



MUNICIPALITY OF MORRIS-TURNBERRY

COUNCIL MINUTES

Tuesday, October 20th 2020, 7:30 pm

The Council of the Municipality of Morris-Turnberry met electronically in regular session on the 20th day of October, 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
Jenn Burns	Huron County Planner

Others in Attendance

Mark Heimpel	Co-Applicant, MV02-2020
Rob Stute	Co-Applicant, MV02-2020
Ryan McClinchey	
Denny Scott	The Citizen

1.0 CALL TO ORDER

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

2.0 ADOPTION OF AGENDA

Moved by Sharen Zinn
Seconded by Jamie McCallum

MOTION 226-2020	THAT the Council of the Municipality of Morris-Turnberry hereby adopts the agenda for the meeting of October 20 th 2020 as circulated.	Carried.
--------------------	---	----------

3.0 DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST

None declared.

4.0 MINUTES

Moved by Jim Nelemans
Seconded by Jamie McCallum

MOTION 227-2020	THAT the Council of the Municipality of Morris-Turnberry hereby adopts the October 6 th , 2020 Regular Council Meeting Minutes as written.	Carried.
--------------------	---	----------

5.0 ACCOUNTS

5.1 ACCOUNTS

Moved by Sharen Zinn
Seconded by Jim Nelemans

MOTION 228-2020 THAT the Council of the Municipality of Morris-Turnberry hereby approves for payment the October 20th accounts in the amount of \$191,514.73.
Carried.

5.2 PAY REPORTS

Copies of the October 14th Pay Reports were provided for information purposes.

6.0 PUBLIC MEETINGS AND DEPUTATIONS

6.1 COMMITTEE OF ADJUSTMENT, MAITLAND WELDING

Application MV02-2020, Maitland Welding Minor Variance
Part of Peter Street and Part of Park Lots 15, 16, 21, 22, 23, and 24, Registered Plan Number 432, 63 North Street Wingham.

Moved by Kevin Freiburger
Seconded by Jim Nelemans

MOTION 229-2020 THAT The Council of the Municipality of Morris-Turnberry hereby adjourns their Council Meeting and the Committee of Adjustment hereby opens their Committee of Adjustment Meeting to review application for minor variance MV02-2019, submitted by Maitland Welding and Heimpel Design Inc.
Carried.

COMMITTEE OF ADJUSTMENT MEETING – MINOR VARIANCE**1.0 Call to Order**

Mayor Heffer called the meeting of the Committee of Adjustment at 7:35pm.

2.0 Declaration of Pecuniary Interest

None Declared.

3.0 Purpose

To allow for the expansion of an existing steel fabrication shop (Maitland Welding) that has legal non-conforming status. This application also proposes to reduce the required rear yard setback and increase the maximum lot coverage permitted within the Morris-Turnberry Zoning By-law.

The specific variance requested is:

1. Allow for the expansion of an existing legal non-conforming use subject to Section 45 (2)(a)(i) of the Planning Act R.S.O. 1990;
2. Proposed relief from Section 19.3.6 of Morris-Turnberry Zoning By-Law 45-2014 to reduce the required rear yard setback from 7.5m to 3.5m;
3. Proposed relief from Section 19.3.7 of Morris-Turnberry Zoning By-Law By-law 45-2014 to increase the maximum lot coverage from the required 25 to 30 percent.

4.0 Application Process

An application was submitted by Heimpel Design Inc on September 30th, 2020 and considered complete on September 30th, 2020.

Notice of a Public Meeting was mailed by the municipality to all property owners within 60m of the property on October 5th, 2020 and notice was posted on the subject property.

5.0 Comments

Huron County Planner Jennifer Burns presented a report regarding the application and requested variances.

5.1.1 Council's Questions and/or Comments

Councillor Nelemans commented that the application looked quite straight forward.

No other comments were received from Council.

5.1.2 Applicant and/or Agent

Mr. Heimpel stated he had no comments to add to Ms. Burns' report.
Mr. Stute made no comments in relation to the report but stated that when the opportunity arises to connect to municipal services they are interested in doing so.

5.1.3 Others

Written comments were received from North Huron on October 20, stating there are no concerns with the proposed Heimpel Design/Maitland Welding minor variance application as circulated, and that if any cross border servicing hookups are needed by the applicant, they will be deferred until a cross border servicing agreement can be reached between North Huron and Morris-Turnberry.

