



## MUNICIPALITY OF MORRIS-TURNBERRY

### COUNCIL MINUTES

Tuesday, May 19<sup>th</sup>, 2020, 7:30 pm

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The Council of the Municipality of Morris-Turnberry met electronically in regular session on the 19<sup>th</sup> day of May, 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
Mike Alcock	Director of Public Works
Kirk Livingston	Chief Building Official

#### **Others in Attendance**

Jenn Burns	Huron County Planner
Ron Davidson	Consulting Planner, MTu Z01-2020
Denny Scott	The Citizen
Sue Pottruff	

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

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

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

Moved by Sharen Zinn  
Seconded by Kevin Freiburger

MOTION 120-2020	THAT the Council of the Municipality of Morris-Turnberry hereby adopts the agenda for the meeting of May 19 <sup>th</sup> 2020 as circulated.	Carried.
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#### **3.0 DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST**

Mayor Heffer declared a conflict with regard to agenda item 6.1 as he is within the circulation area for the zoning by-law amendment application.

#### **4.0 MINUTES**

Moved by Jim Nelemans  
Seconded by Jamie McCallum

MOTION 121-2020	THAT the Council of the Municipality of Morris-Turnberry hereby adopts the May 5 <sup>th</sup> , 2020 Council Meeting Minutes as written.	Carried.
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**5.0 ACCOUNTS**

5.1 ACCOUNTS

Moved by Sharen Zinn  
Seconded by Kevin Freiburger

MOTION 122-2020 THAT the Council of the Municipality of Morris-Turnberry hereby approves for payment May 19<sup>th</sup> accounts in the amount of \$617,055.27. Carried.

5.2 PAY REPORTS

Copies of the May 13<sup>th</sup> Pay Reports were provided for information purposes.

**6.0 PUBLIC MEETINGS AND DEPUTATIONS**

6.1 ZONING BY-LAW AMENDMENT PUBLIC MEETING

6.1.1 Open Public Meeting

Moved by Jim Nelemans  
Seconded by Kevin Freiburger

MOTION 123-2020 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 Z01-2020. Carried.

Mayor Heffer ceded the chair to Deputy Mayor Zinn.

**PUBLIC MEETING – ZONING BY-LAW AMENDMENT**

**1.0 Call to Order**

Deputy Mayor Zinn called the public meeting to order at 7:33 pm.

**2.0 Declaration of Pecuniary Interest**

None declared by those still at the Council table. Mayor Heffer declared a conflict of interest earlier in the meeting.

**3.0 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.

**4.0 MTu Z01-2020 Morris-Turnberry**

Staff provided Council with a report prepared by County Planner, Jennifer Burns with regards to the Zoning By-Law Amendment application submitted by Ron Davidson on behalf of Emanuel Martin.

**4.1 Purpose**

This application proposes to rezone property at the corner of County Road 7 and Kieffer Line (Con 8 PT Lot 6, Turnberry) from AG1 (General Agriculture) to AG4-15 (Agricultural Small Holding- Special Provisions) to allow for a residence and accessory buildings, including horse stalls and a chicken coop to be constructed. The area being rezoned to AG4-15 is 1.48 hectares (3.6 acres) of vacant land.

**4.2 Application Process**

An application was submitted by Ron Davidson on March 25<sup>th</sup> and was considered complete on April 6<sup>th</sup>.

Notice of the Public Meeting was mailed by the municipality to all property owners within 120m of the property on April 24<sup>th</sup>, and notice was posted on the subject property.

#### 4.3 **Comments**

##### 4.3.1 Huron County Planner

Ms. Burns presented her report on the application. She noted that one letter of concern was received from the Pottruffs to the east of the property regarding agricultural drainage tile on the subject property. Ms Burns explained that to address those concerns, until those tiles have been capped or rerouted no building permit will be issued. A second concern raised by the same neighbour was in regards to a home industry being based on the site, but such a use is already allowed under the zoning by-law.

##### 4.3.2 Others

Ron Davidson, representing Owner Mr. Martin and Mr. Sherk who is the prospective purchaser. Mr. Davidson reviewed the intention behind the proposed amendment. He noted that there are limited options for this property and allowing a house makes sense, and that the use is consistent with the surrounding properties, not introducing any new type of land use. Mr. Davidson clarified that the insufficient MDS setback was to the lot line, not any of the neighbouring buildings or sensitive receptors in the area.

##### 4.3.3 Council's Questions and/or Comments

Councillor Nelemans asked if the MDS calculations took into account the location of the house on the property to the west, which was burnt down, but could be the potential site of another house in the future. Ms. Burns explained that the distances to that property and the location where the house was were calculated and there were no issues.

#### 4.4 **Recommendation of the Huron County Planner**

This application is being recommended for approval.

#### 5.0 **Close public meeting**

Moved by Jamie McCallum  
Seconded by Jim Nelemans

MOTION 124-2020 THAT the Council of the Municipality of Morris-Turnberry hereby closes the Public Meeting to consider Zoning By-Law Amendment s MTu Z01-2020 and reconvenes its regular meeting of Council.

Carried.

