THE TOWNSHIP OF TARBUTT
Council Meeting Agenda
Wednesday, September 21, 2022 at 6:00 pm
Township Council Chambers, 27 Barr Road S.

1. **CALL TO ORDER**

2. **DISCLOSURES OF PECUNIARY INTEREST**

3. **PREVIOUS MINUTES**

   a. Minutes of the Council Meeting held August 17, 2022 1-5

4. **DEPUTATIONS / PRESENTATIONS**

5. **FINANCIAL STATEMENTS**

   a. Disbursements for the month of August, 2022 6-11

6. **STAFF AND COMMITTEE REPORTS**

   a. Report of the Road Superintendent 12
   b. Lakeshore Drive Resurfacing resident comments 13
   c. Draft minutes of the Roads Committee meeting September 8, 2022 14-16
   d. 2022 Bridge Inspection Summary 17-19
   e. Official Plan designation of Rural/Institutional Lands 20-24
   f. Application for Zoning Amendment, 247B Lakeshore Drive 25-27
   g. Workplace Anti-Violence, Harassment and Sexual Harassment Policy Annual Review and Update
   h. Clerk's Report

7. **BY-LAWS**

   a. Rate of Speed By-law
   b. Notice Provisions By-law

8. **INFORMATION/ CONSENT AGENDA**

   a. Information/Consent Agenda dated September 21, 2022 28

9. **OTHER BUSINESS**

   a. Collection of Manure on Township Roads

10. CLOSED SESSION

a. Council will move into closed session in accordance with Section 239 2) b. of the *Municipal Act* in order to discuss personal matters about an identifiable individual, including municipal or local board employees.

11. CONFIRMATION BY-LAW

12. ADJOURNMENT

a. Council will adjourn at ____ pm, to meet again on Wednesday, October 19, 2022. This will be the last regular meeting of this term of Council. Following the municipal election on October 24, 2022 the new term will commence with the inaugural meeting at a date to be determined.

THE TOWNSHIP OF TARBUTT
Minutes of the Council Meeting
Wednesday, August 17, 2022 at 6:00 pm
Township Council Chambers, 27 Barr Road S.

PRESENT **Lennox Smith, Mayor**
Ursula Abbott
David Farrar
Darren McClelland
Ruth Wigmore

STAFF: **Carol Trainor, Clerk**

1. CALL TO ORDER

Mayor Smith called the regular Council meeting to order sat 6:00 pm
The Clerk noted that a draft report of the Landfill Committee was circulated, along with a report from the Road Superintendent.

2. DISCLOSURES OF PECUNIARY INTEREST

3. PREVIOUS MINUTES

a. Minutes of the Council meeting held July 20, 2022.

Resolution No: 2022 – 102
Moved by: D. Farrar Seconded by: D. McClelland
Be it resolved that the minutes of the Council meeting held July 20, 2022 be adopted as circulated.
Carried

4. DEPUTATIONS / PRESENTATIONS

5. FINANCIAL STATEMENTS

a. Financial Statements for the month of July, 2022

Resolution No: 2022 – 103
Moved by: D. McClelland Seconded by: D. Farrar
Be it resolved that the financial statements for the month of July, 2022 be approved.
Carried

6. STAFF AND COMMITTEE REPORTS

a. Existing and Proposed Agricultural Designations

Council reviewed the maps showing current and proposed Agricultural designations, and agreed that Map C showing a slight increase of rural lands would be beneficial for the municipality.

Resolution No: 2022 – 104
Moved by: D. Farrar Seconded by: D. McClelland
Be it resolved that the report from the Administrative/Planning Assistant regarding proposed Agricultural Designated Lands be received; and
That Council affirms that the Proposed Agricultural Lands shown on the attached map "B" be forwarded to the Planner, via the Planning Board, to be included in the draft Official Plan.
Carried

b. Roads Department – M. Pigeon

Councillor Abbott commented on the WI Park and the positive feedback she has been receiving; however, there is clear evidence of recreational vehicles tearing up the ground and suggested that getting the fencing in place is key to it's maintenance. Council also discussed the possibility of a gate to keep vehicles out of the park during off hours.

Resolution No: 2022 – 105
Moved by: D. McClelland Seconded by: D. Farrar
Be it resolved that the report provided by the Road Superintendent dated August 17, 2022 be received.
Carried

c. Christmas Closure Request

Resolution No: 2022 – 106
Moved by: D. Farrar Seconded by: D. McClelland
Be it resolved that the report from the Clerk regarding Christmas Closures be received; and
That Council authorizes the closure of the municipal office from the close of business on Friday, December 23 until 9 am on Tuesday, January 3, 2023.
Carried

d. Clerk's Report – C. Trainor

Resolution No: 2022 – 107
Moved by: R. Wigmore Seconded by: U. Abbott
Be it resolved that the report from the Clerk/CAO dated August 17, 2022 be received; and
That Council authorizes the Clerk to continue to work with the other area Clerks to secure a broker for the employee benefits program; and
That Council authorizes the Clerk and the Treasurer to continue to negotiate with Circular Materials Ontario (CMO) for reasonable reimbursement of recycling rates following transition.
Carried

As a result of the discussion about the landfill committee, the amount of garbage coming into the landfill, and the high cost of waste management, Council felt that the implementation of a bag limit would be helpful to reduce the amount of bagged waste, and would also encourage recycling.

e. Draft report of the Landfill Committee meeting held August 15, 2022

Resolution No: 2022 – 108
Moved by: U. Abbott Seconded by: R. Wigmore
Be it resolved that the draft report of the Landfill Committee meeting held August 15, 2022 be received; and
That Council supports the recommendation to reduce landfill hours on December 24 and 31 to 9 am to 1 pm, to be widely publicized.
Carried

Resolution No: 2022 – 109
Moved by: R. Wigmore Seconded by: U. Abbott
Be it resolved that the Council of The Township of Tarbutt recommends implementing a two bag per week limit on garbage in clear bags at the Johnson Tarbutt Landfill, effective January 2023.
Carried

7. BY-LAWS

a. Draft Notice Provisions By-law

As required under Section 270 of the Municipal Act, a Notice Provisions by-law was passed in 2003, but did not reference current technology or social media methods for providing Notice to the public. The old by-law will be repealed when the draft by-law is returned to the next meeting for passing.

