1) **Call to order:** The meeting was called to order by Mayor Paul Gowing at 7:00 pm with all members in attendance, except Jim Nelemans who was absent. Mayor Gowing welcomed all in attendance.

**Council in Attendance:**
- Paul Gowing, Mayor
- Jamie Heffer, Councillor
- Dorothy Kelly, Councillor
- John Smuck, Councillor
- Sharen Zinn, Councillor

**Absent:**
- Jim Nelemans, Councillor

**Staff:**
- Nancy Michie, Administrator Clerk-Treasurer
- Kirk Livingston, Chief Building Official
- Jennifer Burns, Huron County Planner

**Others in Attendance:**
1. John A Nesbit, Landowner
2. Ann Nesbit, Landowner
3. John B. Haines, Landowner
4. Bill Haines, Landowner
5. John Nesbit, Landowner
6. Emily C Phillips, Landowner
7. Joanne Workman, Landowner

**Purpose:** Special meeting authorized by Motion No. 428-2017 to deal with Planning Matters.
2) **Agenda:**

**Adoption of Agenda:**

**Motion: 442-2017** Moved by Dorothy Kelly Seconded by Sharen Zinn

“That the agenda for the meeting August 22nd, 2017 be adopted as circulated.”

Disposition Carried

3) **Declaration of Pecuniary Interest:**

No member declared a pecuniary interest, at this time.

4) **Business:**

1. **Planning:**

*Jennifer Burns – Huron County Planner*

4.1 **Enter into a Public Meeting:** 7:03 pm

**Motion: 443-2017** Moved by John Smuck Seconded by Dorothy Kelly

“That the regular session of council be adjourned and enter into a Committee of Adjustment Meeting under Section 45 of the Planning Act.”

Disposition Carried

4.2. **Committee of Adjustment:** Minor Variance 7:03 pm

Jennifer Burns – Huron County Planner was in attendance.

John A Nesbit, Ann Nesbit, John Nesbit and Emily Phillips were in attendance.

4.2.1 **Motion to enter into a Committee of Adjustment Meeting**

**Motion: 444-2017** Moved by Jamie Heffer Seconded by Sharen Zinn

“That the Council adjourn the regular session of Council and enter into a Committee of Adjustment meeting, to consider a minor variance application.”

Disposition Carried

4.2.2 **Committee of Adjustment Meeting**

**Subject Lands:** Part of South Part of Lot 4, Concession 8, Morris 40452 A Moncrieff Road

1. **Call to order** - The meeting was called to order by Mayor Paul Gowing at 7:03 pm.
2. Purpose of the Public Meeting – was stated by Mayor Gowing

PURPOSE AND EFFECT:
To reduce the (MDS) Formulae setbacks, to allow the construction of a residence on
Part of the South Part of Lot 4 Concession 8, 40452 ‘A’ Moncrieff Road,
1. from the Pig Barn North Part of Lot 4 Concession 9 40451 Moncrieff Road
and 2. from the Chicken Barn South Part of Lot 3 Concession 8 40316 Moncrieff Road
and 3. from the Outdoor Manure Storage South Part of Lot 3 Concession 8
40316 Moncrieff Road

2.1 Consideration: The Committee considered 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. By-law and the Municipality of Morris-Turnberry Official Plan?

3. County Planning Department – Jennifer Burns presented the planning report.
The planning report dated August 18, 2017 recommends approval of the application subject to the following conditions:
1. The new house be located within the footprint contained on the sketch that accompanied the application.
2. Build the new house as per the most recent submitted elevation drawings; and
3. The variance approval is valid for a period of 18 months from the date of the Committees’s decision.

4. Comments Received – Nancy Michie stated there were no further comments received.

5. Applicants comments – The applicant John Nesbit Jr said he was hoping to construct the new residence house at a grade to respect the neigbouring house.

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

7. Council comments and questions –
Mayor Paul Gowing said 1250’ is an acceptable separation distance.
Jamie Heffer asked if the Phillips house is severed. Jennifer Burns said the remaining lands are AG1 and allows a residence to be constructed. Jamie Heffer said the old policy allows a house and the new policy doesn’t allow a residence
on the retained farmland where a surplus residence is severed. Maybe the new policy is best.
Sharen Zinn has no objection to the proposal.

