



MUNICIPALITY OF MORRIS-TURNBERRY

COUNCIL MINUTES

Tuesday, December 6th, 2022, 7:30 pm

The Council of the Municipality of Morris-Turnberry met in Council Chambers in regular session on the 6th day of December 2022, at 7:30 pm.

Council in Attendance

Mayor Jamie Heffer
Deputy Mayor Kevin Freiburger
Sharen Zinn
Jodi Snell
Jamie McCallum

Staff in Attendance

Trevor Hallam CAO/Clerk
Meghan Tydd-Hrynyk Planner, Huron County
Denise Van Amersfoort Planning Manager, Huron County

Others in Attendance

Joe Reinhardt Applicant, C79-2022/MTu Z03-2022
Mike Wilson Wingham Advanced 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.

2.0 ADOPTION OF AGENDA

Motion 264-2022

*Moved by Kevin Freiburger
Seconded by Jodi Snell*

THAT the Council of the Municipality of Morris-Turnberry hereby adopts the agenda for the meeting of December 6th, 2022, as circulated.

Carried.

3.0 DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST

None declared.

4.0 MINUTES

Councillor Zinn noted a correction to 10.1, where she was noted as having both moved and seconded a motion.

Motion 265-2022

*Moved by Jamie McCallum
Seconded by Sharen Zinn*

THAT the Council of the Municipality of Morris-Turnberry hereby adopts the November 15th, 2022, Council Meeting Minutes as amended.

Carried.

5.0 ACCOUNTS

Regarding the Huron Perth Separate School Levy, Councillor McCallum asked how many French language immersion students resided in Morris-Turnberry. Mr. Hallam stated that he did not have that information available.

Motion 266-2022

*Moved by Sharen Zinn
Seconded by Jodi Snell*

THAT the Council of the Municipality of Morris-Turnberry hereby approves for payment the December 6th accounts in the amount of \$1,148,749.19.

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 Zinn raised a question about the effectiveness of limiting development to a single-family dwelling, as it could be built to a size that would have greater sewage flows than a fourplex. Ms. Tydd-Hrynyk explained that the calculations used are based on a typical single dwelling and a typical four plex. Councillor Zinn was supportive of recommending approval of the severance with no conditions.

Motion 267-2022

*Moved by Sharen Zinn
Seconded by Jamie McCallum*

THAT the Council of the Municipality of Morris-Turnberry hereby recommends that severance application C79/22 be approved.

Defeated.

Councillor Snell asked for clarification regarding the zoning. Mr. Hallam explained the VR1-Special zone that was being proposed, and the effect of the zoning by-law amendment application that followed on the agenda.

Councillor Freiburger spoke in favour of recommending approval of the severance with the condition for the special zone, stating that having recently retaken the training from the Walkerton Clean Water Centre regarding the responsibility of Council to care for drinking water, and the nitrate study stating that the applicant's proposal won't do that, he can't be in support of it.

Motion 268-2022

*Moved by Kevin Freiburger
Seconded by Jamie Heffer*

THAT the Council of the Municipality of Morris-Turnberry hereby recommends that severance application C79/22 be approved with the condition that both the retained and severed parcel be zoned VR1-Special to only permit a single detached dwelling.

Carried.

Councillor Zinn expressed frustration with following the recommendation of the planning department. Mayor Heffer stated that Council has a responsibility to follow good planning, and that it was the applicant's own study that provided the limitations that are being followed. Councillor Zinn noted that she felt that the regulations would likely be changed and that the applicant's proposal should be approved.

Councillor McCallum asked if Bill 23 would have any effect on this proposal. Ms. Tydd-Hrynyk confirmed that it would not.

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 269-2022

*Moved by Kevin Freiburger
Seconded by Sharen Zinn*

*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 7:51 pm.

6.2.2 Declaration of Pecuniary Interest

None.

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

We have provided Council 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

The purpose of the proposed zoning by-law amendment is to amend the zoning on the proposed lot 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 retained lot would be changed 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 “Severed” would remain Residential – Low Density (VR1). The subject property is approximately 1.7 acres with the retained property being approximately 0.84 acres and the severed portion being approximately 0.80 acres.

6.2.6 Application Process

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

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

A public meeting was held on October 4th 2022, at which Council deferred a decision on the application to allow time for the applicant and Planner to discuss an alternate proposal for two lots. The proposal was adjusted to what is presented here. Notice of the revised application was required due to the extent of the changes from the original

proposal and was issued to agencies and all property owners within 120m of the property on November 15th.

