



## MUNICIPALITY OF MORRIS-TURNBERRY

### COUNCIL MINUTES

Tuesday, November 16<sup>th</sup> 2021, 7:30 pm

The Council of the Municipality of Morris-Turnberry met electronically in regular session on the 16<sup>th</sup> day of November 2021, 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
Sean Brophy	Treasurer
Kirk Livingston	CBO/Drainage Superintendent/By-law and Property Standards Enforcement Officer

#### **Others in Attendance**

Elam Martin	Applicant – MTu Z09-2021
Arnold Wieggersma	Applicant – MTu Z08-2021
Ron Davidson	Planning Consultant MTu Z08-2021 and MTu Z09-2021
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 254-2021*

*Moved by Kevin Freiburger  
Seconded by Jim Nelemans*

*THAT the Council of the Municipality of Morris-Turnberry hereby adopts the agenda for the meeting of November 16<sup>th</sup>, 2021 as circulated.*

*Carried.*

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

None.

**4.0 MINUTES**

*Motion 255-2021*

*Moved by Jim Nelemans  
Seconded by Sharen Zinn*

*THAT the Council of the Municipality of Morris-Turnberry hereby adopts the November 2<sup>nd</sup>, 2021, and November 10<sup>th</sup>, 2021, Council Meeting Minutes as written.*

*Carried.*

**5.0 ACCOUNTS**

*Motion 256-2021*

*Moved by Jamie McCallum  
Seconded by Sharen Zinn*

*THAT the Council of the Municipality of Morris-Turnberry hereby approves for payment the November 16<sup>th</sup> accounts in the amount of \$840,844.68.*

*Carried.*

**6.0 PUBLIC MEETINGS AND DEPUTATIONS**

**6.1 Zoning By-Law Amendment Public Meeting**

Application MTu Z09-2021 Gingrich  
CONCESSION 7, LOT 12, TURNBERRY  
41422 Salem Road

- And -

Application MTu Z08-2021 Wiegersma  
PLAN 165 LOTS 16 17 PT LOTS;14 & 15 PT ELIZABETH ST AS; RP 22R521 PART 1  
AND RP;22R2320 PART 1  
5 Clyde Street, Bluevale

*Motion 257-2021*

*Moved by Kevin Freiburger  
Seconded by Jim Nelemans*

*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 Amendments MTu Z09-2021 and MTu Z08-2021.*

*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 7:34 p.m.

**6.1.2 Declaration of Pecuniary Interest**

None.

**6.1.3 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.

#### 6.1.4 MTu Z09-2021 Gingrich

A report was presented by County Planner, Jennifer Burns with regards to the Zoning By-Law Amendment application submitted by agent Elam Martin on behalf of Mervin and Rebecca Gingrich.

#### 6.1.5 Purpose

This application proposes is to amend the zoning on 41422 Salem Road (Concession 7, Lot 12, Turnberry), in the Municipality of Morris-Turnberry to permit a temporary residential dwelling for a period of up to 3 years. The applicant is proposing to construct a 36' x 64' agricultural shed on the farm, with the new dwelling being constructed in the west end of the building. The building will be located no further than 46m to the existing house and 19m to the existing barn on the subject property. The subject property is 100 acres in size and contains a house, barn and shed.

#### 6.1.6 Application Process

An application was submitted by Elam Martin and was considered complete on October 25<sup>th</sup>, 2021.

Notice of the Public Meeting was mailed by the municipality to all property owners within 120m of the property on October 26<sup>th</sup>, 2021, and notice was posted on the subject property.

#### 6.1.7 Comments

- Council's Questions and/or Comments

Mayor Heffer asked CBO Kirk Livingston to clarify the type of building that is proposed. Mr. Livingston informed Council that while the agricultural portion of the building will be built to the applicable code, the residential portion will need to meet much higher standards and include adequate fire separation between the two.

Councillor Nelemans asked about the water supply for the new building, and if there is a requirement for a septic system. Mr. Livingston explained that there is no pressurized water system, so a class 4 septic system is not required. It is common in the community to have an outdoor privy.

