



**The Corporation of the Township of Norwich
Council Meeting Minutes
Tuesday February 28, 2023
Regular Council Meeting**

In Attendance:

Council:

Mayor Jim Palmer
Councillor Scholten
Councillor Stubbs
Councillor Gear
Councillor Couwenberg

Staff:

Kyle Kruger, CAO/Clerk
James Johnson, Director of Finance
Elizabeth Birchall, Customer Service/Records Management 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 7:00 p.m. with Mayor Palmer presiding.

2. Approval of Agenda

Resolution #1
Moved Shawn Gear, seconded by Adrian Couwenberg;

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 February 14, 2023

Resolution #2
Moved by Shawn Gear, seconded by Adrian Couwenberg;

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

February 14, 2023

Carried

6. PUBLIC MEETINGS / HEARINGS

6.1 The Municipal Act

None

6.2 The Drainage Act

None

6.3 The Planning Act

Resolution #4

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 John Hicks File Number ZN 3-22-20.

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 7:20 p.m.

Applicant: Fred Hicks

File No.: ZN 3-22-20

Report No.: CP 2023- 72

Location: Part Lot 6, Concession 1 (East Oxford), Township of Norwich

Details of Proposed Amendment: To rezone the subject property from ‘Institutional Zone (I) and ‘General Agricultural Zone (A2)’ to ‘Special Highway Commercial Zone (HC-sp)’ to permit the conversion of the former Eastwood United Church to a woodworking business for furniture refinishing, with an accessory residential dwelling unit.

Mr. Fred and Ms. Kim Hicks, owners, were in attendance.

Ms. St. Clair outlined the application as contained in Report CP 2023-72. She advised the application proposes to permit the conversion of the former Eastwood United Church to woodworking business with an accessory residential dwelling unit. The business would operate

out of the recently purchased church building with no new development proposed, and all sales are to be undertaken online with no additional employees aside from the owner and his wife. The approximately 1.5 acres of subject land is currently 'split zoned' and surrounding land use is primarily agricultural.

Mrs. St. Clair advised that water and sanitary sewage services will be reviewed as part of the building permit process. The Township of Norwich fire department indicated any combustible materials will need to follow fire code and building code which will be reviewed under the change of use process.

No comments or concerns were received as a result of circulation.

Mr. Fred and Ms. Kim Hicks, property owners, spoke to the concerns of Council regarding the disposal of hazardous chemicals and raw materials, and the upkeep esthetics of the property. Mrs. Kim Hicks commented that their material's supplier will properly dispose of chemical waste when product is returned in store. Discussion was also had regarding noise emitted from tools and possible affects for surrounding property owners.

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

Resolution #5

Moved by Shawn Gear, seconded by Adrian Couwenberg;

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

Carried

Resolution #6

Moved by Adrian Couwenberg. Seconded by Shawn Gear;

That with respect to the application to amend Zoning By-law 07-2003-Z, by John Hicks File No.: ZN 3-22-20, for lands described as Part Lot 6, Concession 1 (East Oxford), Township of Norwich; To rezone the subject property from 'Institutional Zone (I) and 'General Agricultural Zone (A2)' to 'Special Highway Commercial Zone (HC-sp)' to permit the conversion of the former Eastwood United Church to a woodworking business for furniture refinishing, with an accessory residential dwelling unit, the Council of the Township of Norwich hereby; Approve the zone change.

Carried

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

Resolution #9

Moved by Adrian Couwenberg, seconded by Shawn Gear;

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 Jim Jonker, File Number ZN 3-22-16.

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 7:40 p.m.

Applicant: Jim Jonker

File No.: ZN 3-22-16

Report No.: CP 2023-71

Location: Part Lot 2, Concession 3 (former North Norwich), Township of Norwich

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 renewable energy system consisting of an anaerobic digester to create renewable natural gas (RNG) to be distributed into the Enbridge Gas line (located on Base Line).

