Township of South-West Oxford Council Minutes July 11, 2023

<u>Members Present</u> :	Mayor: Councillors:	Mayor David Mayberry, Paul Buchner (Ward 1), Peter Ypma (Ward 2), George Way (Ward 4), Jim Pickard (Ward 5), Craig Gillis (Ward 6)	
<u>Members Absent</u> .	Valerie Durston (Ward 3)		
<u>Staff Present</u> .	Mary Ellen Greb, CAO/Treasurer Adam Prouse, Works Superintendent Howard Leaver, Chief Building Official Rob Serson, Fire Chief & CEMC Nicole Chambers, Records Management Co- ordinator/Clerk's Assistant		

Call Meeting to Order

The meeting was called to order at 9:00 a.m. by Mayor David Mayberry and a quorum was present.

Motion to Accept Agenda

Resolution No. 1 Moved by Jim Pickard Seconded by George Way

RESOLVED that the regular meeting agenda for the July 11th, 2023 meeting of council be approved.

DISPOSITION: Motion Carried

Declaration of Pecuniary Interest

None.

<u>Minutes</u>

June 20th, 2023 Regular Council Meeting Minutes

Resolution No. 2 Moved by Peter Ypma Seconded by Craig Gillis RESOLVED that the regular minutes of the June 20th, 2023 council meeting be approved.

DISPOSITION: Motion Carried

Business Arising from the Minutes

CL 34-2023: Business Arising from the Minutes of June 20th, 2023

Records Management Co-ordinator/Clerk's Assistant Nicole Chambers provided Council with a report to provide them with an overview of the staff actions arising from the minutes of the last Council meeting.

Resolution No. 3 Moved by Peter Ypma Seconded by Paul Buchner

> RESOLVED that the Council of the Township of South-West Oxford receive report CL 34-2023: Summary of Staff Actions Related to Business Arising from the Minutes of June 20th, 2023 as information.

DISPOSITION: Motion Carried

Staff Reports

BD 06-2023: June 2023 Building Report

Chief Building Official Howard Leaver provided Council with a report to provide them with the status of the activities in the building department as of the end of June, 2023.

Resolution No. 4 Moved by George Way Seconded by Craig Gillis

> RESOLVED that the Council of the Township of South-West Oxford receive report BD 06-2023 Monthly Building Report for June 2023 as information.

DISPOSITION: Motion Carried

CAO 13-2023: Climate Change Reserve Transfers - 2022 Fiscal Year

Chief Administrative Officer Mary Ellen Greb provided Council with a report to provide them with information in relation to the actual costs and funding of the following projects:

- 1. Two (2) projects initiated by the Township in 2021; installed/completed in late 2022 and fully operational in early 2023;
- 2. New electric car for the building department ordered in 2022, received in July 2023.

Copies of each invoice for the above projects are attached to the staff report as information.

Resolution No. 5 Moved by Jim Pickard Seconded by George Way

RESOLVED that Council receive Report CAO 13-2023 as information;

AND FURTHER THAT Council approve the transfer of \$57,669.00 from the Climate Change Reserve in fiscal year 2022 for the following projects:

Solar Panel Project - Fire Hall #3 \$29,547.00 transfer from climate change reserve: \$29,547.00

Electric Car - Building Dept. \$38,669.45 transfer from climate change reserve: \$13,000.00

EV Charging Station Mount Elgin Community Hall \$15,122.00 transfer from climate change reserve: \$15,122.00*

Total Net Cost for both projects \$83,338.45 transfer from climate change reserve: \$57,669.00

*anticipated NRCAN funding of \$10,000.00 has not yet been received.

AND FURTHER THAT any NRCAN funding for the EV Charging Station received will be transferred to the Climate Change Reserve upon receipt in 2023.

DISPOSITION: Motion Carried

Appointments

<u>9:05 a.m. - Development Planner Spencer McDonald - Public Meeting: Zone</u> Change Application ZN 4-23-01 - Tina & Reynold Jansen/Bethany Tout for property located at 333624 Plank Line

Resolution No. 6 Moved by Peter Ypma Seconded by Paul Buchner

> RESOLVED that the Council of the Township of South-West Oxford move into public meeting at 9:03 a.m. to consider zone change application ZN 4-23-01 submitted by Tina and Reynold Jansen (Bethany Tout) for property located at 333624 Plank Line (Little Hobby Hill Farm).

