



**The Corporation of the Township of Norwich
Council Meeting Minutes
Tuesday February 14, 2023
Regular Council Meeting**

In Attendance:

Council:

Mayor Jim Palmer
Councillor Scholten
Councillor Stubbs
Councillor Gear

Staff:

James Johnson, Director of Finance
Derek Van Pagee, Director of Fire and Protective Services
Ken Farkas, Manager of Public Works
Patrick Hovorka, Director of Community Development Services
AJ Wells, Manager of Medical Services
Kimberley Armstrong, Deputy Clerk

1. Call to Order

The regular session of the 2022-2026 Council of the Township of Norwich was held in the Council Chambers, Norwich, commencing at 9:00 a.m. with Mayor Palmer presiding.

2. Approval of Agenda

Resolution #1

Moved John Scholten, seconded by Alisha Stubbs

That the Agenda be accepted as presented.

Carried

3. Public Recognition / Presentations

None

4. Disclosure of Pecuniary Interest

No disclosures were reported.

5. Adoption of Minutes of Previous Meeting(s)

5.2 January 31, 2023

Resolution #2
Moved by Alisha Stubbs, seconded by John Scholten;

That the following Minutes of the Township of Norwich Council be adopted as printed and circulated:

January 31, 2023

Carried

6. PUBLIC MEETINGS / HEARINGS

6.1 The Municipal Act

None

6.2 The Drainage Act

The Mayor advised that as per Section 41 of the Drainage Act, R.S.O. 1990, as amended, Chapter D.17, this meeting is to consider the Engineers Report for the Harvey Drain 2022

All owners and agencies were notified of the meeting to consider the report on January 20, 2023

Any person who has signed the petition will be given the opportunity to withdraw their name from the petition. As well, any individual present within the area requiring drainage who has not signed the petition will be given an opportunity to do so.

If at the end of the meeting, the petitions contain a sufficient number of names to comply with Section 4, the Council may proceed to adopt the report.

6.2.1 10:00 a.m.

Consideration of Engineers Report

Re: Harvey Drain 2022

Report DR 2023-05

Mr. Mike DeVos, Spriet Associates, explained the background of the drain and provided an overview of the proposed works. He advised that the engineers report was prepared in accordance with Section 78 of the Drainage Act and that the original drain was constructed in 1926. Mr. DeVos noted that the closed pipe drain has an open portion that runs the west side of the town line that runs into the Township of South-West Oxford. The lower portion of the drain was improved in 2004 replacing the 1926 drain across the west half of lot 21, and another portion of lot 19 was improved in the 1980s.

An informal meeting was held with landowners to review draft cost estimates, some concerns were raised at this time and it was decided that the upstream land owners would not proceed and were removed from the project, and the lower portion landowners of the drain requested to proceed with the improvements. Mr. DeVos also noted that a branch drain which heads south in

lot 20 also requested to proceed with improvements. Mr. DeVos explained updates for this report are based off the design standards from 2008 created by the Ministry of Food and Agriculture. He further commented that the report provides information regarding provisions for future drain maintenance, schedule pricing and construction updates and overviews.

There were no questions from Council members or the public.

There was no one that wished to have their name added or removed from the Petition for Drainage Works.

Resolution #14

Moved by Alisha Stubbs, seconded by John Scholten;

That Report DR 2023-05, Consideration of the Harvey Drain 2022, be received as information;

And That in accordance with Sections 44 to 46 of the Drainage Act, Council of the Township of Norwich hereby adopts Spriet Associates Ltd. engineer's report dated December 12, 2022, referred to as the "Harvey Drain 2022" report;

And That Provisional By-law 9-2023 be given first and second reading;

And That the Clerk be directed to distribute copies of the Provisional By-law and Notice of the time and place of the first sitting of the Court of Revision to the affected parties pursuant to Section 46(2) of the Drainage Act;

And That a date of March 14, 2023 be set for the first sitting of the Court of Revision.

Carried

Subsequent to the Public meeting, Ms. Ann Gray of South-West Oxford questioned the depth of the drain. Mr. DeVos explained that the works on the channel were to remove built up sediment and lower it back to the original ditch design grade from 2004.