Resolution No: 2022 – 110
Moved by: U. Abbott Seconded by: R. Wigmore
Be it resolved that the draft Notice Provision By-law be reviewed and given first reading, to be brought back to the September 21, 2022 Council meeting.
Carried

8. INFORMATION/ CONSENT AGENDA

a. Notice of Proposed Speed Limit Changes

b. Resolution from the Township of Mulmur
Re: Climate Emergency Declaration

c. Letter from the Solicitor General of Ontario
Re: Updated Provincial Animal Welfare Services (PAWS) Act, 2019

Notice regarding changes to legislation regarding dogs that are kept outside will be included in the next newsletter.

d. Resolution from the Township of Nairn and Hyman
Re: Support Tarbutt resolution regarding the Northern Ontario Health Crisis

e. Resolution from the Town of Aylmer
Re: Provincial funding to develop uniform responses to extreme heat and cold events

f. Letter from the Ministry for Seniors and Accessibility
Re: Accepting nominations for the 2022 Ontario Senior Achievement Award

Council discussed some potential nominees who are deserving of recognition.

g. Letter from Ontario Sheep Farmers
Re: Livestock Guardian Dogs

h. Letter from the Fire Marshal's Public Fire Safety Council
Re: Firefighter Certification

i. Central Algoma Freshwater Coalition Newsletter, Summer 2022

j. Public Notice of St. Joseph Island Official Plan Open House

k. Accelerated High Speed Internet Program from Infrastructure Ontario
Re: Broadband One Window (BOW) Fact Sheet

Resolution No: 2022 – 111
Moved by: R. Wigmore Seconded by: U. Abbott
Be it resolved that items a through k on the Consent Agenda dated August 17, 2022 be received.
Carried

9. OTHER BUSINESS

Council agreed to defer the Roads Tour until the fall.

WI Park entrance sign has been ordered; no delivery date is known at this time but staff will follow up. Directional signs should be ordered for MacLennan and Government, Hardwood and 548, and the curve on Hardwood.

In addition to the fencing put up along the easterly border, it appears that a gate may be needed to keep recreational vehicles from damaging the plantings and grass. Options can be discussed with the Roads Superintendent.

A Roads Committee meeting will be scheduled for early September to discuss winter operations and planning for next year's summer projects.

Mayor Smith advised that the Mennonite community has expressed interest in establishing a school and a church with a cemetery on Barr Road N. There was general discussion about the benefits of this establishment and no objection was raised. They will be advised that plans should be provided to determine exact locations for each of the buildings, and staff will make enquiries with the BAO with respect to the minimum distances from any other features, including the Stickney Cemetery.

10. CLOSED SESSION

11. CONFIRMATION BY-LAW

Resolution No: 2022 – 112
Moved by: U. Abbott Seconded by: R. Wigmore
Be it resolved that leave be granted to introduce By-law 2022 – 20, being a By-law to confirm the proceedings of the Council meeting held this Seventeenth day of August, 2022.
Carried.

12. ADJOURNMENT

Resolution No: 2022 – 113
Moved by: U. Abbott Seconded by: R. Wigmore
Be it resolved that the regular Council meeting of August 17, 2022 be adjourned at 7:08 pm, to meet again at 6:00 pm on Wednesday, September 21, 2022.
Carried

Councillor Farrar noted that he would not be in attendance at the September meeting.

_____
Lennox Smith, Mayor

_____
Carol Trainor, Clerk

5a

TARBUTT GENERAL STATEMENT
AUGUST 2022

TARBUTT GENERAL REVENUES		Amount	NOTES
Taxes		305,455.49	
Tax Interest		838.45	
TOTAL TAXES AND INTEREST		**306,293.94**	
Photocopy / Phone		172.10	
Dog Tags		5.00	
Trailer Permit		500.00	
Building Permits		2,813.50	
Tax certificates		25.00	
Civic Address & Entrance Permits		70.00	
Miscellaneous / Includes Bank Interest		795.63	
Planning Board - Reimburse Jan - Jun Expenses		9,631.85	
HST Rebate		30,106.09	
TOTAL CASH BOOK RECEIPTS		**44,119.17**	
GRAND TOTAL REVENUES		**350,413.11**	

TARBUTT GENERAL EXPENSES	Cheque	Amount	NOTES
Admin Payroll + Planning board to reimburse (3896-98,3926-29)		11,055.10	
Council Honourariums (3905-3909)		2,575.75	
Receiver General - Admin/ Council , July remittance	3874	4,319.08	
Omers - July Contributions	3875	2,444.68	
CFDC - Employee Benefits	3868	1,231.46	
ADSAB - August Levy	3870	28,224.25	
Tulloch - Building Inspector July, 3 permits, 1 roof, 14 consults, 7 site inspec	3923	1,211.96	
17E Trading Post - Misc	3904	54.00	
Adobe - Group Monthly Plan	VISA	64.08	
Zoom - Monthly Subscription	VISA	40.70	
Algoma Office Computers - Printer plotter leases	EFT	171.05	
Bell Canada	VISA	290.36	
Canada Post - Postage	VISA	374.48	
Staples - Misc office supplies	VISA	107.54	
Animal Control -August	3952	200.00	
Algoma Power - June usage	EFT	87.38	
Starlink	VISA	142.46	
Caretaker	3933	287.67	
Heritage Home Hardware - misc office	3877 / 3937	84.86	
Superior Propane - Tank rental	3879	34.60	
ANP Office Supply - Misc office supplies	3881/3902	353.06	
Dave McDonald - reissue / accidently shredded previous cheque	3884	300.00	
Kent's Corner Rentals - Rototiller rental - Birch Park	3886	101.76	
Minister of Finance - Policing June / Court transport credit	3890	7,713.00	
Datafix - Voterview Election Mngmt services	3903	1,017.60	
Algoma Office Equipment - 1st billing Jul & Aug usage photocopier	3917	397.08	
Encompassit - TMM final tax run	3918	821.50	
Staff Mileage - May -Aug	3919/3920	539.87	
Petty Cash - Misc office / cemetery	3911	154.36	
Resolution Media Group - Paper supplies / cheques	3915	706.37	
J.L. Richards - Planning OP & zoning review	3922	2,713.94	

Municipal Planning Services - Twp portion to Planning Board	3934	202.23	
TOTAL OPERATING EXPENSES		**68,022.23**	
GENERAL EXPENSES		**68,022.23**	
ROADS EXPENSES		**153,395.50**	
LANDFILL EXPENSES		**20,158.32**	
FIRE EXPENSES		**1,639.08**	
HALL EXPENSES		**4,094.93**	
GENERAL REVENUE		**350,413.11**	
ROADS REVENUE		**-**	
LANDFILL REVENUE		**2,821.18**	
FIRE REVENUE		**-**	
HALL REVENUE		**1,888.58**	
TOTAL EXPENSES		**247,310.06**	
TOTAL REVENUE		**355,122.87**	
TOTAL REVENUE LESS EXPENSES		**107,812.81**	

