



## MUNICIPALITY OF MORRIS-TURNBERRY

### COUNCIL MINUTES

Tuesday, July 5<sup>th</sup>, 2022, 7:30 pm

The Council of the Municipality of Morris-Turnberry met in Council Chambers in regular session on the 5<sup>th</sup> day of July 2022, at 7:30 pm.

#### **Council in Attendance**

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

#### **Staff in Attendance**

Trevor Hallam	CAO/Clerk
Sean Brophy	Treasurer
Kirk Livingston	CBO/Drainage Superintendent/By-law and Property Standards Enforcement Officer
Meghan Tydd-Hrynyk	Huron County Planner
Denise Van Amersfoort	Planning Manager, Huron County

#### **Others in Attendance**

Nancy Michie	Applicant, Z02-2022
Andrea Van Nes	Owner, Z02-2022
Robert Van Nes	Owner, Z02-2022
Geoff Reuther	Consultant, Wilson & Associates
Bob Hammell	
Darlene Gibson	
Janet Eriksen	
Ellen Underwood	
Gavin Workman	
Dwight Metcalfe	
Kelsey Bent	Wingham Advance Times
Denny Scott	Blyth Citizen

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

Mayor Heffer called the meeting to order at 7:28 pm.

Mayor Heffer noted that Kelsey Bent 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 147-2022*

*Moved by Sharen Zinn  
Seconded by Kevin Freiburger*

*THAT the Council of the Municipality of Morris-Turnberry hereby adopts the agenda for the meeting of July 5<sup>th</sup>, 2022, as circulated.*

*Carried.*

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

None.

**4.0 MINUTES**

*Motion 148-2022*

*Moved by Jim Nelemans  
Seconded by Jamie McCallum*

*THAT the Council of the Municipality of Morris-Turnberry hereby adopts the June 21<sup>st</sup>, 2022, Council Meeting Minutes as written.*

*Carried.*

**5.0 ACCOUNTS**

*Motion 149-2022*

*Moved by Sharen Zinn  
Seconded by Kevin Freiburger*

*THAT the Council of the Municipality of Morris-Turnberry hereby approves for payment the July 5<sup>th</sup> accounts in the amount of \$770,635.12.*

*Carried.*

**6.0 PUBLIC MEETINGS AND DEPUTATIONS**

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

Application MTu Z02-2022 Evergreen Holsteins  
Plan 164, Lots 8-11, 34, 35, 48 & 49  
91135 Belmore Line, Belmore

*Motion 150-2022*

*Moved by Jim Nelemans  
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 Zoning By-Law Amendment MTu Z02-2022.*

*Carried.*

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

**6.1.1 Call to Order**

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

**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 Z02-2022 Evergreen Holsteins**

Staff provided Council with a report prepared by Huron County Planner, Meghan Tydd-Hrynyk, and Manager of Planning, Denise Van Amersfoort regarding the Zoning By-Law Amendment application submitted by agent Nancy Michie on behalf of Evergreen Holsteins (Robert and Andrea Van Ness).

### 6.1.5 Purpose

This application proposes to amend the zoning on the subject lands from Village Residential – Low Density (VR1) and Development (D) to Village Residential – Medium Density (VR2). This would allow for a tri-plex (3 units) and a semi-detached dwelling (2 units) to be constructed (a total of 5 units).

### 6.1.6 Application Process

An application was submitted by Nancy Michie and was considered complete on June 1<sup>st</sup> 2022.

Notice of the Public Meeting was mailed by the municipality to all property owners within 120m of the property on June 15<sup>th</sup>, 2022, and notice was posted on the subject property.

### 6.1.7 Comments

- Huron County Planner

Ms. Tydd-Hrynyk presented her report with the recommendation that the application be denied due to the proposed intensification on private servicing, and the application not having demonstrated that there will be no negative long term impacts on the shallow aquifer on the site. It was noted that the development standard applied here is consistent with other intensification developments in the Municipality where lot sizing is determined by calculations based on the use of a class 4 septic system.

- Council's Questions and/or Comments

Discussion followed concerning the number and condition of shallow wells in the vicinity of the proposed development, the use of tertiary treatment systems elsewhere in the municipality for intensification purposes, and the maintenance requirements of tertiary treatment systems.

- Others

Bob Hamilton, a resident of Belmore spoke in favour of the proposed development, noting his home is on a smaller lot with a conventional septic system and he has experienced no problems. Doesn't follow why its being restricted so bad when his house is on a smaller lot and there are no problems.

