



**The Corporation of the Township of Norwich
Council Meeting Minutes
Tuesday August 13, 2024
Regular Council Meeting**

In Attendance:

Council:

Mayor Jim Palmer
Councillor Toews
Councillor DePlancke
Councillor Gear
Councillor Couwenberg

Staff:

Lee Robinson, CAO
Kimberley Armstrong, Director of Corporate Services/Clerk
James Johnson, Treasurer/Deputy CAO
Ken Farkas, Director of Public Works
Derek Van Pagee, Director of Fire and Protective Services
Dirk Kramer, Deputy Chief Building Official/Drainage Superintendent
Sean McCoy, Deputy Clerk/Planning Coordinator

1. Call to Order

The regular session 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 by Lynne DePlancke, seconded by Karl Toews:

That the Agenda be accepted as presented.

Carried

3. Public Recognition / Presentations

None.

4. Disclosure of Pecuniary Interest

Councillor Couwenberg disclosed a direct interest in item 6.2.1, Consideration of the Engineers Report Re: Simmons-Hopkins Municipal Drain 2024.

5. Adoption of Minutes of Previous Meeting(s)

5.1 July 9, 2024

Resolution #2

Moved by Karl Toews, seconded by Lynne DePlancke:

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

July 9, 2024

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 Newton Municipal Drain – Basrai Branch 2024.

All owners and agencies were notified of the meeting to consider the report on July 15, 2024.

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.

The Mayor asked all in attendance with respect to this application to please sign the attendance sheet at the door.

**6.2.1 6.2.1 Consideration of the Engineers Report
Re: Newton Municipal Drain – Basrai Branch 2024
Report DR 2024-15**

Mr. Paul MacIntyre and Mr. Jacob Rooke, R J Burnside & Associates Limited, provided an overview of the report and reviewed the history of the Newton Municipal Drain which was originally constructed in 1904, and includes six previous reports based on the history included in a 1995 Report by John W. Kuntze, dated 1919, 1956, 1959, 1960, 1971 and 1995. An on-site meeting was held which determined that the primary purpose of this report is provide a sufficient and legal outlet for the stormwater

management pond to be constructed on the Basrai property. The proposed work will service an area of 55.5 acres and is estimated to cost approximately \$92,360.

Mr. John Young, of 525087 Horn Road, expressed concerns that the report did not reflect the actual flow of water which directs down Horn Road and drains to the east. He explained that his property had been flooded out twice and would like to see this rectified with this drain. Mr. MacIntyre explained that the water shed in the Report was taken from the original Newton Drain, as well as surveys and Lidar scans. However, there was an option to take the report back to potentially revise it.

Mr. Bob Barta, of 525114 Horn Road, expressed concern about how the costs were apportioned and wanted to ensure that the right property owners were paying an appropriate amount.

Mr. Stephen Watts, property owner of 525089 Horn Road, expressed concern about contamination of the water flowing through the former auto wrecking yard. He explained his property has been accepting water from the former auto wrecking yard for five years through an outlet from a private drain. He advised that he has expressed concerns to the Upper Thames River Conservation Authority.

Mr. Josh Strathopolous, of 504885 Old Stage Road, expressed concerns that the proposed drain would not provide any benefit to their property as they are serviced by their own drain that goes down the side of the road. He also expressed concern about the contamination of water flowing through the former auto wrecking yard.

In response to questions from Council, Mr. MacIntyre explained that the elevation line included on the map in the report depicts the high point in the area serviced by the drain. Also, that proposed drain is to service existing conditions on the Basrai property by providing a legal outlet and was designed to reflect the natural flow of water in the area.

There were no further questions.

There was no one in attendance that wished to add or remove their name from the petition.

Resolution #3

Moved by Lynne DePlancke, seconded by Karl Toews:

That Report DR 2024-15, Consideration of the Newton Municipal Drain – Basrai Branch, be received as information;

And further that it be referred back to the Engineer for more information as discussed.

Carried

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 Simmons-Hopkins Municipal Drain 2024.

All owners and agencies were notified of the meeting to consider the report on July 15, 2024.

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.

The Mayor asked all in attendance with respect to this application to please sign the attendance sheet at the door.

6.2.2 Consideration of the Engineers Report
Re: Simmons-Hopkins Municipal Drain Report 2024
Report DR 2024-16

Councillor Couwenberg, having declared a pecuniary interest, did not participate in this item.

Mr. Mike DeVos, Spriet Associates Limited, advised that this report was prepared as per Section 78 of the Drainage Act. He provided an overview of the report and reviewed the history of the Simmons-Hopkins Municipal Drain, which was originally constructed in 1905, partially improved in the lower portion with an enclosed ditch and added tiles in 1942, and improved again with additional tile in 1968. Mr. DeVos explained that the additional reports did not make much reference to the 1905 report so there was some confusion as to the status of the original drain, with the additional improvements looking and appearing as a replacement. Both tiles are functioning for the watershed, however some areas of the 1905 drain have been done away with through private tiling in the upper portions of the watershed.