6.2.7 Comments

1. Planner's Report

Ms. Tydd-Hrynyk presented her report.

2. Council's Questions and/or Comments

Councillor Zinn asked for clarification as to whether Council could approve the application because of the decision regarding the severance application considered earlier.

Mayor Heffer noted that Council had made a decision regarding a special VR1 zone as a condition of the severance. However, there is still a statutory requirement to consider this application and issue a decision.

3. Applicant and/or Agent

Mr. Reinhard expressed frustration, noting that as the builder he could build a house with more bedrooms than the fourplex. This being the case, he believed the nitrate study and the restrictions that were informed by it don't make sense.

4. Others

None.

6.2.8 Recommendation of the Huron County Planner

It is recommended that zoning by-law amendment application Z03-2022 be **denied**.

6.2.9 Close public meeting

Motion 270-2022

*Moved by Jamie McCallum
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.

6.2.10 Consideration of Zoning By-Law Amendment MTu Z03-2022

Motion 271-2022

*Moved by Kevin Freiburger
Seconded by Jodi Snell*

THAT the Council of the Municipality of Morris-Turnberry hereby refuses application MTu Z03-2022 to amend Morris-Turnberry Zoning By-law 45-2014 based on being inconsistent with the Provincial Policy Statement, not conforming with the Huron County or Morris-Turnberry Official Plans, and not representing good planning, as detailed in the Planner's report.

Carried.

6.2.11 Effect of Public and Agency Comments

Public comments were received on the issues of compatibility with neighbouring land uses. Comments were thoroughly considered but did not influence the decision of Council to deny the application. Agency comments were received on the issues of compliance with the maximum allowable nitrate levels under the Provincial Guideline D-5-4 "Technical Guideline for Individual On-Site Sewage Systems", the protection of a significant groundwater recharge area, not having regard to all matters of provincial interest, and not conforming with the Morris-Turnberry and Huron County official plans, the effect of which influenced the decision of Council to deny the application.

7.0 **STAFF REPORTS**

7.1 PLANNING DEPARTMENT

7.1.1 Bill 23 – More Homes Built Faster – Planning Changes

A was presented by Ms. Tydd-Hrynyk in this regard for the information of Council.

8.0 **BUSINESS**

8.1 PLANNING ORIENTATION

A presentation was provided by Ms. Tydd-Hrynyk in this regard.

Mayor Heffer asked about the planner's role and coming to independent decisions recommendations, and whether planners have a chance to access other opinions and expertise before a file is brought to the Council table. Ms. Tydd-Hrynyk confirmed that planners do consult other planners and work as a team to share expertise.

8.2 GENERAL UPDATE TO ZONING AND OFFICIAL PLAN

A public meeting was held on November 1st 2022 with regard to these applications. Ms. Tydd-Hrynyk presented a report describing changes made following the meeting.

Councillor Snell asked if allowing an Additional Residential Unit in a VR1 zone is consistent with the decision Council made on the severance and zoning at the beginning of the meeting. Ms. Tydd-Hrynyk confirmed that it is, as the proposed change would require either a rezoning, or for the parcel to be over 2 acres in size.

8.2.1 Consideration of Official Plan Amendment MTu OPA-11.

Motion 272-2022

*Moved by Kevin Freiburger
Seconded by Jodi Snell*

THAT leave be given to introduce By-Law # 49-2022, being a by-law to amend the Official Plan of the Municipality of Morris-Turnberry, as amended, and that it now be read severally a first, second, and third time, and finally passed this 6th day of December 2022.

Carried.

8.2.2 Effect of public and agency comments on the decision of Council

Public and Agency comments were received in support of the application, the effect of which resulted in a decision to approve the application.

8.2.3 Consideration of Zoning By-Law Amendment MTu Z04-2022

Motion 273-2022

*Moved by Jodi Snell
Seconded by Jamie McCallum*

WHEREAS Council of the Corporation of the Municipality of Morris-Turnberry has held a Public Meeting pursuant to Section 34(12) of the Planning Act, RSO 1990 with respect to a proposed general update to the Morris-Turnberry zoning by-law;

AND WHEREAS certain changes have been made to the proposed by-law after the holding of the public meeting;

NOW, THEREFORE, the Council of the Corporation of the Municipality of Morris-Turnberry hereby resolves that, pursuant to Section 34(17) of the Planning Act, RSO 1990, no further notice is to be given in respect of the proposed by-law.

