



**The Corporation of the Township of Norwich
Council Meeting Minutes
Tuesday September 12, 2023
Regular Council Meeting**

In Attendance:

Council:

Mayor Jim Palmer
Councillor Scholten
Councillor Gear
Councillor Couwenberg

Staff:

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

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 by Adrian Couwenberg, seconded by John Scholten:

That the Agenda be accepted as presented.

Carried

3. Public Recognition / Presentations

None

4. Disclosure of Pecuniary Interest

Mayor Palmer disclosed an interest in item 6.2.1, Consideration of Engineers Report for the Bishop Municipal Drain 2023.

Councillor Couwenberg declared an interest in items 6.3.1, zone change application ZN 3-23-12, and 10.9.4, Norwich Merchants ATM request.

5. Adoption of Minutes of Previous Meeting(s)

5.1 June 20, 2023

Resolution #2

Moved by Adrian Couwenberg, seconded by John Scholten:

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

August 8, 2023

Carried

6. PUBLIC MEETINGS / HEARINGS

6.1 The Municipal Act

None

6.2 The Drainage Act

6.2.1 9:30 a.m.

Consideration of Engineers Report

Re: Bishop Municipal Drain 2023

Presentation

Report DR 2023-28

Mayor Palmer, having declared a pecuniary interest, vacated the chair.

Deputy Mayor Scholten assumed the chair.

The Deputy Mayor advised per Section 41 of the Drainage Act, R.S.O. 1990, as amended, Chapter D.17, this Public Meeting is to consider the Engineer's Report of the Bishop Municipal Drain 2023.

All owners and agencies were sent notification of the meeting to consider the report on August 21st, 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.

Mr. Michael Terzian and Mr. Stephen Brickman, from Headway Engineering, presented the Engineers Report.

In response to questions from Council, the representatives from Headway Engineering advised that remaining decommissioned municipal drain services will revert to private ownership but will be hooked up and have outlets with the new system. Also, that the existing services were primarily composed of clay tile with some concrete, however the exact location and composition of the current system is unknown at this time due to age. It was also advised that there were no requests for additional capacity beyond the current design standard.

There was no one in attendance that wished to have their names added to or removed from the petition.

Resolution #10

Moved by Adrian Couwenberg, seconded by John Scholten:

That Report DR 2023-28, Consideration of the Bishop Municipal Drain 2023, 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 Headway Engineering engineer's report dated July 7, 2023, referred to as the "Bishop Municipal Drain 2023" report;

And that Provisional By-law 49-2023 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 October 10, 2023 be set for the first sitting of the Court of Revision.

Carried

Mayor Palmer returned as Chair.

6.3 The Planning Act

Councillor Couwenberg, having declared a pecuniary interest, vacated his seat for this item.

Resolution #3

Moved by John Scholten, 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 Gerald Sensenig and Justina Sensenig, File Number ZN 3-23-12.

Carried

6.3.1 9:00 a.m.

Applicant: JAC Farms Inc.

File No.: ZN 3-23-12

Report No.: CP 2023-280

Location: Lot 61, Plan 396 (Gore OPP), 286164 Airport Road, Township of Norwich

The purpose of this application is to rezone the subject lands to 'Special General Agricultural Zone (A2-sp)' with site specific provisions to permit a contractor's yard to facilitate the development of a concrete contracting business.

Mr. John Couwenberg, the property owner, was in attendance representing the application.

Amy Hartley, Planner, outlined the application as per Report CP 2023-280. The application proposes to rezone the subject lands from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to permit the construction of a new contractor's shop approximately 1,457 m² (15,680 ft²) in size with 22 parking spaces.

Ms. Hartley expressed concerns with 2 acres of farmland being removed from production, as well as noting that a contractor's shop does not provide direct support to the farm operation and approving this application would potentially set a precedent for future applications. She advised that Planning staff are of the opinion that the proposal is not consistent with the Provincial Policy Statement and contravenes the policies of the Official Plan as they pertain to the consideration of non-agricultural uses in prime agricultural areas and as such, the proposal should not be given favourable consideration.

In response to questions from Council, Ms. Hartley advised that the process for an Official Plan Amendment (OPA) would require an applicant to submit an application, which would be considered by staff and circulated according to the legislated requirements, with final decision laying with County Council.

Mr. Couwenberg advised that 60% of his business is agriculture related. Also, that he hires local employees, so he would prefer to keep the business in the area, since moving to a larger urban centre would not be viable.

Ms. Hartley advised that the agricultural aspects of the business would need to be justified in through the OPA process.