TARBUTT ROADS STATEMENT			
AUGUST 2022			
ROADS REVENUES:		**Amount**	
TOTAL REVENUES		-	
ROADS OPERATING EXPENSES	**Cheque**	**Amount**	
Roads, Summer Student Payroll (3892-94,3912-14)		8,950.64	
CFDC - Employee benefits	3868	1,108.88	
Omers - July contributions	3875	1,813.56	
Receiver General -July remittances	3874	3,903.62	
Ibbitson Enterprises - Grass cutting	3869	2,625.41	
Superior Propane - Tank Rental	3879	34.60	
Traction Heavy Duty Parts - F250 Oil & filter	3882	194.28	
Bell Mobility	VISA	269.80	
Bell Canada	VISA	66.75	
Thomson Reuters - Health & Safety pocket book (Summer student)	Visa	26.48	
Canadian Tire - small Jack stand	Visa	46.79	
Algoma Power - July usage	EFT	97.02	
Gilbertson - Gravel - billed back for entrances	3885	1,266.66	
Pioneer Construction - Cold mix patching	3888	1,676.79	
Ellwood Robinson - Surface Treatment Lakeshore - Nords Funding	3895	128,385.43	
MSC - Misc shop supplies	3899	192.28	
17E Trading Post- Gas & Diesel July statement	3904	1,907.16	
Paul Ackland - Labour to run water for Lakeshore sweeping	3910	241.80	
Champion Commercial - Misc shop supplies	3924	587.55	
TOTAL OPERATING EXPENSES		**153,395.50**	
TOTAL OPERATING & CAPITAL EXPENSES		**153,395.50**	
NET ROADS EXPENSES		**153,395.50**	

MACLENNAN HALL, TARBUTT			
AUGUST 2022			
REVENUE:		**Amount**	**NOTES**
Church Rent		500.00	
Algoma Power- Solar		1,368.58	
Hall Rental		20.00	
TOTAL REVENUES		**1,888.58**	
OPERATING EXPENSES	**Cheque**	**Amount**	
Algoma Power - July hydro usage	EFT	119.60	
Receiver General - July remittance	3874	129.96	
Bell Canada - Landline	VISA	59.01	
Caretaker	3933	416.36	
Enos Sherk Jr. - Deposit for wheel chair ramp/railing - Active Transportation Hub	3871	3,370.00	
Heritage Home Hardware- Camera Mount - Active Transportation Hub	3877/ 3925	201.69	
David Thibideau - Install water filling station - Active Transportation Hub	3872	1,238.23	
Superior Propane - Tank Rental	3879	92.60	
Guardian Electric - Generator service call - maintenance	3880	61.06	
Down the Line -Install security/lights - Active Transportation Hub	3891	2,544.00	
Testmark Labs - water testing	3900	35.62	
OPERATING EXPENSES		**4,296.62**	
		-	
TOTAL OPERATING EXPENSES		**4,094.93**	
NET EXPENSES		**2,206.35**	

JOHNSON-TARBUTT LANDFILL			
AUGUST 2022			
REVENUE:		**Amount**	**NOTES**
Tipping Fees		465.00	
Scrap Metal		1,886.18	
Share Shed Donations (part of 2021, to be shared with Johnson & set up in Balance Sheet)		470.00	
TOTAL REVENUES		**2,821.18**	
EXPENSES:	**Cheque**	**Amount**	
Landfill - Payroll & Allowance (3930-3932)		2,837.41	
Omers- July Contributions	3875	388.78	
Receiver General - July remittance	3874	335.43	
Algoma Power - June & July usage	3889/ 3916	78.02	
GFL - Landfill & Recycling depot - July	3878	15,333.88	
Kentvale Merchants - Water Pump	3901	1,133.98	
Heritage Home Hardware - Caulking	3925	50.82	
McClelland's Hardware - Water	3935	7.94	
17E - Gift certificates for share shed volunteers	Visa	100.00	
TOTAL OPERATING EXPENSES		**20,158.32**	
TOTAL NET EXPENSES		**17,337.14**	

TARBUTT FIRE DEPARTMENT			
AUGUST 2022			
		Amount	**NOTES**
FIRE REVENUES			
TOTAL REVENUES		-	
FIRE EXPENSES	**Cheque**	**Amount**	
Algoma Power - July hydro usage	EFT	87.37	
Quattra - Monthly Dispatch Service	3921	352.88	
Bell Mobility	VISA	160.25	
Bell Canada	VISA	13.17	
A.J. Stone - Gaskets	3876	76.53	
Caretaker	3933	53.00	
Superior Propane - Tank Rental	3879	55.97	
Fort Garry Fire Trucks - Dual compound gauge	3887	306.81	
Minister of Finance - Ontario Fire College Registration	3890	65.00	
Util-Equip - Ladder inspection	3936	468.10	
FIRE TRAINING EXPENSES		**1,639.08**	
TOTAL FIRE OPERATING & TRAINING		**1,639.08**	
NET EXPENSES		**1,639.08**	

Roads Report from Roads Super - September 2022

All is going well in roads dept. We started on our sand shed and is well under way and may be completed as early as next week.

We did our guide wire and rail maintenance noted in the Bridge Inspection Report and ordered more patching compound for the cracks in the road to finish up some loose ends before the fall.

The work at the Hall, part of the Active Transportation Hub, should be completed by the end of the week also.

I also need to replace one of the mushroom shoes for the front of the plow on the dump truck because one fell off this winter and they sell a kit that is used by other roads departments and never had an issue with and should stop it from coming loose and falling off. The kit runs around $850.

We were also through my contacts able to get some free fill for the back yard from Pioneer and Leroy construction to square off the yard and require another 4 to 6 loads from Gilbertson's to complete it as we need good material to cap it and not ditching material and then we can move our gravel material to the back and organize our culverts as we lost some of our yard to the sand shed. The cost of the material is $17.65 a yard and we require approximately 180 yards and in total would be roughly $3200.

Thanks ,

Mike

6b

The Township of Tarbutt
27 Barr Road South
Desbarats, Ontario P0R 1E0
Ph: 705-782-6776 Fax: 705-782-4274

REPORT TO COUNCIL

Date: September 21, 2022

From: Carol Trainor, CAO/Clerk

Re: Lakeshore Drive complaints

BACKGROUND / OVERVIEW

Following the widening and resurfacing of Lakeshore Drive, the Township has received a few phone calls, and four written complaints.

Each e-mail message contained similar complaints about the rough surface, inconsistencies in the coverage, the size of the stones, the inability to walk or ride a bicycle, the inadequacy of the work and a request to have the contractor return to repair it, as the current condition was unacceptable.

