



## MUNICIPALITY OF MORRIS-TURNBERRY

### COUNCIL MINUTES

Tuesday, October 4<sup>th</sup>, 2022, 7:30 pm

The Council of the Municipality of Morris-Turnberry met in Council Chambers in regular session on the 4<sup>th</sup> day of October 2022, at 7:30 pm.

#### **Council in Attendance**

Mayor Jamie Heffer  
Deputy Mayor Sharen Zinn      Participated electronically  
Kevin Freiburger  
Jamie McCallum

#### **Staff in Attendance**

Trevor Hallam              CAO/Clerk  
Meghan Tydd-Hrynyk      Huron County Planner

#### **Others in Attendance**

Joe Reinhardt              Applicant, C79-2022, Z03-2022  
Frank Sanders              Applicant, MV04-2022  
John Sanders  
Mike Wilson              Wingham Advance Times  
Denny Scott              The 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.

Mayor Heffer also noted that Deputy Mayor Sharen Zinn would be participating in the meeting electronically as permitted by the Municipality's procedure by-law, and as a result he will be conducting votes by roll call.

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

Mayor Heffer announced that notice of a public meeting to consider housekeeping amendments to the municipality's Zoning By-Law and Official Plan at this this meeting had been circulated. He notified those in attendance that the public meeting will be postponed to the November 1<sup>st</sup> meeting of Council.

*Motion 213-2022*

*Moved by Kevin Freiburger  
Seconded by Jamie McCallum*

*THAT the Council of the Municipality of Morris-Turnberry hereby adopts the agenda for the meeting of October 4<sup>th</sup>, 2022, as circulated.*

*Carried.*

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

None.

#### 4.0 **MINUTES**

*Motion 214-2022*

*Moved by Kevin Freiburger  
Seconded by Jamie McCallum*

*THAT the Council of the Municipality of Morris-Turnberry hereby adopts the September 20<sup>th</sup>, 2022, Council Meeting Minutes as written.*

*Carried.*

#### 5.0 **ACCOUNTS**

*Motion 215-2022*

*Moved by Sharen Zinn  
Seconded by Kevin Freiburger*

*THAT the Council of the Municipality of Morris-Turnberry hereby approves for payment the October 4<sup>th</sup> accounts in the amount of \$168,558.11.*

*Carried.*

#### 6.0 **PUBLIC MEETINGS AND DEPUTATIONS**

##### 6.1 CONSENT APPLICATION C79-2022 REINHARDT

A report was presented by Huron County Planner Meghan Tydd-Hrynyk in this regard.

Councillor McCallum asked would the applicant would have to do in order to have the application approved. Ms. Tydd-Hrynyk explained that the nitrate study supported the creation of two lots from the one existing one, so that would be supported. The applicants request for three lots is not supported.

Councillor McCallum asked the applicant if he would be amenable to two lots. Mr. Reinhard expressed disappointment as he had initially planned to create four lots. He noted that he hadn't wanted the commercial lot to be as large as is proposed but was told it had to be. Ms. Tydd-Hrynyk explained that the commercial lot is still deficient with regard to size, but was expanded from what was originally proposed to reduce the deficiency. She noted that if the proposal was for two lots, it would not be recommended for denial. She expanded by saying that regardless of the proposed use, only two lots are supportable here.

Mayor Heffer clarified that Council is considering the severance application first then zoning, and while they are separate applications the zoning proposal should be kept in mind. He asked Ms. Tydd-Hrynyk if there had been an opportunity to discuss the option of two lots with the applicant. Ms. Tydd-Hrynyk confirmed that the options that are supportable were reviewed with the applicant, but this proposal remained the applicant's preference.

Deputy Mayor Zinn inquired what the difference is between this property and the one in Belmore that had recently been the subject of a a panning application. Ms. Tydd-Hrynyk explained that this proposal is being sized based on the use of conventional septic systems, and that in Belmore the subject property consisted of undersized lots being consolidated where this is the creation of new lots.