There was no one in attendance that wished to speak in support of or in opposition to 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 John Scholten, seconded by Shawn Gear:

That with respect to the application to amend Zoning By-law 07-2003-Z, by JAC Farms Inc., for lands described as Lot 61, Plan 396 (Gore OPP), 286164 Airport Road, Township of Norwich, whereby the zoning of the lands is to be amended to 'Special General Agricultural Zone (A2-sp)' to permit a contractor's yard to facilitate the development of a concrete contracting business, the Council of the Township of Norwich hereby defer the Zone Change, to allow the applicant to obtain an Official Plan Amendment.

Carried

6.4 Other
None.

7. DELEGATIONS

7.1 10:00 a.m.

Christina McLaren and Jessica Dertinger

Re: Oxford County Library Information Update

Ms. Christina McLaren and Ms. Jessica Dertinger, representing the Oxford County Library, provided an overview of library activities, as well as local lending and usage statistics.

In response to questions from Council, Ms. McLaren and Ms. Dertinger advised that the Kitchen lending library provides small kitchen appliances, gadgets and tools. Also, that the day-use park passes have been made available from a partnership with Ontario Parks. Passes can be borrowed and used for a two-week period.

Resolution #14

Moved by Adrain Couwenberg; seconded by John Scholten:

That the Delegation of: Christina McLaren and Jessica Dertinger, Oxford County Library, regarding the library information update be received as information.

Carried

7.2 10:10 a.m.

Robert and Elizabeth Conti

Re: Accident on Cornell Road August 4, 2023

Robert and Elizabeth Conti provided an outline of their concerns with respect to Cornell Road, the intersection at Furnace Road, and the recent accident.

Resolution #15

Moved by Adrian Couwenberg; seconded by John Scholten:

That the Delegation of: Robert and Elizabeth Conti regarding the August 4, 2023 accident on Cornell Road be received as information;

And further that the information be forwarded to our insurance provider.

Carried

7.3 10:20 a.m.

Shannon McMannis

Re: Traffic signage and calming on Furnace and Cornell Roads

Shannon McMannis presented information regarding suggested traffic signage and calming strategies on Furnace and Cornell Roads.

Resolution #16

Moved by Adrian Couwenberg; seconded by John Scholten:

That the Delegation of: Shannon McMannis regarding traffic signage and calming on Furnace and Cornell Roads be received as information;

And further that the information be forwarded to our insurance provider.

Carried

8. CORRESPONDENCE

8.1 Upper Thames River Conservation Authority

Re: Agenda Package – August 29, 2023 and Minutes – June 20, 2023

<http://thamesriver.on.ca/board-agendas-minutes/>

8.2 Long Point Region Conservation Authority

Re: Meeting Minutes – July 5, 2023

8.3 Ministry of Municipal Affairs and Housing

Re: Building Faster Fund

8.4 Ministry of Natural Resources & Forestry

Re: Oil, Gas and Salt Resources Act

8.5 Oxford County

Re: Strong Mayors

8.6 Municipality of Chatham-Kent

Re: Municipal Freedom of Information and Protection of Privacy Act

8.7 Association of Municipal Clerks, Treasurers of Ontario

Re: Tracy Carpani – Graduate of AMCTO's Diploma in Municipal Administration with Honours

8.8 Municipality of Port Colborne

Re: The Right-to-Repair Movement

8.9 Township of Severn
Re: Climate Emergency Just Transition Transfer

8.10 Township of The Archipelago
Re: Establish a Regulatory Framework for Digital Short-Term Rental Platforms

8.11 Robert and Elizabeth Conti
Re: Cornell Road Safety Concerns

Resolution #6

Moved by Adrian Couwenberg, seconded by John Scholten:

That the Correspondence as listed in Agenda Item 8.1 - 8.11 be received as information.

And further that item 8.5 be supported.

Carried

9. COMMITTEE MINUTES

None.

10 REPORTS

10.1 Planning and Development Services

10.1.1 Oxford County Report CP 2023-250

Re: Community Planning Resource Considerations

Resolution #7

Moved by John Scholten, seconded by Adrian Couwenberg:

THAT Council receive Report Oxford County CP 2023-250, Community Planning Resource Considerations, as information.

Carried

10.2 Fire and Protective Services

10.2.1 Traffic By-law Exemption Request – Campbell
Report FP 2023-16

Resolution #8

Moved by Adrian Couwenberg, seconded by John Scholten:

That Report No. FP 2023-16 entitled “Traffic By-law Exemption Request Campbell” be received as information;

And that the request for exemption be denied.

Carried

10.3 Drainage Services

10.3.1 Harrison Drain 2020 Construction Collection

Report DR 2023-27

Resolution #11

Moved by Adrian Couwenberg, seconded by John Scholten:

That Report DR 2023-27, Harrison Drain 2020 Construction Collection, be received as information;

And further that By-law No. 48-2023 be adopted to provide for the collection of the construction costs for the Harrison Drain 2020.