Mr. Joshua Samuel from Radius RMG was in attendance representing the applicant.

Ms. St. Clair outlined the application as contained in Report CP 2023-71. She advised that the application proposes to permit the establishment of a renewable energy system consisting of an anaerobic digester for the purpose of creating renewable natural gas, which would be distributed through the Enbridge pipeline system located on Base Line Road. No changes are proposed to the existing agricultural use. The proposed digesters will comply with the Minimum Distance Separation setback of 200m to the nearest Type A land use and minimal impact would be made on surrounding agricultural land uses. Additional development details are to be reviewed as part of the Site Plan Control process.

Ms. St. Clair further advised that the Township’s Public Works department expressed concern regarding the associated truck traffic on local roads, specifically during the spring month’s half load weight restrictions. The applicants consulted with the Township Manager of Public Works, who is agreeable to entering into a development agreement with the applicant to limit the hours of truck traffic, and to limit the number of commercial vehicles visiting the site to 5 -10 per day, while adhering to all other local road restrictions

Ms. St. Clair outlined that were concerns received from one member the public regarding; traffic impact, safety of the proposed use, and possible impacts on farm operations.

Members of Council raised questions with respect to; the smell created by the digester, notification requirements for the application, and questions regarding the proposed holding provisions. Ms. St. Clair reviewed the process to remove a holding provision, including addressing items such as traffic, decommissioning, lighting, buffers, and securities.

Mr. Joshua Samuel of Radius RMG spoke representing the application. In response to Council discussion, he provided an overview of the specific type of anaerobic digester proposed of this application and the benefits of renewable energy natural gas sources for both the environment, economy and community, as well as success stories of other similar projects in Ontario. Mr. Samuel provided a detailed explanation as to why Norwich was chosen geographically for this project, referencing Norwich's location within the major gas transition lines in Ontario and its agricultural resources.

Members of Council raised questions regarding the sourced materials available locally and resulting need for trucking, capacity of the planned digesters, staging and storage of materials, and amount of project detail currently set.

Mr. Reinald Treur, 366007 Evergreen Street, expressed his disappointment with the lack of information available to the community for this application leading up to the Council meeting. Mr. Treur expressed concern about possible waste products to be brought for the digester, the size of the facility and increased truck traffic, and the inability of surrounding road infrastructure to handle traffic. Mr. Treur questioned the project meeting the Environmental Compliance Approval (ECA) requirements. He questioned where the applicant would get the manure supply, as local farmers use the manure they produce for their own farms. Mr. Treur expressed concern for the safety and wellbeing of the community in regards to the smell, possible rodent infestation, runoff and contamination of fields and water sources, and emergency situations in case of explosion.

Mr. Bart Van Ymeren, 813397 Base Line Road, advised he owns an Apple Orchard farm 200m from the proposed property, brought up concerns about food safety for human consumption. Mr. Van Ymeren explained that waste brought in for the digester could lead to contamination of his crops and land through runoff of a shared drain with the applicant's property, jeopardizing his business. He expressed concern that contamination could also make its way into the municipal drain and cause further harm to the health of the community and agricultural lands.

John Palmer, 345946 Quaker Street, spoke of his concern about the grading of his land in respect to the proposed property and possibility of contaminated water runoff produced by both the farm and digester site, which will affect the food security of his crops. Mr. Palmer also voiced his concern about the absence of a second public meeting which is not required for the passing of the proposed holding by-law.

Dr. Colin Yates, 793578 Slant Road, explained he has a PhD in Environmental Planning, and spoke regarding the role of the ECA and what answers it can provide the community with. Dr. Yates questioned the status of the ECA for this proposal, and the lack of information provided in the proposal from RMG. He expressed his frustration with the lack of information available to the community in a timely manner to prepare for this Public Meeting.