Agent Nancy Michie spoke in favour of the application, reading a prepared report that was provided to Council at the time of its presentation.

Darlene Gibson, a resident of Belmore, spoke in favour of the proposed development, noting the senior's residence on the opposite side of Belmore Line from the subject property with 20 units in it on private services that has had no known issues with well water quality. She also spoke to the need for housing for seniors who wish to age in the area

Mayor Heffer asked Chief Building Official Kirk Livingston to share his experience with tertiary systems in the Municipality. Mr. Livingston noted that there are 5 other systems in that are known of, and that while they are required to be maintained and provide reports to the CBO, the reports are rarely submitted to the municipality, and when ownership changes the information regarding the system is not always passed on. He recommended that an agreement be registered on title to ensure the maintenance and reporting requirements are being met.

### 6.1.8 Recommendation of the Huron County Planner

It was recommended that zoning by-law amendment application Z02-2022 be denied.

Councillors Nelemans, McCallum and Deputy Mayor Zinn voiced support for approving the application to rezone the property for the proposed development. Councillor Freiburger suggested including a condition on the approval of the application.

6.1.9 Close public meeting

*Motion 151-2022*

*Moved by Jamie McCallum  
Seconded by Kevin Freiburger*

*THAT the Council of the Municipality of Morris-Turnberry hereby closes the Public Meeting to consider Zoning By-Law Amendment MTu Z02-2022 and reconvenes its regular meeting of Council.*

*Carried.*

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6.1.10 Consideration of Zoning By-Law Amendment MTu Z02-2022

*Motion 152-2022*

*Moved by Jamie McCallum  
Seconded by Sharen Zinn*

*THAT leave be given to introduce By-Law # 27-2022, being a by-law to authorize amend By-law 45-2014 in accordance with application MTu Z02-2022, subject to the condition of a maintenance agreement between the owners and the municipality being registered on title, and that it now be read severally a first, second, and third time, and finally passed this 5<sup>th</sup> day of July 2022.*

*Carried.*

6.2 COMMITTEE OF ADJUSTMENT

Application MV03-2022 Coultres  
Concession 3, South Part Lot 4, Morris

*Motion 153-2022*

*Moved by Jim Nelemans  
Seconded by Sharen Zinn*

*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 MV03-202, submitted by Dallas Coultres.*

*Carried.*

COMMITTEE OF ADJUSTMENT MEETING

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6.2.1 Call to Order

Mayor Heffer called the meeting to order at 8:28 pm

6.2.2 Declaration of Pecuniary Interest

None.

6.2.3 Purpose

Proposed relief from Section 4.6, to reduce the required Minimum Distance Separation (MDS) I setback for the construction of a new house from 470m to 136m as measured from the edge of the beef barn on the property to the south (40453 Cardiff Road – Time View Farms Ltd.) to the proposed location of the house.

6.2.4 Application Process

An application for a Minor Variance was submitted by Dallas Coultres and considered complete on June 17<sup>th</sup>, 2022.

Notice of a Public Meeting was mailed by the municipality to all property owners within 60m of the property on June 20<sup>th</sup>, 2022, and notice was posted on the subject property.

#### 6.2.5 Comments

##### 1. Planner's Report

Ms. Tydd-Hrynyk presented her report with the recommendation that the application be deferred to allow staff additional time to consult with the applicant and propose alternative locations for the dwelling with r

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

Mayor Heffer noted that he agreed with the recommendation of Ms. Tydd-Hrynyk.

Councillor Nelemans asked whether the MDS reduction would have a corresponding limiting effect on the neighbour in farm, which Ms. Tydd-Hrynyk confirmed.

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

None.

##### 4. Others

None.

#### 6.2.6 Recommendation

It was recommended that Application MV03/22 be deferred to allow for staff and the applicant additional time to review the proposed house location in relation to existing barns and discuss options.

#### 6.2.7 Committee of Adjustment Decision

*Motion 154-2022*

*Moved by Sharen Zinn  
Seconded by Jamie McCallum*

*THAT The Committee of Adjustment of the Municipality of Morris-Turnberry hereby defers a decision on application MV03-2022 to allow staff and the applicant additional time to review the proposed house location in relation to existing barns and to discuss options.*

*Carried.*

#### 6.2.8 Close Committee of Adjustment

*Motion 155-2022*

*Moved by Kevin Freiburger  
Seconded by Jim Nelemans*

*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

None.

