

**TOWNSHIP OF SOUTH-WEST OXFORD
COUNCIL MINUTES
January 22, 2019**

MEMBERS PRESENT: Mayor: David Mayberry
Councillors: Peter Ypma (Ward 2), Valerie Durston (Ward 3), George Way (Ward 4), Craig Gillis (Ward 6)

MEMBERS ABSENT: Paul Buchner (Ward 1), Jim Pickard (Ward 5)

STAFF PRESENT: Mary Ellen Greb, CAO
Diane Larder, Treasurer
Bill Freeman, Works Superintendent
Jeff VanRybroeck, Fire Chief & CEMC
Julie Forth, Clerk

CALL MEETING TO ORDER

The meeting was called to order at 7:00 p.m. by Mayor David Mayberry and a quorum was present.

MOTION TO ACCEPT AGENDA

Resolution No. 1 Moved by George Way
Seconded by Valerie Durston

RESOLVED that the regular meeting agenda for the January 22nd, 2019 meeting of Council be approved.

DISPOSITION: Motion Carried

DECLARATION OF PECUNIARY INTEREST

There were no declarations of pecuniary interest.

MINUTES

January 8th, 2019 Regular Council Meeting Minutes
January 15th, 2019 Special Council Meeting Minutes

Resolution No. 2 Moved by George Way
Seconded by Craig Gillis

RESOLVED that the minutes of the January 8th, 2019 regular Council meeting be approved.

DISPOSITION: Motion Carried

Resolution No. 3 Moved by Craig Gillis
 Seconded by Valerie Durston

RESOLVED that the minutes of the January 15th, 2019 special Council meeting be approved.

DISPOSITION: Motion Carried

BUSINESS ARISING FROM THE MINUTES

CL 04-2019: Business Arising from the Minutes of January 8th, 2019

Resolution No. 4 Moved by Peter Ypma
 Seconded by Valerie Durston

RESOLVED that the Council of the Township of South-West Oxford receive report CL 04-2019 Business Arising from the Minutes of January 8th, 2019 for information.

DISPOSITION: Motion Carried

APPOINTMENTS

Resolution No. 5 Moved by Valerie Durston
 Seconded by George Way

RESOLVED that Council move into public meeting at 7:00 pm. to consider general housekeeping amendments to the Township's Zoning By-law as they relate to recreational vehicle parking and accessory structures.

DISPOSITION: Motion Carried

7:00 p.m. - Development Planner Adam Ager - Zoning By-law Amendment re: Recreational Vehicle Parking and Accessory Structures

Development Planner Adam Ager explained that the Township of South-West Oxford has initiated an application for zone change to amend the General Provisions section (Section 6) of Zoning By-law 25-98 as directed by Township Council's Resolution passed on June 5, 2018. The resolution directed staff to initiate amendments to the Zoning By-law as a result of enforcement issues that the Township has been experiencing based on the wording of the existing by-law provisions coupled with an increasing number

of complaints from the public submitted to the Township's By-law Enforcement officer.

The intent of the proposed changes is to more clearly define a recreation vehicle, as well as the permitted quantity, size, location, and duration of the storage and parking of recreational vehicles permitted in residential zones. These changes are in response to complaints by recreational vehicle owners as well as other members of the public who have concern over the number of trailers and recreational vehicles parked in the driveway of residential lots. The proposed changes will affect all residential zones within the Township. Development Planner Adam Ager reviewed the proposed changes. He noted that planning staff is of the view the application is appropriate and may be given favorable consideration by Council.

Questions/comments from Council

In response to an inquiry from Councillor Way, Clerk Julie Forth clarified that the maximum height of a recreational vehicle which would be permitted to be stored or parked on a driveway in a residential zone from May 1st to November 1st each year is 4.15m (13.6 ft) which is the maximum height established by the Ministry of Transportation.

Councillor Ypma suggested that any number of snowmobiles, so long as they are trailered, should count as one unit/trailer. It was confirmed that personal watercraft would fall under the definition of a recreational vehicle and would count as one unit if it is trailered.

