

**Township of South-West Oxford
Council Minutes
March 19, 2024**

Members Present: Mayor: Mayor David Mayberry, Valerie Durston (Ward 3), George Way
Councillors: (Ward 4), Jim Pickard (Ward 5) – via Zoom, Craig Gillis (Ward 6)

Members Absent: Paul Buchner (Ward 1), Peter Ypma (Ward 2)

Staff Present: Julie Middleton, Clerk/Deputy CAO
Adam Prouse, Works Superintendent
Brooke Crane, Treasurer
Spencer McDonald, Development Planner
Nicole Chambers, Records Management Co-ordinator/Clerk's Assistant

Call Meeting to Order

The meeting was called to order at 6:30 p.m. by Mayor David Mayberry and a quorum was present.

Motion to Accept Agenda

Resolution No. 1 Moved by George Way
Seconded by Craig Gillis

RESOLVED that the regular meeting agenda for the March 19th, 2024 meeting of council be approved.

DISPOSITION: Motion Carried

Declaration of Pecuniary Interest

None.

Minutes

March 5th, 2024 - Regular Council Meeting Minutes

Resolution No. 2 Moved by Craig Gillis
Seconded by Valerie Durston

RESOLVED that the regular minutes of the March 5th, 2024 council meeting be approved, as amended.

DISPOSITION: Motion Carried

Business Arising from the Minutes

CL 12-2024: Business Arising from the Minutes of March 5th, 2024

Clerk Julie Middleton 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 Jim Pickard
 Seconded by George Way

RESOLVED that the Council of the Township of South-West Oxford receive report CL 12-2024 Summary of Staff Actions Related to Business Arising from the Minutes of March 19th, 2024 as information.

DISPOSITION: Motion Carried

Staff Reports

CL 13-2024: Regular Council Meeting Start Time - Follow Up

Clerk Julie Middleton provided Council with a report to obtain their feedback in relation to the start time of regular evening Council meetings at 6:30 p.m. She noted that the change in the start time of evening Council meetings was implemented on a trial basis throughout the months of January - March, 2024. Council suggested that a 6:30 p.m. start time for evening Council meetings continue until the end of 2024 and that this be discussed further when the 2025 meeting schedule is set.

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

RESOLVED that the Council of the Township of South-West Oxford receive report CL 13-2024: Regular Council Meeting Start Time - Follow Up as information;

AND FURTHER THAT Council provide direction to staff to continue a start time of 6:30 p.m. for evening Council meetings until the end of 2024 and the meeting start time be reevaluated going into 2025.

DISPOSITION: Motion Carried

Appointments

6:35 p.m. - Development Planner, Spencer McDonald - [Committee of Adjustment Hearing](#)

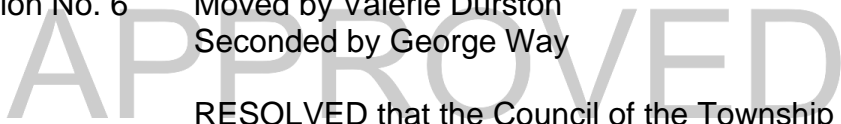
- *Minor Variance Application A03-2024 - Dilawar Singh - 584154 Beachville Road*
- *Minor Variance Application A05-2024 - Wim & Femke Scherpenzeel (Arie Van Ginkel) - 564062 Karn Road*

Resolution No. 5 Moved by George Way
 Seconded by Craig Gillis

RESOLVED that the Council of the Township of South-West Oxford move into Committee of Adjustment at 6:35 p.m. to consider minor variance applications A03-2024 and A05-2024.

DISPOSITION: Motion Carried

Resolution No. 6 Moved by Valerie Durston
 Seconded by George Way



RESOLVED that the Council of the Township of South-West Oxford reconvene in regular session at 6:49 p.m.

DISPOSITION: Motion Carried

Staff Reports (continued)

CL 14-2024: Follow Up: Request to Purchase Land - Mike Christiaens (Part of Hincks St Road Allowance)

Clerk Julie Middleton provided Council with a report to provide them with follow up information to Council regarding a request to purchase land received from Mike Christiaens (part of Hincks St.road allowance, Brownsville) for their consideration and direction.

Resolution No. 7 Moved by George Way
 Seconded by Valerie Durston

RESOLVED that the Council of the Township of South-West Oxford receive report CL 14-2024: Follow

Up - Request to Purchase Land - Mike Christiaens
(Part of Hincks St Road Allowance) as information;

AND FURTHER THAT Council provide direction to staff to proceed with next steps to survey and enter into an agreement of purchase and sale to sell the subject lands to Mike Christiaens for a purchase price of \$7,041.65 plus all applicable surveying and legal costs associated with the sale to be paid by the purchaser.