Emanuel Dutra, 59 Delong Drive, commented on the possible negative effects on the quality of life for the community due to smell produced by the digester, and for community safety. Mr. Dutra questioned if local emergency response departments were equipped to handle the possibility of an explosion or fire. Mr. Dutra also questioned the proposed estimate of trucks coming in and out the facility believing the reality to be higher. He also expressed frustration over lack of information to community from the report provided by applicant.

Mrs. Klasina Debruin, 793526 Slant Road, questioned the quantity of trucks projected by the company and the ability of Slant Road and Evergreen Street to handle the increase in heavy load trucks. Mrs. Klasina also raised concern regarding safety for other cars on these roads as speeding has been a factor in the past. She also questioned where the materials for the digester would be coming from as she did not believe it would be from local farms.

Mr. Albert Myer, 365801 Evergreen Street, raised his concern regarding the effects this development will have on the proposed agricultural lands. Mr. Myer also questioned the status of various reports including engineering and environmental, and the lack of concrete information provided in this application. Further, Mr. Myer spoke of potential traffic hazards due to proposed commercial traffic. He also stated that this could have negative effect on the community mentioning both smell and possible dangers from an explosion. He called for Council to protect their community. Mr. Myer also expressed frustration with the lack of information received from both the Township and Radius RMG regarding the application.

Greg Simpson, 813564 Base Line, spoke of his background working with OMAFRA and suggested Council visit the University of Guelph's Ridgetown campus experimental digester. Mr. Simpson raised questions regarding road safety, mentioning Slant Road's high speed limit and the potential dangers the increase of commercial vehicles could bring, as well as the blind spot entrance at the intersection of Evergreen Street on to Base Line.

In response to question and concerns, Mr. Samuel advised that his company followed the process the County provided for a zone change. The details and reports requested by the public are produced during Site Plan approval and the application has not reached that stage yet. Mr. Samuel asked both Council and the community for the opportunity for due diligence to move forward with the application so the information being requested can be addressed and reports be created. Mr. Samuel noted this rezone application is the first stage in the process, not permission to build.

Resolution #10

Moved by Adrian Couwenberg, seconded by Shawn Gear;

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

Carried

Resolution #11

Moved by Adrian Couwenberg, seconded by Shawn Gear;

That with respect to the application to amend Zoning By-law 07-2003-Z, by Jim Jonker, File No.: ZN 3-22-16, for lands described as Part Lot 2, Concession 3 (former North Norwich), Township of Norwich; to rezone the subject lands from 'General Agricultural Zone (A2) to 'Special General Agricultural Zone (A2-sp)' to permit the construction of a renewable energy system, consisting of an anaerobic digester to create renewable natural gas (RNG) from agricultural by-products, which will be distributed into the Enbridge Gas line (located on Base Line), the Council of the Township of Norwich hereby; Deny the zone change.

Deny the zone change, for the following reasons:

- No local availability of manure resource, have to ship product in, more traffic
- Roads not equipped for commercial use
- No environmental ECA report
- Concern over smell and quality of life affects on community
- Safety concerns with increased traffic on roads
- Emergency response in case of disaster
- Lack of communication to community
- Food contamination / crop contamination

Carried

6.4 Other

None

7. DELEGATIONS

7.1 7:00 p.m

Ronda Stewart, ECO, Rural Oxford Economic Development Corporation

Re: Year in Review Report

Ms. Ronda Stewart provided an overview of the previous year's goals and achievement, and how ROEDC is supporting local community through various initiatives.

Resolution #3

Moved by Shawn Gear, seconded by Adrian Couwenberg;

That the Delegation of Rural Oxford Economic Development Corporation, Ronda Stewart, Economic Development Director, Re: 2022 Year in Review, be received as information.

Carried

8. CORRESPONDENCE

8.1 Town of Halton Hills

Re: Repeal Bill 23 – The Build More Homes Faster Act

Resolution #7

Moved by Adrian Couwenberg, seconded by Shawn Gear;

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

And further that 8.1 be supported.