Questions/comments from members of Public

Juliette Kunz questioned why the Township was reviewing recreational vehicle parking in residential zones. Development Planner Adam Ager explained that the proposed changes will only affect parking of recreational vehicles in residential zones within the Township. The current by-law only permits a recreational vehicle to be parked in a driveway for 72 hours each month in residential zones. The proposed changes open up the timeframe which a recreational vehicle may be parked in a driveway. The proposed change arises from complaints received about the storing and parking of recreational vehicles and the request of residents to store or park their recreational vehicles in their driveways seasonally.

Wendy Stanley questioned the impact of the changes for a utility trailer or a trailer that is used for a business. Adam explained that any trailer which is capable of being attached to a vehicle and towed would fall under the proposed provisions.

Wes Benjamin questioned what the difference is with respect to a recreational vehicle being parked in a driveway or in a side or rear yard. Trailers should be parked on hard surfaces and not on grass. It was noted that currently parking a recreational vehicle in a driveway for longer than 72 hours is in contravention of the existing By-law.

Milt Chesterman requested clarification regarding a residential zone and a residential lot. Adam Ager explained that every lot in the Township has a specific zone assigned to it. The zoning applies to the lot. Mr. Chesterman also questioned the proposed provision as it relates to human habitation in a recreational vehicle. He advised that he, on occasion, will have people come from a long distance; they will park their trailers and reside in them on his lot. He stated that this is getting too deep for the Township to control. Adam Ager commented that the provisions with respect to human habitation was carried forward from the existing by-law and is not a proposed change. The intent of this provision is to ensure that no one is living long-term in a portable unit parked in a residential zone.

Alex Smith questioned how the provisions will apply if a person has more than one trailer. It was explained that if a person has a property that is large enough to accommodate a trailer in the rear or side yard and maintain a minimum 1m setback from the property line they would be permitted to store the trailer there as well as one trailer on a driveway from May 1st to November 1st.

Homer Van Der Vecht commented that his neighbour has a trailer and dump truck which he does not have space to store in the backyard. He also added that residents would prefer to keep their vehicles in sight and well lit rather than in the dark at the side or rear of their property to prevent theft.

Heather Thomas commented that if Council is proposing to change the provisions with respect to human habitation in a recreational vehicle on a driveway in a residential zone that clarification will be needed. It was confirmed that currently, in the Township's existing By-law, this is not permitted.

Kevin Gorman expressed concern with parking a recreational vehicle in the back of a property or side yard in the event of an emergency and for access during the winter months. Snow may prevent the vehicle from being easily accessible.

It was stated that residents have the opportunity to pay for storage or to place paving stones or hard surfaces in rear or side yards for parking. Development Planner Adam Ager clarified that if a driveway extends beyond the front of a house into the side yard of a person's property that this would be considered

side yard parking and a 1m set back from the property line would be permitted. Parking in such a location would be permitted year-round.

Heather Thomas questioned whether or not Council has investigated the potential decrease in property values as a result of recreational vehicle parking in the community. CAO Mary Ellen Greb explained that this is not something that the Township would be able to undertake as the Township would not be able to confirm if sale prices are impacted or not by this.

Robert Kloepfer raised the issue of restrictive covenants in the Township and how they are impacted by the proposed changes to the Zoning By-law. CAO Mary Ellen Greb explained that the provisions of the Zoning By-law do not override any restrictive covenants in place by the developer. Restrictive covenants are in place by agreement between the developer and the property owner, usually for a period of approximately 15 years. Once the restrictive covenant has expired, the provisions of the Zoning By-law would apply.

Discussion also took place regarding the enforcement of the Township's Zoning By-law and it was noted that enforcement takes place in the Township on a complaint basis. With respect to trailers that are in poor condition, Clerk Julie Forth advised that Township's Property Standards By-law would address these concerns and provide a means of enforcement by staff.

Development Planner Adam Ager, Zone Change Application ZN 4-18-10 – Accessory Structures

Development Planner Adam Ager explained that the Township of South-West Oxford has initiated an application for zone change to amend the General Provisions section (Section 6) of Zoning By-law 25-98 as directed by Township Council's Resolution passed on June 5, 2018. The resolution directed staff to initiate amendments to the Zoning By-law in response to the trend of larger accessory structures and an increasing number of Minor Variance Applications to accommodate the aforementioned increase in accessory structure size within the Township.

