

**TOWNSHIP OF SOUTH-WEST OXFORD
COUNCIL MINUTES
March 3, 2020**

MEMBERS PRESENT: Mayor: David Mayberry
Councillors: Paul Buchner (Ward 1), Peter Ypma (Ward 2), Valerie Durston (Ward 3), George Way (Ward 4), Jim Pickard (Ward 5) via Skype, Craig Gillis (Ward 6)

MEMBERS ABSENT: None

STAFF PRESENT: Diane Larder, Treasurer
Julie Forth, Clerk
Jeff VanRybroeck, Fire Chief
Howard Leaver, Chief Building Official
Adam Prouse, Works Superintendent

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 Paul Buchner
Seconded by Craig Gillis

RESOLVED that the regular meeting agenda for the March 3rd, 2020 meeting of council be approved.

DISPOSITION: Motion Carried

DECLARATION OF PECUNIARY INTEREST

Councillor Ypma declared a pecuniary interest with respect to By-law No. 16-2020 being a by-law to authorize an agreement to occupy an existing residence. The subject property is owned by his brother.

MINUTES

February 18th, 2020 Regular Council Meeting Minutes

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

RESOLVED that the regular minutes of the February 18th, 2020 Council meeting be approved, as amended.

The subject property is described as Part of Lot 27-28, Concession 1 (West Oxford), in the Township of South-West Oxford. The lands are located on the north side of Robinson Road, between Thomas Road and Wilson Road, and are municipally known as 403265 Robinson Road.

The subject lands are approximately 14.3 ha (35.5 ac) in size. The subject lands currently contain an existing single detached dwelling, a shop, and an additional accessory structure containing the above noted commercial print shop that is approximately 325 m² (3,500 ft²) in area. Surrounding land uses are predominantly agricultural with limited rural residual uses to the immediate west.

Planning staff are of the opinion that the proposal is not consistent with Section 2.3 of the PPS. The existing commercial print shop is not in keeping with the policies protecting the lands for long term agricultural use, and further they are not supportive of the agricultural area or directly related to the farm operation. Staff is of the opinion that the proposal does not maintain the general intent of the Official Plan. The current use of the accessory structure on the property or a commercial print shop is not consistent with the agriculture, and agricultural related uses contemplated for lands within the agricultural reserve designation. The commercial print shop is not directly related to the farm, nor does it support the agricultural area. Staff are of the opinion that the commercial print shop is better suited for lands within designated settlement areas. According to the Section 3.1.5.1, any new non-agricultural commercial use will not be permitted within the agricultural reserve designation. Planning staff do not recommend approval of the application.

The Township's Fire Chief commented that the operation of a print shop will require an inspection; he will reach out to the property owner to complete this. No other concerns were expressed during the circulation of the application to agencies for comment.

The Zone Change Application is a result of a By-law enforcement complaint that was received by Township staff relating to the use of the property as a commercial print shop in an agricultural zone. Clerk Julie Forth explained that that in 2017, a building permit was issued by the Township for renovations to the structure to facilitate the use of the building as a print shop. The zoning requirements were not addressed at that time. Since that time, By-law enforcement staff received a zoning complaint.

Comments from the Applicant

William Pranger, Applicant, provided some history for Council on the purchase of the property in 2009. A construction business was initially operated out of their home with the use of the structure on site for storage of the material for the construction operation. In 2017, Mr. Pranger retired from

The subject property is described as Part Lot 7, Concession 3 (Dereham) in the Township of South-West Oxford. The lands are located on the north side of southeast corner of Duffy Line and Mcbeth Road and are municipally known as 373536 Duffy Line.

The subject lands are approximately 2.08 ha (5.13 ac) in size. The subject lands currently contain an existing single detached dwelling (to be removed and replaced in a different location), 2 sheds, and a barn. Surrounding land uses are predominantly agricultural. The applicant has indicated that they are looking to remove the existing dwelling on the subject lands and build a new accessory dwelling to replace the existing in a different location. However, it was determined that because the lot does not meet the provisions of the A2 zone the current dwelling would be considered legal non-conforming and to replace the existing dwelling the applicant's only option was to construct on the exact same footprint as their existing dwelling. The property is currently developed and does not meet the lot size provisions of the A2 zone. The applicant's proposal to move the residence to a different location will actually improve the MDS setback from the neighbouring livestock operation. The residence will be situated further away.

Mr. Ager explained that from a planning perspective the function of the lot will remain as is today, and as a result is not anticipated to result in any negative land use impacts to the surrounding agricultural lands. No objections to the application were raised during agency or public circulation.

Comments from the Applicant

Michael MacLennan, Applicant commented that he and his wife have lived on the subject property for 25 years and have always intended to build a new home there. He stated that relocating the house will help future owners with current concerns relating to dust as a result of the home's close proximity to the road and it will improve the MDS setback from the neighbouring livestock operation. He further commented on the existing home's close proximity to the property line to the south. He stated that the home is approximately two feet from the property line. The farmer to the south increases the buffer between his field and their home when he is applying liquid manure as a courtesy. When the house is relocated, he will no longer need to do this.

Comments from the Public

Mr. Llewellyn Roberts, property owner to the north of the subject property, questioned whether or not the applicant will be permitted access to the new home off of McBeth Road. He expressed his concerns regarding visibility at the intersection of McBeth Road and Duffy Line. Works Superintendent Adam Prouse advised that they will take a look at the intersection to ensure that there is adequate visibility in accordance with the Township's requirements. Mr. Prouse noted that trees have grown up in this location, and some may



Sign-In Sheet
 Regular Council Meeting
 March 3rd, 2020 at 9:00 a.m.

Name (Please Print)	Address &/or Email	Reason for Attendance (i.e. Delegation/ Minor Variance/ Zoning/ Drain Consideration/ Court of Revision)	Sign me up for the Township's eNewsletter <u>Yes or No</u> (please include email)
Ronda Stewart	scondacreed.ca	introduction	yes
1/ANA TRAPPE	MARK@THERAFTSWEW. CA	ZONE CHANGE	YES
[Signature]			
Jason Smith	j.smith@spprinting.com	Zone Change	yes
William Frerking	wfrerking@icloud.com	Zone Change	yes
Doug Lake	334315 Rossland line	Zone change	NO
Nick Grant	543976 Clarke Rd	Drain issue	NO

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, opinions and addresses to other persons requesting access to records, or as part of a public record. All information submitted to the municipality is subject to the Municipal Freedom of Information Act (MFIPA). Questions about this notice of collection should be directed to the Clerk's Office.



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Sharlene Allen	54521 Cuddy Rd		NO
MICHAEL HALLEMAN	373536 DAFFY LANE		Yes
Sandy Velde	373536 Duff		—
John Swartz	39 Glenn Ave	Variance	
Doug Bestward	584982 Beachville Rd	Variance	

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