Mr. DeVos explained that the drain in the lower portions of the watershed are old and undersized, lacking capacity to properly serve a 337 hectare area. Areas in the upper portion of the watershed have no surface outlet, so water collects in the lower areas of the field and waits there until the tile catches up. Generally, the tile is in ok condition with some grading issues. The biggest concerns are downstream with work being needed to fix existing conditions as it is not functioning as intended. The work proposed is to replace the existing drain with a proper sized drain to twin the existing portion to provide more capacity. Due to costs, this could involve improving the worst areas first and leaving others for a future date. This is not the preferred option, but it is less expensive up front. Additional work would include installing catch basins at lot lines, and tying the twin system to other portions of the drain.

In response to questions from Council, Mr. DeVos explained that the life expectancy of a drain improvement is approximately 50 years or more. In some areas erosion can impact the life span of a drain and the materials used at different points in time may also have an impact. Generally, the drains last as long as the pipe and soil conditions allow for use, and the pipes have been laid in appropriate bedding so as to prevent pipe shifts.

There were no further questions.

There was no one in attendance that wished to add or remove their name from the petition.

Resolution #4

Moved by Shawn Gear, seconded by Lynne DePlancke:

That Report DR 2024-16, Consideration of the Simmons-Hopkins Drain 2024 be received as information;

And that in accordance with Section 4.1 of the Drainage Act, Council of the Township of Norwich hereby adopts Spriet Associates Engineer's report dated May 28, 2024, referred to as the "Simmons-Hopkins Drain 2024";

And that Provisional By-law 43-2024 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 September 10, 2024, be set for the first sitting of the Court of Revision.

Carried

6.3 The Planning Act

Resolution #5

Moved by Shawn Gear, seconded by Adrian Couwenberg:

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 1788140 Ontario Inc., File Number ZN 3-24-10.

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.

If anyone was in attendance with respect to this application, that they would please sign the attendance sheet at the door.

6.3.1 Applicant: 1788140 Ontario Inc.

File No.: ZN 3-24-10

Report No.: CP 2024-250

Location: Pt. Lot 13, Concession 11 (South Norwich) 165444 New Road, Township of Norwich, ON

Details of Proposed Amendment: To rezone the subject lands from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to permit the construction of a dwelling on an undersized agricultural parcel.

Mr. Branden Vandepoele, applicant, was in attendance representing the application.

Ms. Amy Hartley, Development Planner, provided an overview of the application as contained within Report CP 2024-250. She advised that the application proposes construction a residence on an undersized agricultural parcel. The location was selected to minimize loss of tillable lands and not affect neighbouring properties. The location of the driveway will need to be determined after sight line calculations have been conducted to ensure safety

Ms. Hartley further explained that concerns regarding MDS I setbacks were reviewed, and staff are satisfied that no relief is required from the abutting parcel. Comments received from Long Point Region Conservation Authority state that any proposed buildings or structures will need to be located 21 meters to 27 meters from the edge of the road to be outside of the hazardous areas indicated by the Conservation Authority.

In response to questions from Council, Ms. Hartley explained that the planning process does not regulate who resides in the dwelling and therefore that information is not provided as part of the application.

In response to Council concerns regarding a required traffic impact statement, Ms. Robinson explained that hard surface aprons are necessary on entrances to hard surface roads to prevent gravel from coming out from the driveway onto the road. This reduces maintenance needs and liabilities. This is not required if the existing road is gravel. Ms. Robinson also explained that in regards to Traffic Impact Statements, applicants are often not required to provide a large amount of information and a sentence or two regarding vehicle traffic on and off the property is all that is necessary. to ensure that traffic is appropriate with the proposed use and zoning requirements.

Mr. Vandepoele explained that there were no foreseen impacts on neighbours as a result of the proposed zone change.

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

Resolution #6

Moved by Adrian Couwenberg, seconded by Shawn Gear:

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

Carried

Resolution #7

Moved by Karl Toews, seconded by Lynne DePlancke:

That with respect to the application to amend Zoning By-law 07-2003-Z, by 1788140 Ontario Inc. for lands described Part of Lot 13, Concession 11 (South Norwich), municipally known as 165444 New Road in the Township of Norwich, whereby the lands are to be rezoned from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-49)' to facilitate the construction of a single-detached dwelling on an undersized agricultural parcel, the Council of the Township of Norwich hereby approve the zone change.

Carried

Resolution #8

Moved by Karl Toews, seconded by Lynne DePlancke:

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 1788140 Ontario Inc., File Number ZN 3-24-12.

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.

If anyone was in attendance with respect to this application, that they would please sign the attendance sheet at the door.

6.3.2 Applicant: 1788140 Ontario Inc.

File No.: ZN 3-24-12

Report No.: CP 2024-251

Location: Pt. Lot 14, Concession 10 (South Norwich) 165383 New Road, Township of Norwich, ON

Details of Proposed Amendment: To rezone the subject lands from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to permit the construction of a dwelling on an undersized agricultural parcel.