6.3 The Planning Act

Resolution # 3

Moved by John Scholten, seconded by Alisha Stubbs;

That pursuant to Section 34(12) of the Planning Act, R.S.O. 1990, as amended, Chapter P.13, this Council conduct a public meeting in respect to an application for amendment to Zoning By-law 07-2003-Z by Spring Meadows Estates (Fred Zimmer), File Number ZN 3-22-17.

Carried

The Mayor advised that this meeting is being constituted as being a public meeting held under the Planning Act for the purpose of hearing Zoning Amendment proposals and affording any person in attendance the opportunity to make a presentation to Council. The Ontario Land Tribunal has the power to dismiss an appeal under subsection (25) if an appellant has not provided the Council with oral submissions at a public meeting or a written submission before a by-law is passed under this section.

6.3.1 9:00 a.m.

Applicant: Spring Meadow Estates (Fred Zimmer)

File No.: ZN 3-22-17

Report No.: CP 2023- 43

Location: Part Lot 10, Concession 9, Part Lots 165-166, Plan 388 (former South Norwich) Lot 27 and Lots 28-30 on Draft Approved Plan of Subdivision SB 19-03-3, Otterville, Township of Norwich

Details of Proposed Amendment: To rezone a portion of the subject lands from 'Residential Type 1 Zone (R1)' to 'Open Space (OS)' to prohibit development on lands that will be utilized for stormwater management. The proposed amendment will delineate the draft approved stormwater management area (dry pond) and restrict future development in this area as well as recognize the revised lot area of the abutting residential lots.

Fred Zimmer, owner and Andrew Gilvesy were in attendance representing the application

Ms. St. Clair outlined the application as contained within Report CP 2023-43. The zone change will establish restrictive zoning for the rear yards of Lots 28-30 and the southerly interior side yard of Lot 27, to restrict future development and establish an easement for maintenance purposes. The subject lands are currently in the early stages of development and this will control stormwater runoff and not negatively affect adjacent landowners.

The rezoning to Open Space results in each lots being treated as a separate lot in determining zone provisions, though all lots will conform to the minimum standards of the 'R1' zone prior to rezoning. The building department commented that the applicants should be aware that certain rear yard amenities may be restricted in the future due to the stormwater area (ex. pools, patios) and also noted the lands zoned Open Space should be restricted to flood control works only.

There were no questions from Council.

There was no one in attendance that wished to speak in support of or against the application.

Resolution #4

Moved by Shawn Gear, seconded by John Scholten;

That the Public Meeting held pursuant to the Planning Act be closed.

Carried

Resolution # 5

Moved by Shawn Gear, seconded by John Scholten;

That with respect to the application to amend Zoning By-law 07-2003-Z, by Spring Meadow Estates (Fred Zimmer), File No.: ZN 3-22-17, for lands described as Part Lot 10, Concession 9 (South Norwich), Part of Lots 2-4, Plan 204 and Part of Lots 165 & 166, Plan 388, Village of Otterville, Township of Norwich; to rezone the subject lands described as Lots 27-30 on the draft approved plan of subdivision from 'Residential Type 1 (R1)' to 'Open Space (OS)' and 'Special Residential Type 1 Zone (R1-sp)' to establish a drainage area to provide stormwater management to the draft plan of subdivision, the Council of the Township of Norwich hereby:
Approve the zone change

Carried

Ms. Armstrong advised of the appeal period pursuant to the Planning Act.

Resolution #8

Moved by Shawn Gear, seconded by John Scholten;

That pursuant to Section 34(12) of the Planning Act, R.S.O. 1990, as amended, Chapter P.13, this Council conduct a public meeting in respect to an application for amendment to Zoning By-law 07-2003-Z by Harold Wierenga and Catherine Black, File Number ZN 3-22-15.

Carried

The Mayor advised that This meeting is being constituted as being a public meeting held under the Planning Act for the purpose of hearing Zoning Amendment proposals and affording any person in attendance the opportunity to make a presentation to Council. The Ontario Land Tribunal has the power to dismiss an appeal under subsection (25) if an appellant has not provided the Council with oral submissions at a public meeting or a written submission before a by-law is passed under this section.

6.3.1 9:20 a.m.

