



MUNICIPALITY OF MORRIS-TURNBERRY

COUNCIL MINUTES

Tuesday, June 7th, 2022, 7:30 pm

The Council of the Municipality of Morris-Turnberry met in Council Chambers in regular session on the 7th day of June 2022, at 7:30 pm.

Council in Attendance

Mayor Jamie Heffer
Deputy Mayor Sharen Zinn
Jamie McCallum
Kevin Freiburger

Staff in Attendance

Trevor Hallam	CAO/Clerk
Mike Alcock	Director of Public Works
Meghan Tydd-Hrynyk	Huron County Planner

Others in Attendance

Bernie Bailey	Huron County Council Representative
Ron Davidson	Applicant, Z01-2022/40T22004
Steve Michie	Owner, Z01-2022/40T22004
Joanne McPherson	
Nancy Michie	
Jim Ritchie	
Jamie Morrison	
Sheri DiGiovanni	
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 110-2022

*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 June 7th, 2022, as circulated.

Carried.

3.0 DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST

None.

4.0 MINUTES

Motion 111-2022

*Moved by Jamie McCallum
Seconded by Kevin Freiburger*

THAT the Council of the Municipality of Morris-Turnberry hereby adopts the May 17th, 2022, Council Meeting Minutes as written.

Carried.

5.0 ACCOUNTS

Motion 112-2022

*Moved by Sharen Zinn
Seconded by Jamie McCallum*

THAT the Council of the Municipality of Morris-Turnberry hereby approves for payment the June 7th accounts in the amount of \$213,469.69.

Carried.

6.0 PUBLIC MEETINGS AND DEPUTATIONS**6.1 PUBLIC MEETING**

Application Z01-2022/40T22004 Rural Management Inc (Ron Davidson Land Use Planning Consultant Inc.)
Concession B, Part Lot 6 & 7; Plan 410, Lots 17-20, 42-46, 71-75, 90-94 in addition to Maitland St, Green St and Alice St.

Motion 113-2022

*Moved by Sharen Zinn
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 for the purpose of receiving public input on applications Z01-2022 and 40T22004.

Carried.

PUBLIC MEETING – ZONING BY-LAW AMENDMENT/PLAN OF SUBDIVISION**6.1.1 Call to Order**

Mayor Heffer called the public meeting to order at 7:32 pm. He welcomed those in attendance, including Councillor Bernie Bailey who was in attendance as the representative from Huron County Council.

6.1.2 Declaration of Pecuniary Interest

None.

6.1.3 Requirement

Pursuant to the Planning Act, 1990, Sections 34 and 51, which requires that Council hold at least one Public Meeting and that proper notice be given.

6.1.4 Application Z01-2022 and 40T22004 Rural Management Inc (Ron Davidson Land Use Planning Consultant Inc.)

Council was provided with a report prepared by County Planner, Meghan Tydd-Hrynyk with regards to the Zoning By-Law Amendment and Plan of Subdivision applications submitted by agent Ron Davidson on behalf of Rural Management Inc.

6.1.5 Purpose

The purpose of this application is to permit a residential subdivision with 15 single detached residential dwelling lots, 2 blocks for quadraplex residential dwellings, a block for stormwater management, and new municipal streets. The subject lands have a total area of approximately 6.194 hectares (15.3 acres). Access to the property will be from Amberley Road to Augusta Street.

6.1.6 Application Process

The County of Huron considered this application to be complete on April 27th, 2022.

Notice of the Public Meeting was issued by the County to all agencies and property owners within 120 meters of the property on May 3rd, 2022.

6.1.7 Comments

- Huron County Planner Report and Presentation

Meghan Tydd-Hrynyk presented a report to Council. No written comments were received in advance of the meeting from the public. Some written comments were received from circulated agencies, but no concerns or objections were raised.

- Applicant/Agent Comments

Ron Davidson introduced himself and noted that he would be able to answer questions from Council or the public. Has noted that he has been working on the project with the Municipality for some time, including an official plan amendment, and the transfer of unopened road allowances to facilitate the development. There have been numerous studies and considerable engineering work prepared in support of the development as well as a planning justification report, and those are available to anyone who would like to review them. He stated that in his opinion the land use is more appropriate than what would have been permitted in the existing highway commercial zone, and introduces new building lots to help address the housing shortage.

