Minutes of the Meeting

1) **Call to order:** The meeting was called to order by Mayor Paul Gowing at 7:30 pm with all members in attendance.

**Council in Attendance:**
Paul Gowing  
Jamie Heffer  
Dorothy Kelly  
Jim Nelemans  
John Smuck  
Sharen Zinn

**Staff in Attendance:**
Nancy Michie  Administrator Clerk –Treasurer  
Kirk Livingston  Chief Building Official  
Jenn Burns  County Planner  
Robert Trick  Animal Control Officer  
Kim Johnston  Recording Secretary

**Others in Attendance:**
1. Colin Burrowes  Wingham Advance Times  
2. Denny Scott  North Huron Citizen  
3. Nelson Underwood  Property Owner  
4. Tammy Kennedy  Interested Party  
5. Steve Kennedy  Property Owner  
6. Wes Graham  Interested Party  
7. Bill Graham  Interested Party  
8. Sonya Graham  Interested Party  
9. Shelby Ross  Interested Party  
10. John Swartzentruber  Property Owner  
11. Lisa Baker  Property Owner  
12. Sheena Baker  Interested Party  
13. Murray Pepper  Property Owner
2) **Agenda:**

**Adoption of Agenda:**

**Motion:** 101-2018  Moved by Jim Nelemans  Seconded by Dorothy Kelly

“That the agenda for the meeting of March 6th, 2018 be adopted as circulated.”

Disposition  Carried

Paul Gowing and John Smuck wished to add an item to Closed session.

3) **Declaration of Pecuniary Interest:**

No member declared a pecuniary interest, at this time.

4) **Minutes:**

**Motion:** 102-2018  Moved by Sharen Zinn  Seconded by Dorothy Kelly

“That the minutes of the February 20th, 2018 Council Meetings, be adopted as circulated.”

Disposition  Carried

5) **Business from the Minutes**

There was no business from the minutes to be discussed.

6) **Accounts**

6.1 **Account List:**

**Motion:** 103-2018  Moved by Jim Nelemans  Seconded by John Smuck

“That the 2018 Accounts dated March 6th, 2018 be approved for payment in the amount of $192,260.43.”

Disposition  Carried

6.2 **Pay Report**

**Motion:** 104-2018  Moved by Sharen Zinn  Seconded by Dorothy Kelly

“That the Council of the Municipality of Morris-Turnberry accept the pay reports, dated February 21st, 2018.”

Disposition  Carried

7) **Planning Matters:**

Jennifer Burns – Huron County Planner

7.1 **Consent Applications:** 7:35pm

7.1.1 **Consent Application for** - Part Lot 39 & 40, Concession 1, Turnberry

Jennifer Burns – Huron County Planner was in attendance
Nelson Underwood was in attendance.

The Planning report was presented and reviewed.

Murray Pepper arrived at the meeting at 7:38pm
Motion: 105-2018   Moved by Dorothy Kelly   Seconded by Jim Nelemans
“That the Council of the Municipality of Morris-Turnberry recommend consent for File # B03/18 with the conditions as noted on the planning report.”
Disposition   Carried

Nelson Underwood, Wes Graham, Bill Graham, Sonya Graham, Shelby Ross left the meeting at 7:40pm

7.2 Committee of Adjustment:   Minor Variance   7:40 pm
Jennifer Burns – Huron County Planner was in attendance

7.2.1 Motion to enter into a Committee of Adjustment Meeting
Motion: 106-2018   Moved by Dorothy Kelly   Seconded by Jamie Heffer
“That the Council enter into a Committee of Adjustment meeting, to consider two minor variance applications.”
Disposition   Carried

7.2.2 Committee of Adjustment Meeting

7.2.2.1 Applicant-   Stephen Kennedy was in attendance.
Owner -  2301722 Ontario Ltd
Subject Lands:  125 Maitland Street, Wingham, ON, Reg. Plan 410, Lot 84 Pt Queen Street, between Augusta Street and James Street and RP 22R5477 Part 4, Turnberry

1. Call to order - The meeting was called to order by Mayor Paul Gowing at 7:40 pm

2. Purpose of the Public Meeting –   was stated by Paul Gowing

PURPOSE AND EFFECT:
This application proposes to allow the construction of a detached garage larger than permitted in a VR 1 zone.