Applicant: Harold Wierenga and Catherine Black

File No.: ZN 3-22-15

Report No.: CP 2023-32

Location: Part Lot 13, Concession 4 (former East Oxford) 505373 Old Stage Road, Oxford Centre, Township of Norwich

Details of Proposed Amendment: To rezone the subject lands from 'Residential Type 1 Zone (R1)' to 'Special Residential Type 1 Zone (R1-sp)' to permit the conversion of a detached residential accessory structure to an additional residential dwelling unit. The effect of the application would be to permit the establishment of a secondary residential dwelling.

Mr. Wierenga, owner, was in attendance representing the application.

Ms. St. Clair outlined the application as contained in Report CP 2023-32. She advised that the application for zone change would facilitate the conversion of an existing detached residential accessory structure to an Accessory Residential Unit in the detached garage. She noted that a minor variance was granted in 2015 to permit an increase to the max height and lot coverage to allow the oversized garage structure to be built. Ms. St. Clair commented that although the proposal will result in additional housing types within a designated settlement area, the proposal is not consistent with policies for ARUs on private services, which ensure that appropriate water/wastewater services remain available for immediate needs of development and the long term needs of the community.

In response to Council questions regarding the basement renovation, Mr. Wierenga advised that the basement contains a kitchenette, washroom, bedroom and family room. However, it is intended to house them during future upstairs renovations, not intended as an additional unit. He further commented that he feels they fall within the County policies.

There was Council discussion over previous renovation on the property without benefit of building permit, lot size and septic capabilities.

There was no one in attendance that wished to speak in support or against the application.

Resolution #9

Moved by Alisha Stubbs, seconded by John Scholten;

That the Public Meeting held pursuant to the Planning Act be closed.

Carried

Resolution #10

Moved by Alisha Stubbs, seconded by John Scholten;

That with respect to the application to amend Zoning By-law 07-2003-Z, by Catherine Black and Harold Wierenga, File No.: ZN 3-22-15, for lands described as Part Lot 13, Concession 4 (East Oxford), 505373 Old Stage Road, Village of Oxford Centre, Township of Norwich; to rezone the subject lands from ‘Residential Type 1 Zone (R1)’ to ‘Special Residential Type 1 Zone (R1-sp)’ to permit the establishment of an additional residential dwelling unit within an existing residential accessory structure on the subject lands. the Council of the Township of Norwich hereby; Deny the zone change.

Carried

Ms. Armstrong advised of the appeal period pursuant to the Planning Act.

6.4 Other
None

7. DELEGATIONS

7.1 10:30 a.m.

Nathan Kok, Everest Estate Homes Inc

Re: Site Plan Control – 210 Main Street East, Otterville

Mr. Kok provided an overview of his request advising that he is seeking relief from a portion of the site plan and by-law requirements regarding lot grading and drainage, due to the unique sloping of the land which slopes front to back causing water flowing to the parking lot and down to the creek, with no interruption to neighbouring residents. He spoke to the previous building configuration on the property advising the way the land was historically treated negates the need drainage site plan requirements.

Mr. Kok further advised that in consultation with CJDL Engineering, he believes this requirement could cause financial burden and possibly lead to required underground water storage requirements at a large expense. He further stated his belief that there is no threat to neighboring residents and the potential cost and risk for him is grounds for relief.

There was Council discussion with respect to the request.

In response to Council questions, Ms. St. Clair commented that both grading and drainage are requirements of the building code and will be required to receive a building permit. It is also an undesirable precedent to set to forgo these requirements, especially for the community.

Resolution #19

Moved by Shawn Gear, seconded by John Scholten;

That the Delegation of Nathan Kok, Everest Estate Homes Inc., Re: Site Plan Control – 210 Main Street East, Otterville, be received as information.

And Further that the request be referred for a staff report.

Carried

8. CORRESPONDENCE

8.1 Long Point Region Conservation Authority

Re: Meeting Minutes – January 11, 2023

8.2 City of Thunder Bay

Re: Gender Affirmation Healthcare Act

8.3 Towns of Petrolia

Re: School Board Elections

8.4 City of Hamilton

Re: Impacts of Bill 23, More Homes Built Faster Act 2022

8.5 City of Brantford
Re: VIA Rail Cancellations

8.6 County of Huron
Re: Council Resolution - Cannabis Act
Re: Warden's Letter re: Call to Action: Review of Cannabis Act
Re: County of Huron – Council Report

8.7 Emily Stowe Public School
Re: 9th Annual Prime Rib Dinner and Auction
Resolution #6
Moved by Shawn Gear, seconded by John Scholten;

That the Correspondence as listed in Agenda Items 8.1 to 8.7 be received as information.

