MUNICIPALITY OF MORRIS-TURNBERRY  
COUNCIL CHAMBERS  
41342 Morris Road  
Tuesday, September 18th, 2018  7:30 pm

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, except Sharen Zinn who was absent.

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

Sharen Zinn    Absent

Staff in Attendance:  
Nancy Michie    Administrator Clerk – Treasurer  
Kirk Livingston  Chief Building Official  
Mike Alock  Director of Public Works  
Jenn Burns  County Planner  
Craig Metzger  County Planner  
Kim Johnston  Recording Secretary

Media in Attendance:  
1. Colin Burrowes  Wingham Advance Times  
2. Adam Bell  CKNX  
3. Denny Scott  The Citizen

Others in Attendance:  
1. Dave Franken  Developer  
2. Scott Patterson  Labreche Patterson& Associates  
Consultant for Dave Franken  
3. Russell Grant  Property Owner  
4. Laurie Miller  Property Owner  
5. Jim Keller  Property Owner  
6. Muriel Taylor  Property Owner  
7. Mike Miller  Property Owner  
8. Chris Palmer  Property Owner  
9. Kendra Robinson  Property Owner  
10. Megan Beyersbergen  Interested Party
1.1 Recording Equipment:
No one disclosed the use of recording equipment, at this time.

2) Agenda:
   2.1 Adoption of Agenda:
An Addendum from the Clerk was presented with one item for the Open session.

Adoption of Agenda:
Motion: 411-2018 Moved by Jim Nelemans Seconded by Dorothy Kelly
“That the agenda for the meeting of September 18th, 2018 be adopted as amended.”
Disposition Carried

3) Declaration of Pecuniary Interest:
No member declared a pecuniary interest, at this time

4) Minutes:
   4.1 Minutes

Motion: 412-2018 Moved by Jamie Heffer Seconded by Dorothy Kelly
“That the minutes of the September 4th, 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: 413-2018 Moved by Jim Nelemans Seconded by John Smuck
“That the 2018 Accounts dated September 18th, 2018 be approved for payment in the amount of $1,077,445.23.”
Disposition Carried
6.2 Pay Report
Motion: 414-2018 Moved by Dorothy Kelly Seconded by John Smuck
"That the Council of the Municipality of Morris-Turnberry accepts the pay reports, dated September 5th, 2018."
Disposition Carried

7) Planning-
7.1 Zoning By-law Amendment for 30 McCrea Street, Belgrave 7:30 pm

Jennifer Burns and Craig Metzger – Huron County Planners were in attendance.

**Colin Burrowes arrived at the meeting at 7:35pm and proceeded to record the meeting on his Cell phone for articles he writes for the Wingham Advance Times.

The Public meeting was held April 3rd, 2018 and a motion to defer the consideration of the By-law was passed by Council.

Motion April 3, 2018:
Motion: 161-2018 Moved by Jamie Heffer Seconded by Sharen Zinn
“That the Council of the Municipality of Morris-Turnberry hereby defers consideration of the By-law to rezone Plan 162 Pt Lot 71 (30 McCrea St) from CF (Community Facility) to VR2-1 (Village Residential – Medium Density – Special Provisions), for further information and address concerns of the neighbours.”
Disposition Carried

The following Information was presented to Council and available to the Public.
1. Notice of Meeting
2. Revised Concept /Site Plan
3. Planning Report by Jennifer Burns
4. Stormwater Management Design Report
5. Planning Opinion Report
6. Lot and Grading Plan

1. Planning Report:
Jennifer Burns- Huron County Planner, presented a planning report, dated September 14, 2018 to explain the purpose and effect of the application, agency comments, site plan, lot grading and drainage plan, comments, planning review, application in relation to the Planning Act, Provincial Policy Statement and the Huron County Official Plan and the Morris-Turnberry Official Plan.

Craig Metzger- Huron County Planner outlined the Outstanding concerns and the manner they have been addressed, as outlined in the September 14, 2018 Planning Report.

A planning recommendation was presented to amend the draft by-law to add the following setbacks:
   a. 15 meter setback for the septic system
   b. 15 meter setback for the underground storm water management infrastructure
   c. 3 meter setback for the driveway.
and it is also recommended that a resolution be passed under Section 34 (17) of the Planning Act that no further notice be given in respect to the amended Zoning by-law and that the amended zoning by-law be passed.
2. **Presentation by Scott Patterson** - Senior Planner – Labreche Patterson & Associates Inc. - representing Dave Franken

He had submitted his Planning Opinion report and the Site Plan and the Lot Grading and Drainage Plan. The proposed By-law has details that are common in By-laws from other municipalities, in his opinion the By-law is appropriate. He is in full support of the Planning Staff report.