In September of 2018 the Township's Chief Building Official brought a report to Council, specifically BD 15-2018: Accessory Structure Sizing where he outlined options for Council to consider with respect to the Township's provisions regarding accessory structures. Council expressed support for option two which would amend the general provisions as they relate to accessory structures to be 10 percent of lot area to a maximum of 807 ft² in settlement areas, 10 percent of lot area to a maximum of 1614 ft² in residential zones outside of settlement areas and 10 percent of lot area to a maximum of 1991 ft² in agricultural zones. Council suggested that the maximum size in agricultural zones be rounded up to 2000 ft².

CL 06-2019: Sign By-law Exemption Request (333800 Plank Line)

Clerk Julie Forth provided a report to Council to provide them with information to make a decision on whether or not to grant an exemption to the Township's Sign By-law to permit a billboard sign at 333800 Plank Line which exceeds the maximum size permitted in the Township's Sign By-law. Councillor Way commented that he believes that this request will allow a sign which is a lot bigger than what is provided for in the Township's Sign By-law. The request is for a sign which is over 300 sq. ft and the Township's Sign By-law permits a billboard sign up to 200 sq. ft. Councillor Durston echoed Councillor Way's comments and stated that the request is significantly larger. There was concern with respect to setting a precedent for future requests.

Mayor Mayberry questioned why the applicants are requesting a sign that is 30.19 sq. meters versus a sign that is 18.6 sq. meters as permitted in the Township's Sign By-law. Dave Devlin explained that upon receipt of the sign permit from the Ministry of Transportation, he was of the understanding that a maximum sign was permitted up to 30.19 sq. meters. He was not clear that he also required approval from the Township with respect to the size of the sign.

Resolution No. 9 Moved by Craig Gillis
 Seconded by Mayor David Mayberry

RESOLVED that the Council of the Township of South-West Oxford receive report CL 06-2019: Sign By-law Exemption Request (333800 Plank Line) for information;

AND FURTHER THAT Council provide direction to staff to enforce the maximum permitted billboard sign area of 200 sq. ft as provided for within the Township's Sign By-law.

DISPOSITION: Motion Carried

Zoning By-law Amendment re: Recreational Vehicle Parking and Accessory Structures (continued)

Resolution No. 10 Moved by George Way
 Seconded by Valerie Durston

That the Council of the Township of South-West Oxford approve, the proposed Zoning Bylaw amendment for File ZN 5-18-09 to introduce a minor "housekeeping" amendment to Section 6, General Provisions to allow

for the storage of recreational vehicles in residential zones within the Township of South-West Oxford.

Discussion on the motion:

Discussion took place regarding the proposed provisions with respect to human habitation in recreational vehicles and the enforcement of these provisions. It was noted that the intent of the By-law is to ensure that people are not living long-term in recreational vehicles. Municipal By-law enforcement was also discussed and it was noted that enforcement staff take a fair approach and try to work with property owners to come to resolution of a matter as much as possible, however, clear rules are needed for enforcement if it comes to a need to charge an individual contravening the By-law.

It was suggested that an exemption clause may be added in the event that a resident knows someone is coming to stay with them temporarily.

Moved by George Way
Seconded by Craig Gillis

That Council defer the decision on this matter to the Council meeting on February 5th, 2019, following a review of all the feedback heard tonight.

DISPOSITION: Motion Carried

Resolution No. 11 Moved by Peter Ypma
Seconded by Craig Gillis

That the Council of the Township of South-West Oxford approve, the proposed Zoning Bylaw amendment for File ZN 5-18-10, to introduce a minor "housekeeping" amendment to Section 6, General Provisions for Accessory Uses, Buildings and Structures Permitted.

Discussion on the motion:

Discussion took place regarding the permitted size of accessory structures within settlement areas and it was noted that the proposed amendment reduces the permitted size of accessory structures from the current

originally proposed. Mt. Elgin is no longer covering Brownsville and daytime response in Brownsville has improved. Chief VanRybroeck is proposing to reallocate those numbers to 20 per station. The current structure has been in operation since the late 70s. He would like to see 12 members on scene per call.