Mr. Branden Vandepoele, applicant, was in attendance representing the application.

Ms. Amy Hartley, Development Planner, provided an overview of the application as contained within Report CP 2024-251. She explained that the objective of the policy is to minimize the amount of land used for the development and staff are satisfied that where the proposed building envelope is proposed will result in minimal loss of tillable land. Township staff have requested that the driveway be located 1 metre further to the east than what is proposed on Plate 3 of the report.

Ms. Hartley advised that the by-law along with the appropriate Schedule and Key Map will be brought to Council at a later date.

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

Resolution #9

Moved by Lynne DePlancke, seconded by Karl Toews:

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

Carried

Resolution #10

Moved by Shawn Gear, seconded by Adrian Couwenberg:

That with respect to the application to amend Zoning By-law 07-2003-Z, by 1788140 Ontario Inc. for lands described Part of Lot 14, Concession 10 (South Norwich), municipally known as 165383 New Road in the Township of Norwich, whereby the lands are to be rezoned from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-50)' to facilitate the construction of a single-detached dwelling on an undersized agricultural parcel, the Council of the Township of Norwich hereby approve the zone change.

Carried

Resolution #11

Moved by Karl Toews, seconded by Lynne DePlancke:

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 Darcy and Rebecca Ryksen, File Number ZN 3-24-13.

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.

If anyone was in attendance with respect to this application, that they would please sign the attendance sheet at the door.

6.3.3 Applicant: Darcy and Rebecca Ryksen

File No.: ZN 3-24-13

Report No.: CP 2024-252

Location: Pt. Lot 15, Concession 1, Parts 1 & 2, 41R-8460 (North Norwich) north side of Deer Crescent lying between Main Street North and Highway 59, Township of Norwich, ON

Details of Proposed Amendment: To rezone the subject lands from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to permit the construction of a dwelling on an undersized agricultural parcel.

Mr. Darcy Ryksen and Ms. Rebecca Ryksen, applicants, were in attendance representing the application.

Ms. Amy Hartley, Development Planner, provided an overview of the application as contained within Report CP 2024-252. She explained that the application proposes a residential building envelop abutting Deer Crescent. Due to constraints relating to the open municipal drain and required setbacks, the building envelope being proposed is only 0.5 acre. Ms. Hartley advised that staff are generally satisfied that the proposed building envelope can accommodate a dwelling and private services. Due to the realignment of a municipal drain, a geotechnical report and study may be required to determine the most appropriate location for the septic.

Ms. Hartley commented that the proposed 8 m agricultural access abutting the driveway access to the residential development may need to be amended to be a joint access to meet zoning requirements.

In response to questions from Council, Ms. Hartley explained that there is no secondary access for farm equipment confirmed to be registered on the property, which is why the

8-meter access is being required. She further clarified that building envelopes within an agricultural parcel are not separate lots and the setbacks required for a lot would not apply.

Mr. Derek de Jonge, of 64 Dover Street South, Otterville, representing property owners to the north of the subject property, inquired about future severability of the agricultural portion of the subject property once a house was built. Ms. Hartley explained that current policies would not support a severance and that consolidation with neighbouring a agricultural property may be considered.

Mr. Matt Reisner, 86 Deer Crescent, Burgessville, requested clarification that the residential development was restricted to the proposed building envelope and inquired about the joint access for the subject property. Ms. Hartley confirmed that the residential development was only to occur in the proposed building envelope. She further explained that the reason for the joint 8-meter access was to ensure enough access should the secondary access through the Main Street right-of-way cease to exist.

Ms. Robinson explained that the purpose of the application is to define the building envelope. Furthermore, there can be no more than 9 meters of combined entrances to the property and the exact location can be determined once the building location is established. The 1m minimum setback for the driveway was to ensure that it was not on the immediate property line.

Mr. Rob Fody, of 110 Deer Crescent, Burgessville, inquired about potential agricultural structures on the property and expressed concerns about the future residence not being required to comply with the subdivision restrictive covenants.

Ms. Hartley explained that any barn containing livestock would have to conform with MDS setbacks and would require a minor variance as it is too close to the settlement area and structures erected for residential use would need to be contained within the building envelope. Ms. Hartley further explained that restrictions imposed on residential properties are between the property owner and the developer.

In response to questions from Council, Ms. Hartley explained that the right-of-way could be removed if a farm is consolidated, but that would be up to the property owner to discuss with their lawyer.

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

Resolution #12

Moved by Shawn Gear, seconded by Adrian Couwenberg:

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

Carried

Resolution #13

Moved by Karl Toews, seconded by Lynn DePlancke:

That with respect to the application to amend Zoning By-law 07-2003-Z, by Darcy and Rebecca Ryksen for lands described Part Lot 15, Concession 1, Parts 1 & 2, 41R-8460 (North Norwich) in the Township of Norwich, whereby the lands are to be rezoned from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to facilitate the construction of a single-detached dwelling on an undersized agricultural parcel, the Council of the Township of Norwich hereby approve the zone change.