6.0 Recommendation

It is recommended that application MV02-20 be approved with the following conditions:

1. the structure be located within the footprint contained on the sketch that accompanied the application; and
2. the variance approval is valid for a period of 18 months from the date of Council's decision.

7.0 Approve Application for Minor Variance

Moved by Sharen Zinn
Seconded by Kevin Freiburger

MOTION
230-2020

THAT The Committee of Adjustment of the Municipality of Morris-Turnberry, considering the variance to be minor, and 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 MV02-2020, submitted by Maitland Welding and Heimpel Design Inc., subject to the following conditions:

1. the structure be located within the footprint contained on the sketch that accompanied the application; and
2. the variance approval is valid for a period of 18 months from the date of Council's decision.

Carried.

8.0 Close Committee of Adjustment Meeting

Moved by Kevin Freiburger
Seconded by Jim Nelemans

MOTION
231-2020

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 PUBLIC WORKS**

Operations Report

A report was presented by Director of Public Works Mike Alcock in this regard. There were no questions or comments from Council.

7.2 CLERK

COVID-19 Update

A report was presented by CAO/Clerk Trevor Hallam in this regard. There were no questions or comments from Council.

8.0 BUSINESS**8.1 SOURCE WATER PROTECTION RISK MANAGEMENT AGREEMENT**

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

Mayor Heffer commented that the arrangement with the Ausable Bayfield Conservation Authority had been working well

Moved by Jim Nelemans
Seconded by Kevin Freiburger

MOTION
232-2020

THAT The Council of the Municipality of Morris-Turnberry hereby accepts the proposal of the Ausable Bayfield Conservation Authority for the provision of risk management services for the years 2021 through 2023, and direct staff to return a by-law authorizing the signing of the draft delegation agreement as presented.

Carried.

8.2 EXTENSION OF TIME FOR FILING ENGINEER'S REPORTS

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

There were no questions or comments from Council.

Moved by Sharen Zinn
Seconded by Kevin Freiburger

MOTION
233-2020

WHEREAS on November 8, 2017 the Council of the Municipality of Morris-Turnberry appointed Dietrich Engineering Limited to prepare a report under Section 78 of the Drainage Act,, R.S.O. 1990 for the Thompson Lamont Deyell Municipal Drain;

AND WHEREAS Dietrich Engineering Limited filed the report for the Thompson Lamont Deyell Municipal Drain with the office of the Clerk on October 8th 2020;

AND WHEREAS Section 39 of the Drainage Act Drainage Act,, R.S.O. 1990 states that the engineer shall file the report within one year after the appointment of the engineer or within such further time as may be extended before or after the expiry of the one-year period by resolution of the council of the municipality;

NOWHEREFORE The Council of the Municipality of Morris-Turnberry hereby extends the time for the filing of the Engineer's Report for the Thompson Lamont Deyell Municipal Drain to October 8th, 2020.

Carried.

Moved by Jim Nelemans
Seconded by Kevin Freiburger

MOTION
234-2020

WHEREAS on December 5, 2017 the Council of the Municipality of Morris-Turnberry appointed Dietrich Engineering Limited to prepare a report under Section 78 of the Drainage Act,, R.S.O. 1990 for the Henderson Municipal Drain;

AND WHEREAS Dietrich Engineering Limited filed the report for the Henderson Municipal Drain with the office of the Clerk on October 8th 2020;

AND WHEREAS Section 39 of the Drainage Act Drainage Act,, R.S.O. 1990 states that the engineer shall file the report within one year after the appointment of the engineer or within such further time as may be extended before or after the expiry of the one-year period by resolution of the council of the municipality;

NOWTHEREFORE The Council of the Municipality of Morris-Turnberry hereby extends the time for the filing of the Engineer's Report for the Henderson Municipal Drain to October 8th, 2020.

Carried.

9.0 COUNCIL REPORTS

Sharen Zinn

No report

Jamie McCallum

October 14th participated in a meeting of the Committee for Huron Injury Prevention.

Jim Nelemans

October 19th participated in a meeting of the Belmore Community Centre Committee

Councillor Nelemans also commented that he applied for an open burn permit through the municipal website and within 10 minutes had received confirmation. He said previously there had been issues with delayed or no responses when the applications were submitted by phone and expressed his thanks to Fire Chief Marty Bedard and staff for setting up the online system.