Carried.

Motion 274-2022

*Moved by Kevin Freiburger
Seconded by Jamie McCallum*

THAT leave be given to introduce By-Law # 48-2022, being a by-law to amend by-law 45-2014 of the Municipality of Morris-Turnberry, and that it now be read severally a first, second, and third time, and finally passed this 6th day December 2022.

Carried.

8.2.4 Effect of Public and Agency Comments on the decision of Council

Public and Agency comments were received in support of the application, the effect of which resulted in a decision to approve the application.

8.3 PIONEER PARK AGREEMENT

A prepared by Deputy Clerk Kim Johnston in this regard was presented by Mr. Hallam.

Motion 275-2022

*Moved by Jamie McCallum
Seconded by Sharen Zinn*

THAT The Council of the Municipality of Morris-Turnberry directs staff to return a by-law authorizing the execution of an agreement between the Municipality and the Maitland Valley Conservation Authority for the sue of the Pioneer Park Conservation Area to the next meeting of Council.

Carried.

8.4 COMMITTEE AND LOCAL BOARD APPOINTMENTS

A report was presented by Mr. Hallam in this regard.

Councillor McCallum noted that Darren Tanner is recently deceased and should be removed from the Bluevale Community Committee appointments.

Motion 276-2022

*Moved by Sharen Zinn
Seconded by Jamie McCallum*

THAT leave be given to introduce By-Law # 53-2022, being a by-law to appoint officials, members of committees and boards, and other such persons as are required, and that it now be read severally a first, second, and third time, and finally passed this 6th day December 2022.

Carried.

Motion 277-2022

*Moved by Jamie McCallum
Seconded by Jodi Snell*

THAT the Council of the Municipality of Morris-Turnberry hereby supports the reappointment of North Huron Reeve Paul Heffer to sit as the representative for the Central Group on the Ausable Bayfield Source Protection Committee.

Carried.

Motion 278-2022

*Moved by Sharen Zinn
Seconded by Kevin Freiburger*

THAT the Council of the Municipality of Morris-Turnberry hereby supports the reappointment of South Bruce Councillor Mike Niesen to the Saugeen Valley Conservation Authority Board.

Carried.

8.5 COUNCIL MEETING DATES 2023

A report was presented by Mr. Hallam.

Councillor Zinn stated she was open to holding meetings over Zoom but could not accommodate any daytime meetings.

Councillor Snell stated she is not in favour of Zoom meetings and understood the benefits of holding a meeting during the day.

Mayor Heffer stated that he would consider Zoom meetings when there are no deputations or matters that benefit from being in person scheduled on the agenda.

Councillor Freiburger noted that there was some benefit in Zoom meetings for people to join remotely just for an item they're interested in and not have to travel or stay for the full meeting.

There was a consensus of Council that there would be no change to the time or place of meetings, but that the Clerk and the Mayor could together decide if an upcoming meeting would be suitable as an electronic meeting and call the meeting as such.

There was also a consensus of Council that it would not be favourable to hold a Zoom meeting in April to accommodate the Councillors who will be at the Ontario Good Roads conference, and that an alternative date should be returned to the next meeting for approval.

Motion 279-2022

*Moved by Sharen Zinn
Seconded by Jamie McCallum*

THAT the Council of the Municipality of Morris-Turnberry hereby directs staff to return a report on adding the R2R conference as an option for council to attend in addition to the one conference a year already allotted and the implications thereof.

Carried.

8.6 HOLIDAY OFFICE CLOSURE

Staff recommended that Council consider reduced office hours over the holiday season, closing the office from Wednesday December 28th and reopening at 8:30 am on Tuesday January 3rd.

Motion 280-2022

*Moved by Jamie McCallum
Seconded by Sharen Zinn*

THAT The Council of the Municipality of Morris-Turnberry directs staff to close the Municipal office to the public from Wednesday December 28th, to reopen at 8:30 am on Tuesday January 3rd.

Carried.

8.7 OFFICE HOUR STANDARDIZATION

A report was presented by CAO/Clerk Trevor Hallam.

Motion 281-2022

*Moved by Sharen Zinn
Seconded by Jodi Snell*

THAT the Council of the Municipality of Morris-Turnberry hereby approves the recommended hours of operation for the Municipal Office of 8:30 am to 4:30 pm year-round effective immediately.

Carried.