Carried

Council recessed at 10:27 a.m.

Council resumed at 10:40 a.m.

Resolution #14

Moved by Lynn DePlancke, seconded by Karl Toews:

That the following members sit as the Committee of Adjustment for the Township of Norwich: Chair Lynne DePlancke and Members: Jim Palmer, Adrian Couwenberg, Shawn Gear and Karl Toews;

And further that the Committee of Adjustment is now convened.

Carried

Committee of Adjustment

6.3.4 Applicant: Darren and Janice Scholten

File No.: A 10-24

Report No.: CP 2024-248

Location: Pt. Lot 11, Concession 4 (East Oxford) RP 41R-549 Part 3, 485459 Firehall Road, Township of Norwich, ON

Details of Proposed Amendment: Relief from; Section 5.1.1.3 – Accessory Use Provisions, Lot Coverage, to increase the permitted coverage for a residential accessory structure from 170 m² (1,830 ft²) to 223 m² (2,400 ft²); and Relief of Section 5.1.1.3 – Accessory Use Provisions, Maximum Height, to increase the permitted height of a residential accessory structure from 5.5 m (18 ft) to 6.2 m (20.3 ft).

Mr. Darren Scholten, applicant, was in attendance representing the application.

Ms. Amy Hartley, Development Planner, provided an overview of the application as contained within Report CP 2024-248. She explained that the applicant proposes to increase the maximum height and lot coverage for accessory structures to facilitate a shop for personal storage.

Ms. Hartley further explained that comments from the Township Building department note that a septic evaluation will need to be conducted to ensure that the proposed structure is not located on any portion of the septic system. Additionally, the proposed structure will need to comply with the permitted uses and any uses outside of what is permitted in the Residential Existing Zone will require a further zone change.

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

Resolution #15

Moved by Karl Toews, seconded by Jim Palmer:

That with respect to the application by Darren and Janice Scholten, File No. A 10-24, for a Minor Variance located at Part of Lot 11, Concession 4 (East Oxford) being Part 3, 41R-549, municipally known as 485459 Firehall Road, Township of Norwich, for relief from Section 5.1.1.3 – Accessory Use Provisions, to increase the maximum lot coverage allowance for detached residential accessory structures from 170 m² (1,830 ft²) to 240.8 m² (2,591.95 ft²); and, Section 5.1.1.3 – Accessory Use Provisions, to increase the maximum permitted height for a detached residential accessory structure from 5.5 m (18 ft) to 6.2 m (20.3 ft); to permit the construction of a new residential accessory structure on the subject lands, the Committee of Adjustment hereby approve the requested Minor Variance subject to the following conditions:

- i. The submission of a coordinated engineered lot grading/drainage plan and septic system reconstruction plan, to the satisfaction of the Township of Norwich Building Department.

Carried

6.3.5 Applicant: Vincent Nero

File No.: A 11-24

Report No.: CP 2024-249

Location: Lot 12, Plan 41M-51, 126 Lossing Drive (Norwich) Township of Norwich, ON

Details of Proposed Amendment: Relief from Section 12.3.5.2.1 – R2-5 Provisions, Lot Coverage, to increase the permitted lot coverage from 45% to 49.6%; and Table 12.2 – Zone Provisions, Rear Yard, to decrease the required rear yard setback from 7.5 m (29.5 ft) to 4.4 m (14.4 ft).

Ms. Kim Dziegiel, agent for the applicant, was in attendance representing the application.

Ms. Amy Hartley, Development Planner, provided an overview of the application as contained within Report CP 2024-249. She advised that the application proposes to increase the permitted lot coverage and decrease the required rear yard setback to permit the construction of a sunroom addition. She further explained that the proposed lot coverage would maintain adequate space on the subject property for grading and

drainage as well as amenity space and area to move around the buildings for the purposes of maintenance.

Ms. Hartley advised that it should be noted that increases to the lot coverage on individual lots may have an aggregate impact of the Stormwater Management Facilities for the subdivision development. Future proposals may warrant review by the Municipal Drainage Engineer.

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

Resolution #16

Moved by Adrian Couwenberg, seconded by Shawn Gear:

That with respect to the application by Vincent Nero, File No. A 11-24, for a Minor Variance located at Lot 12, Plan 41M-351, being municipally known as 126 Lossing Drive, Township of Norwich, for relief from Section 12.3.5.2.1 – R2-5 Zone Provisions, Lot Coverage, to increase the maximum permitted lot coverage from 45% to 49.6%; and, Table 12.2 – Zone Provisions, Rear Yard, to decrease the required rear yard setback from 7.5 m (29.5 ft) to 4.4 m (14.4 ft); to facilitate the construction of a sunroom addition at the rear of the existing dwelling on the subject lands, the Committee of Adjustment hereby approve the requested Minor Variance subject to the following conditions:

- i. That the proposed relief shall only apply to a covered deck of the approximate size and location as depicted on Plate 3 of Report CP 2024-249.