Kevin Freiburger

No report

Jamie Heffer

No report

10.0 CORRESPONDENCE, MINUTES, ITEMS FOR INFORMATION

- 10.1 Correspondence – Regulatory update – Office of the Solicitor General
- 10.2 Correspondence – Unauthorized car rallies – Town of Wasaga Beach
- 10.3 Correspondence – Reform to the Municipal Insurance Policy – Township of Lake of Bays
- 10.4 Correspondence – Wingham floodplain mapping public information centre – Maitland Valley Conservation Authority
- 10.5 Notice of Passing – Zoning By-Law Amendment – Huron East
- 10.6 Report – Belgrave Water September 2020
- 10.7 Media Release – SVCA refocuses efforts – Saugeen Valley Conservation Authority
- 10.8 Media Release – Following public health direction – Huron County
- 10.9 Media Release – Vacant commercial/industrial land tax survey – Huron County
- 10.10 Media Release – Climate change adaption plan – Huron County
- 10.11 Media Release – Single-use item reduction strategy – Huron County
- 10.12 Minutes – August 6, 2020 - Saugeen Valley Conservation Authority
- 10.13 Newsletter – Huron Business and Tourism Update and Support Newsletter
- 10.14 Resolution – Capital expenditures under the Safe Restart Agreement – Township of North Glengarry
- 10.15 Resolution – Cannabis production governing body – Township of Asphodel Norwood
- 10.16 Resolution – Landfill development approval – City of St. Catharines

- 10.17 Resolution – Aggregate resource property valuation – County of Wellington
- 10.18 Resolution – Funding for community groups and service clubs – Loyalist Township
- 10.19 Resolution – Unlicensed and unmonitored cannabis grow operations – Township of Blandford-Blenheim
- 10.20 Outstanding Action Items

Councillor Freiburger asked to discuss the resolution from the County of Wellington regarding aggregate resource property valuation. Mr. Hallam provided an explanation of the purpose of the resolution.

Moved by Kevin Freiburger
Seconded by Jim Nelemans

MOTION
235-2020

WHEREAS previous assessment methodologies for aggregate resource properties valued areas that were used for aggregate resources or gravel pits at industrial land rates on a per acre basis of the total site and such properties were formally classified and taxed as industrial lands; and

WHEREAS Morris-Turnberry Council supports a fair and equitable assessment system for all aggregate resource properties; and

WHEREAS the Municipal Property Assessment Corporation determined, with the participation only of the Ontario Stone, Sand and Gravel Association, revised criteria for assessing aggregate resource properties; and

WHEREAS Morris-Turnberry Council has concerns that the revised criteria does not fairly assess the current value of the aggregate resource properties.

NOW THEREFORE BE IT RESOLVED:

1. That Morris-Turnberry Council does not consider the revised criteria for assessment of aggregate resource properties as a fair method of valuation for these properties; and
2. That Morris-Turnberry Council believes there is a need to review the current assessment scheme for aggregate resource properties to address the inequity of property values; and
3. That Morris-Turnberry Council hereby calls upon the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value; and
4. That Morris-Turnberry Council direct the Clerk to provide a copy of this motion to the Ministers of Finance; Municipal Affairs and Housing; and Natural Resources and Forestry; and to AMO, ROMA, MPP Lisa Thompson and the County of Wellington.

Carried

Mayor Heffer stated that the resolution from the Township of Asphodel Norwood seemed relevant to the Municipality's recent experiences and asked if any other members of Council had considered supporting it.

Moved by Jim Nelemans
Seconded by Sharen Zinn

MOTION
236-2020

THAT The Council of the Municipality of Morris-Turnberry hereby supports and endorses the resolution of the Township of Asphodel Norwood calling for a governing body in cannabis production that:

1. Takes a unified approach to land use planning restrictions;
2. Enforces the regulations under the Cannabis Act on behalf of the licencing agency and ensures local authorities are in fact provided with notification of any licence issuance, amendment, suspension, reinstatement, or revocation within their region;
3. Communicates more readily with local governments; and
4. Provides local governments with more support.

AND FURTHER THAT a copy of this resolution be forwarded to Premier Doug Ford, MPP Lisa Thompson, the Minister of Agriculture, Food and Rural Affairs, the Association of Ontario Municipalities (AMO), and the Township of Asphodel Norwood.

Carried

Mayor Heffer asked if there was any support for the resolution of the Township of Blandford-Blenheim.

