Township of South-West Oxford Council Minutes

September 17, 2024

Mayor David Mayberry, Paul

Buchner (Ward 1), Peter Ypma

Mayor: (Ward 2), Valerie Durston (Ward 3), Councillors:

George Way (Ward 4), Jim Pickard

(Ward 5), Craig Gillis (Ward 6)

Members Absent: None.

Mary Ellen Greb, CAO/Deputy Clerk Julie Middleton, Clerk/Deputy CAO

Brooke Crane, Treasurer

Staff Present: Howard Leaver, Chief Building Official

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 Craig Gillis

Seconded by Valerie Durston

RESOLVED that the regular meeting agenda for the

September 17th, 2024 meeting of council be approved, as amended (Phase 6 Mount Elgin

Developments).

DISPOSITION: Motion Carried

Declaration of Pecuniary Interest

None.

<u>Minutes</u>

September 3rd, 2024 - Regular Council Meeting Minutes

Resolution No. 2 Moved by Jim Pickard

Seconded by Paul Buchner

RESOLVED that the regular minutes of the September 3rd, 2024 council meeting be approved.

DISPOSITION: Motion Carried

Business Arising from the Minutes

CL 50-2024: Business Arising from the Minutes of September 3rd, 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 Craig Gillis

Seconded by Peter Ypma

RESOLVED that the Council of the Township of South-West Oxford receive report CL 50-2024 Summary of Staff Actions Related to Business Arising

from the Minutes of September 3rd, 2024 as

information.

DISPOSITION: Motion Carried

Appointments

<u>6:35 p.m. - Boralex Beyond Renewable Energy – Oxford Battery Energy Storage Project</u>

Marnie Dawson, on behalf of Boralex Beyond Renewable Energy, gave a presentation to Council and advised them that Boralex, in partnership with Six Nations of the Grand River Development Corporation, won a contract for the Oxford Battery Energy Storage Project, a four-hour duration battery storage project totaling 125 MW, in the Township of South-West Oxford. She advised that the Oxford project, along with the 80 MW Tilbury Battery Storage and 300 MW Hagersville Battery Storage Park brings Boralex's storage portfolio to 505 MW. Construction will begin shortly for these projects. Highlights of the Oxford project include the following:

- Located in the Township of South-West Oxford;
- Project site is on existing industrial zoned parcel;
- Connecting to the existing Hydro One 115kV transmission line;
- 125 MW for 4-hour duration battery;
- Approx. 12 acres anticipated footprint; and
- Most of the 1.5 km transmission line will be buried.

Ms. Dawson reviewed the anticipated timeline for the project and provided Council with an opportunity to ask questions. An open house will take place on Thursday, October 3rd, 2024 from 4:00 p.m. to 8:00 p.m. at Goff Hall in Woodstock.

Discussion took place regarding the depth that the transmission line will be buried and the term of the land lease, which is for an initial 20-year period. The Ministry of Natural Resources will be heavily involved in the planning process for the project. There will be training that takes place with Township fire fighters in relation to this development – a third-party consultant will be retained by Boralex to assist in the development of an emergency response plan.

6:50 p.m. - Ward Boundary Review - Public Meeting: Public Input and Comments (no decision to be made at this time)
CL 53-2024: Proposed Ward Boundary Review - Public Consultation

Clerk Julie Middleton presented a report to Council and members of the public with an overview of the proposed ward boundary adjustments that staff and Council are considering in advance of the 2026 municipal election. She noted that the purpose of this portion of the meeting is to provide an opportunity for members of the public to address Council and ask questions in relation to the proposed changes, and that no decision would be made at this time. Once the public consultation period is complete, a further report will come forward to Council with a recommendation from staff.

She reviewed the proposed changes in comparison with the Township's existing ward boundaries, and opened the meeting up to members of the public in attendance wishing to make comment.

Comments from Members of the Public:

John de Bruyn commented that the proposed changes look good to him, and noted that none of the settlement areas would be divided. He suggested that staff consider a split between Ward 1 and Ward 3 north and south vs. east and west.

No other members of the public made comment in relation to the proposed changes.

Resolution No. 4 Moved by Craig Gillis Seconded by Paul Buchner

RESOLVED that the Council of the Township of South-West Oxford receive report CL 53-2024:

Proposed Ward Boundary Review - Public Consultation as information;

AND FURTHER THAT Council receive input from members of the community in relation to the Township's proposed ward boundary adjustments as outlined in this report.