DISPOSITION: Motion Carried

Landowner Reynold Jansen, and the owner of the business operating on the subject lands (Little Hobby Hill Farm), Bethany Tout introduced themselves to Council.

Development Planner Spencer McDonald explained that the application for zone change proposes to rezone a portion of the subject lands comprising approximately 0.8 ha (2 ac) from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to permit a petting zoo/therapy farm as an on-farm diversified use. The proposed area dedicated to the petting zoo/therapy farm consists of fenced in pasture areas and open space areas for other activities (i.e., bouncy castle, photography and birthday celebrations). The proposed areas of the site dedicated to various activities are generally as shown on Plate 4 of this report. The animals that will be included in the proposed petting zoo/therapy farm are primarily farm animals consisting of ponies, alpacas, goats, pigs, chickens, ducks, rabbits and guinea pigs. There are no exotic animals in contravention of the Township's Animal Care and Control By-law No. 76-2017.

The subject property is described as Part Lot 12-13, Concession 2 (Dereham), Township of South-West Oxford. The lands are located at the northeast corner of Plank Line and McBeth Road and are municipally known as 333624 Plank Line, Township of South-West Oxford. The subject lands are approximately 40 ha (100 ac) in area, with approximately 731 m (2,400 ft) of frontage on Plank Line. The subject lands contain an existing single detached dwelling (c. 1851), and an existing out-building. The lands are serviced by a private well and septic system. Surrounding land uses are predominately agricultural, with some existing non-farm rural residential lots to the immediate west, and the Village of Salford approximately 600 m (1,968 ft) to

the north. In addition, Oxford County has a waste management facility located to the immediate northeast of the subject lands.

It is the opinion of planning staff that the proposal is consistent with the PPS and maintains the general intent and purpose of the Official Plan policies regarding small-scale agriculturally oriented uses within the Agricultural Reserve. Planning staff recommend to approve this application in-principle, as further mapping is required.

Letter of Recommendation - Little Hobby Hill Farm

As a result of circulation, Mr. McDonald received numerous calls and emails regarding this application. All but one response was supportive and positive. Comments received highlighted the importance of the therapeutic aspect of the business, and the resulting positive impact on the community. The business has been operating on the subject lands for approximately two years and they are seeking to legalize it as a permitted use.

Letter from David Wagner

Mr. McDonald discussed concerns brought forward by a neighbour to the immediate west, David Wagner. Mr. Wagner expressed concerns to Mr. McDonald with regard to traffic and parking. He indicated there have also been issues with individuals parking on the right-of-way for Plank Line. Mr. Wagner does not oppose the business, but has overall concerns regarding traffic and policing in the area.

Questions from Council

Councillor Buchner questioned if there has been any consultation with the Ministry of Transportation (MTO) with regard to the need for a turning lane? Mr. McDonald replied that the MTO does not have any concerns with this proposal, and there are no further requirements as a result of this application.

In response to a question from Councillor Pickard regarding parking capacity, Mr. McDonald noted that the applicant is aware of the requirement for parking to be wholly contained on the subject lands. Councillor Pickard inquired if there is a desire to expand the parking lot, to which Mr. McDonald replied that the parking area is currently for staff and others. He further explained that issues noted regarding traffic and parking are general and not specific to this application.

Councillor Pickard questioned if there are washroom facilities approved for public use on-site. Mr. McDonald noted that Southwestern Public Health did not have any comments or concerns. The existing portable washroom facilities are suitable for the permitted use, and the applicant does not anticipate installing permanent facilities in the future.

Comments from the Applicants

Mr. Jansen inquired if this will affect property taxes, to which Mr. McDonald replied that signage advertising an active business may trigger an investigation with MPAC. There is an appeal process for any identified tax-rate or classification changes.

Ms. Tout expressed to Council that she does not want customers parking on Plank Line or anywhere near the highway. Her business has enacted capacity-controlling measures, such as ticketed events, to limit the flow of vehicles in and out. A parking attendant also stands at the wishing well to assist with parking immediately upon entrance to prevent vehicles from disturbing the flow of the highway.

Comments from members of the public

Claudine Skipper, a home daycare provider and customer of Little Hobby Hill Farm, spoke in favour of this application. She noted she visits this business frequently with the children whom she cares for, and the families are very supportive of these outings. She noted the community would be very sad to see this business go.