Carried

6.3.5 Applicant: Mose Miller

File No.: A 09-24

Report No.: CP 2024-247

Location: Pt. Lot 22, Concession 6 (North Norwich) 264947 Maple Dell Road, Township of Norwich, ON

Details of Proposed Amendment: Relief from Section 5.1.1.3 – Accessory Use Provisions, Maximum Height; to increase the permitted height of a residential accessory structure from 5.5 m (18.1 ft) to 5.7 m (18.7ft); and Section 5.1.1.3 – Accessory Use Provisions, Lot Coverage; to increase the permitted coverage for a residential accessory structure from 170 m² (1,830 ft²) to 200 m²(2,152 ft²).

Mr. Mose Miller, applicant, was in attendance representing the application.

Ms. Amy Hartley, Development Planner, provided an overview of the application as contained within Report CP 2024-247. She advised that the application proposes to increase the maximum height and lot coverage for two proposed residential accessory structures. The applicant is proposing to construct a dwelling and two residential accessory structures and the relief is being requested to recognize the cumulative lot

coverage of both accessory structures and the height of the second accessory structure.

Ms. Hartley further explained that the subject lands do contain a portion of valley lands and woodlands as well as a noted erosion hazard, however staff are satisfied that the proposed development is located outside of this area and will have minimal impact. Long Point Conservation Authority noted no concerns with the proposal as it is located outside of their regulated area.

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

Resolution #17

Moved by Shawn Gear, seconded by Adrian Couwenberg:

That with respect to the application by Mose Miller, File No. A 09-24, for a Minor Variance located at Part Lot 22, Concession 6 (North Norwich), being municipally known as 264947 Maple Dell Road, Township of Norwich, for relief from Section 5.1.1.3 – Accessory Use Provisions, to increase the maximum lot coverage allowance for detached residential accessory structures from 170 m² (1,830 ft²) to 340.93 m² (3,669.74 ft²); and, Section 5.1.1.3 – Accessory Use Provisions, to increase the maximum permitted height for a detached residential accessory structure from 5.5 m (18 ft) to 5.7 m (18.7 ft); to permit the construction of two new residential accessory structure on the subject lands, the Committee of Adjustment hereby approve the requested Minor Variance subject to the following conditions:

- i. That the construction of a new building accessory to a residential use comprising a total gross floor area of approximately 340.93 m² (3,669.74 ft²) of gross floor area, consisting of two (2) sheds of approximately 144.93 m² (1,560 ft²) (Shed 1) and approximately 196 m² (2,109.7 ft²) (Shed 2), be established in the general location as illustrated on Plate 3 of Report 2024-247, to the satisfaction of the Township of Norwich Building Department.

Carried

Resolution #18

Moved by Adrian Couwenberg, seconded by Shawn Gear:

Be it hereby resolved that the Committee of Adjustment do now Adjourn and that the Open Council meeting resumes.

Carried

6.4 Other
None.

7. Delegations – 1:30 p.m.

7.1 Ben Kungl

Re: Proposed Woodstock Boundary Adjustment

Mr. Ben Kungl, Old Stage Road, advised that he comes from a multi-generational Norwich Township family and wants his children to also grow up and enjoy the rural life. He expressed concerns with the Patullo Avenue issue and large-scale investment pushing boundary movement. Mr Kungl encouraged Council to act in a way that takes charge rather than reacting, and expressed disappointment that there were not opportunities for public consultation before the proposal was made available for public comment. Mr. Kungl commented that families in Norwich live here willingly, if they wanted to live in Woodstock, they would. He encouraged Council would stand up for the land and the people that live on that land when making their decision about the proposed boundary adjustment to prevent a loss of agricultural heritage and lands.

Resolution #36

Moved by Karl Toews, seconded by Lynne DePlancke:

That the Delegation of Ben Kungl Re: Proposed Woodstock Boundary Adjustment, be received as information.

8. Correspondence

8.1 Long Point Region Conservation Authority

Re: Board of Directors Meeting Minutes – June 5, 2024

Re: Hearing Board Meeting Minutes – June 5, 2024

8.2 Ministry of Natural Resources

Re: Proposal Regarding Developing a Commercial Scale Framework for Geologic Carbon Storage

Re: Geologic Carbon Storage Backgrounder

8.3 Ontario Energy Board

Re: Enbridge as Inc. application to dispose of Balances of Deferral and Variance Accounts

8.4 OPP Municipal Policing Bureau

Re: Ratification of New Uniform and Civilian Collective Agreements

8.5 Norwich Chamber of Commerce

Re: Newsletter June 2024

8.6 Township of Otonabee-South Monaghan

Re: Regulations for the Importation and Safe Use of Lithium-ion Batteries

8.7 Town of Smith Falls

Re: Provincial Regulations needed to Restrict Keeping of Non-Native (Exotic) Wild Animals