8. **Explanation of the Process following the Public Meeting by Mayor Gowing**
   If the Variance is granted, the Secretary is required to send Notice of Decision, to the applicant and all persons attending or were represented at the Public Meeting, and anyone filing a written request for notice of the decision. There is a 20 day objection 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 of the Committee.

9. **Decision:**

   **Motion: 445-2017**  Moved by John Smuck    Seconded by Dorothy Kelly
   “That the Committee of Adjustment of the Municipality of Morris-Turnberry hereby grants approval to the minor variance for Part of the South Part of Lot 4 Concession 8, Morris, 40452 ‘A’ Moncreiff Road, Municipality of Morris-Turnberry

   **Conditions:**
   1. The new house be located within the footprint contained on the sketch that accompanied the application.
   2. Build the new house as per the most recent submitted elevation drawings; and
   3. The variance approval is valid for a period of 18 months from the date of the Committees’s decision.

   **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 and the Morris-Turnberry Official Plan; and that the Council has reviewed and is satisfied with the Huron County Planning staff report, dated August 18, 2017.”

   Disposition Carried
10. Adjournment: 7:20 pm
Motion: 446-2017
Moved by Jamie Heffer Seconded by Sharen Zinn
“That the meeting be adjourned and re-enter regular session of council.”
Disposition Carried

John A Nesbit, Ann Nesbit, John Nesbit and Emily Phillips left the meeting at 7:20 pm.

4.3 Zoning By-law Amendment:
Applicant - William Walton Haines
40573 Jamestown Road- and 86301 Clegg Line
Part of the North Part of Lot 5, Concession 2, Morris
Jennifer Burns – Huron County Planner was in attendance.
John B. Haines and Bill Haines were in attendance.

4.3.1 Enter into a Public Meeting: 7:20 pm
Motion: 447-2017
Moved by Dorothy Kelly Seconded by Jamie Heffer
“That the regular session of council be adjourned and enter into a Public Meeting under Section 34 of the Planning Act.”
Disposition Carried

4.3.2 Re: Zoning By-law Amendment

1. Call to order - The meeting was called to order by Mayor Paul Gowing at 7:20 pm

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

PURPOSE AND EFFECT
This application proposes to rezone Part Lot 5 Concession 2, Morris (86301 Clegg Line) from ER1 (Extractive Resources) and NE2 (Natural Environment – Limited Protection) to ER1-2-H (Extractive Resources – Special Zone with a Holding Symbol) to allow for agricultural uses to continue and for livestock buildings to be constructed on the subject property with a reduced side yard setback for a livestock building from 30 metres to 24 metres. The –H holding symbol is to be removed once a supportive scoped Environmental Impact Study is received and an agreement to implement the recommendations of that study has been entered into with the Municipality. The area being rezoned is 44.5 hectares (110 acres) and contains a barn, shed and straw shed.
2. **County Planning Department** - Jennifer Burns presented the planning report. The planning report dated August 17, 2017 recommends approval. The –H holding symbol is to be removed when the following are satisfied:

A scoped Environmental Impact Study is received, the MVCA and the County Biologist study has reviewed the study and an agreement to implement the recommendations of that study has been entered into with the Municipality.

A legally binding restoration plan is put in place on the subject property to ensure that the removal of established tree cover is mitigated. This plan should be approved by the county and by a registered professional forester retained by the property owners.

4. **Comments Received** –

1. Rachel White – Biologist County of Huron
2. Nicolle Smith – R J Burnside
3. Maitland Valley Conservation Authority
5. Ministry of Natural Resources

Joanne Workman arrived at the meeting at 7:25 pm.

5. **Oral submissions** at a public meeting or make written submissions to the Municipality of Morris-Turnberry before the by-law is passed,

No oral or written submission were presented at the meeting.

Jennifer Burns advised the council in the Planning Report that Glen, Bruce and Cindy Casemore filed a verbal appeal, prior to the public meeting.

Their concerns were:

1. Runoff from the proposed barn to the area where their cows currently pasture.
2. The smell from an additional 600 head of cattle
3. Location of the proposed barn, Close to the water table.