Deputy Mayor Zinn asked how this proposal relates to other garden suites in the municipality that are temporary and will need to be removed, as this structure is proposed to be permanent. Ms. Burns noted that the direction given at the Housing Friendly Workshop was to bring forward a policy to allow a second residence as of right, and if Council adopts such a policy any existing garden suites would be recognized within the updated zoning, provided they are compliant with the relevant provisions.

Mayor Heffer asked if there was an estimated timeline on when such policy changes could be implemented. Ms. Burns explained that staff would bring the proposal forward as soon as possible, but within the three-year window that is being requested in this application should be achievable.

- Others

Ron Davidson commented that many municipalities in Ontario are giving consideration to allowing secondary dwelling units either within an existing structure or a new structure.

#### 6.1.8 Recommendation of the Huron County Planner

It was recommended that zoning by-law amendment application Z09-2021 be **approved**.

#### 6.1.9 MTu Z08-2021 Wiegiersma

A report was presented by County Planner, Jennifer Burns with regards to the Zoning By-Law Amendment application submitted by agent Ron Davidson on behalf of Alpha Agri-Products Inc. c/o Arnold Wiegiersma.

#### 6.1.10 Purpose

This application proposes is to rezone 5 CLYDE ST (*PLAN 165 LOTS 16 17 PT LOTS;14 & 15 PT ELIZABETH ST AS;RP 22R521 PART 1 AND RP;22R2320 PART 1*) in the Municipality of Morris-Turnberry from VC2 (Village Commercial - Highway) to VC2-17 (Village Commercial – Highway- Special Provisions) to allow for the milling of flour in 64 m<sup>2</sup> of the existing main building (total building footprint of 288m<sup>2</sup>). The milling of flour shall only be permitted as long the restaurant is in operation. All other provisions of the Morris-Turnberry Zoning By-law apply. The subject property is approximately 1 acre and contains a former restaurant building that is being renovated.

#### 6.1.11 Application Process

An application was submitted by Ron Davidson and was considered complete on October 25<sup>th</sup>, 2021.

Notice of the Public Meeting was mailed by the municipality to all property owners within 120m of the property on October 26<sup>th</sup>, 2021, and notice was posted on the subject property.

#### 6.1.12 Comments

- Council's Questions and/or Comments

Deputy Mayor Zinn commented that if no complaints had been received then the application looked straight forward and would be a great addition to Bluevale.

Councillor Nelemans asked questions regarding the height of the grain bins, rodent control and the distribution of the flour milled on site. Arnold Wieggersma explained that the grain bins were approximately four feet taller than the building, rodent control will follow the requirements of the Canada Food Inspection Agency, and that the flour will be used in the restaurant, sold on site and distributed to local bakeries.

- Others

Ron Davidson noted that the change of use is only the milling operation, and that it will be an improvement to the site and the mill operation will help with the viability of the operation.

Mr. Wieggersma thanked Council for the consideration and stated he hoped to have the project finished by next fall.

#### 6.1.13 Recommendation of the Huron County Planner

It is recommended that zoning by-law amendment application Z08-2021 be **approved**.

#### 6.1.14 Close public meeting

*Motion 258-2021*

*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 Amendments MTu Z09-2021 and MTu08-2021 and reconvenes its regular meeting of Council.*

*Carried.*

#### 6.1.15 Consideration of Zoning By-Law Amendment MTu Z09-2021

*Motion 259-2021*

*Moved by Jim Nelemans  
Seconded by Jamie McCallum*

*THAT leave be given to introduce By-Law # 58-2021, 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 16<sup>th</sup> day of November 2021.*

*Carried.*

6.1.16 Effect of public and agency comments on the decision of Council – MTu Z09-2021

*Motion 260-2021*

*Moved by Jamie McCallum  
Seconded by Kevin Freiburger*

*That with regard to Council's decision on application MTu Z09-2021, no formal public comments were received on this application so there was no effect on the decision, and agency comments were received in support of the application, the effect of which resulted in a decision to approve the application.*

*Carried*

6.1.17 Consideration of Zoning By-Law Amendment MTu Z08-2021

*Motion 261-2021*

*Moved by Sharen Zinn  
Seconded by Jim Nelemans*

*THAT leave be given to introduce By-Law # 57-2021, 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 16<sup>th</sup> day of November 2021.*

*Carried.*

6.1.18 Effect of public and agency comments on the decision of Council – MTu Z08-2021

*Motion 262-2021*

*Moved by Kevin Freiburger  
Seconded by Jim Nelemans*

*That with regard to Council's decision on application MTu Z08-2021, no formal public comments were received on this application so there was no effect on the decision, and agency comments were received in support of the application, the effect of which resulted in a decision to approve the application.*

*Carried.*

**7.0 STAFF REPORTS**

**7.1 BY- LAW ENFORCEMENT**

**7.1.1 By-Law Enforcement Activities – September and October 2021**

A report was presented by CBO/By-Law Enforcement Officer Kirk Livingston regarding by-law enforcement activities for September and October.