Further comments from Council

In response to a question from Councillor Buchner regarding the possibility of expansion, Ms. Tout noted that she would prefer that her business remains a unique, interactive, private and personalized experience, which is most successful as a smaller-scale operation.

In response to a question from Councillor Way concerning signage, Ms. Tout noted that the MTO conducted a site-visit to evaluate parking and signage. A sign has been commissioned, and upon final approval of the zone change, she will apply for a permit through the MTO. She will also be inquiring with the MTO regarding a driveway entrance. Ms. Tout noted the sign is double sided and they are planning to install it east-west so it can be viewed from both directions while travelling down Plank Line. She added that Little Hobby Hill Farm is on Google Maps and they also have a website now.

In response to a question from Councillor Ypma regarding the landownertenant relationship between himself and Mr. Tout, Mr. Jansen replied that he is present to support the business. Councillor Ypma requested further clarification about the business' operations, to which Ms. Tout replied that they are busier on-site in spring and summer, in winter they are travelling offsite into facilities such as schools and nursing homes. Their current summer schedule is operating a summer camp for children on Mondays, Wednesdays and Fridays. On Tuesdays and Thursdays, they are open to the general public from 10 a.m. to 1 p.m. however, they request pre-booking/ticket sales or advanced notification of attendance. On weekends they are open for private events such as farm visits, birthday parties, community living visits, etc. They also conduct school trips. Councillor Ypma questioned how many customers per day would be present on their busiest days of operation, to which Ms. Tout replied 30 to 40 people.

Councillor Ypma offered further comments to Council that as an established livestock farmer, it is easy for him to lose sight of the hunger for connection to nature. A business like this fills a niche as many people do not have access to animals, livestock and nature that some of us take for granted.

Mayor Mayberry echoed Councillor Ypma's comments regarding the desire of residents to have more opportunities to connect to nature. He further suggested that Ms. Tout connect with CBO Leaver regarding the Township's Sign By-law and permit process. Mayor Mayberry requested further clarification regarding how many vehicles enter and exit the property on an average day. Ms. Tout noted that approximately 10 vehicles sporadically come and go over a period of six hours.

Councillor Ypma asked Ms. Tout if she carries any accreditation with regard to the therapy farm aspect of the business. Ms. Tout replied that she has been a registered social worker and registered child and youth worker for over 10 years, working with both children and adults. She was led down an alternate career path due to injury, which resulted in the formation of this business.

Resolution No. 7	Moved by Jim Pickard
	Seconded by Craig Gillis

RESOLVED that the Council of the Township of South-West Oxford reconvene in regular session at 9:28 a.m.

DISPOSITION: Motion Carried

Resolution No. 8 Moved by Paul Buchner Seconded by Peter Ypma

> RESOLVED that the Council of the Township of South-West Oxford Council of the Township of South-West Oxford <u>approve-in-principle</u> the zone change application submitted by Bethany Tout, whereby the

lands described as Part Lot 12-13, Concession 2, Township of South-West Oxford are to be rezoned from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to facilitate the use of the lands as a petting zoo/therapy farm as generally described in Report No CP 2023-203.

DISPOSITION: Motion Carried

Staff Reports (Continued)

CL 33-2023: Updated Property Standards By-law

Records Management Co-ordinator/Clerk's Assistant Nicole Chambers presented Council with a report to provide them with an updated Property Standards By-law with proposed set fines included for their consideration. She explained that the original Property Standards By-law was enacted in 1981 and was amended in 2006, it's purpose to ensure that owners maintain their properties to protect the health and safety of occupants and the general public.

The current (2006) Property Standards By-law contains provisions which have since been moved to the Yard and Lot Maintenance By-law (48-2021). These include:

- Maintenance of yards and vacant properties
- Surface conditions
- Sewage and drainage
- Parking areas, walkways and driveways
- Garbage disposal
- Compost heaps
- Outdoor swimming pools

The By-law was reviewed and edited to bring it in line with Oxford County municipalities. Other notable changes include:

- Section 3.9 Egress: updated in alignment with the *Ontario Building Code.*
- Section 4 Vacant Buildings: removed requirement for plywood boards to be painted a colour compatible with surrounding walls.
- Section 6.6 Compliance: removal of \$30.00 fee for a certificate of compliance, instead the Rates and Fees By-law is referenced for any fees related to non-compliance.
- Schedule A Order to Comply: a new order template was created to standardize this form with the municipalities which share an Enforcement Officer.
- Schedule B Notice of Appeal: a new process was added to further standardize the "Order" process and offer residents an appeal process.

