



**The Corporation of the Township of Norwich
Council Meeting Minutes
Tuesday April 11, 2023
Regular Council Meeting**

In Attendance:

Council:

Mayor Jim Palmer
Councillor Scholten
Councillor Stubbs
Councillor Couwenberg

Staff:

Kyle Kruger, CAO/Clerk
James Johnson, Director of Finance
Derek Van Patee, Director of Fire and Protective Services
Brad Smale, CBO
Dirk Kramer, Deputy CBO/Drainage Superintendent
Ken Farkas, Manager of Public Works
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 9:02 a.m. with Mayor Palmer presiding.

The Mayor announced that due to technical issues, the Council meeting will be broadcast without video.

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)

5.1 March 21, 2023

5.2 March 28, 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:

March 21, 2023

March 28, 2023

Carried

6. PUBLIC MEETINGS / HEARINGS

6.1 The Municipal Act

None

6.2 The Drainage Act

6.2.1 9:30 a.m.

Court of Revision

Re: Treffry & Pennington Municipal Drain 2023

Report DR 2023-16

Appeal: Christopher and Richard Dwornikiewicz

Resolution #9

Moved by Adrian Couwenberg, seconded by Alisha Stubbs;

That the Court of Revision for the Treffry & Pennington Municipal Drain is now convened.

Carried

Mr. Kramer, Drainage Superintendent, provided an overview of his report.

Resolution #10

Moved by Alisha Stubbs, seconded by John Scholten;

That Report No. DR 2023-16, Court of Revision for the Treffry and Pennington Drains 2023 Report, be received as information;

And That The Court of Revision consider any and all appeals filed and determine if any assessments are to be altered.

Carried

Mr. Bill Dietrich, Engineer, addressed the appeal received from Mr. 's Dwornikiewicz. He provided handouts to Council explaining the process for determining drainage assessments, as they relate to: benefit assessments, outlet, special benefits and road crossings. He explained how the assessment is calculated based on land located within the watershed area, land usage, location on the drain, area and specifically how it relates to the comparator provided by the appellant.

Mr. Chris Dwornikiewicz advised that he spoke Mr. Dietrich regarding the appeal that was provided with information on the calculations for assessments. Mr. Dwornikiewicz explained his concerns making comparisons to the neighbouring property, explaining the diagrams he submitted and questioning the elevations, land area, entry point of drain and catchment area, further commenting that he felt the DaCosta farm was benefitting more and should be paying more for this project.

In response to Council questions, Mr. Dietrich explained that over 50% of parcel 3 drains into the Beck Drain downstream and that the appellants entire property drains into the upper regions of the Treffry Drain. There was Council discussion with respect to the proposed drainage works and assessment explanation.

Resolution #11

Moved by John Scholten, seconded by Alisha Stubbs;

That the Court of Revision for Treffry & Pennington Municipal Drain 2023 - allow appeal(s) to be heard in accordance with Section 52(4) of The Drainage Act.

Carried

Mr. Dan Wagner, Cecilia Street, Hawtrey, inquired about the culverts on their property, the possibility of moving them and if that would change the assessment.

Mr. Kruger advised that these are engineering design discussions which not relevant to the Court of Revision which only considers appeals to assessments. Further commenting that these concerns may be addressed at the time of construction.

There was no one else in attendance that wished to submit an appeal.

Court recessed to the Boardroom to deliberate.

Resolution #12

Moved by Adrian Couwenberg, seconded by Alisha Stubbs;

That the appeal submitted by Christopher and Richard Dwornikiewicz
Roll No. 010-010-05600 for the Treffry and Pennington Municipal Drain 2022:

be dismissed

Carried

Resolution #13

Moved by Adrian Couwenberg, seconded by Alisha Stubbs;

Whereas the Council of the Township of Norwich provisionally adopted the report by Dietrich Engineering Ltd. at their meeting on March 14, 2023, for the drainage works known as the Treffry and Pennington Drain Reconstruction 2022;

And whereas no appeals have been accepted by the Court;

Therefore, the Court of Revision for the Treffry and Pennington Drain 2022, accepts Provisional By-law 15-2023 as presented.

And further that the Court is now adjourned.

Carried

Council Recessed for the Court of Revision for the Longsworth Municipal Drain 2022.

6.3 The Planning Act

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.

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 Ali Zulfiqar., File Number ZN 3-22-19.

Carried

6.3.1 9:00 a.m.