And further that Council Support 8.2, 8.5 and 8.6.

Carried

9. COMMITTEE MINUTES

9.1 Health and Safety Representative Committee
Re: Meeting Minutes – December 15, 2022
Resolution #7

Moved by Shawn Gear, seconded by Alisha Stubbs;

That the following Committee Minutes, be received as information; and further that the recommendations be approved and acted upon:

Health and Safety Representative Committee
Re: Meeting Minutes – December 15, 2022

Carried

10 REPORTS

10.1 Planning and Development Services
None

10.2 Fire and Protective Services

10.2.1 2022 Year End Report
Report FP 2023-04

Resolution #11

Moved by John Scholten, seconded by Alisha Stubbs;

That Report No. FP 2023-04 - 2022 Year End Report, be received as information

Carried

10.2.2 Month-end Statistical Reports, January 2023

Report FP 2023-05

Resolution #12

Moved by Alisha Stubbs, seconded by John Scholten;

That Staff Report No. FP 2023-05, January 2023 Monthly Activities, be received as information

Carried

10.3 Drainage Services

10.3.1 January 2023 Drainage Report

Report DR 2023-04

Resolution #13

Moved by John Scholten, seconded by Alisha Stubbs;

That Report DR 2023-04, January 2023 Activity Report, be received as information.

Carried

10.3.2 Information Report for Application to Appeal Tribunal Regarding Mud Creek Drain Reassessment

Report DR 2023-06

Resolution #15

Moved by Shawn Gear, seconded by Alisha Stubbs;

That Report DR 2023-06, Information Report for Application to Appeal Tribunal regarding Mud Creek Drain Reassessment , be received as information, And that the Township of Norwich make application to the Agricultural, Food and Rural Affairs Appeal Tribunal under Sect. 76(1) of the Drainage Act for permission to procure a report of an engineer to provide an updated schedule of assessment for future maintenance on the Mud Creek Drain report, dated June 5th, 1968, By-law No. 1962, and that the City of Woodstock be notified of this Application.

Carried

10.3.3 Request for an Extension of the Newton Drain

Report DR 2023-07

Resolution #16

Moved by Shawn Gear, seconded by Alisha Stubbs;

That Report DR 2023-07, Request for a branch of the Newton Drain be received as information;

And Further that the request for drainage works be accepted and the firm of R. J. Burnside and Associates Ltd., Woodstock be appointed as engineer under Section 4 of the Drainage Act to make an examination of the area requiring drainage as described in the request and to prepare a

report and further that as per Section 39(1) of the Drainage Act, the Council of the Township of Norwich requests the report to be filed as soon as completed or within one year after the appointment, whichever is sooner.

Carried

**10.3.4 Acceptance of the Longsworth Municipal Drain 2022 Report
Report DR 2023-08**

Resolution #17

Moved by Shawn Gear, seconded by Alisha Stubbs;

That Report DR 2023-08, Acceptance of the Longsworth Municipal Drain 2022, be received as information;

And That the Council of the Township of Norwich acknowledges the receipt of the report *Longsworth Municipal Drain 2022*, dated November 24, 2022 and filed with the Clerk on January 26, 2023 and extends the time for filing;

And That Council set a date for a Public Meeting to be held on March 14, 2023, to Consider the Report;

And That Staff be directed to mail a Notice of Public Meeting along with the Report to all persons assessed to this drainage works, and in accordance with the Drainage Act.