DISPOSITION: Motion Carried

Staff Reports

BD 08-2024: August 2024 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 for August, 2024 and a summary of the year-to-date development charge and permit fees collected for 2024.

Resolution No. 5 Moved by George Way

Seconded by Peter Ypma

RESOLVED that the Council of the Township of South-West Oxford receive report BD 08-2024: August, 2024 Building Report as information.

DISPOSITION: Motion Carried

CL 51-2024: Township of South-West Oxford Updated Energy Management Plan

Clerk Julie Middleton provided Council with a report to bring forward the Township's updated Energy Management Plan (2024 to 2029) for Council's review, input and approval. She advised Council that the Township's Environment and Energy Innovation Committee has reviewed the plan and provided their support. The Committee intends to work on developing a more detailed implementation and action plan for use by staff and the Committee. She noted that a new regulation was introduced under the *Electricity Act*, 1998 titled O. Reg. 507/18: *Broader Public Sector: Reporting and Conservation and Demand Management Plans*. This regulation replaces Ontario Regulation 397/11. The requirements for municipal energy planning and reporting are the same.

Resolution No. 6 Moved by Jim Pickard

Seconded by George Way

RESOLVED that the Council of the Township of South-West Oxford receive report CL 51-2024: Township of South-West Oxford Updated Energy Management Plan as information;

AND FURTHER THAT Council approved the Township's updated Energy Management Plan (2024 to 2029) attached as Appendix 'A' to this report.

DISPOSITION: Motion Carried

CL 52-2024: Transfer of Unopened Road Allowance: Parts 2 and 5, Plan 41R-10681 (25 Queen St. E, Beachville)

Clerk Julie Middleton provided Council with a report to inform them about a land title issue concerning the property at 25 Queen St. E., Beachville. The report seeks the Council's approval to sign the required transfer documents and to bring forward a by-law to officially close the road, in order to resolve the land title issue.

Resolution No. 7

Moved by Craig Gillis Seconded by Paul Buchner

RESOLVED that the Council of the Township of South-West Oxford receive report CL 52-2024: Transfer of Unopened Road Allowance: Parts 2 and 5, Plan 41R-10681 (25 Queen St. E, Beachville) as information;

AND FURTHER THAT the Mayor and Clerk be authorized to sign the required transfer documents in relation to the transfer of the unopened road allowance as illustrated on Appendix 'A' attached to this report (Part of the Road Allowance between Concessions 1 and Concession 2 (North Oxford) designated as PARTS 2 and 5 on 41R10681; Township of South-West Oxford);

AND FURTHER THAT staff be directed to bring forward the necessary road closing by-law in relation to Part of the Road Allowance between Concessions 1 and Concession 2 (North Oxford) designated as PARTS 2 and 5 on 41R10681; Township of South-West Oxford.

DISPOSITION: Motion Carried

Discussion Items

Request for Endorsement: Upper Thames River Conservation Authority (UTRCA) Board of Directors re: Decision by the Minister of Natural Resources and Forestry of Ontario to freeze the fees conservation authorities can charge

Resolution No. 8 Moved by George Way Seconded by Paul Buchner

RESOLVED that the Council of the Township of South-West Oxford endorse the proposed letter from the Upper Thames River Conservation Authority (UTRCA) Board of Directors regarding the decision by the Minister of Natural Resources and Forestry of Ontario to freeze the fees conservation authorities can charge.

DISPOSITION: Motion Carried

Agenda Items & Correspondence

#169 - Correspondence from City of Woodstock - Boundary Adjustment Agreements - payments to date - August 30, 2024

#170 - Oxford Community Foundation Annual Report and Fall Newsletter

#171 - Resolution- City of Woodstock- Funding for Encampment Clean up

#172 - Long Point Region CA Board Meeting Minutes July 3, 2024

Resolution No. 9 Moved by Craig Gillis Seconded by Peter Ypma

RESOLVED that the Council of the Township of South-West Oxford receive agenda and correspondence items #169 to #172 inclusive as information and that they be noted and filed.