Consideration:  The Committee must consider the variance under the following aspects:

1. Is the variance minor?
2. Will the application maintain the appropriate development of the lands?
3. Will the application maintain the general intent of the Morris-Turnberry Zoning By-law 45-2014?
4. Will the application maintain the general intent of the Municipality of Morris-Turnberry Official Plan?
3. **County Planning Department** – Report by Jenn Burns
   
   The Planning report was presented and reviewed.

   Jennifer Burns presented the planning report. The planning report dated March 6, 2018 recommends approval of the application subject to the following conditions:
   1. The garage be built within 18 months of the date of approval of the Minor Variance.
   2. The garage be built in the exact footprint of the site plan provided.
   3. That the 30’x40’ garage be built no further than 12m from the rear lot line and no further than 6 m from the west lot line.
   4. Prior to construction of the garage a permit must be obtained from MVCA.

4. **Comments Received** – Nancy Michie
   
   Comments were received by MVCA, as noted in the planning report.

5. **Applicants comments** – There were no comments from the applicant.

6. **Public comments** – There were no comments from the public.

7. **Council comments and questions** – Jim Nelemans said the minor variance was straight forward.

8. **Explanation of the Process following the Public Meeting by Mayor Gowing**
   
   If a decision is made, the Secretary is required to send Notice of Decision, to the applicant and any person who appeared in person or by council at the hearing. There is a 20 day appeal period from the time Notice of Decision has been made, wherein submissions/letters of objections or support in respect to the decision, will be received by the Secretary.

9. **Adjournment:**
   
   **Motion:** 107-2018 Moved by Sharen Zinn Seconded by Dorothy Kelly
   “That the meeting be adjourned and re-enter regular session of council.”
   Disposition Carried

   7.2.3 **Decision:**
   
   **Motion:** 108-2018 Moved by Jamie Heffer Seconded by Sharen Zinn
   “That the Committee of Adjustment of the Municipality of Morris-Turnberry hereby grants approval for the request to the minor variance for: 125 Maitland Street, Wingham, ON, Reg. Plan 410, Lot 84 Pt Queen Street, between Augusta Street and James Street and RP 22R5477 Part 4, Turnberry, Municipality of Morris-Turnberry with Conditions in the planning report:

   **Conditions:**
   
   As set out in the Planning Report-
   1. The garage be built within 18 months of the date of approval of the Minor Variance.
   2. The garage be built in the exact footprint of the site plan provided.
   3. That the 30’x40’ garage be built no further than 12m from the rear lot line and no further than 6 m from the west lot line.
   4. Prior to construction of the garage a permit must be obtained from MVCA.
Reason for Decision:
The Committee considered 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 and that the Committee has reviewed and is satisfied with the Huron County Planning staff report, dated March 6, 2018.”

Disposition Carried

Tammy and Steve Kennedy left the meeting at 7:50pm

7.2.4 Applicant- Canadian Crane Rentals
Owner - Sheldon and Lisa Baker
Subject Lands: 160 Potter Street, Wingham, Reg. Plan 410, All of the Lot 301 and 279 and Part of Lots 280, 281 & 282, All of Lane between Lots 282 and 301, Part of Closed Augusta Street, Part of Closed Patrick Street, All of Lots 42, and 43 Reg. Plan 427, Turnberry
Lisa Baker and Sheena Baker were in attendance.

1. Call to order - The meeting was called to order by Mayor Paul Gowing at 7:50 pm

2. Purpose of the Public Meeting – was stated by Paul Gowing

PURPOSE AND EFFECT:
This application proposes to required front yard and the exterior side yard setbacks to allow for construction of a proposed shop for the Canadian Crane Rental company.

Consideration: The Committee must consider the variance under the following aspects:

1. Is the variance minor?
2. Will the application maintain the appropriate development of the lands?
3. Will the application maintain the general intent of the Morris-Turnberry Zoning By-law 45-2014?
4. Will the application maintain the general intent of the Municipality of Morris-Turnberry Official Plan?

3. County Planning Department – Report by Jenn Burns
Jennifer Burns presented the planning report. The planning report dated March 2, 2018 recommends approval of the application subject to the following conditions:
1. That construction commence within 36 months of the Committee’s decision.
2. The proposed shed be built in the exact footprint of the site plan provided.

4. Comments Received – Nancy Michie
Comments were received by MVCA, as noted in the planning report.

5. Applicants comments –
Sheena Baker explained the setbacks due to Hydro lines restrictions with the size of their equipment.
6. **Public comments** – There were no comments from the public.

7. **Council comments and questions** –
   Sharen Zinn said there is no problems and to move forward.
   John Smuck questioned closing the road to solve issues.
   The road cannot be closed due to a house on the corner.