## 8.0 **BUSINESS**

### 8.1 ASSET MANAGEMENT PLAN 2022

In accordance with O. Reg. 588/17, an asset management plan for core municipal infrastructure assets has been prepared and was provided for Council approval. Treasurer Sean Brophy reviewed and presented the plan for the information of Council.

Mr. Hallam made note for the benefit of Council of the considerable effort by Treasurer Sean Brophy, Director of Public Works Mike Alcock and Public Works Foreman Barry Shaw that went into the completion of the plan.

*Motion 156-2022*

*Moved by Jamie McCallum  
Seconded by Jim Nelemans*

*THAT the Council of the Municipality of Morris-Turnberry hereby approves and adopts the 2022 Asset Management Plan as presented.*

*Carried.*

### 8.2 NEXT GENERATION 9-1-1 SERVICE AGREEMENT

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

*Motion 157-2022*

*Moved by Jim Nelemans  
Seconded by Jamie McCallum*

*THAT the Council of the Municipality of Morris-Turnberry hereby directs staff to return a by-law to the next meeting of Council authorizing the execution of the 9-1-1 Service Agreement with Huron County as presented.*

*Carried.*

### 8.3 COUNCIL MEETING STRUCTURE

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

Discussion followed regarding the benefits of evening meetings for members of Council and the public with other employment during business hours. The use of virtual meetings once a month was discussed as an option and there was a consensus of Council that using a virtual option for meetings with fewer agenda items or where public participation is expected to be low would be acceptable.

*Motion 158-2022*

*Moved by Jamie McCallum  
Seconded by Sharen Zinn*

*THAT the Council of the Municipality of Morris-Turnberry hereby elects to proceed with option 1 as outlined in the staff report.*

*Carried.*

## 9.0 **COUNCIL REPORTS**

Sharen Zinn

Attended a meeting of the Brussels Medical Dental. The Board is considering as making a delegation to Huron East Council regarding the proposed restructuring of the board structure.

Jamie McCallum

No report.

Jim Nelemans

No report.

Kevin Freiburger

No report.

Jamie Heffer

No report. Mayor Heffer announced to Council that he intends to register as a candidate for the position of Mayor in the upcoming election.

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

- 10.1 OLT-21-001676 Case Closure Notice – Errington Appeal of Z04-2021
- 10.2 Notice of Public Meeting – North Huron Five Year Official Plan Review
- 10.3 Meeting Highlights – AMDSB June 28, 2022
- 10.4 Outstanding Action Items

## **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**

- 12.1 MAITLAND VALLEY CONSERVATION AUTHORITY MEMORANDUM OF UNDERSTANDING

At the May 17<sup>th</sup> meeting of Council, direction was given to staff to return a Memorandum of Understanding between the Municipality and the Maitland Valley Conservation Authority for all services provided, to be executed under by-law. By-law 26-2022 was presented for consideration.

*Motion 159-2022*

*Moved by Kevin Freiburger  
Seconded by Sharen Zinn*

*THAT leave be given to introduce By-Law # 26-2022, being a by-law to authorize the execution of a Memorandum of Understanding between the Municipality and the Maitland Valley Conservation Authority for all services provided, and that it now be read severally a first, second, and third time, and finally passed this 5<sup>th</sup> day of July 2022.*

*Carried.*

## **13.0 CLOSED SESSION**

No business for closed session.

## **14.0 CONFIRMING BY-LAW**

*Motion 160-2022*

*Moved by Jamie McCallum  
Seconded by Sharen Zinn*

*THAT leave be given to introduce By-Law # 28-2022, being a by-law to confirm the proceedings of the Municipality of Morris-Turnberry meeting of Council held on July 5<sup>th</sup>, 2022, and that it now be read severally a first, second, and third time, and finally passed this 5<sup>th</sup> day of July 2022.*

*Carried.*

**15.0 ADJOURNMENT**

*Motion 161-2022*

*Moved by Kevin Freiburger  
Seconded by Jim Nelemans*

*THAT the Council of the Municipality of Morris-Turnberry does  
now adjourn at 9:17 pm.*

*Carried.*

**NEXT MEETINGS:**

Regular Meeting of Council - Tuesday, July 19<sup>th</sup>, 2022, 7:30 pm  
Regular Meeting of Council - Tuesday, August 9<sup>th</sup>, 2022, 7:30 pm

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Mayor, Jamie Heffer

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Clerk, Trevor Hallam