DISPOSITION: Motion Carried

Accounts Payable Report

September 17th, 2024 - Accounts Payable Report

Resolution No. 10 Moved by Jim Pickard

Seconded by George Way

RESOLVED that the following Accounts be approved for payment:

Accounts Payable for

September 1st, 2024 to \$358,947.07

September 13th, 2024

Bi-Weekly Payroll #18 \$51,849.10

Total: \$410,796.17

DISPOSITION: Motion Carried

Committees

Brownsville Hall Board Meeting Minutes

Resolution No. 11 Moved by Paul Buchner Seconded by Craig Gillis

RESOLVED that the Council of the Township of South-West Oxford receive Brownsville Hall Board meeting minutes of July 10th and July 30th as information.

DISPOSITION: Motion Carried

Information Items & Correspondence

#173 - Town of Rainy River Resolution re: AMCTO Provincial Updates to the Municipal Elections Act

#174 - Town of Kirkland Lake Resolution re: Exotic Animals

#175 - Tay Valley Township Resolution re: Province Removes Wetlands Protection for Eastern Ontario

#176 - City of Orillia Resolution re: request for the Province to support family physicians

#177 - City of Quinte West Resolution re: Canada Community-Building Fund

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

RESOLVED that the Council of the Township of South-West Oxford receive information and correspondence items #173 to #177 inclusive as information and that they be noted and filed.

DISPOSITION: Motion Carried

New Business

<u>Mount Elgin Developments – Phase 6</u>

Discussion took place regarding the possibility of planting a tree line between the proposed new development (phase 6) and the existing development in Mount Elgin. Councillors Ypma commented that he was of the understanding that there was verbal agreement with the developer to plant trees along the existing development. Council provided direction to staff to look into the matter further and consider if there are any alternate options available to replace the existing easement (for drainage) along the west side of the existing development. It was noted that an engineer would need to be appointed to develop a new drainage plan to replace the swale and existing easement in Phase 2.

7:15 p.m. - Committee of Adjustment Hearing - Minor Variance Application A08-2024 - DeBoer (MDS - Airport Road)

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

RESOLVED that the Council of the Township of South-West Oxford move into Committee of Adjustment to consider minor variance application A08-2024 received from Peter and Liesbeth deBoer at 7:15 p.m.

DISPOSITION: Motion Carried

Resolution No. 14 Moved by Valerie Durston Seconded by Craig Gillis

RESOLVED that the Council of the Township of South-West Oxford reconvene in regular session at 7:41 p.m.

DISPOSITION: Motion Carried

7:42 p.m. - Development Planner Spencer McDonald - Public Meeting: Zone Change Application ZN 4-22-24 submitted by Reynold and Tina Jansen for property located at 333662 Plank Line

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

RESOLVED that the Council of the Township of South-West Oxford move into public meeting at 7:42 p.m. to consider Zone Change Application ZN 4-22-24 submitted by Reynold and Tina Jansen for property located at 333662 Plank Line.

DISPOSITION: Motion Carried

Development Planner Spencer McDonald explained that the application for zone change proposes to rezone the lot to be severed resulting from consent application B22-54-4 from 'General Agricultural Zone (A2)' to 'Special Rural Residential Zone (RR-sp)' to recognize the use of the subject lands for non-farm rural residential purposes and to fulfil a condition of consent.

The related application for consent was approved by the Oxford County Land Division Committee on November 3, 2022 via an application for farm consolidation and will facilitate the 'creation' of a non-farm rural residential lot. At the December 20, 2022 meeting of Council, Township Council deferred the decision on the zone change to allow the applicant an opportunity to have Land Division Committee remove a condition relating to the demolition of the existing bank barn, as the applicant wished to retain it. Oxford County Land Division Committee denied this request, and the condition requiring removal of the barn remains. The silo has since been removed.

The subject lands are described as Part Lot 12-13, Concession 2 (Dereham), in the Township of South-West Oxford. The subject lands are located on the east side of Plank Line, between McBeth Road and the Village of Salford and are municipally known as 333662 Plank Line South. The subject lands are approximately 0.77 ha (1.9 ac) in area and contain an existing single detached dwelling and a number of agricultural buildings, including a bank barn (approximately 557.4 m2 / 6,000 ft2 in size with a height of approximately 7.5 m / 24.6 ft) and a silo (to be removed). The applicant desires to include the bank barn with the retained rural residential lot and reuse the building for residential storage purposes.