Council asked questions about the issue of the transport truck parking in Bluevale and Mr. Livingston provided an overview of the process followed.

**7.2 BUILDING**

**7.2.1 Building Department Activities – September and October 2021**

A report was presented by CBO/By-Law Enforcement Officer Kirk Livingston regarding building department activities for September and October.

Deputy Mayor Zinn thanked Mr. Livingston for all the work he's done this year, and commented that it was good to see the growth.

Councillor Nelemans asked if the prices for building materials are coming down. Mr. Livingston explained that they are but there are long wait times for some items like windows and doors.

## 8.0 **BUSINESS**

### 8.1 Disposal of Building Department Vehicle

A report was presented by CBO/By-Law Enforcement Officer Kirk Livingston regarding the disposal of the 2009 Chevrolet Cobalt that is surplus to the department's needs.

*Motion 263-2021*

*Moved by Sharen Zinn  
Seconded by Jamie McCallum*

*THAT the Council of the Municipality of Morris-Turnberry hereby authorizes the Chief Building Official to dispose of the surplus 2009 Chevrolet Cobalt through a listing on GovDeals.ca.*

*Carried.*

### 8.2 Brussels, Morris and Grey Community Centre renovation financing agreement

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

Deputy Mayor Zinn asked if the agreement could be negotiated at three years rather than five, and if was the option of paying the amounts in full earlier than scheduled was with Huron East. Mr. Hallam explained that the direction of Council to staff was to seek a five year agreement, and that early payment was not discussed.

*Motion 265-2021*

*Moved by Sharen Zinn  
Second by -*

*That consideration of the agreement with Huron East be deferred.*

*Failed.*

Councillor Nelemans noted that Council had asked for a five-year agreement, which has been presented. He also stated that since Infrastructure Ontario Loans cannot be paid off early, he assumed the same would apply here.

*Motion 265-2021*

*Moved by Kevin Freiburger  
Seconded by Jamie McCallum*

*THAT leave be given to introduce By-Law # 60-2021, being a by-law to authorize the Mayor and Clerk to execute and affix the Corporate Seal to a financing agreement between the Municipality of Morris-Turnberry and the Municipality of Huron East, and that it now be read severally a first, second, and third time, and finally passed this 16<sup>th</sup> day of November 2021.*

*Carried.*

## 9.0 **COUNCIL REPORTS**

Sharen Zinn

No report.

Jamie McCallum

Did not attend a Coalition for Huron Injury Prevention Meeting on November 10<sup>th</sup> due to the special meeting of Council.

Jim Nelemans

November 9<sup>th</sup> attended a meeting of the Belmore Arena Board. He noted that there will be no ice in the arena but there will be on the curling surface.

Kevin Freiburger

No report. Councillor Freiburger noted that on November 11<sup>th</sup> there will be a Maitland Valley Conservation Authority meeting regarding restructuring and mandatory services. He asked if Council would be interested in receiving a presentation on services and the possibility of discretionary services. Council was supportive of receiving such a presentation.

Jamie Heffer

No Report. Will be attending the Remembrance Day Ceremony in Wingham on November 11<sup>th</sup>.

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

- 10.1 Minutes – Huron Perth Public Health – November 5
- 10.2 Media Release – New Living Wage – United Way Perth-Huron
- 10.3 Media Release – Out of the Cold Program – Huron County
- 10.4 Media Release – New Director of Economic Development – Huron County
- 10.5 Activity Report – July to September 2021 – North Huron Fire Department
- 10.6 Activity Report – Northern Huron Community Committee
- 10.7 Resolution – Vaccine Passport System – City of Kitchener
- 10.8 Resolution – Property Assessment – Mattice - Val Côté
- 10.9 Correspondence – BMG Renovation – Joe Seili
- 10.10 Correspondence – BMG Renovation – Allan Webster
- 10.11 Outstanding Action Items

Councillor McCallum noted that he supported most of the resolution from the City of Kitchener, with the exception of thanking the Provincial Government for implementing a vaccine passport system.