Applicant: Ali Zulfiqar

File No.: ZN 3-22-19

Report No.: CP 2023-115

Location: Part Lot 4, Concession 2 (East Oxford) 545897 Pattullo Avenue, Township of Norwich

Details of Proposed Amendment: To rezone the subject property from ‘Limited Agricultural Zone (A1)’ to ‘Special Limited Agricultural Zone (A1- sp)’ to permit the establishment of a second single detached dwelling, for a total of two single detached dwellings on the subject lands.

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

Ms. St. Clair, Senior Development Planner, outlined the application as contained within Report CP 2023-115. She advised that the applicant is proposing the construction of a second single detached dwelling on the property to the west of the existing structure and would share the existing driveway. Ms. St. Clair referred to the recently adopted policies by Oxford County related to accessory residential units explaining that the existing dwelling would be considered the ARU upon completion due to the large size of the proposed structure. She advised that there was one call from a neighbouring property owner, however, no comments or concerns were received.

Mr. Zulfiqar, owner, explained that he and four brothers moved to Norwich Township in 2020 and that he hopes to build a home for his new wife and make Norwich home.

Ms. Lillian Povoledo of 545885 Pattullo Avenue inquired about a municipal drain in the area and the property severance process.

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

Resolution #4

Moved by Adrian Couwenberg, seconded by Alisha Stubbs;

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

Carried

Resolution #5

Moved Adrian Couwenberg, seconded by Alisha Stubbs;

That with respect to the application to amend Zoning By-law 07-2003-Z, by Ali Zulfiqar, File No.: ZN 3-22-19, for lands described as Part Lot 4, Concession 2 (East Oxford), 545897 Pattullo Avenue, Township of Norwich; to rezone the subject lands from ‘Limited Agricultural Zone (A1)’ to ‘Special Limited Agricultural Zone (A1-sp)’ to permit the construction of a second single detached dwelling on the property, the Council of the Township of Norwich hereby; Approve the zone change

Carried

6.4 Other

None

7. DELEGATIONS

None

8. CORRESPONDENCE

8.1 Oxford Community Foundation OCFootprints

Re: Quarterly Newsletter – Spring 2023

Resolution #6

Moved by Adrian Couwenberg, seconded by Alisha Stubbs;

That the Correspondence as listed in Agenda Item 8.1 be received as information.

Carried

9. COMMITTEE MINUTES

9.1 Norwich BIA

Re: Meeting Minutes – March 7, 2023

Resolution #7

Moved by Adrian Couwenberg, seconded by John Scholten;

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

Norwich BIA

Re: Meeting Minutes – March 7, 2023

Carried

10. REPORTS

10.1 Planning and Development Services

None

10.2 Fire and Protective Services

10.2.1 Month-end Statistical Reports, March 2023

Report FP 2023-08

Resolution #8

Moved by John Scholten, seconded by Alisha Stubbs;

That Staff Report No. FP 2023-08, March 2023 Monthly Activities, be received as information.

Carried

10.3 Drainage Services

10.3.1 March 2023 Drainage Report

Report DR 2023-14

Resolution #14

Moved by Alisha Stubbs, seconded by John Scholten;

That Report DR 2023-14, March 2023 Activity Report, be received as information.

Carried

10.4 Building Services

10.4.1 March 2023 Building Report Report BB 2023-04

In response to Council questions, Mr. Smale advised that cloud permitting provides confirmation of submissions or new information however does not provide email notifications of updates so staff have requested people advise staff when they are submitting updated documentation.

Resolution #15

Moved by John Scholten, seconded by Alisha Stubbs;

That Report BB 2023-04, March 2023 Building Report, be received as information.

Carried

10.4.2 Building Department 2022 Annual Report Report BB 2023-05

Resolution #16

Moved by Adrian Couwenberg, seconded by John Scholten;

That Report BB 2023-05, Building Department 2022 Annual Report, be received as information;

And That Staff be directed to proceed with undertaking interim adjustments to the 2021 Fees Study, and provide a report and initiate proceedings to amend Building Permit Fees prescribed in Schedule "A" to By-law 16-2019 (the "Building By-law") forthwith.

Carried

10.5 Public Works Services

10.5.1 Progress Report for March 2023 Report PW 2023-06

Resolution #17

Moved by Adrian Couwenberg, seconded by John Scholten;

That Report PW 2023-06, Progress Report for March 2023, be received as information;

And That Council award the Township 2023 gravel tender to Oxford Sand and Gravel;

And That Council approve proceedings with the capital project for Horn Road in accordance with the lowest tender submitted.