Planning staff are supportive of the rezoning to recognize the use of the retained lands for non-farm rural residential development as approved by the Oxford County Land Division Committee. Planning staff are not of the opinion that retention of the bank barn is appropriate for residential use.

Questions from Council:

Councillor Pickard questioned the difference between residential zoning vs. residential 'special' zoning. Mr. McDonald explained that special zoning would recognize the retention of the bank barn and the additional accessory structure gross floor area on the property.

Comments from the Applicant:

Derek Jansen, son of the applicant, and Simona Rasanu, agent for the applicant, spoke on behalf of the applicants. Ms. Rasanu requested Council's support for retaining the existing accessory structures on the property with the exception of the silo, which has been removed.

Mr. Jansen advised that the bank barn is in good condition and is used as a storage shed/workshop. It would no longer be suitable to house livestock.

Comments from the Public:

John de Bruyn expressed support for planning staff's recommendation. He commented that he does not think that a barn belongs on a residential property and that the increased floor area for storage is not necessary on a rural residential lot.

Discussion took place regarding the increased size of all accessory structures on the property, and which use is considered 'primary' as a result of the additional accessory storage space. Mr. McDonald advised that the zoning only permits a primary residential use and would not allow for a storage or commercial operation on the property without rezoning. It was noted that given that the structure is in good condition, it would be wasteful to remove it.

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

RESOLVED that the Council of the Township of South-West Oxford reconvene in open session at 7:57 p.m.

DISPOSITION: Motion Carried

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

RESOLVED that the Council of the Township of South-West Oxford <u>approve</u> the zone change

application submitted by Reynold & Tina Jansen., whereby the lands described as Part Lot 12-13, Concession 2 (Dereham), Township of South-West Oxford are to be rezoned from 'General Agricultural Zone (A2)' to 'Special Rural Residential Zone (RR-sp)' to recognize the non-farm rural residential use proposed and to permit an increased gross floor area associated with the existing accessory structures on the subject property.

DISPOSITION: Motion Carried

7:59 p.m. - Development Planner Spencer McDonald - Public Meeting: Zone Change Application ZN 4-24-11 submitted by Martine Roos for property located at 164082 Brownsville Road

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

RESOLVED that the Council of the Township of South-West Oxford move into public meeting at 7:59 p.m. to consider Zone Change Application ZN 4-24-11 submitted by Martine Roos for property located at 164082 Brownsville Road.

DISPOSITION: Motion Carried

Development Planner Spencer McDonald explained that the application proposes to permit a garden suite for a period of twenty (20) years (until September 17, 2044).

The subject lands are described as Part Lot 11, Concession 11 North (Dereham) in the Township of South-West Oxford. The lands are located at the south side of Brownsville Road, between Dereham Line and Lowrie Line and are municipally known as 164082 Brownsville Road. The subject lands are approximately 38.8 ha (96 ac) in size and are under agricultural production (cash crops) and contain a single-detached dwelling, a pack barn, a shed and a tobacco kiln. The subject lands are located approximately 1 km west of the Town of Tillsonburg and surrounding land uses are predominantly agricultural, with a number of non-farm residential lots located to the immediate north and west fronting on Brownsville Road.

Planning staff are supportive of the application as the proposal is consistent with the policies of the PPS and maintains the general intent and purpose of the Official Plan with respect to accessory residential uses in agricultural areas.

Questions from Council:

In response to an inquiry from Councillor Way, it was confirmed that the applicant will have the opportunity to apply every three years to extend the approval.

Comments from the Public:

A neighboring resident raised concerns regarding nutrient management. Mayor Mayberry advised that these concerns should be directed to the Ministry of Environment.

Clerk Julie Middleton noted that staff received one written comment from another neighboring resident expressing concern that if the application is approved, Council may receive more similar applications. Mayor Mayberry stated that South-West Oxford has historically supported garden suites and was among the first municipalities to encourage them. It was confirmed that the property owner intends to reside in the proposed garden suite. The applicant was informed that they have the option to apply for an additional residential unit; however, they prefer to pursue a garden suite at this time.

Spencer McDonald mentioned that there are no concerns regarding the rental of the existing dwelling unit. Mayor Mayberry inquired about the possibility of removing the existing tobacco kiln but was informed that it is currently being used for hay storage.