In each case, the resident was advised of the process for resurfacing, that this type of surface is unlike asphalt which goes on evenly, and that the current condition was normal and exactly as expected. Comparisons were made to Barr Road, MacLennan Road and Government Road, which was surfaced with the same treatment. They were asked to be patient while the surface settled and adjusted. In each case, they were asked to provide a phone number so that the Road Superintendent could communicate with them directly but none responded or asked for further contact.

Members of the Roads Committee did attend and spoke with one resident, explaining the process to her, which seemed to restore her trust, and she accepted the explanation. Despite attempts to meet with them, none of the other complainants were home when the Road Super visited.

There have been no complaints or comments in the last few weeks.

FINANCIAL IMPACT

For information only. There is no financial impact as a result of this report.

RECOMMENDATION:

Be it resolved that the report regarding resident concerns on the resurfacing of Lakeshore Drive be received.

6c

The Township of Tarbutt Roads Committee
Thursday, September 8, 2022
5:00 PM

Present: **David Farrar, Councillor**
Ursula Abbott, Councillor
Mike Pigeon, Road Superintendent
Carol Trainor, Clerk

1. Previous Minutes

a. Minutes of June 17, 2021

The Minutes of the Roads Committee meeting held June 17, 2021 were approved and will be circulated to Council.

2. 2022 Budget

a. Roads Department Budget to Actuals as of August 31, 2022

The budget to actuals dated August 31 were reviewed.
Rock hammering is not complete and will still be done on Pine Island and on the east side of McCluskie Road. Committee felt that the budget was in good shape.

3. Roads Maintenance Update

The Lakeshore Drive widening was completed earlier this summer, and resurfacing was completed by contractors through the Amalgamated Tender with good results. There have been some resident concerns about the condition of the road. Staff and council members have been explaining the process and reassuring residents that this type of surface requires time to settle and that it will, in time, be much smoother.

4. Equipment

- Grader – one cylinder that needs to be fixed but the grader is in good shape otherwise. Has not been used much.
- Backhoe: in good shape but will need new tires. Ag tires will be replaced with radial road tires next year, which wear better.
- Plow: a new, heated windshield was replaced today at less cost than expected. Plow shoes will be ordered, staying within the budget.
- M. Pigeon advised that we ran out of oil, still patching, but still under budget.
- Rock Hammering: $5,000 budgeted for two locations. Will do the ditch on Pine Island and the east side of McCluskie Road. Will be done at the same time as blasting on Lakeshore.

5. Roads Concerns

a. Projects remaining for 2022

i. Sand Shed - expected to start soon; completion date is October 1.

ii. Karhi Pit Entrance on MacLennan Road - will be done September.

iii. Active Transportation Hub at the MacLennan Hall - almost complete. Cameras and outdoor lighting are installed, wheelchair ramp and new steps at the east entrance are done, and the final stage should be the asphalt walkway on the north side.

b. NORDS (Northern Ontario Resource Development Support) Five Year Funding

The 2022 projects were the widening and resurfacing of Lakeshore Drive, and relocating the entrance to the pit on MacLennan Road to improve sightlines. Both of these are on track for completion within the time frame.

For years 3, 4 and 5 of the grant, projects will be the stabilization and resurfacing of portions of Government, Barr, McCluskie, McKnight and Smith Roads. M. Pigeon noted that McCluskie should be done first as it is starting to show signs of breaking up.

c. Lakeshore Drive resurfacing

Four written complaints have been received since the resurfacing project. In each case, written responses have been provided with offers for either the Road Super or a member of the Roads Committee to contact the residents, but none have responded to this offer. Visits have been made where addresses were available. Some of the excess stone was removed from the centre of the road for cyclists and pedestrians but this material is needed on the edges to prevent erosion and depletion of the shoulder.

M. Pigeon reiterated that the contractor that performed this work has been in business for more than 80 years and is very reputable. They used the same process and materials as all the other municipalities in Algoma. The larger stone used will last longer than what was used in the past.

d. Landfill GFL Bins

Due to the configuration and shape of the 6 yd household waste bins, they do not fill completely and require packing by the attendants, and also by the Roads crew. The hinges have not withstood the weight of the lids and are falling apart. GFL believes that the hinge failure is a result of the packing done by Township employees.

Suggestions for improved hinges were discussed and can be offered to GFL if they insist that we cover the repair costs.

e. Unfinished Summer Jobs and Ongoing Maintenance

The Committee reviewed a list of projects that the summer student was unable to complete, and some ongoing maintenance items that will require weekly attention.

f. Speed Limit Revisions

The Clerk circulated a list of township roads that will be subject to the revised Speed Limits from 80 km/hr to 60 km/h. The speed limit by-law will be presented at the next Council meeting for approval. Roads that are posted at less than 60 km/h will remain at lower speeds. Signs are installed and bagged.

6. New Business

M. Pigeon reviewed the sand shed project with a quote of $168,481.41 which includes the site prep, blocks, the asphalt pad, the tarped roof, all materials, installation and labour. The tarp has a 25 year warranty.

M. Pigeon suggested that Port Findlay Road needs reconstruction and should be considered in the next year or two. It was a corduroy road, and the cords are starting to come up making it very rough. It will require a lot of work to be built up to keep the cords down.

The meeting adjourned at 6:35 pm.

6d

KRESIN
Engineering Corporation

536 Fourth Line East
Sault Ste. Marie, ON P6A 6J8
tel: 705-949-4900

email: info@kresinengineering.ca
sustainable, practical solutions

August 30, 2022
KEC Ref. 2248
By e-mail (clerk@tarbutt.ca)

Attention: Carol Trainor, CAO/Clerk
Township of Tarbutt
27 Barr Road S
Desbarats, ON, P0R 1E0

Re: 2022 Municipal Bridge Inspection

Dear Ms. Trainor:

Kresin Engineering Corporation (KEC) has completed inspections of municipal bridges and culverts in the Township of Tarbutt as requested. The structures reviewed include the following:

1. Pine Island Causeway Culvert
2. Shewfelt Creek Culvert
3. Anderson Creek Culvert
4. Smith Road Culvert
5. Puddingstone Road Culvert

Introduction

KEC has been retained by the Township of Tarbutt (the "Township") to carry out inspections of five municipal culvert structures.

Biennial inspections are required by Ontario Regulation 104/97 "Standards for Bridges" made under the province's Public Transportation and Highway Improvement Act. The inspections are to be completed in general accordance with the Ontario Structure Inspection Manual (OSIM).

The work was carried out in keeping with the OSIM's requirements for detailed visual inspections. Specifically, KEC completed a systematic visual inspection of all accessible, un-obscured areas of each subject structure. Photographs of the structures were taken to document the appearance, condition and deficiencies (if any).

Following the site inspections, appraisal sheets were completed, copies of which are attached.