- 8.8 Lake of Bays**
Re: Request for Royal Assent of Administrative Monetary Penalty System in the Ontario Building Code Act
- 8.9 Town of Bradford West Gwillimbury**
Re: Request for Creation of Province-wide Long-Service Medals for Police and Paramedics
- 8.10 Township of Limerick**
Re: AMO/OMA Joint Health Resolution Campaign Regarding Physician Shortage
- 8.11 Petition 1**
Re: Residents opposed to their properties being incorporated into the City of Woodstock
- 8.12 Petition 2**
Re: Residents opposed to Woodstock Boundary Negotiation Proposal Resolution #19
Moved by Lynne DePlancke, seconded by Karl Toews:

That the Correspondence as listed as Agenda Items 8.1 to 8.12 be received as information;

And further that Council support items 8.6, 8.7, 8.8, 8.9, 8.10, 8.11 and 8.12.

Carried

- 9. Committee Minutes**
- 9.1 Burgessville Canada Day Committee**
Re: Meeting Minutes – June 17, 2024
Re: Meeting Minutes – July 8, 2024
- 9.2 Municipal Heritage Committee**
Re: Meeting Minutes – June 26, 2024
Re: Ontario Heritage Conference Report
- 9.3 Health & Safety Representative Committee**
Re: Meeting Minutes – June 25, 2024
Resolution #20
Moved by Karl Toews, seconded by Lynne DePlancke:

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

Burgessville Canada Day Committee
Re: Meeting Minutes – June 17, 2024
Re: Meeting Minutes – July 8, 2024

Municipal Heritage Committee
Re: Meeting Minutes – June 26, 2024
Re: Ontario Heritage Conference Report

Health & Safety Representative Committee
Re: Meeting Minutes – June 25, 2024

Carried

10. Reports

10.1 Planning and Development Services

10.1.1 Application for Zone Change ZN 3-24-01 Township-Wide ARU Amendments Memorandum

In response to questions from Council, Ms. Hartley confirmed that the number of potential properties that could be eligible for a detached additional residential unit (ARU) had decreased from 807 to 497 by increasing the minimum lot size in the serviced settlement area from 600 m² to 800 m².

Resolution #21

Moved by Shawn Gear, seconded by Adrian Couwenberg:

That Council receive the Memorandum: Application for Zone Change: ZN 3-24-01 as information.

Carried

10.2 Fire and Protective Services

10.2.1 New Tanker – Burgessville Station 3

Report FP 2024-06

Resolution #22

Moved by Adrian Couwenberg, seconded by Shawn Gear:

That Report FP 2024-06, New Tanker – Burgessville Station 3 be received as information;

And that Council approve Staff to enter into an agreement of purchase with Fort Garry for a 2027 Fort Garry Fire Truck Pumper Tanker on a Freightliner M2-106 Chassis.

Carried

10.2.2 Ontario Fire College Regional Training Centre – Joint Municipal Initiative Report FP 2024-07

Resolution #23

Moved by Shawn Gear, seconded by Adrian Couwenberg:

That Report FP 2024-07, Ontario Fire College Regional Training Centre – Joint Municipal Initiative be received as information;

And that the Clerk be directed to sign the Emergency Services Training and Registration Agreement between the Ontario Fire College and the Corporation of the Township of Norwich on behalf of the Rural Fire Services of Oxford County (Norwich, Blandford-Blenheim, East Zorra-Tavistock, Zorra, South-West Oxford) to establish a Regional Training Centre.

Carried

10.2.3 Release of Holdback for Burgessville Fire Station

Report FP 2024-08

In response to questions from Council, Ms. Robinson confirmed that the holdback amount was just under \$200,000. She also explained that it is the responsibility of the general contractor to pay their sub-contractors and unless a lien is put on the property the Municipality has no legal ability to by-pass paying the general contractor and directly pay the sub-contractors. Additionally, Ms. Robinson advised that the official 60-day notice period has started, and the Township has received the certificate that it has been published.

There was Council discussion regarding continuing with the full 60-day notice period.

Resolution #24

Moved by Lynne DePlancke, seconded by Karl Toews:

That Report FP 2024-08, Release of Holdback for Burgessville Fire Station be received as information.

Carried

10.3 Drainage Services

10.3.1 Longsworth Municipal Drain 2022 Construction Collection

Report DR 2024-14

Resolution #25

Moved by Karl Toews, seconded by Lynne DePlancke:

That Report DR 2024-14, Longsworth Municipal Drain 2022 Construction Collection, be received as information;

And further that By-law 41-2024 be adopted to provide for the collection of the construction costs for the Longsworth Municipal Drain 2022.

Carried

**10.3.2 Request for Improvement of the Kirkpatrick Award Drain
Report DR 2024-17**

Mr. Kramer advised that there was a clerical error and the Award Drain should have been filed under Section 4 of the Drainage Act, as Award Drains are not covered under Section 78. He advised that Council may approve the report and the filings would be updated accordingly.

In response to questions from Council, Mr. Kramer confirmed that Spriet Associates were familiar with the drain and had previously improved outlets into the drain.

