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**THE TOWNSHIP OF TARBUTT**  
**Council Meeting Minutes**  
**Wednesday, June 21, 2023 at 6:00 pm**  
**Township Council Chambers, 27 Barr Road S.**

Present: Lennox Smith, Mayor  
Ursula Abbott  
David Farrar  
Darren McClelland  
Jacqui Nagel

Staff: Carol Trainor, Clerk

**1. CALL TO ORDER**

Mayor L. Smith called the regular Council meeting to order at 6:00 pm.

**2. DISCLOSURES OF PECUNIARY INTEREST**

**3. PREVIOUS MINUTES**

a. Minutes of the Council meeting held May 24, 2023

The Clerk circulated notes from the Council roads tour which took place on June 15, 2023.

Resolution No: 2023 – 78

Moved by: D. McClelland                      Seconded by: D. Farrar

Be it resolved that the minutes of the regular Council meeting held on May 24, 2023 be approved as circulated; and

That the notes from the Council roads tour be received.

Carried

Follow up on Roads Tour:

- Signage for Port Findlay and Pine Island turnaround re: fire filling station
- Outhouses at the hall and the WI Park to be raised/improve drainage or eaves trough should be added
- Signage re: unsupervised swimming to be posted at WI Park
- Contact organizations regarding possible tree seedlings for cemetery
- Conveyance of property on Smith Road



#### 4. PUBLIC MEETING

a. **Public meeting** under Sec. 34 of the Planning Act

Re: Application for Zoning Amendment, 180 Brown's Island Road

The Mayor opened the public meeting by stating that the purpose of the public meeting is to discuss a proposed site specific amendment to the Township's Zoning By-law under Sec. 34 of the Planning Act.

The Township has received an application to amend the Zoning By-law for Lot 8, Plan M266, PCL 6479 ACS, also known as 180 Brown's Island Road. The subject property is 2.295 acres (12,430 sq ft), located in the Summer Cottage zone (SC) in the Township's Zoning By-law. The property contains a residential dwelling unit with an attached garage and an accessory structure. The Zoning By-law states that Accessory buildings (not used for habitation) shall be set back a minimum of 10 ft/3m from the side yard lot line in the SC Zone.

The purpose of the Zoning By-law Amendment is to reduce the side yard setback on the south east side of the dwelling from 3m/10 ft in the SC zone, to .91m/3 ft for the addition of a three season accessory structure. If approved, the front of the structure would measure 34 ft/10.3m from the shoreline setback, which is less than the minimum 50ft/15m shoreline setback required by the Zoning By-law but set back further than the existing deck.

Notice of this **public meeting** was circulated to all property owners within 120 m/ 400 feet of the subject property, along with agencies and organizations as required under the Planning Act. Algoma Public Health was the only agency to respond, noting no objection.

Any individual who submitted a verbal or written objection to the application can submit an appeal to the Ontario Land Tribunal once the zoning by-law amendment is passed by Council.

There were no members of the public or representatives for the applicant in attendance. No member of council offered any questions or concerns about the application.

As a result, the Clerk advised that the by-law will take effect following the 20 day appeal period, after the date of the Notice of Decision.

Resolution No: 2023 - 79

Moved by: U. Abbott

Seconded by: J. Nagel

Be it resolved that the report from the CAO/Clerk regarding Zoning Amendment application ZA-2023-02 be received; and



That Council approve an amendment to the Township's Zoning By-law 85-10, for the property legally known as Lot 8, Plan M266, PCL 6479 ACS and also known as 180 Brown's Island Road, to permit the reduced side yard setback from 3 m/10 ft to .91 m/3 ft for the construction of a three season accessory structure on the south east corner of the dwelling; and

That the Notice of Decision be circulated describing the approval date and the twenty day appeal period.

Carried

The public meeting under the *Planning Act* adjourned at 6:15 pm.

## 5. FINANCIAL STATEMENTS

- a. Financial Statement and payment log for the month ending May 31, 2023.

Resolution No: 2023 - 80

Moved by: D. McClelland

Seconded by: D. Farrar

Be it resolved that the financial statements and payment log for the period ending May 31, 2023 be approved as circulated.

Carried

## 6. STAFF AND COMMITTEE REPORTS

- a. Clerk's Report for June 2023

Resolution No: 2023 - 81

Moved by: J. Nagel

Seconded by: U. Abbott

Be it resolved that the Clerk's Report for June 2023 be received.

Carried

## 7. BY-LAWS

- a. A By-law to amend the Township's Zoning By-law 10-85 to permit a reduced side yard setback.

Resolution No: 2023 - 82

Moved by: D. Farrar

Seconded by: D. McClelland

Be it resolved that leave be granted to introduce By-law 2023 - 15, being a By-law to amend Zoning By-law No. 10-85 of The Township of Tarbutt to reduce the site specific side yard setback in the Summer Cottage Zone, to permit the construction of an accessory building at 180 Brown's Island Road; and

That said By-law be read a first, and taken as read a second and third time and finally passed subject to the applicable provisions of the *Planning Act* this Twenty First day of June, 2023.