DISPOSITION: Motion Carried

WD 02-2024: 2024 Asphalt Tender results

Works Superintendent Adam Prouse provided Council with a report to seek their approval to pulverize, repave and gravel shoulder a portion of Ostrander Road and to pulverize, repave and gravel shoulder a portion of Hawkins Road as outlined and approved in the Township's 2024 budget. The Township has worked with JAAR Excavating in the past and have been satisfied with their work. He noted that the cost of asphalt is slightly down this year as of February, 2024.

Resolution No. 8 Moved by Craig Gillis
Seconded by Valerie Durston

RESOLVED that the Council of the Township of South-West Oxford receive report WD 02-2024: 2024 Asphalt Tender Results as information;

AND FURTHER that Council approve the Tender bid of \$928,955.00 plus applicable taxes from JAAR Excavating LTD. to perform the work listed in the tender.

DISPOSITION: Motion Carried

Appointments (continued)

6:55 p.m. - Development Planner Spencer McDonald - Public Meeting: Zone Change Application ZN 4-23-11 - Kyle & Breann Gillespie for property located at 224276 Ostrander Road

Resolution No. 9 Moved by Valerie Durston
Seconded by Jim Pickard

RESOLVED that the Council of the Township of South-West Oxford move into public meeting to consider zone change application ZN 4-23-11 submitted by Kyle & Breann Gillespie for property located at 224276 Ostrander Road.

DISPOSITION: Motion Carried

Development Planner Spencer McDonald explained that the application for zone change proposes to rezone the subject lands from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to recognize an existing farm market business ("Bre's Fresh Market") as an on-farm diversified use. The existing business is conducted out of two (2) existing structures which are approximately 18.3 m x 24.4 m (60 x 80 ft) and 14.6 m x 19.5 m (48 x 64 ft) for a cumulative area of approximately 730 m² (7,858 ft²) in size and situated generally as shown on Plate 3 of this report. The business grows produce on site as well as brings in local produce and other products from local growers/producers to offer for sale in the market.

The subject property is described as Lot 7, Concession 9, (Dereham), Township of South-West Oxford. The lands are located on the south side of Ostrander Road, east of Plank Line, and are municipally known as 224276 Ostrander Road. The subject lands are approximately 10.5 ha (26 ac) in area, with approximately 140 m (459.3 ft) of frontage on Ostrander Road. The subject lands contain an existing single detached dwelling (c. 2016), an existing store/market building (c. 2022) and a storage building (c. 2013). Surrounding land uses are predominately agricultural to the northeast and the south, and residential to the immediate west (Rural Cluster of Ostrander).

It is recognized that the proposed on-farm diversified use will be secondary to the agricultural use (the growing of crops) on the property and will generally be in keeping with the spatial criteria outlined in the Guidelines for Permitted Uses in Prime Agricultural Areas. Although both buildings comprising the farm market, at a cumulative of 730 m² (7,858 ft²) would appear to exceed the maximum of 557 m² (6,000 ft²), the storage building in particular is not entirely devoted to the needs of the OFDU, and therefore, can be considered accessory to the overall agricultural operation. In general, staff are satisfied that the proposal meets the policy framework for an on-farm diversified use and is an appropriate value-added use for the existing farm operation. Staff are satisfied that the proposal appears to be consistent with the provincial guidelines surrounding on-farm diversified uses.

Questions from Council:

Councillor Pickard questioned what prompted the application. Council was advised that the application was as a result of a zoning related by-law enforcement complaint.

Comments from the Applicant:

Kyle Gillespie, Applicant, stated that he has no comments to make – he is in support of the recommendation contained in planning staff's report.

Comments from the Public/Council:

No member of the public spoke in support of or opposed to the application.

Mayor Mayberry questioned the size of the property in relation to permitted an OFDU. Development Planner Spencer McDonald stated that the subject property is an appropriate size for an OFDU. He stated that it is reasonable to assume that this property may become a part of Ostrander rural cluster in the future. Mayor Mayberry commented that the building square footage is slightly higher than what is permitted. It was questioned if there is a bakery as part of the current operation – Mr. Gillespie confirmed that there is. Goods are baked on site.

Resolution No. 10 Moved by George Way
 Seconded by Craig Gillis

RESOLVED that the Council of the Township of South-West Oxford reconvene in regular session at 7:01 p.m.

APPROVED

DISPOSITION: Motion Carried

Resolution No. 11 Moved by Jim Pickard
 Seconded by Valerie Durston

RESOLVED that the Council of the Township of South-West Oxford approve-in-principle the zone change application submitted by Kyle & Breann Gillespie, whereby the lands described as Lot 7, Concession 9, (Dereham), 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 for an on-farm diversified use as described in Report No CP 2024-93.

DISPOSITION: Motion Carried

Development Planner Spencer McDonald noted that any uses will need to be captured accurately in the amending by-law and the gross floor area will be capped for the purposes of the secondary use.