*Motion 216-2022*

*Moved by Jamie McCallum  
Seconded by Sharen Zinn*

*THAT the Council of the Municipality of Morris-Turnberry hereby defers the consideration of severance application C79/22 until such time as the applicant and staff have an opportunity to discuss an alternate proposal for two lots.*

*Carried.*

## 6.2 ZONING BY-LAW AMENDMENT PUBLIC MEETING

Application MTu Z03-2022 Reinhardt  
Plan 410 Lots 149 to 151 Pt; Lane and RP 22R6317 Part 1  
353 Turnberry Street, Wingham

*Motion 217-2022*

*Moved by Jamie McCallum  
Seconded by Kevin Freiburger*

*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 Z03-2022.*

*Carried.*

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

#### 6.2.1 Call to Order

Mayor Heffer called the public meeting to order at 7:53 pm.

#### 6.2.2 Declaration of Pecuniary Interest

None declared.

#### 6.2.3 Requirement

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

#### 6.2.4 MTu Z03-2022 Reinhardt

Council was provided with a report prepared by Huron County Planner, Meghan Tydd-Hrynyk regarding the Zoning By-Law Amendment application submitted by Joe Reinhardt.

#### 6.2.5 Purpose

This application proposes to amend the zoning on two proposed lots from Severance Application C79-2022 - 353 Turnberry Street (Plan 410 Lots 149 to 151 Pt; Lane and RP 22R6317 Part 1) in the Municipality of Morris-Turnberry. The proposed zoning on the lot described as "Severed 2" on the map below would be rezoned from Village Residential – Low Density (VR1) to Village Residential – Medium Density (VR2) to allow for a four unit residential building. The proposed zoning on the lot described as "Retained 1" would be rezoned from Residential – Low Density (VR1) to Village Industrial (VM1) to allow for a commercial storage warehouse building. The subject property is approximately 1.73 acres with "Severed 2" being 0.70 acres and "Retained 1" being 0.33 acres.

#### 6.2.6 Application Process

An application was submitted by Joe Reinhardt and was considered complete on August 12<sup>th</sup>, 2022.

Notice of the Public Meeting was mailed by the municipality to all property owners within 120m of the property on September 9<sup>th</sup>, 2022, and notice was posted on the subject property.

#### 6.2.7 Comments

##### 1. Planner's Report

Ms. Tydd-Hrynyk presented her report.

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

Deputy Mayor Zinn commented that it was unfortunate that with there being a need for housing this application can't move forward.

## 3. Applicant and/or Agent

The applicant expressed his disappointment with the regulations and restrictions that are prohibiting this development. He made reference to other properties he had developed in the Municipality that had been successful. He questioned the previous use of the subject property. Ms. Tydd-Hrynyk clarified that the application is for the proposed use, and that the previous use may have been legal non-conforming, but is not the subject of this public meeting.

## 4. Others

There were no other questions or comments from others in attendance.

## 6.2.8 Recommendation of the Huron County Planner

It is recommended that zoning by-law amendment application Z03-2022 be denied as it is not consistent with the PPS, does not conform to the Huron County or Morris-Turnberry Official Plans and does not represent good planning.

*Motion 218-2022*

*Moved by Jamie McCallum  
Seconded by Kevin Freiburger*

*THAT the Council of the Municipality of Morris-Turnberry hereby defers the consideration of application Z03-2022.*

*Carried.*

## 6.2.9 Effect of Public and Agency Comments

No public comments were received on this application so there was no effect on the decision. Comments were received from agencies on the issues of stormwater management, setbacks, snow storage, parking spaces and the need for further more detailed site planning to show the proposal will work with regard to these issues. The effect of agency comments and the application not being consistent with the PPS, not conforming to the Huron County or Morris-Turnberry Official Plans and not representing good planning influenced Council's decision to defer consideration of the application.

## 6.2.10 Close public meeting

*Motion 219-2022*

*Moved by Kevin Freiburger  
Seconded by Sharen Zinn*

*THAT the Council of the Municipality of Morris-Turnberry hereby closes the Public Meeting to consider Zoning By-Law Amendment MTu Z03-2022 and reconvenes its regular meeting of Council.*

*Carried.*

## 6.3 COMMITTEE OF ADJUSTMENT

Application MV04-2022 Sanders  
Concession 7, North 1/2 Lot 6, Morris

*Motion 220-2022*

*Moved by Kevin Freiburger  
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 MV04-2022, submitted by Frank and Doris Sanders.*

*Carried.*

COMMITTEE OF ADJUSTMENT MEETING

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6.2.1 Call to Order

Mayor Heffer called the Committee of Adjustment to order at 8:07 pm

6.2.2 Declaration of Pecuniary Interest

None declared.