Carried

**10.3.5 Acceptance of the Treffry and Pennington Municipal Drains 2023 Report
Report DR 2023-09**

Resolution #18

Moved by Alisha Stubbs, seconded by John Scholten;

That Report DR 2023-09, Acceptance of the Treffry and Pennington Municipal Drains 2023, be received as information;

And That the Council of the Township of Norwich acknowledges the receipt of the report *Treffry and Pennington Municipal Drains 2023*, dated January 2, 2023 and filed with the Clerk on January 26, 2023 and extends the time for filing;

And That Council set a date for Public Meeting to be held on March 14, 2023, to Consider the Report;

And That Staff be directed to mail a Notice of Public Meeting along with the Report to all persons assessed to this drainage works, and in accordance with the Drainage Act.

Carried

10.4 Building Services

10.4.1 January 2023 Building Report

Report BB 2023-02

Resolution #20

Moved by John Scholten, seconded by Alisha Stubbs;

That Report BB 2023-02, January 2023 Building Report, be received as information

Carried

10.5 Public Works Services

10.5.1 Progress Report for January 2023

Report PW 2023-04

Resolution #21

Moved by Alisha Stubbs, seconded by John Scholten;

That Report PW-2023-04, Progress Report for December, be received as information

Carried

10.6 Community Development Services

10.6.1 Monthly Departmental Activities

Report CDS 2023-02

Resolution #22

Moved by Shawn Gear, seconded by Alisha Stubbs;

That Report CDS 2023-02, Monthly Departmental activities, be received as information.

Carried

10.7 Medical Centre Services

10.7.1 Medical Centre January 2023 Activity Report

Report MED 2023-02

Resolution #23

Moved by Shawn Gear, seconded by Alisha Stubbs;

That Report MED 2023-02, Medical Centre January 2023 Activity Report, be received as information

Carried

10.8 Financial Services

10.8.1 Procurement

Report FS 2023-04

There was Council discussion regarding; the opportunity of local vendors to still participate , not eliminate opportunities for local businesses, inclusion of information on the township website and that bids/tenders would still be accepted at the Township office.

Resolution #24

Moved by Shawn Gear, seconded by Alisha Stubbs

That Report No. FS 2023-04, Procurement, be received by Council for their information;

And That Council approve the amendment to Policy FS 2012-01 to include part 10 on cooperative purchasing;

And That Council approve the Treasurer to enter into membership with the CANOE Procurement Group;

And Further That Council approves staff to proceed with all procurement initiatives identified in this report.

Carried

10.9 Administrative Services

10.9.1 Fence Viewer Appointment

Memorandum

Resolution #25

Moved by John Scholten, seconded by Alisha Stubbs;

That Council receive the Memorandum: Fence Viewer Appointment, as information;

And further that Peter Vanderweerd be appointed as a Fence Viewer.

Carried

10.9.2 Committee Appointments

Memorandum

Resolution #26

Moved by Alisha Stubbs, seconded by John Scholten;

That Council receive the Memorandum: Committee Appointment, as information;

And further that John Koolmees be appointed to the 2023 Canada Day Committee

Carried

10.9.3 Employee Compensation Handbook

Report CAO/Clerk 2023-06

Resolution #27

Moved by John Scholten, seconded by Alisha Stubbs;

Report No. CAO 2023-6, "Compensation Handbook for Non-union Full-Time Employees" be received as information and further that the attached "Compensation Handbook for Non-union Full-Time Employees" be adopted as presented.

Carried

10.9.4 Proposals – CAO Recruitment Process

Memorandum

Resolution #28

Moved by Shawn Gear, seconded by Alisha Stubbs;

That the Memorandum Re: Proposals – CAO Recruitment Process, be received as information;

And Further that Council select W & U HR Solutions to provide recruitment services

Carried

11. NOTICE(S) OF MOTION

None

12. CLOSED SESSION

11:34 am

Resolution #29

Moved by Shawn Gear, seconded by Alisha Stubbs;

THAT pursuant to the Municipal Act, 2001, as amended, Chapter 25, Section 239(2), Council convene in a meeting closed to the public to discuss: personal matters about an identifiable individual, including municipal or local board employees;

Carried

12.1 Personal matters about an identifiable individual, including municipal or local board employees

Re: CUPE Negotiations 2023

Confidential Report CAO / Clerk 2023-07

12.2 Personal matters about an identifiable individual, including municipal or local board employees

Re: Non-Union Staff Wage/Benefits 2023

Confidential Report CAO / Clerk 2023-08

12.3 Closed Meeting Minutes

Re: January 31, 2023

Resolution #30
Moved by Alisha Stubbs, seconded by John Sholten;

That the Council do now reconvene in open session.