Resolution #26

Moved by Lynne DePlancke, seconded by Karl Toews:

That Report DR 2024-17, Request for Improvement of the Kirkpatrick Award Drain be received as information, and further that the request for drainage works be accepted and the firm of Spriet Associates London Limited be appointed as engineer under Section 78 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

10.4 Building Services
No report.

10.5 Public Works Services

**10.5.1 Conversion of Firehall Road
Report PW 2024-12**

There was Council discussion regarding using the surplus funds from other projects to fund the gravel conversion of Firehall Road, the appropriateness of selecting Firehall Road as a candidate for conversion despite not being identified as a priority road for conversion in the road needs study, gravel roads conversion costs, the purpose of reserve funds, and infrastructure spending.

In response to questions from Council, Mr. Johnson explained that total costs for the New Road project did not include HST, with approximately 1% not able to claim back. Typically, HST amounts or unclaimable amounts are identified within the accompanying report. Mr. Johnson also explained that a portion of tax dollars collected goes towards reserve funds for future projects and underbudget projects have their surpluses moved into reserve funds that need more funding. Furthermore, that reserve funds are not intended to be spent in their entirety every year, with steady contributions over time and planned appropriately.

Ms. Robinson explained that the surplus funds from New Road were not part of the gravel roads conversion project. She advised that ideally conversion should be planned intersection to intersection and each road will have unique features that may impact costs differently. Ms. Robinson further advised that Firehall Road was not scheduled for gravel conversion in the roads need study and recommended that if additional roads were to be added that they be selected from the roads identified in the study.

Resolution #27

Moved by Adrian Couwenberg, seconded by Shawn Gear:

That Report PW 2024-12, Conversion of Firehall Road, be received as information;

And further that Council direct staff to convert Firehall Road between Middletown Line and County Road 14.

Recorded vote requested by Mayor Palmer.

Councillor Couwenberg:	Yea
Councillor DePlancke:	Nay
Councillor Gear:	Yea
Mayor Palmer:	Nay
Councillor Toews:	Yea

Carried

10.5.2 Oxford County Report PW 2024-25

Re: 2024-2028 Energy Management Plan

Resolution #28

Moved by Shawn Gear, seconded by Adrian Couwenberg:

That Oxford County Report PW 2024-25, 2024-2028 Energy Management Plan, be received as information.

Carried

10.6 Community Development Services

No report.

10.7 Medical Centre Services

No report.

10.8 Financial Services

10.8.1 Financial Summary as at July 31, 2024

Report FS 2024-13

Resolution #29

Moved by Adrian Couwenberg, seconded by Shawn Gear:

That Report FS 2024-15, Council Financial Summary as at July 31, 2024, be received as information.

Carried

10.9 Administrative Services

10.9.1 Rural Oxford Economic Development Corporation

Re: April/May 2024 Economic Development Activity

Resolution #31

Moved by Karl Toews, seconded by Lynne DePlancke:

That the April/May 2024 Rural Oxford Economic Development Activity Report be received as information.

Carried

10.9.2 Candidate Financial Reporting

Report CL 2024-14

Resolution #32

Moved by Lynne DePlancke, seconded by Karl Toews:

That Report CL 2024-14, Candidate Financial Reporting, be received as information.

Carried

10.9.3 Norwich Optimist TNT Tractor Pull

Re: Request for Relief of Noise By-law

Resolution #33

Moved by Lynne DePlancke, seconded by Karl Toews:

That the Norwich Optimist Tractor Pull – Request for Relief of Noise By-law, be received as information;

And further that with respect to By-law 35-2013 to Regulate and Prohibit Noise, organizers ensure tractor pull event noise terminates no later than 11:00 pm on both Friday and Saturday evenings, and amplified music/entertainment noise terminate no later than 1:00 am for Friday events and 11:00 pm for Saturday events; And that organizers ensure event patrons park on site only and not on Evergreen Street or Highway 59.

Carried

10.9.4 Norwich Jr. C Merchants

**Re: Request Permission to Operate Licenced Beer Garden on Municipal Property
Resolution #30**

Moved by Shawn Gear, seconded by Adrian Couwenberg:

That the Norwich Merchant Jr. 'C' Hockey Club be granted permission to utilize a 4,950 square foot portion of Norwich Community Centre arena parking lot to use as a licensed lounge area for their event on September 13th, 2024; subject to the requirements of the Municipal Alcohol Policy and necessary Special Occasion Permit.

Carried

Council Recessed at 12:06 p.m.

Council Resumed at 1:10 p.m.

* To be held at approximately 1:30 pm

10.9.5 Woodstock Boundary Adjustment Discussion Summary Report CAO 2024-06

There was Council discussion regarding the proposed boundary adjustment, options presented and consideration of an alternate proposal going back to the public for consultation. Staff advised that further public consultation is not required since the lands being considered were part of the original proposed area.