Carried

10.6 Community Development Services

10.6.1 Monthly Departmental Activities

Report CDS 2023-04

Resolution #18

Moved by Adrian Couwenberg, seconded by John Scholten;

That Report CDS 2023-04, Monthly Departmental activities, be received as information;

And Further That CDS Staff finalize an agreement with Norwich – Otterville minor ball on the location and installation of a batting cage at Dillon Park.

Carried

10.7 Medical Centre Services

10.7.1 Medical Centre March 2023 Activity Report

Report MED 2023-04

Resolution #19

Moved by Alisha Stubbs, seconded by John Scholten;

That Report MED 2023-04, Medical Centre March 2023 Activity Report, be received as information.

Carried

10.8 Financial Services

10.8.1 Financial Summary as at March 31, 2023

Report FS 2023-07

Resolution #20

Moved by John Scholten, seconded by Alisha Stubbs;

That Staff Report No. FS 2023-07, Council Financial Summary as at March 31, 2023, be received as information.

Carried

10.8.2 Request to Provide Accounts Payable Listings

Report FS 2023-08

In response to Council questions, Mr. Johnson advised that there are several levels of security measures in places to ensure accountability with respect to property payments made by staff. There was Council discussion with respect to: the current monthly financial report and staff highlighting variances.

Resolution #21

Moved by Alisha Stubbs, seconded by John Scholten;

That Staff Report No. FS 2023-08, Request to Provide Accounts Payable Listings, be received as information;

And Further That Staff continue to provide monthly variance reports in the current format.

Carried

10.9 Administrative Services

10.9.1 Compliance Report – Candidate Financial Statements for the 2022 Municipal Election

Report CAO 2023-11

Resolution #22

Moved by Adrian Couwenberg, seconded by John Scholten;

Report No. CAO 2023-11, Compliance Report – Candidate Financial Statements for the 2022 Municipal Election be received as information.

Carried

10.9.2 Council Strategic Plan

Report CAO 2023-12

There was Council discussion with respect to deferring the approval until all members of Council are in attendance.

Resolution #23

Moved by Adrian Couwenberg, seconded by John Scholten;

Report No. CAO 2023-12, Council Priorities and Strategic Action Plan 2023-2026, be received as information

And further that consideration be deferred until May 9, 2023.

Carried

11. NOTICE(S) OF MOTION

None

12. CLOSED SESSION

12:19 p.m.

Resolution #24

Moved by Adrian Couwenberg, 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: 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: Appointment of Director of Corporate Services/Clerk
Confidential Memorandum

- 12.2 Closed Meeting Minutes**
Re: March 14, 2023

Resolution #25
Moved by Alisha Stubbs, seconded by John Scholten;

That the Council do now reconvene in open session.

Carried

12:24 p.m.

Resolution #26
Moved by John Scholten, seconded by Alisha Stubbs;

That the By-law to appoint Kimberley Armstrong as the Director of Corporate Services/Clerk be given Council consideration.

Carried

- 13. BY-LAWS**
- | | |
|----------------------|---------------------------------------------------------------|
| No. 07-2023-Z | To Amend Zoning By-law 07-2003-Z (Zulfiqar ZN 3-22-19) |
| No. 09-2023 | To Provide for Drainage Works – Harvey Drain 2022 |
| No. 20-2023 | To Appoint a Director of Corporate Services / Clerk |
| No. 21-2023 | To Confirm All Actions and Proceedings of Council |

- 13.1 First and Second Reading of the Following By-law**

Resolution #27
Moved by Adrian Couwenberg, seconded by John Scholten;

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

No. 07-2023-Z	To Amend Zoning By-law 07-2003-Z (Zulfiqar, File. No. ZN 3-22-19)
No. 20-2023	To Appoint a Director of Corporate Services/Clerk
No. 21-2023	To Confirm All Actions and Proceedings of Council

Carried

13.2 Third Reading of the Following By-law

Resolution #28

Moved by Adrian Couwenberg, seconded by John Scholten;

That By-laws 07-2023-Z, 09-2023, 20-2023 and 21-2023 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 – 12:28 p.m.

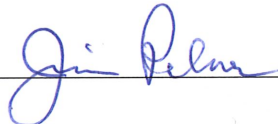
Resolution #29

Moved by Adrian Couwenberg, seconded by Alisha Stubbs;

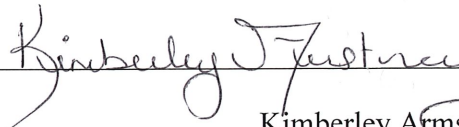
That this Council do now adjourn.

Carried

These minutes adopted by way of Resolution No. 2 as approved by Council at its meeting on the 9th day of May 2023.



Mayor
Jim Palmer



Clerk
Kimberley Armstrong