• Set fines added for enhanced enforcement and compliance – allow for action to occur on a timelier basis

Staff are also recommending that a Property Standards Committee be established to ensure compliance with Section 15.6 of the *Building Code Act,* S.O. 1992, c. 23. As per the Act, the Committee must be comprised of 3 or more persons for a term defined by Council. The previous Committee's term expired in 2014.

Comments from Council

Council provided the following revisions and comments:

- Section 3.3.1 strike "and every part thereof".
- Section 3.5.1 change "moose" to "loose".
- Use and legality of forms, to discuss further with BLEO Dave Robertson.

Discussion took place regarding Section 3.14.1 with respect to how municipalities can accommodate the Amish and Mennonite way of life (i.e., without electricity and running water). CBO Leaver expressed his concerns with writing a By-law in contravention with the *Building Code*. Councillor Ypma noted that we do not want to unfairly penalize individuals and burn unique communities. Mayor Mayberry clarified that the Canadian Charter of Rights and Freedoms supersedes federal/provincial legislation and Township By-laws, so they would be able to practice their religion as they see-fit.

Resolution No. 9 Moved by Craig Gillis Seconded by George Way

> RESOLVED that the Council of the Township of South-West Oxford receive report CL 33-2023: Updated Property Standards By-law as information;

AND FURTHER THAT Council provide direction and comments to staff in relation to the proposed changes to the Township's Property Standards By-law.

DISPOSITION: Motion Carried

Agenda Items & Correspondence

- #119 Town of Ingersoll Resolutions of Support Safe and Well Oxford
- #120 Oxford County Council Report June 2023
- #121 Oxford County Resolution re: Municipal Codes of Conduct

#122 - Oxford County Report PW 2023-28 - Speed Management and Road Safety Reviews - SWOX and Norwich

#123 - Oxford County Memo for Area Municipal Councils - W/WWMP PCC No. 2

#124 - Oxford County Report PW 2023-29 - Backflow Prevention By-law Project Update

Resolution No. 10 Moved by Craig Gillis Seconded by Paul Buchner

> RESOLVED that the Council of the Township of South-West Oxford receive agenda and correspondence items #119 to #124 inclusive as information and that they be noted and filed.

DISPOSITION: Motion Carried

Accounts Payable Reports

July 11th, 2023 - Accounts Payable Report

Resolution No. 11	Moved by Jim Pickard Seconded by Peter Ypma	VLD
	RESOLVED that the follow for payment: Accounts Payable for June 18 th , 2023 to July 1 st , 2023	wing Accounts be approved \$2,052,645.33
	Bi-Weekly Payroll #13 Fire Pay #6 Council Pay #6 Total:	\$48,473.62 \$22,066.06 \$8,430.77 \$2,131,615.78

DISPOSITION: Motion Carried

Information Items & Correspondence

#125 - Town of Bradford West Gwillimbury Resolution re: The Right-to-Repair-Movement

#126 - Town of Halton Hills Resolution re: Reducing Municipal Insurance Costs

#127 - Proposal to Amend Three Regulated Manuals under the Crown Forest Sustainability Act

#128 - Municipality of North Perth Resolution re: Vacant Building Official Positions

#129 - Local Emergency Response System and Gaps in Healthcare regarding Code Red and Black Frequency

#130 - City of Woodstock Resolution re: Highway Traffic Act Amendments

Resolution No. 12 Moved by George Way Seconded by Paul Buchner

> RESOLVED that the Council of the Township of South-West Oxford receive information and correspondence items #125, #127 and #129 as information and that they be noted and filed.

DISPOSITION: Motion Carried

Resolution No. 13 Moved by George Way Seconded by Craig Gillis

> RESOLVED that the Council of the Township of South-West Oxford provide direction to staff to send a letter of support in relation to item #126.

DISPOSITION: Motion Carried

Resolution No. 14 Moved by Peter Ypma Seconded by Craig Gillis

> RESOLVED that the Council of the Township of South-West Oxford provide direction to staff to send a letter of support in relation to item #128.