- Council's Questions and/or Comments

Deputy Mayor Zinn asked if there will be much green space in between the houses or in the cul-de-sac. Mr. Davidson explained that in between houses will be grass, and that there will be requirements for a planting strip along the highway. Additionally, the municipality could require that trees be planted throughout the development if so desired.

- Others

No questions or comments from others present.

6.1.8 Recommendation of the Huron County Planner

That the planning report and comments made at the meeting be received for information.

6.1.9 Close public meeting

Motion 114-2022

*Moved by Sharen Zinn
Seconded by Jamie McCallum*

THAT the Council of the Municipality of Morris-Turnberry hereby closes the Public Meeting for the purpose of receiving public input on applications Z01-2022 and 40T22004 at 7:47 pm and reconvenes its regular meeting of Council.

Carried.

6.2 COMMITTEE OF ADJUSTMENT

Application MV02-2022 Jutzi
Concession 4, Lot 11, Turnberry
41566 Harriston Rd

Motion 115-2022

*Moved by Kevin Freiburger
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 MV02-2022, submitted by Jim Jutzi.

Carried.

COMMITTEE OF ADJUSTMENT MEETING

6.2.1 Call to Order

Mayor Heffer called the Committee of Adjustment to order at 7:48 pm.

6.2.2 Declaration of Pecuniary Interest

None.

MV02-2022 - 1742841 Ontario Ltd (Jim Jutzi)

6.2.3 Purpose

To reduce the required minimum front lot setback for the construction of a new swine barn. The application proposes to reduce the front lot setback to 34.7m where 60m is required.

The specific variance requested is:

Section 4.4.3.1.1., to reduce the required front lot line setback for the construction of a swine barn

1. *60m to 34.7m from the front lot line to the proposed location of the barn.*

6.2.4 Application Process

A Public Hearing was held on May 17th, 2022. Comments were received from a neighbouring landowner in opposition to the Minor Variance. The Committee of Adjustment deferred a decision on the application until such time as staff could discuss the matter with the applicant and neighbour to identify potential solutions and resolve concerns. A report has been prepared by planner Meghan Tydd-Hrynyk for the consideration of the Committee.

6.2.5 Comments

- Planner's Report

Meghan Tydd-Hrynyk presented a report to Council.

- Council's Questions and/or Comments

Deputy Mayor Zinn commented that she was supportive of approval.

- Applicant and/or Agent

None.

- Others

None.

6.2.6 Recommendation

It was recommended that application MV02-2021 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 116-2022

*Moved by Jamie McCallum
Seconded by Sharen Zinn*

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 MV02-2022, submitted by Jim Jutzi, 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 117-2022

*Moved by Jamie McCallum
Seconded by Sharen Zinn*

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.

7.0 **STAFF REPORTS**

7.1 CAO

7.1.1 Dust Control Price Increase

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

Discussion followed during which Council expressed disappointment at the business practices displayed by Dae-Lee in passing the increased costs on after Council had in good faith already granted an increase which was not required under the existing agreement. Staff were given direction to research dust control alternatives for next year.

8.0 **BUSINESS**

8.1 RADIO TENDERS

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

Councillor Freiburger asked about the towers required for the system. Mr. Alcock explained that the CKNX tower in Wingham, the Millstone Elevators in Blyth and an existing Five9 tower in Auburn would be used.

Motion 118-2022

*Moved by Sharen Zinn
Seconded by Kevin Freiburger*

THAT the Council of the Municipality of Morris-Turnberry accept the Proposal of Five9 Solutions Inc. for the Supply and installation of a New Simulcast Radio System for Morris-Turnberry Public Works and the North Huron Fire Department for the estimated value of \$178,540.00 (excluding HST) and authorize the Mayor and CAO / Clerk to execute the tender and all other required documents.

Carried.

8.2 DISPOSITION OF MUNICIPALLY OWNED LANDS – TENDER RESULTS

A report has been prepared by CAO/Clerk Trevor Hallam in this regard.

8.2.1 LOT 1

Motion 119-2022

*Moved by Jamie McCallum
Seconded by Kevin Freiburger*

THAT the Council of the Municipality of Morris-Turnberry hereby accepts the tender to purchase submitted by Nancy and William Neijenhuis for Lot 1,

AND FURTHER THAT the CAO/Clerk is hereby authorized and directed to execute all documents necessary in that behalf and to affix thereto the Seal of the Corporation.

Carried.

