

**Township of South-West Oxford
Council Minutes
February 21, 2023**

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 Zoom), Craig Gillis (Ward 6)

Members Absent: None.

Staff Present: Mary Ellen Greb, Chief Administrative Officer/Treasurer
Howard Leaver, Chief Building Official
Julie Middleton, Clerk
Nicole Chambers, Records Management Co-ordinator

Call Meeting to Order

The meeting was called to order at 6:00 p.m. by Mayor David Mayberry and a quorum was present.

Motion to Accept Agenda

Resolution No. 1 Moved by Paul Buchner
Seconded by George Way

RESOLVED that the regular meeting agenda for the February 21st, 2023 meeting of council be approved, as amended.

DISPOSITION: Motion Carried

Declaration of Pecuniary Interest

None.

Closed Session

Resolution No. 2 Moved by Valerie Durston
Seconded by Peter Ypma

RESOLVED that Council hold a closed meeting at 6:02 p.m. in order to discuss a matter pertaining to:

DISPOSITION: Motion Carried

Staff Reports

BD 01-2023: January 2023 Building Report

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

Resolution No. 6 Moved by Peter Ypma
 Seconded by Valerie Durston

RESOLVED that the Council of the Township of South-West Oxford receive report BD 01-2023 Monthly Building Report for January 2023 as information.

DISPOSITION: Motion Carried

CL 08-2023: 2023 Christmas Office Closure/Council Meeting Schedule

Clerk Julie Middleton provided Council with a request to bring forward a request to Council to close the Township of South-West Oxford Municipal Office again this year between Christmas and New Years and to amend the Council meeting schedule for November, 2023 through to January, 2024 as a result of the administration office closure at this time.

Resolution No. 7 Moved by Paul Buchner
 Seconded by Craig Gillis

RESOLVED that the Council of the Township of South-West Oxford receive Report CL 08-2023: 2023 Christmas Office Closure/Council Meeting Schedule for information;

AND FURTHER THAT Council approve the closure of the Township of South-West Oxford Municipal Office from Monday, December 25th, 2023 to Monday, January 1st, 2024, with the municipal office reopening on Tuesday, January 2nd, 2024;

AND FURTHER THAT Council approve the following Council meeting schedule changes in November, 2023 through to January, 2024, as follows:

- November 14th, 2023 at 9:00 a.m. – Proposed Special Council Meeting (2024 Budget);
- January 9th, 2024 at 9:00 a.m. – Regular Council Meeting (Strategic Planning/Visioning);
- January 23rd, 2024 at 9:00 a.m. – Regular Council Meeting.

Discussion on the motion:

It was suggested that the Special Budget meeting in November, 2023 be scheduled on November 14th, 2023. There is an Upper Thames River Conservation Authority Board meeting already scheduled on November 28th, 2023.

DISPOSITION: Motion Carried

DD 01-2023: Petition for Drainage Works (Piper Municipal Drain)

Clerk Julie Middleton presented a report to Council to bring forward a Petition for Drainage Works, submitted in accordance with Section 78 of the Drainage Act by Tino & Paul Ijsseldijk, Debruyne Acres Ltd. and Gert-Jan Treur for the property located at 383706 Salford Road. She noted that the drain is in need of repair and all affected property owners are in support of the work being done. Staff is recommending that Spriets Associates be appointed to prepare the engineer's report.

Resolution No. 8 Moved by Peter Ypma
 Seconded by Valerie Durston

RESOLVED that the Council of the Township of South-West Oxford accept the Petition for Drainage Works received from Tino & Paul Ijsseldijk, Debruyne Acres Ltd. and Gert-Jan Treur;

AND FURTHER THAT the firm of Spriet Associates, Engineers and Architects be appointed to complete a new report in accordance with Section 78 of the Drainage Act, RSO 1990, Chapter D17.

DISPOSITION: Motion Carried

Discussion Items

Harvey Municipal Drain

Resolution No. 9 Moved by George Way
 Secoded by Valerie Durston

RESOLVED that the Council of the Township of South-West Oxford appoint Councillor Paul Buchner on behalf of South-West Oxford to the Court of Revision for the Harvey Municipal Drain.

DISPOSITION: Motion Carried

Appointments

7:00 p.m. - By-law Exemption Request - Human Habitation in RV - 584814 Beachville Road

CL 07-2023: By-law Exemption Request: Human Habitation in Recreational Vehicle

Clerk Julie Middleton provided Council with a report to bring forward a request to Council to permit human habitation in a recreational vehicle on a temporary basis at property located at 584814 Beachville Road. She noted that since the writing of the staff report, she has received several inquiries from neighbouring property owners in relation to the request. Particular concerns have been expressed in relation to the placement of the recreational vehicle on the property (in the front yard) and the disposal of sewage. Written comments received by staff have been circulated to members of Council. Several members of the public were in attendance to speak in opposition of the request.