3. **Deputation - Steven Sek** - property owner of 44 Hamilton Street

His presentation was presented to the council in the council agenda package and available to the public. His concerns were answered by the Planning Report. He did question how the property is protected for fire coverage. He was advised that the area is serviced by the Township of North Huron Fire Department, with tankers and pumpers.

Kirk Livingston- CBO advised that there will be fire separations required for the units. The structure will be inspected by the Fire Chief.

4. **Deputation – Chris Palmer** – property owner of 33 Jane Street

His presentation was presented to the council in the council agenda package and available to the public.

Chris Palmer reviewed his presentation and advised that he agrees with the development, however not the location where it is proposed. The location effects people. He advised that he plans to appeal to LPAT.

*At the June 5th, 2018 Council meeting, a motion was passed that the amendment to the site plan is considered as minor in nature, as shown below.*

**Motion June 5, 2018:**

**Motion: 297-2018** Moved by John Smuck Seconded by Sharen Zinn

“That the Council of the Municipality of Morris-Turnberry hereby gives direction to the Clerk that the revised site plan for 30 McCrea Street, Belgrave is considered to be minor in nature.”

Disposition Carried

**Comments from Council:**

**Mayor Paul Gowing** - he stated that the developer has listened to the concerns of the neighbours and has supplied the information that was requested to answer the neighbor concerns.

**Jim Nelemans** - Most issues have been satisfied, except the desire for Green space.

**Dorothy Kelly** – asked if there was any other location for Green space.

**Mayor Paul Gowing** - advised that there is a very appropriate playground in Belgrave. If there are travel issues, those issues can be addressed to the Huron County Highways Department.

**John Smuck** - The lot is not Green space. The people have been trespassing and baseballs left on the lot, that effects the lawn cutting.

**Jamie Heffer** - He supports the proposal and the Planning report has addressed the Green space issue. The lot was always intended for multi-residential use.
7.1.1 Consideration of the By-law:

1. No Further Notice is required:

Motion: 415-2018 Moved by John Smuck Seconded by Jim Nelemans

“That the Council of the Municipality of Morris-Turnberry has held a public meeting pursuant to Section 34 (12) of the Planning Act, 1990, with respect to a proposed zoning by-law amendment for Plan 162 Pt Lot 71, 30 McCrea Street; and

Whereas certain changes have been made to the proposed by-law following circulation;

Now therefore, the Council of the Municipality of Morris-Turnberry hereby resolves that pursuant to Section 34(17) of the Planning Act, 1990, no further notice is to be given in respect to the proposed By-law No. 66-2018.”

Jim Nelemans requested a recorded vote.

The Clerk administered the recorded vote in random order.

Recorded Vote was Requested:
Jamie Heffer – Yes
Paul Gowing – Yes
Dorothy Kelly – Yes
Jim Nelemans – Yes
John Smuck - Yes

Disposition Carried

2. Informed Decision:

Motion: 416-2018 Moved by Jim Nelemans Seconded by John Smuck

“That the Council of the Municipality of Morris-Turnberry has considered all oral and/or written submissions made in regards to the corresponding Zoning By-law for Plan 162 Part Lot 71 (30 McCrea St) former Township of Morris;

Now therefore, the Council of the Municipality of Morris-Turnberry hereby resolves that the information has assisted the Council to make an informed decision in regards to the Zoning By-law for Plan 162 Part Lot 71 (30 McCrea St), former Township of Morris.”

Disposition Carried

3. By-law - Zoning By-law Amendment:

Motion: 417-2018 Moved by Jim Nelemans Seconded by John Smuck

“That By-law No. 66 -2018, as amended, be passed as given first, second, third and final readings, being a by-law to rezone Plan 162 Pt Lot 71 (30 McCrea St) from CF (Community Facility) to VR2-1 (Village Residential – Medium Density – Special Provisions); the rezoning is to allow for a single storey multiple attached dwelling (up to 4 dwelling units) to be constructed and to recognize reduced property frontage of 18.5m (61 ft). The minimum interior side yard setback is 9m from the west property line and 22m from the east property line. The minimum rear yard setback is 45m and the maximum building height is 9m. The subject property is approximately 0.5 ha (1.3 acres) in size and is subject to site plan control;

And that the by-law include the following setbacks from the property lines west of the driveway and south of the residence:

- 15m setback from the septic system
- 15m setback for the underground storm water management infrastructure
- 3m setback for the driveway.”