6.2.3 Purpose

The purpose of this application is to reduce the required Minimum Distance Separation (MDS) setback to allow for the construction of a new house.

The application proposes to reduce the MDS setback of 724 m to 530 m to the neighbouring barn to the east of the subject property.

6.2.4 Application Process

An application for a Minor Variance was submitted by Frank and Doris Sanders and considered complete on September 2<sup>nd</sup>, 2022.

Notice of a Public Meeting was mailed by the municipality to all property owners within 60m of the property on September 12<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.

2. Council's Questions and/or Comments

Mayor Heffer asked if the construction of the house in this location would effect the neighbouring barn in the future if they wanted to expand. Ms. Tydd-Hrynyk explained that they would likely have to apply for a Minor Variance as well, and any expansion would be encouraged to be on the side of the property furthest from the house.

3. Applicant and/or Agent

No comment.

4. Others

No comments or questions from others in attendance.

6.2.6 Recommendation

It is 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 221-2022*

*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 MV04-2022, submitted by Frank and Doris Sanders, 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 222-2022*

*Moved by Kevin Freiburger  
Seconded by Jamie McCallum*

*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 CLERK

#### 7.1.1 WSIB Health and Safety Excellence Program Update

A report prepared by Deputy Clerk Kim Johnston in this regard was presented by Mr. Hallam for the information of Council.

## **8.0 BUSINESS**

### 8.1 RESOLUTION REGARDING ELECTORAL REDISTRIBUTION

At the September 20<sup>th</sup> meeting staff were directed to draft and return a resolution in support of maintaining the Township of Howick in the proposed South Huron Shores electoral district. The following resolution was prepared for consideration.

*Motion 223-2022*

*Moved by Kevin Freiburger  
Seconded by Jamie McCallum*

*WHEREAS The Federal Electoral District Redistribution Commission for Ontario has released proposed boundaries for an amended electoral district to be known as South Huron Shores;*

*AND WHEREAS The proposed boundary of South Huron Shores excludes certain areas of current the Huron-Bruce electoral district, including the Township of Howick;*

*AND WHEREAS the Township of Howick is an integral partner municipality within the County of Huron, sharing services, economic, and cultural interests with Morris-Turnberry, other municipalities within Huron County, and Huron County itself;*

*AND WHEREAS the Township of Howick has benefitted from shared Federal and Provincial representation and advocacy in relation to those shared interests;*

*AND WHEREAS the Ontario Commission has discretion to consider social and geographic factors in its decisions, including respect for communities of interest or identity and historical patterns of previous electoral boundaries;*

*NOW THEREFORE The Council of the Municipality of Morris-Turnberry hereby requests that the Ontario Commission consider adjusting the proposed boundary for South Huron Shores to include the Township of Howick;*

*AND THAT notice of this request be sent to the Ontario Commission, MP Ben Lobb, MPP Lisa Thompson, the Township of Howick, the County of Huron, all Huron County Municipalities, and the Federation of Canadian Municipalities.*

*Carried.*

## 8.2 APPOINTMENT OF COMMUNITY EMERGENCY MANAGEMENT COORDINATOR

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

*Motion 224-2022*

*Moved by Jamie McCallum  
Seconded by Kevin Freiburger*

*THAT leave be given to introduce By-Law # 41-2022, being a by-law to appoint a Community Emergency Management Coordinator for the Municipality of Morris-Turnberry, and that it now be read severally a first, second, and third time, and finally passed this 4<sup>th</sup> day of October 2022.*

*Carried.*

## 8.3 BLYTH CREEK MUNICIPAL DRAIN – OUTSTANDING COSTS

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

*Motion 225-2022*

*Moved by Sharen Zinn  
Seconded by Jamie McCallum*

*THAT leave be given to introduce By-Law # 42-2022, being a by-law to amend by-law 40-2018 of the Municipality of Morris-Turnberry based on actual costs incurred for constructing the Blyth Creek Municipal Drain 2018, and that it now be read severally a first, second, and third time, and finally passed this 4<sup>th</sup> day of October 2022.*

*Carried.*

## 9.0 **COUNCIL REPORTS**

Sharen Zinn

No report

Jamie McCallum

Attended the Elementary School Fair in Belgrave on September 21<sup>st</sup> and brought greetings on behalf of the Municipality in Mayor Heffer's place.