Carried

12:25 pm

Councillor Stubbs requested a recorded vote.

Resolution #31
Moved by Alisha Stubbs, seconded by Shawn Gear;

That Council approve the wage/salary adjustment of %5.00 for the 2023 non-union salary grid, effective January 1, 2023.

Councillor Stubbs	Yea
Councillor Gear	Nay
Mayor Palmer	Yea
Councillor Scholten	Yea

Carried

Resolution #32
Moved by Alisha Stubbs, seconded by Shawn Gear;

And that the same %5.00 adjustment be applied to Council remuneration.

Councillor Stubbs	Nay
Councillor Gear	Nay
Mayor Palmer	Yea
Councillor Scholten	Yea

Lost

Resolution #33
Moved by Shawn Gear, seconded by Alisha Stubbs;

And that the same %5.00 wage/salary adjustment be applied for volunteer firefighter remuneration effective May 1, 2023.

Councillor Stubbs Yea
Councillor Gear Nay
Mayor Palmer Yea
Councillor Scholten Yea

Carried

2:24 pm

Resolution #34

Moved by Alisha Stubbs, seconded by John Scholten;

That pursuant to the Municipal Act, 2001, as amended, Chapter 25, Section 239(2), Council convene in a meeting closed to the public to discuss: for the purpose of educating or training the members of Council as per Section 239 (3.1)

Carried

12.4 2:00 – 4:00 p.m.

For the purpose of educating or training the members of Council as per Section 239 (3.1)

Mr. John Mascarin and Meghan Cowan, Aird Berlis

Re: Conflict of Interest and Code of Conduct Requirements

Resolution #35

Moved by John Scholten, seconded by Alisha Stubbs;

That Council do reconvene in Open Session

Carried

4:07 p.m.

13. BY-LAWS

No. 03-2023-Z To Amend Zoning By-law 07-2003-Z (Spring Meadow Estates, ZN 3-22-17)

No. 09-2023 To Provide for a Drainage Works in The Township of Norwich in the County of Oxford (Harvey Drain 2022)

No. 10-2023 To Authorize Execution of an Agreement of Purchase and Sale With Edward Maas

No. 11-2023 To Confirm All Actions and Proceedings of Council

13.1 First and Second Reading of the Following By-law

Resolution #36

Moved by John Scholten, seconded by Alisha Stubbs;

That the following By-laws as listed, be introduced and taken as read a first and second time.

- | | |
|---------------|--|
| No. 03-2023-Z | To Amend Zoning By-law 07-2003-Z (Spring Meadow Estates, ZN 3-22-17 |
| No. 09-2023 | To Provide for a Drainage Works in The Township of Norwich in the County of Oxford (Harvey Drain 2022) |
| No. 10-2023 | To Authorize Execution of an Agreement of Purchase and Sale With Edward Maas |
| No. 11-2023 | To Confirm All Actions and Proceedings of Council |

Carried

13.2 Third Reading of the Following By-law

Resolution #37

Moved by Alisha Stubbs, seconded by John Scholten;

That By-laws 3-2023-Z, 9-2023, 10-2023, 3-2023 and 11-2023 as listed, be taken as read a third and final time and passed and signed by the Mayor and Clerk and the Corporate Seal be affixed thereto.

Carried

14. Adjournment – 4:10 p.m.

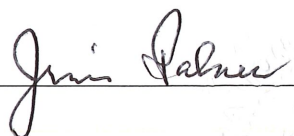
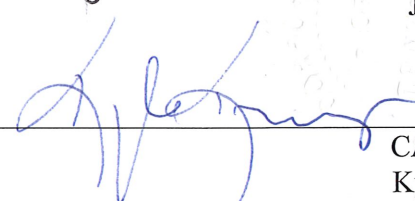
Resolution #38

Moved by Shawn Gear, seconded by Alisha Stubbs;

That this Council do now adjourn.

Carried

These minutes adopted by way of Resolution No. 2 as approved by Council at its meeting on the 28th day of February 2023.

	_____ Mayor Jim Palmer
	_____ CAO / Clerk Kyle Kruger