

Township of South-West Oxford
Council Minutes
January 19, 2021

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), Craig Gillis (Ward 6)

Members Absent: None

Staff Present: Mary Ellen Greb, Chief Administrative Officer
Diane Larder, Treasurer/Deputy CAO
Julie Forth, Clerk
Adam Prouse, Works Superintendent

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 Jim Pickard
Seconded by Peter Ypma

RESOLVED that the regular meeting agenda for the January 19th, 2021 meeting of council be approved, as amended.

DISPOSITION: Motion Carried

Declaration of Pecuniary Interest

There were no declarations of pecuniary interest.

Minutes

January 5th, 2021 Regular Council Meeting Minutes

Resolution No. 2 Moved by Craig Gillis
Seconded by Paul Buchner

RESOLVED that the regular minutes of the January 5th, 2021 Council meeting be approved.

DISPOSITION: Motion Carried

January 12th, 2021 Special Council Meeting Minutes

Resolution No. 3 Moved by Valerie Durston
Seconded by George Way

RESOLVED that the regular minutes of the January 12th, 2021 Special Council meeting be approved.

DISPOSITION: Motion Carried

Business Arising from the Minutes

CL 04-2021: Business Arising from the Minutes of January 5th, 2021

Clerk Julie Forth 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. 4 Moved by Craig Gillis
Seconded by Jim Pickard

RESOLVED that the Council of the Township of South-West Oxford receive report CL 04-2021 Summary of Staff Actions Related to Business Arising from the Minutes of January 5th, 2021 as information.

Discussion on the motion:

It was stated that County Council will consider changing the speed limits back to what they were originally along Beachville Road. CAO Mary Ellen Greb has prepared a letter on behalf of Council to the Premier in support of the use of photo radar within communities to enforce speeding.

DISPOSITION: Motion Carried

Appointments

7:05 p.m. - Mike DeVos, P.Eng. - Spriet Associates - Consideration of Engineers Report for the Stevens Branch of the Mt. Elgin Drain (Phase 2)

Mike DeVos, on behalf of Spriet Associates, provided Council with a presentation of the engineers report for the Stevens Drain 2020. He advised that the report has been prepared pursuant to Section 78 of the Drainage Act. The work has been initiated by a request signed by the directly affected

landowners. Mr. Devos advised that the preliminary work for Phase 2 of the Stevens Drain was completed at the time of completion of the report for the Stevens Drain 2018 project. The landowners did not want to proceed at that time; they now believe that it is in their best interests to have the second phase completed.

The engineer's report recommends that the existing 300mm tile from the Reynolds Creek Drain be replaced with a new 450mm and 525mm concrete tile and that the existing tile be destroyed, where possible. The proposed work is estimated to cost approximately \$92,800. The costs and assessments have been updated from the previous 2018 report.

There were no comments or questions from members of Council regarding the Stevens Drain 2020. There were no comments or questions from members of the public regarding the engineer's proposal.

Resolution No. 5 Moved by Valerie Durston
Secoded by Craig Gillis

RESOLVED the Council of the Township of South-West Oxford accept the Engineer's Report prepared by Spriet Associates Engineers and Architects, dated December 11th, 2021 regarding the Stevens Drain 2020.

AND FURTHER THAT Council approve a By-law in the form prescribed by the regulations, with the Engineer's Report attached to it for first and second readings by Council at which point the report shall be considered to be adopted and the By-law shall be known as the Stevens Drain 2020 Provisional By-law.

DISPOSITION: Motion Carried

Staff Reports

BD 01-2021: Monthly Building Report December 2020

Chief Building Official Howard Leaver provided Council with the status of the activities in the building department as of end of December, 2020. He advised that a total of 226 permits were issued in 2020 with total permit revenue for the year of \$181,871.62. He stated that 2020 was one of the busiest years the building department has had.

Resolution No. 6 Moved by Peter Ypma
Secoded by George Way

RESOLVED that the Council of the Township of South-West Oxford receive report BD-01- 2021 Monthly Building Report for December 2020 for information.

DISPOSITION: Motion Carried

Planning & Zoning

- Notice of Application for Consent B20-49-4: Dayspring Residence Inc. for property located at 332787 Plank Line
- Notice of Application for Consent B20-66-4: William and Margaret Wilson for property located at 403330 and 403288 Robinson Road
- Notice of Application for Consent B20-60-4: Kloepfer Holdings Ltd. & William Kloepfer for property located at 434304 Rivers Road

Council provided direction to staff to send a letter of support to the County for consent applications B20-60-4, B20-49-4 and B20-66-4.

- For Comment: Application for Zone Change (Woodstock) - 200 Boot Hill Road (for information)

APPROVED

Accounts Payable Report

January 19th, 2021 - Accounts Payable Report

Resolution No. 7 Moved by Paul Buchner
 Seconded by George Way

RESOLVED that the following Accounts be approved for payment:

Accounts Payable for	
January 1 st to January	\$235,300.73
19 th , 2021	
Bi-Weekly Payroll #1	\$43,671.94
Fire Pay #1	\$22,835.41
Council Pay #1	\$7,158.71
TOTAL:	\$308,966.79

DISPOSITION: Motion Carried

- By-Law No. 11-2021 being a by-law to amend the Township of South-West Oxford Zoning By-law (Salford Group - Plank Line);
- By-Law No. 12-2021 being a by-law to provide for drainage works (Stevens Drain 2020 Provisional By-law).