Francois Deschenes re: Request to permit Human Habitation in Recreational Vehicle

Mr. Deschenes addressed Council in relation to the request and expressed concerns in relation to the process that was followed to obtain approval. He expressed additional concerns in relation to the impact that the recreational vehicle will have on neighbouring properties' privacy, and questioned how sewage will be handled on site. He questioned if any permits have been obtained to allow the recreational vehicle, to service the RV with hydro and construct the deck to provide access to the unit. Mr. Deschenes suggested that should Council approve the temporary habitation in the recreational vehicles that the time period be limited and one-time approval only. He added that once the recreational vehicle is no longer needed for the intended

purpose of housing Ms. Rochford's parents, that it be removed and decommissioned.

Melanie Rochford and Scott Sieling, property owners 584814 Beachville Road

Scott Sieling and Melanie Rochford addressed Council in relation to their request. Mr. Sieling explained that he was slightly misled in relation to the terms of approval of additional residential units within Ontario as a result of Bill 23. He did not understand that approvals and policies were not in place locally yet to provide for them. He explained that they were required to make decisions for the care of Ms. Rochford's parents quickly, which is why they made the choices that they did, and set up the recreation vehicle for habitation on the front yard of their property. He advised Council that Ms. Rochford's parents are very comfortable in the RV, safe and happy there. Her parents are currently undergoing medical care and treatment. With small kids in the home, they believed it was best to establish a separate space for their parents to reduce the transmission of viruses and illnesses coming home from school. He advised Council that the location of the recreational vehicles was determined based on access to hydro and water and also for services such and sewage removal (Denby Environmental) and propane. The primary reason for the request is to provide care for their family close to home.

In response to an inquiry from Councillor Gillis, Mr. Sieling advised that Denby Environmental is emptying the grey and blackwater tanks approximately every two weeks. The recreational vehicle came with very substantial sized reservoirs which have all been piped together.

Jessica Phelps & Andy Phelps re: Request to permit Human Habitation in Recreational Vehicle

Jessica and Andy Phelps addressed Council in opposition to the request to permit human habitation in the recreational vehicle at property located at 584814 Beachville Road. They expressed concerns in relation to the public notice provided, impact on privacy of neighbouring property owners, aesthetics of the area, safety and potential impacts to ground water and sewage disposal. Ms. Phelps also expressed concerns in relation to the safety of the inhabitants, particularly in relation to the air circulation and ventilation.

Mr. Phelps expressed concerns in relation to impact on privacy to neighbouring property owners and how long the property owners have asked to keep the recreational vehicle on the property. He advised that a lot of planning has gone into the placement and servicing of the recreational vehicle.

David LeBlanc (via Zoom)

David LeBlanc addressed Council in relation to the request to permit human habitation of the recreational vehicle located at 584814 Beachville Road. He expressed concerns in relation to the approval process and noted that several by-laws are in violation at the subject property (i.e., deck without a permit, sea can, additional services of water and hydro). He requested that Council deny this request and that any appropriate fines be applied. He suggested that the applicants should seek a more viable solution to provide care for their parents with the necessary approvals in place.

Questions from Council

Members of Council expressed their concerns in relation to the request, particularly in relation to the fact that necessary permissions were not provided in advance of setting up the unit for human habitation. Concerns were also expressed in relation to the handling of sewage on site.

It was noted that the recreational vehicle is not a four-season unit, temporary habitation may be permitted. It was suggested that the Township’s Fire Chief and Chief Building Official be permitted to inspect the unit.

Discussion also took place in relation to the timing for local policies to be in place for additional residential units. It is anticipated that Council will see these policies come to public meeting in April, 2023.

Resolution No. 10 Moved by Craig Gillis
Seconded by Peter Ypma

RESOLVED that the Council of the Township of South-West Oxford receive report CL 07-2023: By-law Exemption Request - Human Habitation in a Recreational Vehicle as information;

AND FURTHER THAT Council approve a permit in accordance with Section 6.29.1.12 of the Township of South-West Oxford Zoning By-law to permit human habitation in a recreational vehicle on a temporary basis until June 30th, 2023 on property located at 584814 Beachville Road, subject to the following conditions:

- That the property owner permit an inspection within two weeks of the recreational vehicle by the Township's Chief Building Official and Fire Chief;

- That the property owner provides a copy of the ESA inspection within 30 days to the Township's Chief Building Official; and
- That the property owner provides a copy of the agreement that they have entered into with Denby Environmental Services in relation to sewage disposal to the Township's Chief Building Official.