Carried

10.4 Building Services

None.

10.5 Public Works Services

10.5.1 Guiderail Program

Report PW 2023-17

In response to questions from Council, staff advised that the largest increase in cost was due to end treatments.

Resolution #9

Moved by Adrian Couwenberg, seconded by John Scholten:

That Report PW-2023-17, be received as information;

And further that Council approves amending the Capital budget;

And that Council directs staff to proceed with 2023 guiderail replacement as outlined in Report PW 2023-17.

Carried

10.6 Community Development Services

10.6.1 Ducky Dennis Initiative

Report CDS 2023-10

Resolution #12

Moved by John Scholten, seconded by Shawn Gear:

That report CDS 2023-10 be deferred.

Carried

10.7 Medical Centre Services

None

10.8 Financial Services

10.8.1 Financial Summary as at August 31, 2023

Report FS 2023-15

Resolution #13

Moved by Adrian Couwenberg, seconded by John Scholten:

That Report FS 2023-15, Council Financial Summary as at August 31, 2023 be received as information.

Carried

Council recessed at 9:52 am.
Council resumed at 10:00 am.

10.9 Administrative Services

10.9.1 To Repeal “Covid-19 Workplace Vaccination Policy”

Report CAO 2023-21

Resolution #17

Moved by John Scholten, seconded by Adrian Couwenberg:

That report No. CAO 2023-21, “Covid-19 Workplace Vaccination Policy” dated October 12, 2021, be received as information;

And further that the enclosed policy be repealed.

Carried

10.9.2 Inclement Weather Policy Updates

Report CAO 2023-20

In response to questions from Council, staff advised that this policy update provides staff with more flexibility to work remotely if unable to come into work due to inclement weather, with department head / CAO approval.

Resolution #18

Moved by Adrian Couwenberg; seconded by Shawn Gear:

That Council receive report CAO 2023-20 – Inclement Weather Policy Updates;

And that Staff be authorized to update the Inclement Weather Policy and implement it accordingly.

Carried

10.9.3 Notice of Discussion Item – Mayor Palmer

Re: Consideration of Reallocation of Returned Grant Funds

Mayor Palmer suggested reallocation of the returned grant funds to the Norwich Township Fund of the Oxford County Foundation Fund.

Resolution #19

Moved by Adrian Couwenberg, seconded by Shawn Gear:

That with respect to the discussion item presented by Mayor Palmer regarding consideration of reallocation of returned grant funds, Council does hereby defer for a staff report.

Carried

10.9.4 Correspondence - Norwich Merchants

Re: ATM Request

Councillor Couwenberg, having declared a pecuniary interest, vacated his seat for this item.

Resolution #20

Moved by Shawn Gear; seconded by John Scholten:

That with respect to the request by Norwich Merchants regarding permission to place an Automated Teller Machine in the Optimist Hall of the Norwich Community Centre, Council does hereby refer the request for a staff report.

Carried

11. NOTICE(S) OF MOTION

None

12. CLOSED SESSION

10:46 a.m.

Resolution #21

Moved by Shawn Gear, 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 items related to 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: Ontario Human Rights Tribunal Complaint, File No. HRTO 2023-52658-1

12.2 Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
Re: Ontario Human Rights Tribunal Complaint, File No. HRTO 2023-52703-1

Resolution #22 – 10:54 a.m.

Moved by John Scholten, seconded by Adrian Couwenberg:

That the Council do now reconvene in open session.

Carried

13. BY-LAWS
No. 48-2023 To Provide for the Collection of Actual Costs – Harrison Drain 2020
No. 49-2023 To Provide for Drainage Works - Bishop Municipal Drain Report 2023
No. 50-2023 To Confirm All Actions and Proceedings of Council

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

Resolution #22

Moved by Adrain Couwenberg, seconded by John Scholten:

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

No. 48-2023 To Provide for the Collection of Actual Costs – Harrison Drain 2020
No. 49-2023 To Provide for Drainage Works - Bishop Municipal Drain Report 2023
No. 50-2023 To Confirm All Actions and Proceedings of Council

Carried

13.2 Third Reading of the Following By-law

Resolution #24

Moved by Shawn Gear, seconded by John Scholten:

That By-laws 48-2023 and 50-2023 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

15. Adjournment 10:56 a.m.

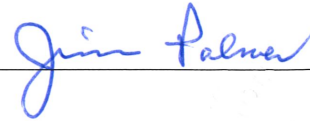
Resolution #25

Moved by Adrian Couwenberg, seconded by John Scholten:


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 26th day of September, 2023.



Jim Palmer
Mayor



Kimberley Armstrong
Director of Corporate Services/Clerk