Disposition Carried

Dave Franken, Scott Patterson, Adam Bell, Muriel Taylor, Kendra Robinson, Megan Beyersbergen, Gordon Folkard, Nancy Folkard, Steven Sek, Krista Campbell, Susan Jamieson, Chris Jamieson, Steve Lipski and Heather Pollack left the meeting at 8:26 pm.
7.2 Consent Applications: 8:27 pm

7.2.1 Consent Application - 85641 Clegg Line, Lot 5 Concession 3, Morris

Motion: 418-2018 Moved by Jim Nelemans   Seconded by Dorothy Kelly
“That the Council of the Municipality of Morris-Turnberry recommend consent for File # C 49/18 with the conditions as noted on the planning report.”
Disposition Carried

7.2.2 Consent Application - 41928 Orange Hill Road, Lot 10 Concession 5, Turnberry
Jim Jutzi was in attendance.

Jim Nelemans asked about an entrance way to the farmland.
Jim Jutzi responded that a new entrance will need to be installed.

Motion: 419-2018 Moved by Dorothy Kelly   Seconded by Jim Nelemans
“That the Council of the Municipality of Morris-Turnberry recommend consent for File # C 50/18 with the conditions as noted on the planning report.”
Disposition Carried

Jim Jutzi left the meeting at 8:38pm

7.3 AG 4 Properties:
1. Permitted uses
2. Number of Animal Units

John Smuck - asked how the number of units were decided on AG 4 zoned properties.
Craig Metzger- Huron County Planner – stated it is uniform throughout the County. AG4 Zoned properties are not farms, they are primarily a small residential lot in the country. There is a cap of 4(four) nutrient units on AG 4 properties.

John Smuck – Properties would have more value if you could raise more livestock. He would like to see a County review for a possible change made in the Zoning provisions.

Motion: 420-2018 Moved by John Smuck   Seconded by Jamie Heffer
“That the Council of the Municipality of Morris-Turnberry request that the County of Huron Planning Department investigate the nutrient units allowed for AG4 properties; to look at keeping more livestock with the ability to run the lots as an agriculture operation; and that the County of Huron consult with local municipal Council’s; and a report be prepared to come back to the local municipality for consideration.”
Disposition Carried

Craig Metzger stated that the Planning Department will look at the County Official Plan, then look at the Municipal Zoning Bylaw and Official Plans.
8) Property Standards Report
Kirk Livingston was in attendance.

Motion: 421-2018 Moved by Jim Nelemans    Seconded by Dorothy Kelly
“That the Council of the Municipality of Morris-Turnberry receive the Property Standards Report, as submitted September 18th, 2018.
Disposition Carried

9) Business: 8:55pm

9.1 Furnace

Motion: 422-2018 Moved by Dorothy Kelly    Seconded by Jamie Heffer
“That the Council of the Municipality of Morris-Turnberry approve the report to upgrade the furnace for the municipal office and be considered for the 2019 budget.”
Disposition Carried

9.2 RED Program

Motion: 423-2018 Moved by Dorothy Kelly    Seconded by Jamie Heffer
“That the Council of the Municipality of Morris-Turnberry do hereby approve the RED – Rural Economic Development Program application, for submission under the ‘Planning Category’ for an Industrial Land Strategy Study, which will include:
1. D6/NPC-300 study
2. Archaeological assessment
3. Servicing Study, to include the Reserve Capacity for the area of ‘North Brussels’ within the boundaries of Huron East and Morris-Turnberry.”
Disposition Carried Unanimously

9.3 Wayfinding Program/County of Huron

Motion: 424-2018 Moved by Dorothy Kelly    Seconded by Jim Nelemans
“That the Council of the Municipality of Morris-Turnberry receive the Signage Report as submitted on September 18, 2018.”
Disposition Carried

Jennifer Burns, Craig Metzger, Ron Cook, Ranko Markelievic, John Schwartzentruber left the meeting at 9:02pm
10) **Public Works:** Mike Alcock was in attendance.  

1. **Operations Report**

Motion: **425-2018**  Moved by Dorothy Kelly  Seconded by Jamie Heffer


Disposition  Carried

2. **Storage Building Tender Report**

Motion: **426-2018**  Moved by Jim Nelemans  Seconded by Dorothy Kelly

That the Council of the Municipality of Morris-Turnberry accept the tender of: Domm Construction in the amount of $108,883.20 including HST to construct a 40’ x 60’ Storage Building.”