Moved by George Way

Seconded by Paul Buchner

RESOLVED that the Council of the Township of South-West Oxford amend the motion to permit the temporary human habitation of the recreational vehicle located at 584814 Beachville Road for a period of six months, ending on August 31st, 2023;

AND FURTHER THAT the applicants comes before Council to provide them with a status update at the end of June, 2023.

DISPOSITION: Motion Carried

Moved by Craig Gillis

Seconded by Peter Ypma

RESOLVED that the Council of the Township of South-West Oxford receive report CL 07-2023: By-law Exemption Request - Human Habitation in a Recreational Vehicle as information;

AND FURTHER THAT Council approve a permit in accordance with Section 6.29.1.12 of the Township of South-West Oxford Zoning By-law to permit human habitation in a recreational vehicle on a temporary basis until August 31st, 2023 on property located at 584814 Beachville Road, subject to the following conditions:

- That the property owner permit an inspection within two weeks of the recreational vehicle by the Township's Chief Building Official and Fire Chief;
- That the property owner provides a copy of the ESA inspection within 30 days to the Township's Chief Building Official;

- That the property owner provides a copy of the agreement that they have entered into with Denby Environmental Services in relation to sewage disposal to the Township's Chief Building Official; and
- That the property owners provide Council with status update as of the end of June, 2023.

DISPOSITION: Motion Carried

** Councillor Jim Pickard left the meeting.*

7:10 p.m. - [Committee of Adjustment](#) - A01-2023 - Chris Van Ginkel - 403566 Union Road

Resolution No. 11 Moved by George Way
 Seconded by Paul Buchner

RESOLVED that the Council of the Township of South-West Oxford move into Committee of Adjustment at 8:06 p.m. to consider minor variance application A01-2023 received from Chris Van Ginkel for property located at 403566 Union Road.

DISPOSITION: Motion Carried

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

RESOLVED that the Council of the Township of South-West Oxford reconvene in regular session at 8:12 p.m.

DISPOSITION: Motion Carried

7:20 p.m. - Catherine White - Request to Purchase at Part of Hincks St., Brownsville

CL 09-2023: Request to Purchase Land: Part of Hincks St., Brownsville

Clerk Julie Middleton provided Council with a report to bring forward follow up information to a request received to purchase a portion of an unopened road allowance, Hincks Street PL 66 (PIN 00230101), Brownsville received from Catherine White. Catherine is the owner of the vacant parcel of land immediately to the east of the Hincks Street road allowance.

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

Resolution No. 13 Moved by Valerie Durston
Seconded by Paul Buchner

RESOLVED that the Council of the Township of South-West Oxford receive report CL 09-2023: Request to Purchase Land - Part of Hincks St. as information;

AND FURTHER THAT Council provide direction to staff in relation to the proposed sale of Part of Hincks St. as illustrated on Appendix A attached to this report to Catherine White for a set price of \$12,500 plus all applicable legal and surveying costs.

DISPOSITION: Motion Carried

7:30 p.m. - Public Notice - Amended Building Department Permit and Inspection Fees

- Detached accessory structures;
- Public swimming pool.

Clerk Julie Middleton advised Council that no comments have been received in relation to the proposed additional fees to Schedule 'A' of By-law No. 67-2022. There were no members in attendance that spoke in support of or opposed to the proposed amendments.

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

* Council recessed at 8:24 p.m. for a Strategic Planning Session.

* Council resumed at 9:53 p.m.

Agenda Items & Correspondence

#31 - ROMA 2023 Conference Report

#32 - Oxford County Council Report - January, 2023

#33 - Oxford County Council: PW 2023-05 - Community Safety Zone Implementation

#34 - County of Oxford - Official Plan Amendment 285 - Notice of Adoption - OP 22-16-9

#35 - Oxford County 2024 Transportation Master Plan Municipal Class Environmental Assessment Study – Phase 1 & 2 Notice of Public Consultation Centre #2

#36 - OP 22-25-4: Barbara & Johannes Hakkenerg - Notice of Complete Application

Resolution No. 14 Moved by George Way
Seconded by Valerie Durston

RESOLVED that the Council of the Township of South-West Oxford receive agenda and correspondence items #31 to #36 as information and that they be noted and filed.