Resolution No. 19 Moved by Paul Buchner Seconded by George Way

RESOLVED that the Council of the Township of South-West Oxford reconvene in open session at 8:08 p.m.

DISPOSITION: Motion Carried

Resolution No. 20 Moved by Craig Gillis Seconded by Peter Ypma

RESOLVED that the Council of the Township of South-West Oxford approve the zone change application submitted by Martine Roos, whereby the lands described as Part Lot 11, Concession 11 North (Dereham), Township of South-West Oxford are rezoned to 'A2-53' with special provision to permit a garden suite on the subject property as a temporary use for a period of twenty (20) years.

DISPOSITION: Motion Carried

By-laws and Agreements

- By-Law No. 66-2024 To stop up and close Part of the Road Allowance between Concessions 1 and Concession 2 (North Oxford) designated as PARTS 2 and 5 on 41R10681; Township of South-West Oxford
- By-Law No. 67-2024 To appoint a Fire Prevention Officer (Paige Ford)
- By-Law No. 68-2024 To amend Township of South-West Oxford Zoning By-law (ZN 4-22-24 for property located at 333662 Plank Line)
- By-Law No. 69-2024 To amend Township of South-West Oxford Zoning By-law (ZN 4-24-11 for property located at 164082 Brownsville Road)

Resolution No. 21 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. 66-2024 being a By-law to stop up and close Part of the Road Allowance between Concessions 1 and Concession 2 (North Oxford) designated as PARTS 2 and 5 on 41R10681; Township of South-West Oxford;
- By-Law No. 67-2024 being a By-law to appoint a Fire Prevention Officer (Paige Ford);
- By-Law No. 68-2024 being a By-law to amend Township of South-West Oxford Zoning By-law (ZN 4-22-24 for property located at 333662 Plank Line);
- By-Law No. 69-2024 being a By-law to amend Township of South-West Oxford Zoning By-law (ZN 4-24-11 for property located at 164082 Brownsville Road).

DISPOSITION: Motion Carried

Resolution No. 22 Moved by Paul Buchner Seconded by George Way

RESOLVED that By-Laws No. 66-2024 to 69-2024 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 provided updates from their respective wards and community activities. The Foldens walking path is now complete, and the fencing along the path has been replaced. The last car show of the year at the Beachville Museum is scheduled for Sunday, September 22nd. Beachville Parks and Recreation will reconvene tomorrow at the Beachville Legion. The Engage and Inform Committee will meet again on October 2nd, while the Dereham Centre Hall Board will meet on September 19th. The Mount Elgin Hall Board recently hosted a well-attended Beef Dinner in collaboration with the Mount Elgin Lions and will meet again on September 23rd. An Open House for the Storm Water Management Funding Meeting is set for tomorrow evening. A tour of the Gunn's Hill Wind Farm is scheduled for Thursday evening.

Mayor Mayberry reported that he met with MPP Ernie Hardeman regarding the proposed broadband internet overbuild in the Township. He reiterated the Township's position on the matter, expressing a desire to be removed from the project.

Closed Session

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

- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (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 of persons, or organization.

Resolution No. 23 Moved by George Way Seconded by Paul Buchner

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

- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (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 of persons, or organization.

DISPOSITION: Motion Carried

Resolution No. 24 Moved by George Way Seconded by Paul Buchner

RESOLVED that the Council of the Township of South-West Oxford reconvene in regular session at 9:12 p.m.

DISPOSITION: Motion Carried

Confirmatory By-law

 By-Law No. 70-2024 - To confirm all actions and proceedings of Council (September 17th, 2024)

Resolution No. 25 Moved by Craig Gillis Seconded by Jim Pickard

RESOLVED that By-law 70-2024 being a By-law to confirm the proceedings of Council held Tuesday, September 17th, 2024 be read a first, second and third time this 17th day of September, 2024;

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. 26 Moved by Craig Gillis

Seconded by Valerie Durston

RESOLVED that there being no further business, the Council meeting be adjourned at 9:12 p.m. to meet again on Tuesday, October 1st, 2024 at 9:00 a.m.

DISPOSITION: Motion Carried

CLERK: Julie Middleton MAYOR: David Mayberry

This document is available in alternate formats upon request.

APPROVED