In response to an inquiry from Councillor Ypma, Chief VanRybroeck explained that the proposed change would not impact the draft 2019 budget and the overall total number of members will stay the same. He added that members' residence and location of work is taken into consideration when they are hired on.

Resolution No. 16 Moved by George Way
 Seconded by Valerie Durston

BE IT RESOLVED that Council receive Report No. FC: 02-2019 as information.

AND FURTHER THAT Council provide the Fire Chief with direction to reallocate current staff to 20 members per station.

DISPOSITION: Motion Carried

DISCUSSION ITEMS

PLANNING & ZONING

AGENDA ITEMS & CORRESPONDENCE

#4 - Email re: Railway in SWOX

Resolution No. 17 Moved by Craig Gillis
 Seconded by Peter Ypma

RESOLVED that Council provide direction to staff to send a letter to the County to confirm that the Township is not interested in providing any resources to the rail line;

AND FURTHER THAT Council support the declaration of the land as surplus by the County of Oxford.

DISPOSITION: Motion Carried

#5 - MPAC 2018 Year-End Assessment Report

Mayor David Mayberry commented that the Year-End Assessment Report shows assessment growth; however, does not reflect actual growth in the amount of farmland or residential lots.

Resolution No. 18 Moved by George Way
Seconded by Valerie Durston

RESOLVED that Council receive agenda and correspondence item #5 for information and that it be noted and filed.

DISPOSITION: Motion Carried

ACCOUNTS PAYABLE REPORT

January 22nd, 2019 - Accounts Payable Report

Resolution No. 19 Moved by George Way
Seconded by Craig Gillis

RESOLVED that the following Accounts be approved for payment:

Accounts Payable for January 1 – 14, 2019	\$475,855.60
Bi-Weekly Payroll #1 - General	\$34,723.38
Fire Pay #1	\$11,956.16
Council Pay #1	\$5,832.07
TOTAL	\$528,367.21

DISPOSITION: Motion Carried

INFORMATION ITEMS & CORRESPONDENCE

#6 - Resolution - Municipality of Mattice-Valcote - Declaration of Office

#7 - Resolution - Township of Blandford-Blenheim - Municipal Voters List

#8 - Resolution - Township of Wilmot - Bill 66 Restoring Ontario's
Competitiveness Act

Resolution No. 20 Moved by Peter Ypma
Seconded by Valerie Durston

RESOLVED that Council receive information and

correspondence items #6 to #8 and that they be noted and filed.

DISPOSITION: Motion Carried

BY-LAWS AND AGREEMENTS

- By-Law No. 07-2019 - To authorize an agreement with Upper Thames River Conservation Authority (Beachville Conservation Authority)
- By-Law No. 08-2019 - To permanently stop up and close Durham Street road allowance (Beachville)
- By-law No. 10-2019 - To amend the Township's Zoning By-law (Accessory Structures)
- By-law No. 11-2019 - To amend the Zoning By-law (Tuenis and Evelyn VandePol)
- By-law 12-2019 - To amend the Township Zoning By-law (Guenther Homes Inc.)

Resolution No. 21 Moved by George Way
 Seconded by Craig Gillis

RESOLVED that the following By-laws be introduced and that it be read a first and second time:

- By-Law No. 07-2019 being a By-law to authorize an agreement with Upper Thames River Conservation Authority (Beachville Conservation Authority)
- By-Law No. 08-2019 being a By-law to permanently stop up and close Durham Street road allowance (Beachville)
- By-law No. 10-2019 being a By-law to amend the Township's Zoning By-law (Accessory Structures)
- By-law No. 11-2019 being a By-law to amend the Zoning By-law (Tuenis and Evelyn VandePol)
- By-law 12-2019 being a By-law to amend the Township Zoning By-law (Guenther Homes Inc.)

DISPOSITION: Motion Carried

Resolution No. 22 Moved by George Way
 Seconded by Valerie Durston

RESOLVED that By-laws 7-2019, 8-2019 and 10-2019 to 12 -2019 inclusive be read a third time and finally passed, and that the Mayor and Clerk be authorized to

COUNCIL ROUND TABLE

Council members shared updates from their respective wards and community involvement. It was noted that the Upper Thames River Conservation Authority has nine new board members this year; the Long Point Region Conservation Authority has six new board members. Residents in Beachville are excited about the upcoming completion of the new fire hall.