C1 Pine Island Causeway Culvert

The Pine Island Causeway includes three cross culverts. The centre culvert has a diameter of 3m while the other two are 2m diameter. All culverts appear to be in good condition. Continued routine maintenance is recommended.

C2 Shewfelt Creek Culvert

The Shewfelt Creek Culvert, located on Government Road, just east of Barr Road, is a structural plate horizontal ellipse pipe constructed in about 1992. The culvert appears in fair condition.

Re-installation of hazard and snowplow marking signs is recommended. Maintenance of the three-cable guide rail is also recommended to address loose cables.

C3 Anderson Creek Culvert

Located on Government Road, approximately one half of a kilometre west of Smith Road, Anderson Creek Culvert is a 6.1m span structural plate arch structure. The structure appears in fair condition and continued routine maintenance is recommended.

Although difficult to ascertain due to high water levels at the time of the inspection, there may be some indication of minor barrel deflections which should be re-visited at the next biennial inspection.

C4 Smith Anderson Culvert

The Smith Anderson Culvert is a two barrel structure located on Smith Road approximately three-quarters of a kilometre north of Highway 17. The installation consists of a 3.6m main barrel alongside a 1.8m relief barrel. The installation appears in good condition and continued routine maintenance is recommended.

C5 Puddingstone Road Culvert

This culvert is shared with neighbouring Johnson Township. The structure is an open bottom structural plate corrugated steel arch which appears in fair condition. Installation of hazard and snowplow markers is recommended.

Limitations and Qualifications

This inspection and report has been completed by KEC at the request of, and for sole use of the Owner, The Township of Tarbutt. No third party shall rely on this report. This report shall be read in its entirety; portions shall not be taken out of context.

This report is based on observations made at the time of the inspection. Portions of this report may be based on information provided to KEC, which has not been independently verified. It is explicitly noted that some conditions may exist which were not observed or apparent to KEC at the time of the inspection; should the Owner become aware of such conditions, KEC shall be advised immediately in order to revise the report accordingly.

KEC accepts no liability or responsibility for actions taken as a result of this report.

Any user of this report specifically denies any right to claims against KEC or KEC's sub-consultants, officers, agents or employees in excess of the fee paid for the services rendered.

Closure

We trust that the above adequately presents the findings of the 2022 bridge inspections. Should you have any questions or require clarification, please call. KEC is available and looks forward to assisting the Township to implement the recommendations if necessary.

Thank you.

Yours Very Truly,
Kresin Engineering Corporation

Michael Kresin, P. Eng.
Consulting Engineer
2248 report letter.docx

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Report to Council

TO:	Mayor and Members of Council
FROM:	Jared Brice - Administrative/Planning Assistant
DATE:	September 16, 2022
SUBJECT:	**Proposed Institutional Use**

EXECUTIVE SUMMARY:

Members of the Horse Drawn Community have approached Township Staff regarding a proposed institutional land use (School, Church and Cemetery) to be located near the northern end of Barr Road North, Tarbutt Township. There are several steps to implement the proposal, both at the Township and Planning Board levels. Approval is required from Tarbutt Council for an Official Plan designation change from Agricultural to Rural, and in the Zoning By-law Amendment(s) from Rural to Institutional, as well as the Planning Board for the creation of a lot. There are several other factors being explored by Staff and the Applicant to determine the feasibility of the proposal.

TARBUTT COUNCIL CONSIDERATIONS:

The proposed land use change at the Township level requires:

1. **Official Plan designation changes from Agricultural to Rural in the Joint Official Plan**. The Agricultural designation in our current and proposed OP does not permit institutional uses, whereas the Rural designation will permit such uses via Zoning by-law amendment(s).

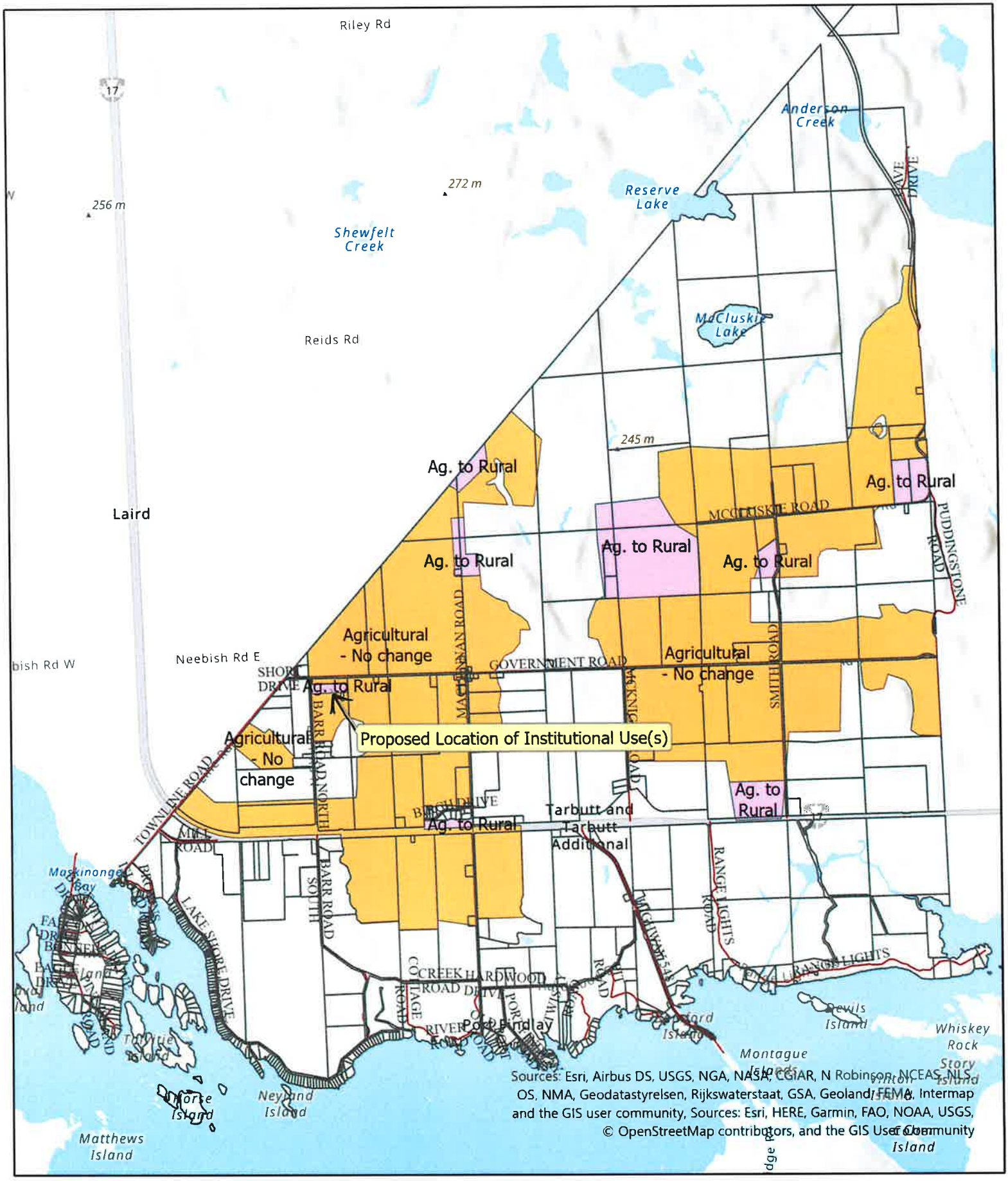
   Staff recommend that the change in the Official Plan designation occur during the Official Plan review (currently ongoing) rather than requiring the applicant to apply for and undergo a lengthy Official Plan amendment after the new Official Plan is in place.