8. **Explanation of the Process following the Public Meeting by Mayor Gowing**
   If a decision is made, the Secretary is required to send Notice of Decision, to the applicant and any person who appeared in person or by council at the hearing. There is a 20 day appeal period from the time Notice of Decision has been made, wherein submissions/letters of objections or support in respect to the decision, will be received by the Secretary.

9. **Adjournment:**
   **Motion:** 109-2018
   Moved by Dorothy Kelly  Seconded by Sharen Zinn
   “That the meeting be adjourned and re-enter regular session of council.”
   Disposition  Carried

   7:55pm

**7.2.4.1 Decision:**

**Motion:** 110-2018
Moved by Sharen Zinn  Seconded by Dorothy Kelly
“That the Committee of Adjustment of the Municipality of Morris-Turnberry hereby grants approval for the request to the minor variance for 160 Potter Street, Wingham, Reg. Plan 410, All of the Lot 301 and 279 and Part of Lots 280, 281 & 282, All of Lane between Lots 282 and 301, Part of Closed Augusta Street, Part of Closed Patrick Street, All of Lots 42, and 43 Reg. Plan 427, Turnberry; Municipality of Morris-Turnberry with the conditions in the planning report

**Condition:**
As set out in the Planning Report-
1. That construction commence within 36 months of the Committee’s decision.
2. The proposed shed be built in the exact footprint of the site plan provided.

**Reason for Decision:**
The Committee considered 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 and that the Committee has reviewed and is satisfied with the Huron County Planning staff report, dated March 2, 2018.”

Disposition  Carried

7:56pm

**7.5 Adjournment:**

**Motion:** 111-2018
Moved by Jim Nelemans  Seconded by Dorothy Kelly
“That the Committee of Adjustment meeting be adjourned and re-enter regular session of council.”

Disposition  Carried
7.6 Site Plan Agreement – Applicant –Sheldon David Baker and Lisa Hendrikje Baker- Canadian Crane Rentals

Motion: 112-2018 Moved by Jamie Heffer Seconded by Sharen Zinn

“That By-Law No. 17-2018 be adopted as given first, second, third and final readings being a by-law to approve the Site Plan Agreement for Sheldon David Baker and Lisa Hendrikje Baker for Reg. Plan 410, All of the Lot 301 and 279 and part of Lots 280, 281 & 282, All of Lane between Lots 282 and 301, Part of Closed Augusta Street, part of Closed Patrick Street, All of Lots 42, and 43 Reg. Plan 427, Turnberry, in the Municipality of Morris-Turnberry.”

Disposition Carried

7.7 Noise Complaint

Motion: 113-2018 Moved by Sharen Zinn Seconded by Dorothy Kelly

“That the Council of the Municipality of Morris-Turnberry receive the report in conjunction with the complaint from a neighbor of Canadian Crane Rentals, which was submitted November 17, 2017, requesting that Noise By-law be put in place for noise on Saturdays and Sundays; and that the Council of the Municipality of Morris-Turnberry direct staff to send a letter to the complainant and advise that the Baker's are trying to control the noise for the neighbours and should there be additional concerns to notify the municipality for further review.”

Disposition Carried

7.8 Request to Waive Stormwater Management Policy

Motion: 114-2018 Moved by Jamie Heffer Seconded by Dorothy Kelly

“That the Council of the Municipality of Morris-Turnberry hereby waive the provision of the Storm Water Management Policy, item No. 2.0, and that the Lot Grading and Drainage Plan be provided by the applicant, as approved by the Chief Building Official and the Drainage Superintendent, for 160 Potter Street, Turnberry, in the Municipality of Morris-Turnberry for the applicant Canadian Crane Rentals.”

Disposition Carried

Jenn Burns, Lisa Baker and Sheena Baker left the meeting at 8:02pm

Council took a short Break at 8:02pm and returned at 8:05pm

9) Business

9.1 2018 Interim Newsletter & Tax Stuffes

Motion: 115-2018 Moved by John Smuck Seconded by Sharen Zinn

“That the Council of the Municipality of Morris-Turnberry approve the 2018 Tax Stuffers.”

Disposition Carried

The 2018 Spring newsletter will be brought back to March 20th, 2018 Council meeting, for consideration.
9.2 Risk Management Regional Seminars
Paul Gowing will attend the Risk Management Regional Seminar on March 19, 2018 in Goderich.