Jennifer Burns stated that the applicant will cover manure to reduce runoff.

The building process will deal with issues from water table.

6. **Applicants comments** – The applicants John Haines and Bill Haines stated that they had hired a consultant to answer questions for the proposal.
7. **Public comments** – There were no public concerns submitted to the Public Meeting.

8. **Morris-Turnberry Council comments and questions** –
   John Smuck asked if the trees are supplied by forestry. Can the applicant work out mitigation planting area? Jennifer Burns advised that Dave Pullen said that is acceptable. The Holding symbol ‘H’ can be removed once the requirements are met.
   Morris-Turnberry just completed an amendment to the Official Plan.
   Jennifer Burns stated - Once the pit is done if the landowner wants it changed to agriculture and once the license has expired, the landowner can apply to change Official Plan and Zoning to agriculture.
   Jamie Heffer asked why is the Aggregate Impact Assessment necessary? Agriculture Buildings are encouraged. He is confused what implications do Mineral Aggregate have on landowners. Concerned about the Mineral Aggregate Zoning on the property.
   Jennifer Burns said in the ER1 the mapping is separate from zoning. Sometimes it triggers an Aggregate Impact Study to determine that there is no concern on the status of the aggregate.
   Kirk Livingston said the ER1 zoning only allows for expansion of 25%. The structure is large.

9. **Explanation of the Process following the Public Meeting by Mayor Gowing**
   If the By-law is passed, the Clerk is required to send Notice of Passing of the By-law, to all persons and agencies notified of this Public Meeting. There is a 20 day objection period from the time Notice of Passing of the by-law has been mailed by first class mail, wherein submissions/letters of objections or support in respect to the passing of the by-law, will be received by the Clerk.

10. **Adjournment:**
    **Motion:** 448-2017
    Moved by John Smuck   Seconded by Dorothy Kelly
    “That the meeting be adjourned and re-enter regular session of council.”
    Disposition Carried
4.3.3 **By-law:** The council has the option to give consideration to the By-law or defer the By-law for an amendment. If an amendment to the by-law is required, the council should consider a motion under Section 34 (17) no further notice is required.

1. **Informed Decision:**

   **Motion: 449-2017** Moved by Sharen Zinn Seconded by Dorothy Kelly
   “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 Concession 2, Part of the north part Lot 5, 86301 Clegg Line, 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 Concession 2, Part of the north part Lot 5, 86301 Clegg Line, former Township of Morris.”
   Disposition Carried

2. **1. By-law- Zoning By-law Amendment:**

   **Motion: 450-2017** Moved by Dorothy Kelly Seconded by Jamie Heffer
   “That By-law No. 81 - 2017 be passed as given first, second, third and final readings, being a by-law to rezone Concession 2, Part of the north part Lot 5, 86301 Clegg Line, former Township of Morris, from ER1 (Extractive Resources), ER1-2-H (Extractive Resources – Special Zone with a Holding Symbol).”
   Disposition Carried

John B. Haines and Bill Haines left the meeting at 7:44 pm.

5) **Garden Suite Agreement:**

   The Council reviewed a copy of the Garden Suite agreement. Dorothy Kelly asked if the agreement will apply to any successor of the garden suite. It was clarified to Joanne Workman that if the tenant of the garden suite changes, the agreement does not have to be amended.

   **Motion: 451-2017** Moved by Jamie Heffer Seconded by Sharen Zinn
   “That By-law No. 80 - 2017 be passed as given first, second, third and final readings, being a by-law to adopt a Garden Suite Agreement for the North Part of Lot 15 Concession 4, Geographic Township of Morris, Municipality of Morris-Turnberry.”
   Disposition Carried.
6) By-law No. 82-2017 Confirming By-law

Motion: 452-2017 Moved by John Smuck Seconded by Dorothy Kelly

"That By-law No. 82 - 2017 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 August 22nd, 2017."

Disposition Carried

7) Adjournment:

Motion: 453-2017 Moved by Sharen Zinn Seconded by Jamie Heffer

“That the meeting be adjourned at 7:45 pm; and will be deemed to be a less than 2 hour meeting.”

Disposition Carried