DISPOSITION: Motion Carried

Resolution No. 15 Moved by Craig Gillis Seconded by Paul Buchner

> RESOLVED that the Council of the Township of South-West Oxford provide direction to staff to send a letter of support in relation to item #130.

DISPOSITION: Motion Carried

By-laws and Agreements

• By-law No. 43-2023 - To amend Township of South-West Oxford Zoning By-law (Additional Residential Units and General Amendments)

Resolution No. 15 Moved by Craig Gillis Seconded by George Way

RESOLVED that the following By-Law be introduced and that they be read a first and second time:

 By-law No. 43-2023 being a By-law to amend Township of South-West Oxford Zoning By-law (Additional Residential Units and General Amendments).

DISPOSITION: Motion Carried

Mr. McDonald noted a comment on behalf of Development Planner Meghan House. Councillor Ypma had previously made a comment with respect to building height. Planning staff wanted to highlight the minor wording change in Table 6.4.2.4 – provisions for detached additional residential units. For RR, RE, A1 and A2 zones outside of a settlement area, they updated the provision to remove "not to exceed the height of the principal dwelling".

Further discussion took place regarding formatting. It was noted that on page 11, under Section 7.1 Uses Permitted, the title of the table is 6.1 but should be "Table 7.1: Uses Permitted". It was also noted the same for Section 11.1, the table should read "Table 11.1: Uses Permitted".

Resolution No. 16 Moved by Jim Pickard Seconded by Peter Ypma

> RESOLVED that By-Law 43-2023, as amended, be read a third time and finally passed, and that the Mayor and Clerk be authorized to sign the By-Law and affix the corporate seal.

DISPOSITION: Motion Carried

<u>Closed Session – None</u>

Council Round Table

Council members shared updates from their respective wards and community involvement. Dereham Centre Hall Board expressed excitement regarding their well-attended BBQ on June 20th – over 100 community members were present and they raised over \$1,000. Mount Elgin Hall Board's beef supper will be held at the end of September. Electronic sign draft policy is complete. LPRCA met on July 5th and approved two forestry tenders to bring this year's program to completion – revenues exceeded 110% of projections. Councillor Ypma shared the significance and prevalence of Oak Wilt Disease. Mount Elgin Parks and Recreation Committee has all new members and will be launching a new Facebook page. Ball park clean-up taking place the evening of July 20th. Show-as-you-go Wednesday night baseball league at 7:00 p.m. at the Mount Elgin Baseball Diamond. T-Ball is back up and running on Tuesday nights at 6:30 p.m. Pickleball will be starting back up in the fall and they are looking into future projects and fundraisers – next meeting is July 27th. Two grand openings: Makkink's Flower Farm and Bakery Café on July 22nd at 9 a.m. Orange Door Acres on August 12th from 9 a.m. to 4 p.m. "Sweaburg Remembered" published 20 years after the Sweaburg Reunion of 2003, copies are available for purchase at \$30 each. Summer Camp has started at the Beachville Museum. Curator is on maternity leave. Museum Summer BBQ on August 11th from 5-7 p.m. Car Show on Sunday, July 23rd. Brownsville Family Fun Day on July 22nd. Mulch still needed from Public Works for the Playground. Catfish Creek meets again in August – successful vear so far. Foldens Music in the Park on September 16th. County Council will receive master plans for water/wastewater and transportation at their next meeting. County Council considering changing to day meetings only.

Confirmatory By-law

 By-Law No. 44-2023 - To confirm all actions and proceedings of Council (July 11th, 2023)

Resolution No. 17 Moved by Paul Buchner Seconded by George Way

RESOLVED that By-law 44-2023 being a By-law to confirm the proceedings of Council held Tuesday, July 11th, 2023 be read a first, second and third time this 11th day of July, 2023.

AND FURTHER THAT the Mayor and Clerk are hereby authorized to sign the By-law and affix the corporate seal.

DISPOSITION: Motion Carried

<u>Adjournment</u>

Resolution No. 18 Moved by Peter Ypma Seconded by Jim Pickard

RESOLVED that there being no further business, the Council meeting be adjourned at 10:15 a.m. to meet again on Tuesday, August 8th, 2023 at 9:00 a.m.

DISPOSITION: Motion Carried

CLERK: Julie Middleton

MAYOR: David Mayberry

This document is available in alternate formats upon request.

APPROVED