Moved by Jamie Heffer
Seconded by Jamie McCallum

MOTION
237-2020

THAT The Council of the Municipality of Morris-Turnberry hereby supports and endorses the resolution of the Township of Blandford-Blenheim urging the Federal Government to amend the legislation under which cannabis grow operations operate to ensure the safety and rights of the local communities in which they are situated are respected;

AND FURTHER THAT a copy of this resolution be forwarded to the Federal Minister of Health, Federal Minister of Public Safety and Emergency Preparedness, MP Ben Lobb, MPP Lisa Thompson, the Association of Ontario Municipalities, and the Township of Blandford-Blenheim.

Carried.

11.0 **NEW BUSINESS**

Deputy Mayor Zinn asked that a report on the status of the Brussels Industrial Land Strategy be presented at the next meeting of Council.

12.0 **BY-LAWS AND AGREEMENTS**

12.1 PERSONNEL POLICY

At their October 6th meeting, Council directed staff to return the draft Personnel Policy as presented in by-law form for consideration. By-Law 45-2020 was presented for consideration.

Moved by Sharen Zinn
Seconded by Kevin Freiburger

MOTION
238-2020

THAT leave be given to introduce By-Law # 45-2020, being a by-law to adopt a Personnel Policy for the Municipality of Morris-Turnberry, and that it now be read severally a first, second, and third time, and finally passed this 20th day of October 2020.

Carried.

12.2 INFRASTRUCTURE ONTARIO LOAN APPLICATION

At their September 15th meeting, Council authorized staff to pursue refinancing of the Bank Demand Loan for the Belgrave Development through Infrastructure Ontario. On October 15th, the application was approved by Infrastructure Ontario in the amount of \$850,000. The by-law providing final authorization of the loan was presented for the consideration of Council. The loan is for a fixed term of 15 years, at a rate of 1.7%, rather than the 1.8% initially quoted.

Moved by Jim Nelemans
Seconded by Sharen Zinn

MOTION
239-2020

THAT leave be given to introduce By-Law # 46-2020, being a by-law to approve the submission of an application to Ontario Infrastructure and Lands Corporation ("OILC") for the long-term financing of certain capital work(s) of The Corporation of the Municipality of Morris-Turnberry (the "municipality"); and to authorize the entering into of a rate offer letter agreement pursuant to which the Municipality will issue debentures to OILC, and that it now be read severally a first, second, and third time, and finally passed this 20th day of October 2020.

Carried.

13.0 CLOSED SESSION**13.1 ENTER CLOSED SESSION**

Moved by Sharen Zinn
Seconded by Kevin Freiburger

MOTION 240-2020 THAT the Council of the Municipality of Morris-Turnberry enter a closed session, with the CAO/Clerk and Director of Public Works remaining in attendance at 8:07p.m. 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.
- 2) Section 239 (2) (k) regarding negotiations to be carried on by the municipality.

Carried.

13.2 RETURN TO OPEN SESSION

Moved by Jim Nelemans
Seconded by Sharen Zinn

MOTION 241-2020 THAT the Council of the Municipality of Morris-Turnberry rise from a closed session at 9:30 p.m.

Carried.

13.3 REPORT AND ACTION FROM CLOSED SESSION

Council discussed two matters regarding an identifiable individual and one matter regarding negotiations to be carried on by the municipality. Direction was given to staff accordingly.

14.0 CONFIRMING BY-LAW

Moved by Sharen Zinn
Seconded by Jamie McCallum

MOTION 242-2020 THAT leave be given to introduce By-Law # 47-2020, being a by-law to confirm the proceedings of the Municipality of Morris-Turnberry meeting of Council held on October 20th, 2020, and that it now be read severally a first, second, and third time, and finally passed this 20th day of October 2020.

Carried.

15.0 ADJOURNMENT

Moved by Sharen Zinn
Seconded by Jim Nelemans

MOTION 243-2020 THAT the Council of the Municipality of Morris-Turnberry does now adjourn at 9:32 pm.

Carried.

NEXT MEETINGS:

- | | |
|-------------------------------|--|
| 1. Regular Meeting of Council | Tuesday, November 3 rd 2020, 7:30 pm |
| 2. Regular Meeting of Council | Tuesday, November 17 th 2020, 7:30 pm |

Mayor, Jamie Heffer

Clerk, Trevor Hallam