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##### 6.1.2 Consideration of Zoning By-Law Amendment MTu Z01-2020

Moved by Kevin Freiburger  
Seconded by Jim Nelemans

MOTION 125-2020 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 zoning by-law affecting Concession 8 Part Lot 6, former township of Turnberry, in the Municipality of Morris-Turnberry (zoning by-law amendment application MTu Z01-2020);

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.

Moved by Jamie McCallum  
Seconded by Kevin Freiburger

MOTION 126-2020 THAT leave be given to introduce By-Law # 24-2020, being a by-law to amend zoning by-law 45-2014, as amended, of the Municipality of Morris-Turnberry, and that it now be read severally a first, second, and third time, and finally passed this 19<sup>th</sup> day of May 2020.

Carried.

#### 6.1.3 Effect of public and agency comments on the decision of Council

Agency comments were received in support of the application, and public comments were received and the concerns raised were addressed.

### 7.0 **STAFF REPORTS**

#### 7.1 PUBLIC WORKS

##### 7.1.1 Public Works Operations Report

A report was presented by Director of Public Works Mike Alcock in this regard. Mr. Alcock also provided clarification on Council's questions from the May 5<sup>th</sup> accounts.

Councillor Nelemans asked if the large item drop off day instead of a pick-up in Belgrave could be an option in future years as well.

Councillor McCallum noted that he had heard some comments from the public that were not supportive of the change.

Deputy Mayor Zinn noted that some residents don't have a way of getting large items to the dump, and moving to a drop off only model could negatively affect those residents.

##### 7.1.2 Tender for 2020 4WD ½ Ton Crew Cab Pick-Up Truck

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

Moved by Jamie McCallum  
Seconded by Jim Nelemans

MOTION 127-2020 THAT the Council of the Municipality of Morris-Turnberry hereby accepts the tender of Leslie Motors Ltd. Wingham for a 2019 Ford F150 Crew Cab 4 x 4, Pick-Up as specified, in the amount of \$41,668.00 (excluding HST), and authorizes the Mayor and CAO/Clerk to execute the tender and all other required documents.

Carried.

#### 7.2 BY-LAW ENFORCEMENT

A report of by-law enforcement activities for the months of March and April has been prepared by Chief Building Official Kirk Livingston. For information only.

Councillor Nelemans asked if Manure had to be worked in, either in town or in the country.

### 8.0 **BUSINESS**

#### 8.1 ENBRIDGE GAS REQUEST FOR SUPPORT

A request for support has been received from Enbridge Gas. They are seeking Council support so they can submit an application for funding to extend natural gas services to Walton. Council supported a similar application in 2017, but it was unsuccessful. The letter of request and supplementary information was provided for consideration.

Deputy Mayor Zinn said this is what Council has wanted for some time and it would be good to get it through. Councillor Nelemans agreed.

Councillor McCallum asked if there are other programs like this or future plans for natural gas to be extended to other rural areas. Mayor Heffer explained that there were none to his knowledge.

Moved by Jim Nelemans  
 Seconded by Sharen Zinn

MOTION  
 128-2020

WHEREAS access to natural gas infrastructure is limited in parts of the Municipality of Morris-Turnberry and increased access will provide more affordable and reliable energy;

AND WHEREAS expanding access to natural gas within Morris-Turnberry (Walton) is a key strategic priority supported by Council;

AND WHEREAS access to natural gas for residents, farms and businesses will provide an economic advantage;

AND WHEREAS natural gas access can provide residents on higher emitting fuels with a lower carbon energy source that will help reduce greenhouse gas emissions;

THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Morris-Turnberry formally supports an application submitted by a natural gas distributor (Enbridge Gas Inc.) to the Government of Ontario, for a grant from the Provincial Natural Gas Expansion Support Program, to expand the natural gas system to service Morris-Turnberry (Walton);

AND THAT Council supports making a financial contribution towards the proposed project in an amount equivalent to the property tax that would be recovered on the new natural gas infrastructure for a period of 10 years as a financial support to the proposed project per the Ontario Energy Board (OEB) guidelines for the Natural Gas Expansion Support Program;

AND THAT the Mayor be authorized to sign the required supporting letter for Enbridge;

AND THAT a copy of this resolution be forwarded along with the application to Enbridge for its inclusion in the application to the Ontario's Natural Gas Expansion Support Program.

Carried.

## 8.2 ZERO EMISSIONS VEHICLE INFRASTRUCTURE PROGRAM

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

Council was supportive of the initiative and noted the importance of making this kind of infrastructure available but were unable to provide a suitable location at this time. Direction was given for staff to inform that County that Morris-Turnberry will not be participating in this intake but would like to be kept informed of any future opportunities.

## 9.0 COUNCIL REPORTS

Sharen Zinn

May 6<sup>th</sup> attended a virtual meeting of the Morris-Turnberry Emergency Operations Committee.

Jamie McCallum

No report.

Jim Nelemans

No report.

Kevin Freiburger

No report.

Jamie Heffer

No report.