9.3 News Clipping- Property rights activists challenge Huron tree-cutting by-law:
John Smuck asked that the Council give consideration to revoking the Forestry By-law at the County level and consider bringing it back to the lower tier level. He feels that it would be a fairer system.

Jim Nelemans said there would have to be a staff person with expertise hired to enforce the by-law.

At this time John Schwartzentruber was recording the meeting, with no prior approval and was asked by the Mayor to stop recording.

Sharen Zinn suggested asking the County to review the Forestry By-law.

John Smuck stated that Huron County is the only County with a fee for Notice of Intent.

Council members questioned:
- The local Councils are not familiar with the court cases.
- Have other municipalities questioned the County By-law.

Jamie Heffer- is not sure what to ask the County for, in conjunction with the By-law. Also mentioned a comment at the MPP forum that the Province pays $500.00 per acre for clearing marginal land.

Sharen Zinn- commented ‘The people should come to the Morris-Turnberry Council and give information on what they don’t agree with in the By-law, so that it can be presented at the County’.

Paul Gowing – The County is working under the same Tree Cutting By-law now as before. The Municipality is open for delegations.

Dorothy Kelly - stated ‘that the Warden should not of mentioned names in the article in regards to the court cases’.

John Schwartzentruber- wants a copy of the policy that prohibits recording at a council meeting. He also stated that the Elizabeth Marshall issue- in regards to authority, is a serious matter.

8) Procedural By-law 8:35 pm
Notice was given pursuant to By-law No. 79-2007, that the By-law would be given consideration on March 6, 2018.

Motion: 116-2018 Moved by Dorothy Kelly Seconded by Jim Nelemans
"That By-Law No. 19-2018 be adopted as given first, second, third and final readings, being a by-law to adopt the Procedural By-law 2018.”

Disposition Carried
9) Business - Cont’d

9.4 Building Better Communities and Conserving Watersheds Act, 2017
Changes to the Land use planning and appeal System
Council would like more information brought back-
1. Why are the two issues under Bill 139- Land Use planning and Conservation.
2. Information on the Local Planning Appeal Tribunal.

9.5 Resolution from SVCA – Provincial underfunding
Motion: 117-2018 Moved by Jim Nelemans Seconded by John Smuck
“That the Council of the Municipality of Morris-Turnberry support and endorse the letter to Increase base funding to the Ontario Conservation Authorities.”
Disposition Defeated

9.6 R J Burnside Client Night
Paul Gowing, Dorothy Kelly, Jim Nelemans, and Sharen Zinn will attend

9.7 Date for the Gregory Drain – Landowner Meeting
The Landowner Meeting for the Gregory Drain will be held on Tuesday March 27, 2018 at 7pm, at the Bluevale Community Hall.

10) By-Laws:

10.1 Shared Services Building Department Agreement
Motion: 118-2018 Moved by Dorothy Kelly Seconded by Sharen Zinn
“That By-Law No 16 -2018 be adopted as given first, second, third and final readings being a by-law to establish a Shared Services Building Department Agreement and to revoke and rescind Bylaw No. 38-2016, a “Two (2) Year Pilot Project for Shared Services Agreement” with the Township of North Huron.”
Disposition Carried

10.2 Authorize Easements with Hydro One Networks Inc
Motion: 119-2018 Moved by Jamie Heffer Seconded by Jim Nelemans
“That By-Law No 15 -2018 be adopted as given first, second, third and final readings being a by-law to authorize Easements with Hydro One Networks Inc.”
Disposition Carried
10.3 Provide for Interim Tax Levies for the year 2018

Motion: 120-2018  Moved by Dorothy Kelly  Seconded by Jim Nelemans

"That By-Law No 18-2018 be adopted as given first, second, third and final readings being a by-law to establish provide for Interim Tax Levies for the year 2018 for the Municipality of Morris-Turnberry."

Disposition  Carried

11) Council Reports:

Jamie Heffer:
He attended the Huron County Federation of Agriculture – MPP Forum/Debriefing. There were a few comments he wanted to mention to Council.
1. Ben Lobb’s comments on the Provincial issues with a $500.00 grant to remove trees in Northern Ontario land.
2. The Federal Government giving ½ Billion dollars to China for infrastructure, and
3. Lisa Thompson’s comment regarding the PC party giving $77 million back into OMFP funding.

Sharen Zinn:
No Report.

Jim Nelemans:
No Report.

Dorothy Kelly
She attended the BMG meeting on February 14th, 2018. They completed the Budget for 2018.
She attended a Physician Recruitment meeting; there are ongoing discussions at the meetings.