DISPOSITION: Motion Carried

Resolution No. 10 Moved by George Way
 Seconded by Paul Buchner

RESOLVED that By-laws 07-2021 to 11-2021 inclusive be read a third time and finally passed, and that the Mayor and Clerk be authorized to sign the By-laws and affix the corporate seal.

DISPOSITION: Motion Carried

Council Round Table

Council members shared updates from their respective wards and community involvement. Overall members of Council noted that their wards are quiet. Local trails have been busy as people get outdoors for a walk. Concern regarding dog waste being left on trails was discussed; it was suggested that the SWOX Zero Waste Committee consider options for composting containers for dog waste on trails and in parks.

Mayor Mayberry advised that he has reached out to a few residents in Beachville regarding speeding. They will be having a virtual meeting this Thursday evening to talk about this ongoing issue. The Township will be conducting speed tests over the next six months to see if there has been any impact on speeding within the community. Mayor Mayberry stated that there is good support at the County level for the use of photo radar.

Appointments (continued)

7:30 p.m. - Doug Lake - By-law Exemption Request: Animal Control By-law CL 05-2021: Animal Control By-law Exemption Request: Doug Lake - 334315 Rossland Line

Clerk Julie Forth provided Council with a report to present them with a by-law exemption request received from Doug Lake located at 334315 Rossland Line/544003 Clarke Road to permit the property owners to keep four (4) ducks on the property located at 544003 Clarke Road which is zoned Residential Existing (RE).

Clerk Forth advised that further to the writing of this report, staff have been in receipt of written comments from three neighbouring property owners who have indicated that they are opposed to the request. Jeff Washik and Don Henderson indicated that are both opposed to the ducks being permitted within the community and expressed concern regarding the impact on property values, noise and other concerns related to the possibility that the ducks (and the duck feed) may attract other wildlife and rodents. He commented on an experience he has recently had with a family member that had ducks – they have been required to hire an exterminator because they have a rat infestation as a result of the duck feed. They are concerned for the health and safety of their own families, pets and other residents on the street.

Further, Carl and Angelene Bane submitted written comments and photographs to staff in follow up to a previous phone conversation that was had with staff in response to this request. They are also opposed to the request for exemption. They have indicated that ducks are not in fact being kept on the vacant lot, that they don't have access to this lot. They expressed concerns regarding the smell and mess of the ducks and the impact the ducks have had on the aggressiveness of the applicant's dog.

Angelene Bane addressed Council and stated that they do not want to see any livestock in the community and that they want to keep the yards in the area clean.

Doug Lake addressed Council regarding their request for by-law exemption. He clarified that he owns the property located on Clarke Road, and that his wife owns the property on Rossland Line. He stated that the Clarke Road property is a unique property as it is zoned residential existing; however, it can not be developed for residential purposes. He advised Council that the ducks were gifted to his wife. He stated that there is no odor from the ducks; there is more odor from surrounding farming practices.

Mr. Lake commented on the conditions that were suggested by staff should their request be approved. He stated that he is in support of these conditions and that the duck feed is kept in sealed containers. He also noted that there is a variety of bird feed around the neighbourhood which may also attract rats and other wildlife. He advised Council that there was a rat problem in 2018, when the former trailer on the Clarke Road property was demolished. This is not currently an issue.

Discussion took place regarding the contravention of the by-law and the course of action that was followed in this instance. It was also noted that the contravention is in relation to the Township's Animal Control by-law and not the Township's Zoning By-law which is why the request is before Council for consideration.

Councillor Way commented that Council should be mindful of the impact that a decision on this matter may have within other residential zones in the Township with respect to livestock.

Resolution No. 11 Moved by Jim Pickard
 Secinded by George Way

RESOLVED that the Council of the Township of South-West Oxford receive report CL 05-2021: Animal Control By-law Exemption Request Doug Lake – 334315 Rossland Line for information;

AND FURTHER THAT Council deny the request for exemption to Section 7.10 of Bylaw 76-2017 being a By-law to establish and regulate the keeping of animals and the licensing of dogs and kennels within the Township of South-West Oxford to permit the keeping of four (4) ducks on property within a residential zone.

DISPOSITION: Motion Carried

CLOSED SESSION

The meeting will be closed to the public to discuss subject matter that is:

(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group or persons, or organization (fibre connectivity);

(b) personal matters about an identifiable individual, including municipal or local board employees (staff resignation).

Resolution No. 12 Moved by Craig Gillis
 Secinded by George Way

RESOLVED that Council hold a closed meeting in order to discuss a matter pertaining to:

(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere

significantly with the contractual or other negotiations or a person, group or persons, or organization (fibre connectivity);

(b) personal matters about an identifiable individual, including municipal or local board employees (staff resignation).

DISPOSITION: Motion Carried

Resolution No. 13 Moved by Jim Pickard
Seconded by George Way

RESOLVED that Council reconvene in regular session at 8:11 p.m.

DISPOSITION: Motion Carried

Confirmatory By-law

By-Law No. 13-2021 - To confirm all actions and proceedings of Council (January 19th, 2021)

Resolution No. 14 Moved by Paul Buchner
Seconded by Craig Gillis

RESOLVED that By-law 13-2021 being a By-law to confirm the proceedings of Council held Tuesday, January 19th, 2021 be read a first, second and third time this 19th day of January, 2021.

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

DISPOSITION: Motion Carried

Adjournment

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

RESOLVED that there being no further business, the Council meeting be adjourned at 8:13 p.m. to meet again on Tuesday, February 2nd, 2021 at 9:00 a.m. (virtual meeting).

DISPOSITION: Motion Carried

CLERK: Julie Forth

MAYOR: David Mayberry

This document is available in alternate formats upon request.

APPROVED