2. **Zoning By-law amendment(s)** Section 1.5 (Rural Development Polices) of the Official Plan:

   B1.5.4 Small-Scale Institutional Uses:
   Small-scale institutional uses which serve the community, such as public and private elementary schools, community centres, and places of worship may be permitted by a Zoning By-law Amendment provided Council is satisfied that:

   a. the use will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads;
   b. the water supply and private sewage system are appropriate to sustain the use; and,
   c. the use is located on a site that has adequate land area to incorporate required parking, pick-up and drop-off area, recreational facilities (if required), landscaping and buffering on-site.

   B1.5.5 Cemeteries
   In accordance with the *Funeral, Burial and Cremation Services Act*, cemeteries may be permitted in the Rural designation subject to an amendment to the implementing Zoning By-law. A cemetery may



Proposed Agricultural Designation for Tarbutt Township for Joint Official Plan

0 1.5 3 Kilometers

N

Maps are provided as a courtesy only and the Desbarats to Echo Bay Planning Board makes no guarantees as to the accuracy of this information. This map is not intended to be used for conveyance, authoritative definition of the legal boundary, or property title. This is not a survey

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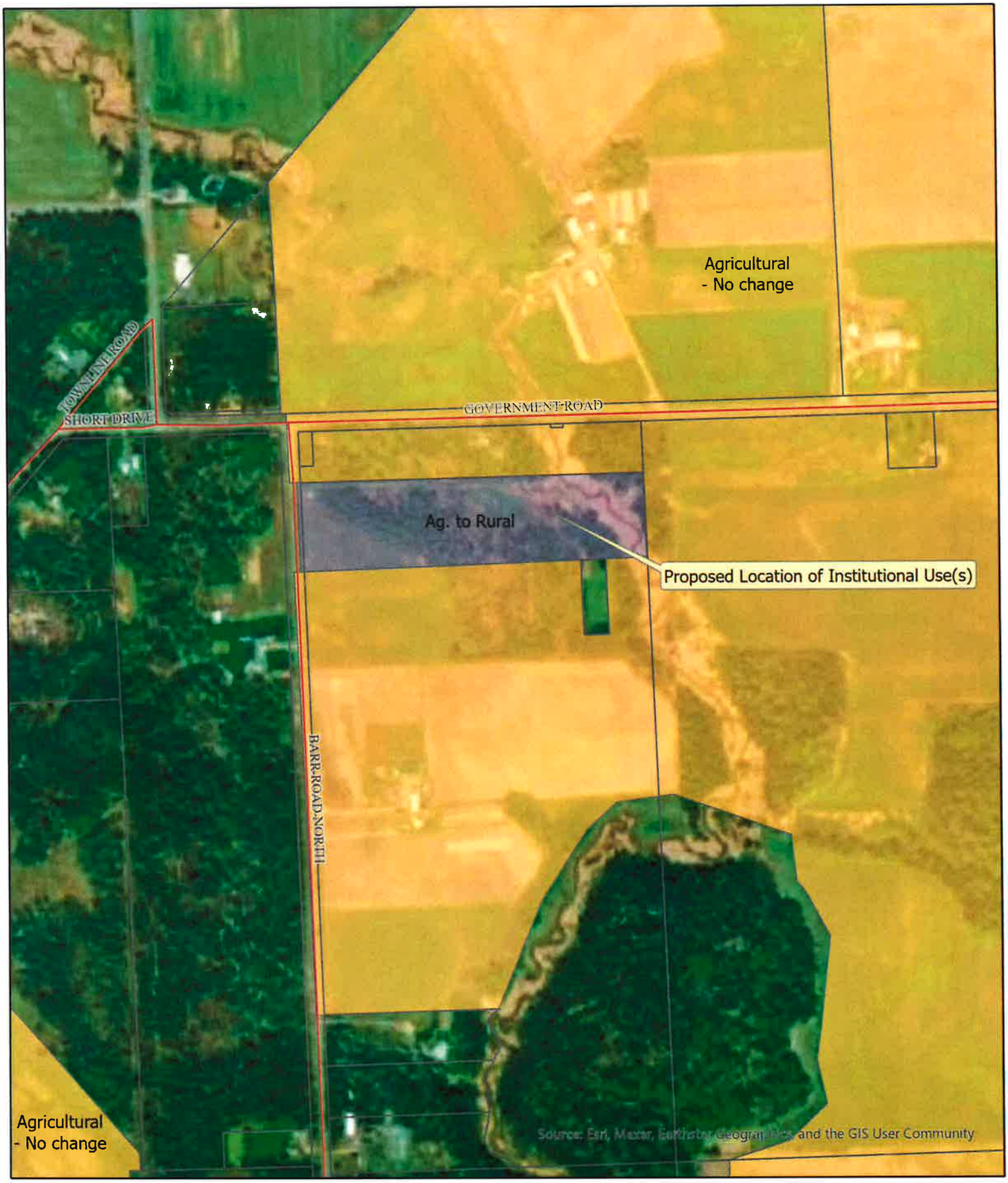

Proposed Agricultural Designation for Tarbutt Township for Joint Official Plan

0 0.05 0.1 0.2 0.3 Kilometers

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Maps are provided as a courtesy only and the Desbarats to Echo Bay Planning Board makes no guarantees as to the accuracy of this information. This map is not intended to be used for conveyance, authoritative definition of the legal boundary, or property title. This is not a survey