9.0 COUNCIL REPORTS

Kevin Freiburger

Attended a meeting of the Maitland Valley Conservation Authority Board on November 30th

Attended a virtual accessibility tour of the Goderich Boardwalk hosted by the Accessibility Committee on November 17th.

Jamie McCallum

Was unable to attend the Walkerton Clean Water Centre training, he has rescheduled it for December 7th.

Jodi Snell

Attended the Walkerton Clean Water Clean training on November 23rd.

Sharen Zinn

Attended the Walkerton Clean Water Clean training on November 23rd.

Jamie Heffer

Attended the Walkerton Clean Water Clean training on November 23rd.
Attended the staff Christmas party on November 27th.

10.0 CORRESPONDENCE, MINUTES, ITEMS FOR INFORMATION

- 10.1 Media Release – Affordable Housing – Huron County
- 10.2 Media Release – EV Charging Stations – Huron County
- 10.3 Media Release – Glen McNeil re-elected as Warden – Huron County
- 10.4 Correspondence – Ontario Municipal Partnership Fund Funding 2023
- 10.5 Correspondence – Huron County Council, Board and Committee Schedule
- 10.6 Correspondence – Response to Bill 23 – Maitland Valley Conservation Authority
- 10.7 Correspondence – Congratulations to Council – Enbridge Gas
- 10.8 Board Meeting Highlights – Avon Maitland District School Board – November 15
- 10.9 Board Meeting Highlights – Avon Maitland District School Board – November 29
- 10.10 Monthly Report – Belgrave Water – October 2022
- 10.11 Resolution – VIA Rail Service – City of Stratford
- 10.12 Outstanding Action Items

11.0 NEW BUSINESS

None.

12.0 BY-LAWS AND AGREEMENTS

12.1 DEVELOPMENT AGREEMENT

As a condition of severance C53-2021, the applicant was required to enter into a Development Agreement with the Municipality to ensure that the recommendations from the Environmental Impact Study and the County Biologist are implemented. The agreement was drafted and presented under by-law 55-2022 for consideration.

Motion 282-2022

*Moved by Sharen Zinn
Seconded by Kevin Freiburger*

THAT leave be given to introduce By-Law # 54-2022, being a by-law to authorize the execution of a development agreement between the Municipality and Willem Bakker Properties Ltd., and that it now be read severally a first, second, and third time, and finally passed this 6th day of December 2022.

Carried.

13.0 CLOSED SESSION

13.1 Enter closed session

Motion 283-2022

*Moved by Kevin Freiburger
Seconded by Jamie McCallum*

THAT the Council of the Municipality of Morris-Turnberry enter a closed session at 9:37 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) (D) regarding employee negotiations*
- 2. Section 239 (2) (K) regarding negotiations to be carried on by the Municipality.*

Carried.

13.2 Return to open session

Motion 284-2022

*Moved by Jamie McCallum
Seconded by Jodi Snell*

THAT the Council of the Municipality of Morris-Turnberry rise from a closed session at 10:51 p.m.

Carried.

13.3 Report and Action from Closed Session.

Council reviewed employee pay reports, considered options for an employee cost-of-living increase for 2023, received a report regarding staff performance reviews and discussed cross border negotiations.

During the closed session, a motion to extend the meeting past 10:30 p.m. was passed.

Motion 285-2022

*Moved by Jodi Snell
Seconded by Sharen Zinn*

THAT the Council of the Municipality of Morris-Turnberry hereby directs staff to undertake a review of the 2.5% cost-of-living adjustment cap prescribed by the Morris-Turnberry personnel policy and provide a report with findings and recommendations.

Carried.

14.0 CONFIRMING BY-LAW

Motion 286-2022

*Moved by Sharen Zinn
Seconded by Jamie McCallum*

THAT leave be given to introduce By-Law # 55-2022, being a by-law to confirm the proceedings of the Municipality of Morris-Turnberry meeting of Council held on December 6th, 2022, and that it now be read severally a first, second, and third time, and finally passed this 6th day of December 2022.

Carried.

15.0 ADJOURNMENT

Motion 287-2022

*Moved by Jamie McCallum
Seconded by Jodi Snell*

THAT the Council of the Municipality of Morris-Turnberry does now adjourn at 10:52 pm.

Carried.

NEXT MEETINGS:

Regular Meeting of Council – Tuesday, December 20th, 2022, 7:30 pm
Regular Meeting of Council – Tuesday, January 17th, 2022, 7:30 pm

Mayor, Jamie Heffer

Clerk, Trevor Hallam