Mayor Mayberry congratulated Hilltop Park on their successful Trillium Grant in the amount of \$80,000, and thanked Treasurer Diane Larder for all of her work on this application.

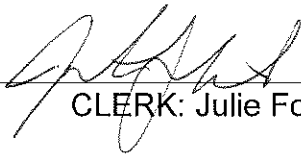
ADJOURNMENT

Resolution No. 25

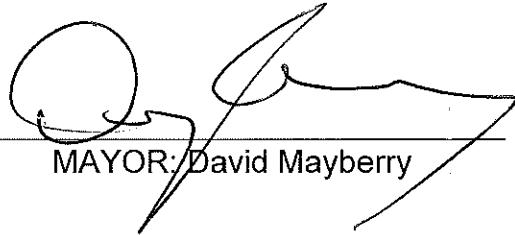
Moved by Craig Gillis
Seconded by George Way

RESOLVED that there being no further business, the Council meeting be adjourned at 9:44 p.m. to meet again on Tuesday, February 5th, 2019 at 9:00 a.m.

DISPOSITION: Motion Carried



CLERK: Julie Forth



MAYOR: David Mayberry



PLEASE SIGN IN

Regular Council Meeting (Mt. Elgin Community Centre)

January 22nd, 2019 at 7:00 p.m.

Name (Please Print)	Mailing Address	Email Address	Yes or No? I wish to be added to the Township eNewsletter contact list
Brent Kloepfer	Suburb 313741 Dorchester Line		
Benjamin Kloepfer	Beachhill 584440 Beachhill Sq.		
Heather Thomas	48 Graydon Dr.	hen.thomas@ilke.com	Yes ✓
Robert Kloepfer	506 Graydon Dr.	robert.kloepfer@ycbae.com	Yes
W Stanley	16 Pessy Ave	stanley.wenoy@hotmail.com	
Laura Fevster	324032 MT ELGIN RD MTEGON, ON		
John Markin	R 12611 Beachhill/C.	JohnMarkin@gmail.com	
Eric Van Moerkereke	243781 AIRPORT RD	vanm@execulink.com	Yes ✓

Notice of Collection/Use/Disclosure: All information about municipal services is collected in accordance with the *Municipal Act, 2001*, under s.8 and for Council's purposes under s.239(1) and may be used in Council deliberations, and disclosed in full, including email, names, and addresses as part of a public record. All information submitted to the municipality is subject to the Municipal Freedom of Information Act (MFIPPA). Questions about this notice of collection should be directed to the Clerk's Office.



PLEASE SIGN IN

Regular Council Meeting (Mt. Elgin Community Centre)

January 22nd, 2019 at 7:00 p.m.

Name (Please Print)	Mailing Address	Email Address	Yes or No? I wish to be added to the Township eNewsletter contact list
Alex Smith	RR#1 20 GLENNAVES WOODSTOCK N4S1V6	SMITHAUX@EXPANOR.NET	YES
MIAT CHESTERMAN	204171 KESWICK RD	MCHESTERMAN@XPLORANT.OA	YES
Dianne Deaconne	47 Graydon Dr Mt. Elgin	deanldd@gmail.com	on the list
Kevin Gorman	16 Brianna-	k91GMC@gmail.com	yes
Juliette Kunz	263884 Prouse Rd	Kunz peter 2000@yahoo.com KUNZ PETER @ 2000 @ YAHOO.COM	✓
KEVIN BARKER	263884 Prouse Rd		✓
Homer Vander Veekt	293173 Colloben Line		
Wilma DeBruyn			no

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PLEASE SIGN IN

Regular Council Meeting (Mt. Elgin Community Centre)

January 22nd, 2019 at 7:00 p.m.

Name (Please Print)	Mailing Address	Email Address	Yes or No? I wish to be added to the Township eNewsletter contact list
D. DELLEN	30 THOMAS AVE TILKIN	dellob@telus.net	NO
JOHN SEBOK	53367 NOVA SCOTIA LANE, PORT BURWELL	SEBOK@amtelecom.net	NO
KEW VAN RYSWYK	383947 SALFORD RD.		NO
Jasoa Bynat	312915 Dereham Lane		

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