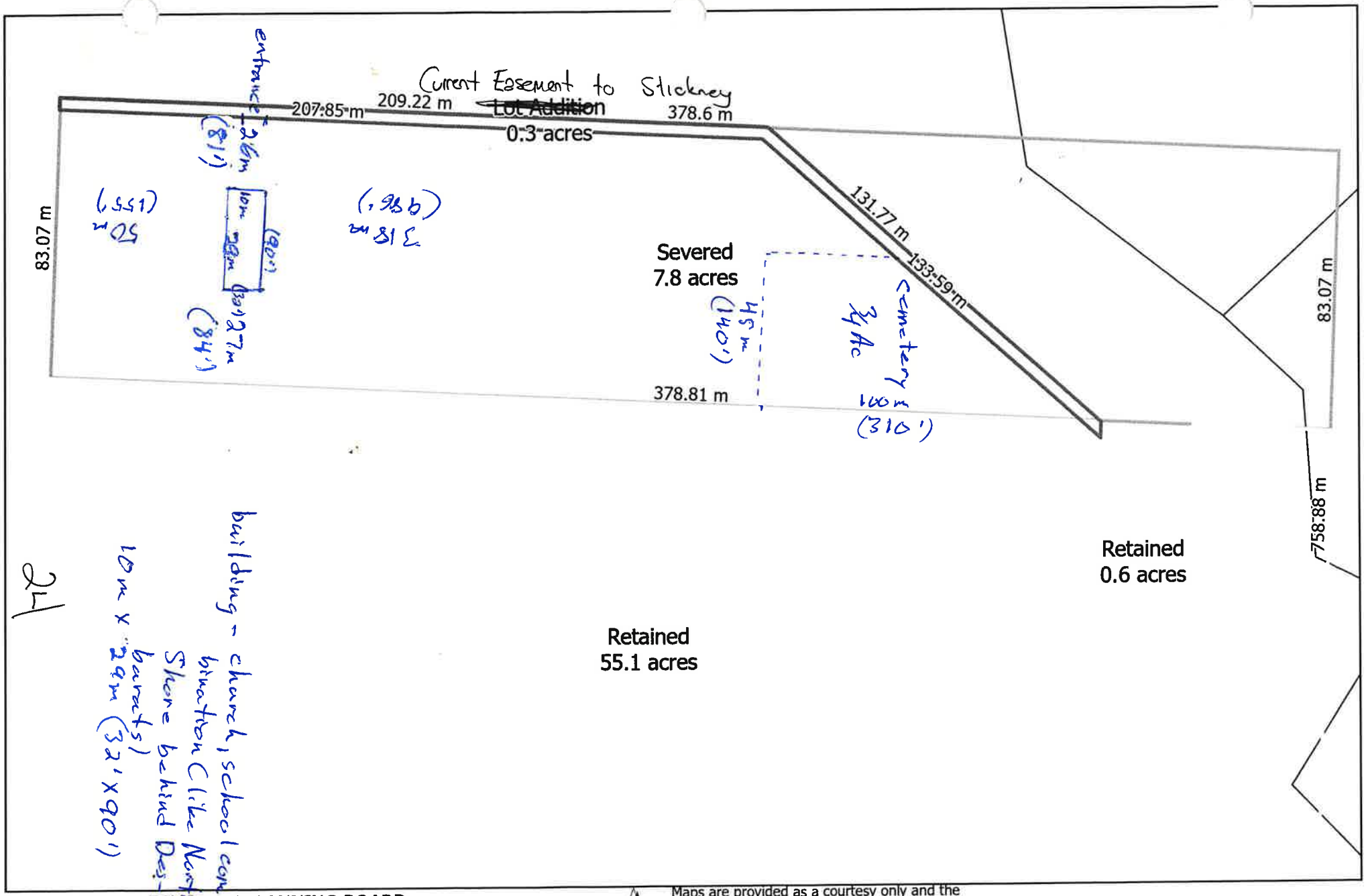
SILAS R. BOWMAN
6630 HWY 17 E. RR1
DESBARATS, ON P0R 1E0
HST# 765960083

Sept 7, '22

The Orthodox Mennonite community of Algoma is requesting permission to build a church, and school at 300 Barn Rd. We also request land use for a cemetery on the same said property. A parcel of approximately 5 acres is required for this project Contact

Silas Bowman

We hope to use the existing easement for a driveway.



DESBARATS TO ECHO BAY PLANNING BOARD
DRAFT 1 PROPOSED CONSENT APPLICATION
Creation of One (1) Lot
Tarbutt Township

0 15 30 60
Meters

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Maps are provided as a courtesy only and the Desbarats to Echo Bay Planning Board makes no guarantees as to the accuracy of this information. This map is not intended to be used for conveyance, authoritative definition of the legal boundary, or property title. This is not a survey product.

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The Township of Tarbutt
27 Barr Road South
Desbarats, Ontario P0R 1E0
Ph: 705-782-6776 Fax: 705-782-4274

REPORT TO COUNCIL

Date: September 21, 2022

From: Carol Trainor, CAO/Clerk

Re: Application for Zoning Amendment, 247B Lakeshore Drive

BACKGROUND / OVERVIEW

Application has been received to amend the zoning by-law to permit a reduced side yard setback for an accessory building, and also for a dwelling in the Shoreline Residential zone.

The owners of 247B Lakeshore Drive are requesting that the minimum side yard setback be reduced from 10ft/3m, as required by the Zoning By-law, to 2ft/.60m for the construction of a proposed garage; and also to reduce the side yard setback for a new dwelling, from 10 ft/3m as required by the Zoning By-law, to 5 ft/1.5m on the opposite side.

The Zoning By-law also provides for maximum lot coverage of 15%. These two buildings combined would cover 12.7% of the lot which meets the zone standard but provides very little room for a deck or any additional structures to be added in future.

In considering an application to amend the Zoning By-law, Council should consider:

- conformity with the official plan and compatibility with adjacent uses of land
- suitability of the land for the proposed purpose, including the size and shape of the lot(s)
- adequacy of vehicular access, water supply, sewage disposal
- the risk of flooding

As shown on the attached site plan, the application seeks relief from the minimum side yard setback of 10 ft for a new garage. Concerns with permitting such a reduction include maintenance issues between the building and the abutting property, any potential fencing, materials falling from the roof of this building onto the abutting property, fire separation, and aesthetics. At this time there is no building on the adjacent lot but this could change at any time. The distance between buildings is a minimum 3 ft, which is more than this application requests.

The applicant is also seeking relief from the 10 ft side yard setback for the construction of a new cottage, to be 5 ft from the opposite abutting property. For the reasons listed above, staff do not believe that such significant reduction of side yard separation would be beneficial to either owner, but particularly the abutting neighbour. The site plan does not indicate the location of any structures on either side of the subject lot.

What is not shown on the site plan is the shared driveway. The property to the west contains the shared driveway. The Township would encourage the applicant to install their own driveway rather than depending on a shared driveway on the adjacent property, thereby allowing the proposed garage to be moved a minimum of 10 feet away from the nearest property line.