Carried



- b. Appoint a Head for MFIPPA purposes

Resolution No: 2023 – 83

Moved by: U. Abbott

Seconded by: J. Nagel

Be it resolved that leave be granted to introduce By-law 2023 - 16, being a By-law to designate the Clerk as Head for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act* for The Township of Tarbutt; and That said by-law be read a first, and taken as read a second and third time and finally passed this Twenty First day of June, 2023.

Carried

## 8. INFORMATION/ CONSENT AGENDA

- a. Central Algoma Freshwater Coalition Summer Newsletter
- b. Resolution to improve Municipal Codes of Conduct and Enforcement
- c. Letter from Crimestoppers of Sault Ste. Marie and District  
Re: Thank you for supporting the Crimestoppers Program
- d. Letter from the Dr. H. S. Trefry Memorial Centre  
Re: Thank you for the donation supporting Seniors programs and services
- e. 2024 Municipal Policing Billing Statement Property Count
- f. Letter from East Algoma Community Futures Development Corporation  
Re: Invitation to Annual General Meeting and Dinner event

Resolution No: 2023 – 84

Moved by: D. McClelland

Seconded by: D. Farrar

Be it resolved that correspondence items a. through f. on the consent agenda dated June 21, 2023 be received; and

That Council fully supports the resolution circulated by AMO to improve and enforce municipal codes of conduct as follows:

WHEREAS all Ontarians can expect and deserve a safe and respectful workplace; and

WHEREAS municipal governments, as the democratic institutions most directly engaged with Ontarians, need respectful discourse; and

WHEREAS several incidents of disrespectful behaviour and workplace harassment have occurred in recent years amongst members of municipal



councils, and occur at an alarming rate, particularly among small, rural communities; and

WHEREAS these incidents seriously and negatively affect the people involved and erode the public perception of local government; and

WHEREAS municipal Codes of Conduct are helpful tools to set expectations of council member behaviour toward staff and other council members; and

WHEREAS municipal governments are not provided with the necessary tools to adequately enforce compliance with municipal Codes of Conduct;

NOW THEREFORE be it resolved that The Township of Tarbutt supports the call of the Association of Municipalities of Ontario (AMO) for the Ontario Government to introduce legislation to strengthen municipal Codes of Conduct and compliance in consultation with municipal governments; and further

THAT the legislation encompass the following AMO recommendations to:

- Update municipal Codes of Conduct to account for workplace safety and harassment;
- Create a flexible administrative penalty regime, adapted to the local economic and financial circumstances of municipalities across Ontario;
- Increase training of municipal Integrity Commissioners to enhance consistency of investigations and recommendations across the province;
- Allow municipalities to apply to a member of the judiciary to remove a sitting member if recommended through the report of a municipal Integrity Commissioner; and
- Prohibit a member so removed from sitting for election in the term of removal and in the subsequent term of office.

Carried Unanimously

## **9. OTHER BUSINESS**

Mayor Smith raised the matter of roadside clearing and grass cutting and suggested that Council may wish to consider a policy which would delay cutting until it is safe for the nesting species, and a policy on the use of herbicide and pesticide.

The Clerk circulated a draft by-law to regulate the cleaning and clearing of yards in light of the potential health and fire hazard, as well as recent complaints received. One challenge will be compliance and enforcement, but the *Municipal Act* permits collection of the costs to perform the work, or cause the work to be done, if the account remains unpaid.



Some of the area clerks will be meeting later this week to discuss the possibility of hiring a By-law Enforcement Officer to cover several municipalities. Council was supportive of this initiative.

**10. CLOSED SESSION**

**11. CONFIRMATION BY-LAW**

Resolution No: 2023 – 85

Moved by: J. Nagel                      Seconded by: U. Abbott

Be it resolved that leave be granted to introduce By-law 2023 - 17, being a By-law to confirm the proceedings of the regular Council meeting held this Twenty First day of June, 2023; and

That said By-law be read a first, and taken as read a second and third time and finally passed.

Carried

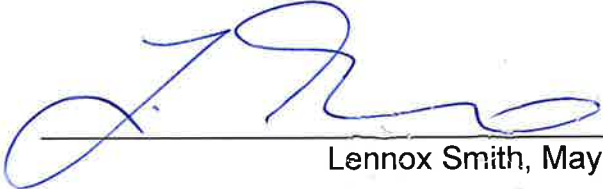
**12. ADJOURNMENT**

Resolution No: 2023 – 86

Moved by: D. McClelland                      Seconded by: D. Farrar

Be it resolved that the regular Council meeting held this Twenty First day of June, 2023 be adjourned at 6:48 pm, to meet again on Wednesday, July 19<sup>th</sup>, 2023 at 6:00 pm.

Carried

  
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Lennox Smith, Mayor

  
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Carol O. Trainor, Clerk