*Motion 266-2021*

*Moved by Jamie McCallum  
Seconded by Kevin Freiburger*

*WHEREAS the Covid-19 pandemic has been both a health crisis and an economic crisis; and,*

*WHEREAS lockdown and physical distancing measures have caused significant hardship to businesses, particularly those dependent on in-person delivery or experience (ex: retail, restaurant, hospitality, personal service, etc.); and,*

*WHEREAS vaccinations have proven to be an effective means of keeping Ontarians safe and can enable businesses to safely remain open without compromising the health of their customers and employees; and,*

*WHEREAS the Economic Development Advisory Committee of the City of Kitchener expressed concerns about financial supports for businesses and the City's ability to support, maintain and grow the economy;*

*THEREFORE BE IT RESOLVED that the Council of the Municipality of Morris Turnberry urge the Province to provide financial supports for businesses to cover capital and human resource costs necessary to execute the program; and,*

*Defeated.*

*Motion 267-2021*

*Moved by Jamie McCallum  
Seconded by Jim Nelemans*

*That the Council of the Municipality of Morris-Turnberry hereby receives the correspondence regarding the Brussels, Morris, and Grey Recreation Centre from Joe Seili and Allan Webster.*

*Carried.*

**11.0 NEW BUSINESS**

None.

**12.0 BY-LAWS AND AGREEMENTS**

**12.1 Fees and Charges**

At the November 2<sup>nd</sup> meeting, Council directed staff to return an updated fees and charges by-law to a future meeting. By-Law 59-2021 was presented for consideration.

*Motion 268-2021*

*Moved by Jim Nelemans  
Seconded by Sharen Zinn*

*THAT leave be given to introduce By-Law # 59-2021, being a by-law to establish fees, rates and charges for the Municipality of Morris-Turnberry, and that it now be read severally a first, second, and third time, and finally passed this 16<sup>th</sup> day of November 2021.*

*Carried.*

**13.0 CLOSED SESSION**

**13.1 Enter closed session.**

*Motion 269-2021*

*Moved by Sharen Zinn  
Seconded by Kevin Freiburger*

*THAT the Council of the Municipality of Morris-Turnberry enter a closed session, with the CAO/Clerk remaining in attendance at 8:35 p.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 and identifiable individual.*
- 2. Section 239 (2) (c) regarding a proposed or pending acquisition or disposition of land by the municipality*

**13.2 Return to open session.**

*Motion 270-2021*

*Moved by Jim Nelemans  
Seconded by Kevin Freiburger*

*THAT the Council of the Municipality of Morris-Turnberry rise from a closed session at 9:25 p.m.*

**13.3 Report and Action from Closed Session.**

Council discussed items concerning identifiable individuals including pay reports, staff performance reviews and a proposed contract with an individual for by-law enforcement services and one matter regarding a proposed or pending acquisition of land by the municipality related to a road allowance correction.



**14.0 CONFIRMING BY-LAW**

*Motion 271-2021*

*Moved by Kevin Freiburger  
Seconded by Jamie McCallum*

*THAT leave be given to introduce By-Law # 61-2021, being a by-law to confirm the proceedings of the Municipality of Morris-Turnberry meeting of Council held on November 16<sup>th</sup>, 2021, and that it now be read severally a first, second, and third time, and finally passed this 16<sup>th</sup> day of November 2021.*

*Carried.*

**15.0 ADJOURNMENT**

*Motion 272-2021*

*Moved by Kevin Freiburger  
Seconded by Jim Nelemans*

*THAT the Council of the Municipality of Morris-Turnberry does now adjourn at 9:26 pm.*

*Carried.*

**NEXT MEETINGS:**

Regular Meeting of Council - Tuesday, December 7<sup>th</sup>, 2021, 7:30 pm  
Regular Meeting of Council - Tuesday, December 21<sup>st</sup>, 2021, 7:30 pm

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Mayor, Jamie Heffer

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Clerk, Trevor Hallam