Council members spoke to the public response received: in person, via email and through petitions and commented that attending the public consultation allowed them to understand their concerns. They commented that boundary adjustment discussions started due to the necessary realignment of Patullo Ave, which would allow for the lands from the previous boundary adjustment to be developed. This would benefit both Woodstock and Norwich Township. There was additional discussion regarding the compensation package and cross-border servicing.

In response to Council questions, Ms. Robinson explained that although only two properties are involved in the road realignment, the Ministry prefers clear boundary lines and Option 1 reflects that. Ms. Robinson further explained that the City of Woodstock could seek a Ministers Order, which may impact the compensation received by the Township.

Council recessed at 2:24 p.m.

Council resumed at 2:37 p.m.

There was Council discussion regarding the previous boundary adjustment and that the Township does receive a percentage of commercial and industrial tax revenue from developed lands.

Resolution #37

Moved by Adrian Couwenberg, seconded by Shawn Gear:

That Report CAO 2024-05, Woodstock Boundary Discussions Summary and Options, be received as information;

And further that Council direct staff to proceed with, in principle, the proposal known as “the minimalist approach” subject to the following conditions:

- a) All legal fees to be paid by the City of Woodstock;
- b) Allow cross-border servicing from Highway 59 up to Old Stage Road and Pattullo Avenue to Middeltown Line at the expense of the developer;
- c) Public consultation prior to Township final approval; and
- d) All land in the option would be subject to Base Compensation, Joint Prosperity, and tax mitigation and tax phase-in.

Carried

11. Notice(s) of Motion

None.

12. Closed Session

1:17 p.m.

Resolution #34

Moved by Shawn Gear, seconded by Adrian Couwenberg:

That pursuant to the Municipal Act, 2001, as amended, Chapter 25, Section 239(2), council convene in a meeting closed to public to discuss litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Carried

12.1 Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

Re: Decision - Ontario Human Rights Tribunal - File No. HRTO 2023-52703-1

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

Re: Council Orientation

The Council Orientation Session was deferred.

1:26 p.m.

Resolution #17

Moved by Karl Toews, seconded by Lynee DePlancke:

That the Council do now reconvene in open session.

Carried

13. By-Laws

- | | |
|----------------------|--|
| No. 12-2024-Z | To Amend Zoning By-law 07-2003-Z (Township of Norwich File No. ZN 3-24-01, ARU Zoning Provisions) |
| No. 13-2024-Z | To Amend Zoning By-law 07-2003-Z (1788140 Ontario Inc. File No. ZN 3-24-10) |
| No. 15-2024-Z | To Amend Zoning By-law 07-2003-Z (Ryksen, File No. ZN 3-24-13) |
| No. 41-2024 | To Provide for the Collection of Actual Costs – Longsworth Municipal Drain 2022 |
| No. 42-2024 | To Provide for Drainage Works – Newton Municipal Drain |
| No. 43-2024 | To Provide for Drainage Works – Simmons-Hopkins Drain 2024 |
| No. 44-2024 | To Confirm All Actions and Proceedings of Council |

13.1 First and Second Reading of the Following By-law(s)

Resolution #38

Moved by Lynne DePlancke, seconded by Karl Toews:

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

- | | |
|---------------|---|
| No. 12-2024-Z | To Amend Zoning By-law 07-2003-Z (Township of Norwich File No. ZN 3-24-01, ARU Zoning Provisions) |
| No. 13-2024-Z | To Amend Zoning By-law 07-2003-Z (1788140 Ontario Inc. File No. ZN 3-24-10) |
| No. 15-2024-Z | To Amend Zoning By-law 07-2003-Z (Ryksen, File No. ZN 3-24-13) |
| No. 41-2024 | To Provide for the Collection of Actual Costs – Longsworth Municipal Drain 2022 |
| No. 42-2024 | To Provide for Drainage Works – Newton Municipal Drain |
| No. 44-2024 | To Confirm All Actions and Proceedings of Council |

Carried

13.2 Third Reading of the Following By-law

Resolution #39

Moved by Karl Toews, seconded by Lynne DePlancke:

That By-laws 12-2024-Z, 13-2024-Z, 15-2024-Z, 41-2024, and 44-2024 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

Resolution #40

Moved by Lynne DePlancke, seconded by Karl Toews:

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

No. 43-2024 To Provide for Drainage Works – Simmons-Hopkins Drain 2024

Carried

14. Adjournment – 2:54 p.m.

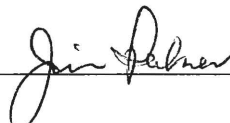
Resolution #41

Moved by Adrian Couwenberg, seconded by Shawn Gear:

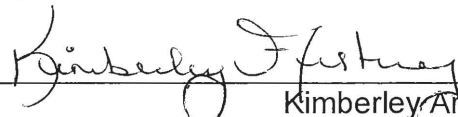
That this Council do now adjourn.

Carried

These minutes adopted by way of Resolution No. 2 as approved by Council at its meeting on the 10th day of September, 2024.



Jim Palmer
Mayor



Kimberley Armstrong
Director of Corporate Services/Clerk