John Smuck
He attended the MPP Forum on February 23, 2018. The agriculture infrastructure in China – for milk and egg procession plants, he questioned. Jim Ginn spoke about the Heritage plan and that it will not affect farmers. John’s comment- then why implement it.

Paul Gowing stated that the Heritage plan is in the Provincial Policy statement.

Mayor Paul Gowing:
He attended the Ground breaking for Howick Mutual. It was a great moment for Morris-Turnberry and Howick Mutual.
He attended the Cowbell Brewery on February 22, 2018, as a thank you from Fabric Building International. Their new plant is beside the Britespan Building Systems. It was a great night and they are very thankful to the Council of the Municipality of Morris-Turnberry for their assistance on their project.
He attended Sustainable Huron on February 23, 2018. It was very interesting. Topics included immigrants coming to Huron County. Employers spoke as well as a young immigrant couple.
He attended OGRA from February 25–28, 2018. He attended a very good presentation on “What Council should not do to let down the community” Paul will try and get a copy of the presentation to give to Council.
He attended the Budget meeting on March 1, 2018. He feels that Council has done the best job they can.
12) **Items for Information**
   2. 2018 Federal Budget update

13) **Minutes**
No items to report

14) **Other Business:**
There was no other business to present.

15) **Additions to the agenda for the next meeting:**
   1. There was no other business to add to the agenda for the next or any following meeting.

**Break:** The Council took a short break at 9:02pm and returned at 9:15 pm.

John Swartzentuber, Colin Burrowes, Denny Scott, Murray Pepper and Kim Johnston left the meeting at 9:02pm.

16) **Closed Session: Confidential Report** -

   1. **Confidential Report in regards to an Employee Issue**- pursuant to Section 239 (2) (b) personal matters about an identifiable individual;
   2. **Confidential Report in regards to an Employee Issue**- pursuant to Section 239 (2) (b) personal matters about an identifiable individual;
   3. **Report in regards to the Sale of Property**- pursuant to Section 239 (2) (c) Proposed disposition of land by the municipality
   4. **Confidential Report in regards to a potential litigation**- pursuant to Section 239 (2) (e) Potential litigation added by Paul Gowing.
   5. **Confidential Report in regards to an Employee Issue**- pursuant to Section 239 (2) (b) personal matters about an identifiable individual; added by John Smuck

16.1 **Enter into Closed Session:**

Motion: 121-2018 Moved by Jim Nelemans Seconded by Dorothy Kelly
“That the Council adjourn the Public Session of Council and enter into a Closed to the Public Session for the following matters:

   1. **Confidential Report in regards to an Employee Issue**- pursuant to Section 239 (2) (b) personal matters about an identifiable individual;
   2. **Confidential Report in regards to an Employee Issue**- pursuant to Section 239 (2) (b) personal matters about an identifiable individual;
   3. **Report in regards to the Sale of Property**- pursuant to Section 239 (2) (c) Proposed disposition of land by the municipality
   4. **Confidential Report in regards to a potential litigation**- pursuant to Section 239 (2) (e) Potential litigation added by Paul Gowing.
   5. **Confidential Report in regards to an Employee Issue**- pursuant to Section 239 (2) (b) personal matters about an identifiable individual; added by John Smuck

Disposition Carried
16.2 Adjourn the Closed Session:  

**Motion:** 122-2018  
Moved by Sharen Zinn  
Seconded by Jamie Heffer  
“That the Council adjourn the Closed to the public session and re-enter regular open session of council.”

Disposition  Carried

16.3 Report to the Public from Closed Session.

The Council discussed three matters concerning Identifiable Individuals regarding Employee Issues: and one matter regarding a confidential report in regards to a sale of property and one matter on potential litigation.

17) By-law No. 20-2018 Confirming By-law

**Motion:** 123-2018  
Moved by Dorothy Kelly  
Seconded by Sharen Zinn  
“That By-law No. 20-2018 be passed as given first, second, third and final readings, being a by-law to Confirm the actions of the Municipality of Morris-Turnberry for the Meeting March 6th, 2018.”

Disposition  Carried

18) Adjournment:

**Motion:** 124-2018  
Moved by Jamie Heffer  
Seconded by John Smuck  
“That the meeting be adjourned at 10:35pm. and this is deemed to be a 2-4 hour meeting.”

Disposition  Carried

__________________________  
Mayor, Paul Gowing

__________________________  
Clerk, Nancy Michie