8.2.2 LOT 3

Motion 120-2022

*Moved by Jamie McCallum
Seconded by Sharen Zinn*

THAT the Council of the Municipality of Morris-Turnberry hereby accepts the tender to purchase submitted by Darrell and Sandra Weber for Lot 3,

AND FURTHER THAT the CAO/Clerk is hereby authorized and directed to execute all documents necessary in that behalf and to affix thereto the Seal of the Corporation.

Carried.

8.2.3 LOT 4

Motion 121-2022

*Moved by Sharen Zinn
Seconded by Kevin Freiburger*

THAT the Council of the Municipality of Morris-Turnberry hereby accepts the tender to purchase submitted by Garry Rutledge for Rutledge Holdings for Lot 4,

AND FURTHER THAT the CAO/Clerk is hereby authorized and directed to execute all documents necessary in that behalf and to affix thereto the Seal of the Corporation.

Carried.

9.0 COUNCIL REPORTS

Sharen Zinn

Attended a meeting of the Huron East Fire Board.

Jamie McCallum

No report.

Kevin Freiburger

June 1st, attended a meeting of the Bluevale Community Committee.

Councillor Freiburger noted that with the changes to the board structure introduced by Huron East, the Brussels, Morris and Grey Community Centre Committee hasn't met for some time, but a report for information was received this week.

Jamie Heffer

No report.

10.0 CORRESPONDENCE, MINUTES, ITEMS FOR INFORMATION

- 10.1 Newsletter – ABMV Drinking Water Source Protection – May 2022
- 10.2 Minutes – Saugeen Valley Conservation Authority – March 17, 2022
- 10.3 Minutes – Maitland Valley Conservation Authority – March 16, 2022
- 10.4 Minutes – Maitland Source Protection Authority – March 16, 2022
- 10.5 Minutes – Maitland Valley Conservation Authority – April 20, 2022
- 10.6 Minutes – Brussels Fire Area Committee – May 25, 2022
- 10.7 Notice of Public Meeting – Minor Variance – North Huron
- 10.8 Notice of Public Meeting – Zoning By-Law Amendment – North Huron
- 10.9 Request – Pride Month Flag Raising
- 10.10 Invitation – Avon Maitland District School Board Municipal Meeting
- 10.11 Outstanding Action Items

*Moved by Jamie McCallum
Seconded by Sharen Zinn*

THAT the Council of the Municipality of Morris-Turnberry hereby receives items 10.2 through 10.6 and file the rest of the items for information.

Carried.

11.0 NEW BUSINESS

- 11.1 Items to be placed on the agenda of the next regular Council meeting.

12.0 BY-LAWS AND AGREEMENTS

None.

13.0 CLOSED SESSION

- 13.1 Enter closed session

Motion 122-2022

*Moved by Jamie McCallum
Seconded by Sharen Zinn*

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

1. *Section 239 (2) (c) regarding a proposed or pending acquisition or disposition of land by the municipality;*
2. *Section 239 (2) (e) regarding litigation;*

3. *Section 239 (2) (k) regarding a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on by the municipality;*

Carried.

13.2 Return to open session

Motion 123-2022

*Moved by Kevin Freiburger
Seconded by Sharen Zinn*

THAT the Council of the Municipality of Morris-Turnberry rise from a closed session at 9:24 p.m.

Carried.

13.3 Report and Action from Closed Session.

Council discussed options for the disposition of Lot 2 and received information regarding negotiations to be carried on by the municipality, and litigation to which the municipality is a party.

14.0 **CONFIRMING BY-LAW**

Motion 124-2022

*Moved by Kevin Freiburger
Seconded by Jamie McCallum*

THAT leave be given to introduce By-Law # 22-2022, being a by-law to confirm the proceedings of the Municipality of Morris-Turnberry meeting of Council held on June 7th, 2022, and that it now be read severally a first, second, and third time, and finally passed this 7th day of June 2022.

Carried.

15.0 **ADJOURNMENT**

Motion 125-2022

*Moved by Sharen Zinn
Seconded by Kevin Freiburger*

THAT the Council of the Municipality of Morris-Turnberry does now adjourn at 9:24 pm.

Carried.

NEXT MEETINGS:

Regular Meeting of Council - Tuesday, June 21st, 2022, 7:30 pm
Regular Meeting of Council - Tuesday, July 5th, 2022, 7:30 pm

Mayor, Jamie Heffer

Clerk, Trevor Hallam