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

- 10.1 Letter of Request to the Premier – Regulate and Enforce Odour and Lighting Nuisances re Cannabis Production – City of Hamilton
- 10.2 Correspondence – Blyth Festival 2020 Municipal Night – North Huron
- 10.3 Monthly Report – Belgrave Water – April 2020
- 10.4 Newsletter – Source Water Protection – May 2020
- 10.5 Press Release – Urgent Needs Fund - Perth-Huron United Way
- 10.6 Letter of Request to Finance Ministers – Changes to Canada Emergency Commercial Rent Assistance Program. – Town of Oakville
- 10.7 Press Release – SVCA Hires new General Manager
- 10.8 Notice of Public Meeting – Minor Variance – North Huron
- 10.9 Minutes – SVCA Special Meeting – April 2
- 10.10 Minutes – SVCA Meeting – April 2
- 10.11 Summary from virtual forum with Karl Ellis, President and CEO of the Listowel and Wingham Hospitals Alliance
- 10.12 Resolution – Township of North Frontenac – Residential Construction
- 10.13 Outstanding Action Items

Moved by Jamie McCallum  
Seconded by Sharen Zinn

MOTION 129-2020 THAT the Council of the Corporation of the Municipality of Morris-Turnberry hereby supports and endorses the Letter of Request to the Premier from the City of Hamilton regarding the regulation and enforcement of Odor and Lighting Nuisances Cannabis Production, the Letter of Request to Finance Ministers from the Town of Oakville regarding Changes to the Canada Emergency Commercial Rent Assistance Program and the Resolution of the Township of North Frontenac regarding residential construction.

Carried.

**11.0 NEW BUSINESS**

Councillor McCallum asked that an item regarding an identifiable individual be added to the Closed Session agenda.

**12.0 BY-LAWS AND AGREEMENTS****12.1 ANIMAL CONTROL BY-LAW AMENDMENT**

At the May 5<sup>th</sup> meeting of Council, direction was given to return a by-law amending the Animal Control By-law. By-law 25-2020 was presented for consideration.

Moved by Kevin Freiburger  
Seconded by Sharen Zinn

MOTION 130-2020 THAT leave be given to introduce By-Law # 25-2020, being a by-law to amend by-law 109-2019 to regulate animal care and control within the Municipality of Morris-Turnberry, and that it now be read severally a first, second, and third time, and finally passed this 19<sup>th</sup> day of May 2020.

Carried.

**12.2 MUNICIPAL DRAIN MAINTENANCE 2019 attached**

Maintenance costs for Municipal Drain maintenance in 2019 have been finalized and tallied. By-law 26-2020 was presented to provide for the levying of assessments to the appropriate landowners.

Moved by Jim Nelemans  
Seconded by Kevin Freiburger

MOTION 131-2020 THAT leave be given to introduce By-Law # 26-2020, being a by-law to provide for the maintenance of drainage works for the year 2019 in the Municipality of Morris-Turnberry, and that it now be read severally a first, second, and third time, and finally passed this 19<sup>th</sup> day of May 2020.

Carried.

**\*\*\* Mayor Heffer called a brief recess at 8:25 pm \*\*\***

**13.0 CLOSED SESSION****13.1 ENTER CLOSED SESSION**

Moved by Sharen Zinn  
Seconded by Kevin Freiburger

MOTION 132-2020 THAT the Council of the Municipality of Morris-Turnberry enter a closed session, with the CAO/Clerk remaining in attendance at 8:26 p.m. 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.
- 2) Section 239 (2) (b) regarding personal matters about an identifiable individual.

Carried.

**13.2 RETURN TO OPEN SESSION**

Moved by Jamie McCallum  
Seconded by Kevin Freiburger

MOTION 133-2020 THAT the Council of the Municipality of Morris-Turnberry rise from a closed session at 9:37 p.m.

Carried.

**13.3 REPORT AND ACTION FROM CLOSED SESSION**

Council discussed one matter regarding negotiations to be carried on by the Municipality and one matter regarding an identifiable individual and direction was given accordingly.

**14.0 CONFIRMING BY-LAW**

Moved by Jim Nelemans  
Seconded by Kevin Freiburger

MOTION 134-2020 THAT leave be given to introduce By-Law # 27-2020, being a by-law to confirm the proceedings of the Municipality of Morris-Turnberry meeting of Council held on May 19<sup>th</sup>, 2020, and that it now be read severally a first, second, and third time, and finally passed this 19<sup>th</sup> day of May 2020.

Carried.

**15.0 ADJOURNMENT**

Moved by Jim Nelemans  
Seconded by Sharen Zinn

MOTION 135-2020 THAT the Council of the Municipality of Morris-Turnberry does now adjourn at 9:39 pm.

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**NEXT MEETINGS:**

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|-------------------------------|---------------|--------------------------------|
| 1. Regular Meeting of Council | Tuesday, June | 2 <sup>nd</sup> 2020, 7:30 pm  |
| 2. Regular Meeting of Council | Tuesday, June | 16 <sup>th</sup> 2020, 7:30 pm |

'Original Signed By'  
Mayor, Jamie Heffer

'Original Signed By'  
Clerk, Trevor Hallam