Carried

9. COMMITTEE MINUTES

None

10 REPORTS

10.1 Planning and Development Services

10.1.2 Notice of Adoption

**Re: Official Plan Amendment, Subsection 17(23) and 21 of the Planning Act –
To update Oxford County’s Agricultural Policies**

Resolution #8

Moved by John Scholten, seconded by Alisha Stubbs

That the Oxford County Notice of Adoption of the Official Plan Amendment OP 21-16-9, be received as information.

Carried

10.2 Fire and Protective Services

No report

10.4 Building Services

No report

10.5 Public Works Services

10.5.1 Oxford County 2024 Transportation Master Plan

Municipal Class Environmental Assessment Study – Phase 1 & 2

Notice of Public Consultation Centre #2 (virtual)

Oxford County Public Works Memorandum

Resolution #12

Moved by Alisha Stubbs, seconded by John Scholten;

That the Oxford County Public Works Memorandum, Re: Oxford County 2024 Transportation Master 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 Council Meeting Streaming Options

Memorandum

Resolution #13

Moved by John Scholten, seconded by Alisha Stubbs;

That the Memorandum: Council Meetings Streaming Options, be received as information;

And Further That Staff make arrangements for Livestreaming Council broadcasts on YouTube.

Carried

**10.8.2 Request – Cheque/Accounts Paid Listings
Councillor Couwenberg**

Councillor Couwenberg explained his request, stating a monthly report would be beneficial in aiding the new Council to better understand budgets, mentioning similar initiatives have been received well by Councils in other Counties

Resolution #14

Moved by John Scholten, seconded by Alisha Stubbs;

That the Request Re: Cheque/Accounts Paid Listing, submitted by Councillor Couwenberg, be received as information;

And Further That staff provide a report.

Carried

10.9 Administrative Services

10.9.1 Appointment to Court of Revision

Memorandum

Resolution #15

Moved by Alisha Stubbs, seconded by John Scholten;

That the Memorandum: Appointments to the Court of Revision, be received as information;

And Further That Council appoint Mayor Palmer as Chair and Councillor Couwenberg as a member of the Court of Revision for the Harvey Municipal Drain 2022

Carried

10.9.2 Emily Stowe Home and School Association

Re: Request for Recognition as Municipally Significant Event

Resolution #16

Moved by John Scholten, seconded by Alisha Stubbs;

That the request from the Home and School Association – Emily Stowe PS re: designation of “Playdate with Emily Stowe Prime Rib Dinner and Auction” as an event of municipal significance be received as information;

And Further that Council deem the “Playdate with Emily Stowe Prime Rib Dinner and Auction” event to be held March 4th, 2023 to be an event of municipal significance.

Carried

10.9.3 Request – Agenda Notice Policy

Councillor Couwenberg

Resolution #17

Moved by Alisha Stubbs, seconded by John Scholten;

That the Request Re: Agenda Notice Policy, submitted by Councillor Couwenberg, be received as information;

And Further That staff provide a report.

Carried

11. NOTICE(S) OF MOTION

None

12. CLOSED SESSION

None

13. BY-LAWS

No. 05-2023-Z To Amend Zoning By-law 07-2003-Z (Hicks, ZN 3-22-20)

No. 12-2023 To Confirm All Actions and Proceedings of Council

13.1 First and Second Reading of the Following By-law

Resolution #18

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. 05-2023-Z To Amend Zoning By-law 07-2003-Z (Hicks, ZN 3-22-20)

No. 12-2023 To Confirm All Actions and Proceedings of Council

Carried

13.2 Third Reading of the Following By-law

Resolution #19

Moved by Alisha Stubbs, seconded by John Scholten;

That By-laws 05-2023-Z, and 12-2023 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 – 10:30 p.m.

Resolution # 20

Moved by John Scholten, 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 14th day of March 2023.

Mayor
Jim Palmer

CAO / Clerk
Kyle Kruger