In their decision making, Council must also consider consistency with the Provincial Policy Statement (PPS) as part of the decision making process. The PPS recommends a minimum 100 ft/30m shoreline setback, which is not addressed in this application. To construct a new dwelling on this property, the owner should attempt to meet the recommended PPS shoreline setback of 100 ft rather than retain the 53 ft of the existing cottage. If the building is demolished, any new structure would be required to adhere to the expanded shoreline setback which will be incorporated into the new Zoning By-law in 2023.

FINANCIAL IMPACT

There is no financial impact as a result of this report.

SUMMARY

It is the opinion of staff that this application does not meet the intent of the Zoning By-law and sets a precedent which could have long term and widespread impact among shoreline residential properties.

Staff recommend that the applicant be required to adjust their plans for building size and/or location of the dwelling, but particularly the garage, in order to meet the minimum zone standards.

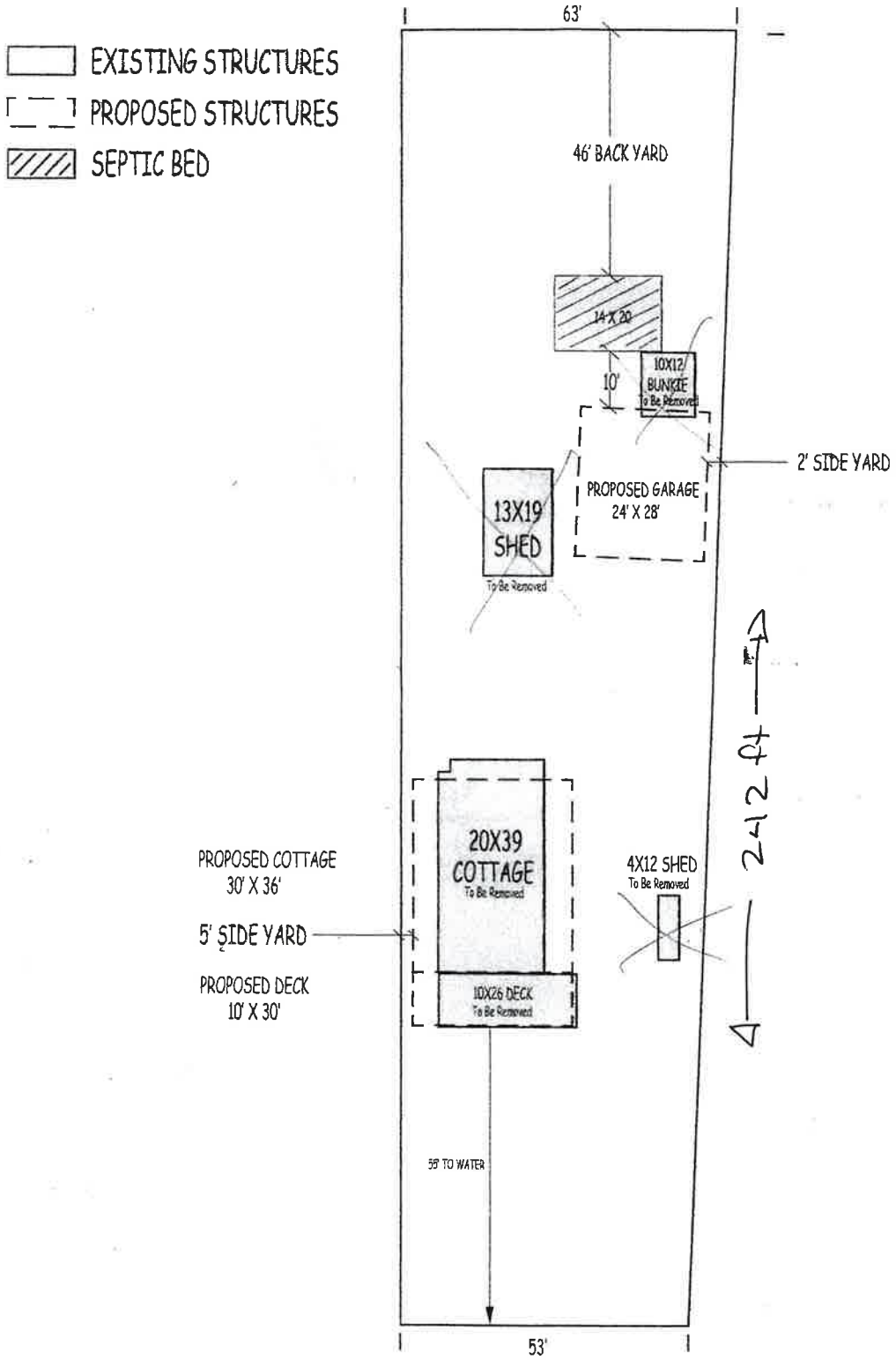
RECOMMENDATION:

Be it resolved that the report regarding the Application for Zoning Amendment for the property located at 247B Lakeshore Drive be received; and
That the applicant be advised that the request for a 2 ft setback for an accessory structure on the east boundary line, and a 5 ft setback for a dwelling on the west side be denied; and
That the application make adjustments to the proposed site plan which more closely meets the minimum zone standards of a shoreline residential property.

N

247b lakeshore drive

3-038



water

THE TOWNSHIP OF TARBUTT
COUNCIL MEETING OF SEPTEMBER 21, 2022
CONSENT AGENDA

a. Letter and draft Resolution from FONOM
   Re: Federal Electoral Boundary Changes

b. Resolution from MacDonald, Meredith & Aberdeen Additional
   Re: Electoral Boundary Commission proposed changes to boundaries

c. Letter from the Ministry of Municipal Affairs and Housing
   Re: Strong Mayors, Building Homes Act to take effect November 15, 2022

d. Resolutions from the Town of Wasaga Beach and Kingsville
   Re: Opposition to the Strong Mayors, Building Homes Act

e. Letter from the Township of McGarry
   Re: Request the MMAH to study the merits of allowing the recall of municipal councilors including displays of hatred, misogyny and all forms of discrimination.

f. Message from the Rural Ontario Municipal Association
   Re: Rural Attainable Housing Task Force

Recommendation: Be it resolved that correspondence items a through f on the consent agenda dated September 21, 2022 be received; and
That Council supports the recommended wording and approves a resolution calling on the Electoral Boundary Commission to maintain the electoral representation of Northern Ontario and ensure any boundary changes are done in a manner that responds to regional and local need; and
That Council supports the resolutions from the Town of Wasaga Beach and the municipality of Kingsville in opposition to the Strong Mayors, Building Homes Act as it will erode local decision making and the municipal democratic process, and that other legislative changes be considered to speed and improve new housing construction for all Ontarians.