Kevin Freiburger

Attended the Elementary School Fair in Belgrave on September 21<sup>st</sup>  
Attended a meeting of the MVCA Board on September 21<sup>st</sup> in Lucknow to tour a creek rehabilitation project.

Jamie Heffer

Attended the Howick Turnberry Fall Fair opening ceremonies on September 23<sup>rd</sup> to bring greetings on behalf of the Municipality.

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

- 10.1 Draft Budget 2023 – Saugeen Valley Conservation Authority
- 10.2 Board Highlights – AMSDB – September 27, 2022
- 10.3 Correspondence – Public Consultation – Ministry of Municipal Affairs and Housing
- 10.4 Notice of Hearing – Morris-Turnberry Committee of Adjustment – MV05-2022
- 10.5 Resolution – Ontario’s Federal Electoral Districts – County of Huron
- 10.6 Outstanding Action Items

*Motion 226-2022*

*Moved by Jamie McCallum  
Seconded by Sharen Zinn*

*That the Council of the Municipality of Morris-Turnberry hereby supports the correspondence received from the Ministry of Municipal Affairs and Housing.*

*Carried*

*Motion 227-2022*

*Moved by Jamie McCallum  
Seconded by Kevin Freiburger*

*That the Council of the Municipality of Morris-Turnberry hereby supports the correspondence sent by Huron County Warden Glen McNeil to the Federal Electoral Boundaries Commission for Ontario.*

*Carried.*

Regarding item 10.1 Councillor McCallum stated that considering Morris-Turnberry’s relatively small financial responsibilities to the SVCA, the budget document was very long and took up a lot of space in the agenda package. He requested that lengthy items be sent separately in the future.

**11.0 NEW BUSINESS**

None.

**12.0 BY-LAWS AND AGREEMENTS**

None.

**13.0 CLOSED SESSION**

- 13.1 Enter closed session

*Motion 228-2022*

*Moved by Kevin Freiburger  
Seconded by Jamie McCallum*

*THAT the Council of the Municipality of Morris-Turnberry enter a closed session at 8:38 p.m., with the CAO/Clerk remaining in attendance, for the purpose of discussing confidential matters pursuant to the following sections of the Municipal Act:*

1. *Section 239 (2) (b) regarding personal matters about an identifiable individual, including municipal or local board employees;*

*Carried.*

- 13.2 Return to open session

*Motion 229-2022*



*Moved by Jamie McCallum  
Seconded by Kevin Freiburger*

*THAT the Council of the Municipality of Morris-Turnberry rise from a closed session at 9:01 p.m.*

Carried.

13.3 Report and Action from Closed Session.

Council discussed an personal matter regarding a member of staff.

14.0 **CONFIRMING BY-LAW**

*Motion 230-2022*

*Moved by Kevin Freiburger  
Seconded by Sharen Zinn*

*THAT leave be given to introduce By-Law # 43-2022, being a by-law to confirm the proceedings of the Municipality of Morris-Turnberry meeting of Council held on October 4<sup>th</sup>, 2022, and that it now be read severally a first, second, and third time, and finally passed this 4<sup>th</sup> day of October 2022.*

Carried.

15.0 **ADJOURNMENT**

*Motion 231-2022*

*Moved by Sharen Zinn  
Seconded by Jamie McCallum*

*THAT the Council of the Municipality of Morris-Turnberry does now adjourn at 9:02 pm.*

Carried.

NEXT MEETINGS:

Regular Meeting of Council – Tuesday, October 18<sup>th</sup>, 2022, 7:30 pm  
Regular Meeting of Council – Tuesday, November 1st, 2022, 7:30 pm

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Mayor, Jamie Heffer

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Clerk, Trevor Hallam