may be able to volunteer.

8.3 Tax Rebate for Eligible Charity

A report was presented by Tax Collector Kelly Tiffin in this regard.

Councillor Nelemans asked for clarification that the rebate would be received by Habitat for Humanity not the property owner. Ms. Tiffin confirmed that is the case.

Mayor Heffer thanked Ms. Tiffin for the information and clarification on the matter.

Motion 116-2021

*Moved by Jamie McCallum
Seconded by Kevin Freiburger*

That the Council of the Municipality of Morris-Turnberry hereby approves the 2020 application for a tax rebate for eligible charities submitted by Habitat for Humanity Huron County for the property located at 680 Josephine St N and directs staff to issue the rebate in the amount of \$2,757.44.

Carried.

9.0 COUNCIL REPORTS

Sharen Zinn

None.

Jamie McCallum

None.

Jim Nelemans

May 17th attended a meeting of the Belmore Community Centre Board.

Kevin Freiburger

May 10th attended a Brussels, Morris and Grey Community Centre Board meeting.

Jamie Heffer

None.

10.0 CORRESPONDENCE, MINUTES, ITEMS FOR INFORMATION

- 10.1 Media Release – Child Care Providers – Huron County
- 10.2 Correspondence – May Newsletter - Ausable Bayfield Maitland Valley Drinking Water Source Protection Region
- 10.3 Correspondence – Elementary School Fair 2021 Update
- 10.4 Correspondence – 2021 Senior of the Year Award – Ministry for Seniors and Accessibility
- 10.5 Correspondence – Provincial Re-Opening Strategy and Frontline Business Experience – Town of the Blue Mountains
- 10.6 Monthly Report – Belgrave Water – April
- 10.7 Resolution – Celebrating Pride – Huron County Library Board
- 10.8 Resolution – National 3- Digit Suicide and Crisis Hotline – City of Barrie
- 10.9 Resolution – MFIPPA Reform – Municipality of Leamington
- 10.10 Outstanding Action Items

11.0 NEW BUSINESS

None.

12.0 BY-LAWS AND AGREEMENTS

None.

13.0 CLOSED SESSION

- 13.1 Enter closed session.

Motion 117-2021

*Moved by Sharen Zinn
Seconded by Jamie McCallum*

THAT the Council of the Municipality of Morris-Turnberry enter a closed session, with the CAO/Clerk and Chief Building Official remaining in attendance at 9:04 p.m. for the purpose of discussing confidential matters pursuant to the following sections of the Municipal Act:

1. *Section 239 (2) (b) regarding the personal matters about an identifiable individual.*
2. *Section 239 (2) (c) regarding the disposition of land by the municipality.*
3. *Section 239 (2) (k) regarding negotiations to be carried on by the municipality.*

Carried.

13.2 Return to open session.

Motion 118-2021

*Moved by Kevin Freiburger
Seconded by Sharen Zinn*

THAT the Council of the Municipality of Morris-Turnberry rise from a closed session at 10:12 p.m.

Carried.

13.3 Report and Action from Closed Session.

Council discussed two matters regarding identifiable individuals, two matters regarding negotiations to be carried on by the Municipality and two matters regarding the disposition of land. Direction was given to staff accordingly.

14.0 **CONFIRMING BY-LAW**

Motion 119-2021

*Moved by Kevin Freiburger
Seconded by Jamie McCallum*

THAT leave be given to introduce By-Law # 28-2021, being a by-law to confirm the proceedings of the Municipality of Morris-Turnberry meeting of Council held on May 18th, 2021, and that it now be read severally a first, second, and third time, and finally passed this 18th day of May 2021.

Carried.

15.0 **ADJOURNMENT**

Motion 120-2021

*Moved by Sharen Zinn
Seconded by Jamie McCallum*

THAT the Council of the Municipality of Morris-Turnberry does now adjourn at 10:13 pm.

Carried.

NEXT MEETINGS:

Regular Meeting of Council - Tuesday, June 1st, 2021, 7:30 pm
Regular Meeting of Council - Tuesday, June 15th, 2021, 7:30 pm

Mayor, Jamie Heffer

Clerk, Trevor Hallam