Disposition  Carried

3. **Forestry Services Tender**

Motion: **427-2018**  Moved by Jamie Heffer  Seconded by John Smuck

“That the Council of the Municipality of Morris-Turnberry accept the tender of: Eccles Forestry Ltd. in the amount of $2,950 plus HST for a Forestry Marketing Plan, advice on Invasive species and Harvest Supervision at Lot 15 Concession 5, Morris”

Disposition  Carried

Mike Miller left the meeting at 9:15pm.

4. **Quotation for a grader mounted roller/packer**

Motion: **428-2018**  Moved by Jamie Heffer  Seconded by Jim Nelemans

“That the Council of the Municipality of Morris-Turnberry accept the quotation submitted by Neilson Custom Metal Works for a New roller/packer for the 2017 John Deere grader in the amount of $19,000 (excluding HST).”

Disposition  Carried

Adam Bell from CKNX returned to the meeting at 9:17pm

11) **By-Law:**

11.1 Bylaw to authorize Site Plan agreement for Part of Lot 66,67 Plan 162, Hamlet of Belgrave

Motion: **429-2018**  Moved by John Smuck  Seconded by Dorothy Kelly

“ That By-Law No. 67 -2018 be adopted as given first, second, third and final readings being a by-law to authorize a site plan agreement with Reinhardt Rental Holdings Ltd. and Joe Reinhardt Construction Ltd and Michael Stephen DeGroot and Tracy Grace DeGroot for Part of Lot 66,67 Plan 162, Hamlet of Belgrave, Municipality of Morris-Turnberry.”

Disposition  Carried
12) **Council Reports:**

- **Jamie Heffer:**
  No Report

- **Sharen Zinn:** Absent

- **Jim Nelemans:**
  He attended a Belmore Arena Board meeting. The committee is now allowing outside catering.
  He recently travelled to Newfoundland and found they are very tough on Property standards.

- **Dorothy Kelly**
  She attended the Libro barbeque on September 7, 2018 and met the 2(two) new doctors. There is a chance that 2(two) more doctors will be coming to the area.
  She attended the last Roller skating for the season at the Brussels, Morris and Grey Community Centre.
  She attended a BMG meeting on September 12th, 2018. The committee can not proceed with a consultant due to lame duck.
  She attended the Belgrave Fair for lunch.
  She attended the Brussels Fair, there was a great crowd. They sold out of food.

- **John Smuck**
  No report.

- **Mayor Paul Gowing:**
  He attended the Brussels Fair opening ceremonies. He will be in the parade on Wednesday September 19th, 2018 with Jamie Heffer.
  There is a lot of excitement with the Huron East Council regarding the RED funding.
  He will be attending a MVCA meeting on Wednesday September 19, 2018.
  He will be attending a Clean Water Steering Committee Tour on Friday September 21, 2018.

13) **Items for Information**

1. In the Trenches Newsletter
2. Thank you – Amanda Morrison

14) **Minutes**

There were no minutes for review.

15) **Other Business:**

There was no other business.
16) **Additions to the agenda for the next meeting:**
   1. Rural Talks to Rural Conference October 17th – 19th in Blyth
      This item will be brought back to Council on October 4, 2018

**BREAK** - The Council took a short break at 9:30 pm and returned at 9:50 pm.

Kim Johnston, Kirk Livingston, Mike Alcock, Adam Bell, Colin Burrowes and Denny Scott left the meeting at 9:30pm

17) **Closed Session:**
   **Confidential Matters:**
   1. **Employee Matter**

17.1 **Enter into Closed Session:**
   **Motion:** 430-2018  Moved by Dorothy Kelly  Seconded by Jim Nelemans
   “That the Council adjourn the Public Session of Council and enter into a Closed to the Public Session for the following matters:
   1. Employee Matter.”
   **Disposition**  Carried

17. 2 **Adjourn the Closed Session:**
   **Motion:** 431-2018  Moved by Jamie Heffer  Seconded by Dorothy Kelly
   “That the Council adjourn the Closed to the public session and re-enter regular open session of council.”
   **Disposition**  Carried

17 3 **Report to the Public from Closed Session.**
   Council discussed an item in Closed Session of Council regarding an Employee Matter.

18) **By-law No. 65-2018  Confirming By-law**

   **Motion:** 432-2018  Moved by Dorothy Kelly  Seconded by Jim Nelemans
   "That By-law No. 65- 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 September 18th, 2018."
   **Disposition**  Carried
19) **Adjournment:**

**Motion:** 433-2018  Moved by Dorothy Kelly  Seconded by John Smuck

"That the meeting be adjourned at 10:20 pm. and this is deemed to be a 2 – 4 hour meeting."

Disposition  Carried

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Mayor, Paul Gowing

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Clerk, Nancy Michie