7:05 p.m. - Ray Baxter re: Ammon Miller Sawmill Operation on Prouse Road

Ray Baxter, on behalf of Ammon Miller, addressed Council regarding the operation of the sawmill at 264459 Prouse Road in March and April of each year (2 months of the year). It was suggested that the sawmill use should have been 'grandfathered' in for the new property owners, Ammon and Elizabeth Miller. Clerk Julie Middleton explained that for a use to be considered legal and non-conforming, the sawmill would need to have been in operation legally prior to the passing of the Zoning By-law. The operation of a sawmill on the subject lands was not legal until zoning by-law no. 42-2020 was passed in August, 2020, which included specific provisions in relation to operation of the sawmill in March and April of each year. She advised that set fines have been established and approved for operation of the sawmill in March and April annually.

To change the provisions of the zoning by-law, a zone change application must be submitted to be considered by Council. There is no guarantee that the request would be approved by Council. Township staff is available to assist should the property owners wish to submit an application.

Various exemptions in relation to seasonal weight restrictions, which are specifically provided for under the Highway Traffic Act, were discussed (i.e. Township trucks, graders, emergency services vehicles, dairy and feed trucks).

Agenda Items & Correspondence

#46 - Oxford County Report PW 2024-04 re: 2024 Community Safety Zones

#47 - Oxford County Report PW 2024-10 - Annual Transportation System Performance

#48 - Rural Oxford Economic Development Corporation Media Release: Oxford County Career Expo 2024

#49 - Acting Fire Chief Paul Groeneveld Comments re: Expanding the Life Span of Fire Apparatus

#50 - Correspondence from Ashawn Masahir re: Proclamation Request - Save Soil Movement

#51 - 2023 LPRCA Financial Statements and Annual Report

#52 - UTRCA Communications about Legislative and Regulatory Changes Affecting Conservation Authority Development Permitting

#53 - EARTH Corporation Shareholder Newsletter - March, 2024

#54 - EARTH Annual Charity Golf Tournament [Registration Now Open](#)

Resolution No. 12 Moved by George Way
Seconded by Valerie Durston

RESOLVED that the Council of the Township of South-West Oxford receive agenda and correspondence items #46 to #54 inclusive as information and that they be noted and filed.

DISPOSITION: Motion Carried

Accounts Payable Report

March 19th, 2024 - Accounts Payable Report

Resolution No. 13 Moved by Jim Pickard
Seconded by Valerie Durston

RESOLVED that the following Accounts be approved for payment:

Accounts Payable for March 3 rd , 2024 to March 16 th , 2024	\$282,398.07
Bi-Weekly Payroll #5	\$53,172.81
Total:	\$335,570.88

DISPOSITION: Motion Carried

Discussion Items

Planning Application Fees - Site Plan Approval Fee (Julie Middleton)

Clerk Julie Middleton raised a question from staff regarding the site plan application review fee applied by Oxford County Public Works going into 2024. She noted that this is a significant increase to \$2,500 per application from \$500 per application. Mayor David Mayberry will follow up with Oxford County.

Information Items & Correspondence

#55 - Town of Goderich Resolution re: Return to Combined ROMA & OGRA Conferences

#56 - Township of Puslinch Resolution re: Enbridge Gas Follow-Up

#57 - Township of Amaranth Resolution re: Operational Budget Funding

#58 - Township of Limerick Resolution re: National Fire Fighting Strategy

#59 - Town of Cobourg Council Resolution re: Affordability of Water and Wastewater Systems

#60 - Town of Cobourg Council Resolution re: Proposed Amendment to Subsection 27(16) of the OHA

#61 - Aurora Council Resolution re: Sharing Memorandum of Understanding (MOU) with School Boards for Evening/Weekend Gymnasium Use

#62 - City of Quinte West Resolution re: Housing Funding

Resolution No. 14 Moved by George Way
 Seconded by Craig Gillis

RESOLVED that the Council of the Township of South-West Oxford send a letter of support in relation to item #55;

AND FURTHER THAT Council receive information and correspondence items #56 to #62 inclusive as information and that they be noted and filed.

DISPOSITION: Motion Carried

Committees

- Salford Hall Board Meeting Minutes of February 6th, 2024

Resolution No. 15 Moved by Valerie Durston
 Seconded by Craig Gillis

RESOLVED that the Council of the Township of South-West Oxford receive Salford Hall Board meeting minutes of February 6th, 2024 as information.

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. 17 Moved by Valerie Durston
 Seconded by Craig Gillis

RESOLVED that there being no further business, the Council meeting be adjourned at 7:47 p.m. to meet again on Tuesday, April 2nd, 2024 at 9:00 a.m.

DISPOSITION: Motion Carried

CLERK: Julie Middleton

MAYOR: David Mayberry

APPROVED
This document is available in alternate formats upon request.