DISPOSITION: Motion Carried

Accounts Payable Report

February 21st, 2023 - Accounts Payable Report

Resolution No. 15 Moved by Paul Buchner
Seconded by George Way



RESOLVED that the following Accounts be approved for payment:

Accounts Payable for	
February 2 nd , 2023 to	\$192,978.50
February 14 th , 2023	
Bi-Weekly Payroll #3	\$58,016.77
Council Pay #2	\$8,430.77
Total:	\$259,426.04

DISPOSITION: Motion Carried

Information Items & Correspondence

#37 - Municipality of Shuniah Resolution re: Opposition of Bill 3

#38 - Corporation of the Town of Essex Letter of Support re: Ontario School Board Elections

#39 - Town of Deep River Resolution re: Ontario School Board Elections

#40 - County of Huron - Call to Action: Review of the Cannabis Act

Resolution No. 16 Moved by Craig Gillis
Seconded by Valerie Durston

RESOLVED that the Council of the Township of South-West Oxford receive information and correspondence items #37 to #40 as information and that they be noted and filed.

DISPOSITION: Motion Carried

Committees

- SWOX Zero Waste Committee Minutes
- Engage and Inform Committee Minutes
- SWOX Housing Opportunities Committee Minutes

Resolution No. 17 Moved by Peter Ypma
Seconded by George Way

RESOLVED that the Council of the Township of South-West Oxford receive the following Committee minutes as information:

- SWOX Zero Waste Committee Minutes of November 8th, 2022
- Engage and Inform Committee Minutes of January 11th, 2023
- SWOX Housing Opportunities Committee Minutes of December 6th, 2022

DISPOSITION: Motion Carried

By-laws and Agreements

- By-Law No. 11-2023 - To regulate the use and sale of fireworks within the Township of South-West Oxford
- By-Law No. 12-2023 - To amend by-law 67-2022 being a by-law to provide for the administration and enforcement of the Ontario Building Code Act (Schedule A - building department permit fees)

Resolution No. 18 Moved by Peter Ypma
Seconded by Valerie Durston

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

- By-Law No. 11-2023 being a by-law to regulate the use and sale of fireworks within the Township of South-West Oxford;
- By-Law No. 12-2023 being a by-law to amend by-law 67-2022 being a by-law to provide for the administration and enforcement of the Ontario Building Code Act (Schedule A - building department permit fees).

DISPOSITION: Motion Carried

Resolution No. 19 Moved by Craig Gillis
 Seconded by Paul Buchner

RESOLVED that By-Laws 11-2023 and 12-2023 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

New Business

Foldens Line North Traffic

A concern has been raised in relation to traffic coming from the north on Foldens Line. Mayor David Mayberry will ask the County if a speed sign may be placed in the area. Staff will contact the OPP to see if targeted enforcement may take place in this location.

Harvey Drain

Mayor David Mayberry advised that he received a call from a resident regarding the preliminary meeting to consider the engineer's report for the Harvey Municipal Drain; there was concern that these meetings did not take place. This project was completed in partnership with Norwich Township. It was confirmed that the preliminary meetings took place in 2019.

Council Round Table

Council members shared updates from their respective wards and community involvement. Pickleball is ongoing at the Mount Elgin Community Centre. Dereham Centre Hall kitchen renovation is almost complete. Mount Elgin Hall Board and Parks and Recreation Committee will be meeting next week. Tillsonburg Airport Committee will be meeting next week as well. The Winter Walk for Warmth will take place this Saturday, February 25th at the Thames River Trail. Beachville Parks and Recreation Committee AGM will take place

this Saturday, February 25th. Beachville Museum car shows are scheduled to begin again this summer. Foldens Family Fun Day is scheduled on June 10th and the pancake breakfast is scheduled on May 7th.

Confirmatory By-law

By-Law No. 13-2023 - To confirm all actions and proceedings of Council (February 21st, 2023)

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

RESOLVED that By-law 13-2023 being a By-law to confirm the proceedings of Council held Tuesday, February 21st, 2023 be read a first, second and third time this 21st day of February, 2023.

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. 21 Moved by Craig Gillis
 Seconded by Paul Buchner

RESOLVED that there being no further business, the Council meeting be adjourned at 10:14 p.m. to meet again on Tuesday, March 7th, 2023 at 9:00 a.m. (Council Chamber).

DISPOSITION: Motion Carried

CLERK: Julie Middleton

MAYOR: David Mayberry

This document is available in alternate formats upon request.