



THE TOWNSHIP OF TARBUTT
Special Council Meeting Agenda
Wednesday, July 3, 2024 at 6:00 pm
Township Council Chambers, 27 Barr Road S.

1. CALL TO ORDER

2. DISCLOSURES OF PECUNIARY INTEREST

3. PUBLIC MEETING UNDER THE PLANNING ACT

A Public Meeting held in accordance with Section 34 of the *Planning Act* to consider an amendment to the Township's Zoning By-law 85-10, to consider an application for a site specific zoning amendment to reduce the northerly side yard setback at the property located at 131 Lakeshore Drive.

4. STAFF AND COMMITTEE REPORTS

- a. Mandatory Health and Safety Training
- b. Budget Review

5. BY-LAWS

- a. A By-law authorizing the Mayor and the Clerk to enter into agreement for the renewal of the ten year Municipal Funding Agreement for the Canada Community Building Fund (CCBF).

6. CLOSED SESSION

Council will move into closed session under Sec. 239 (2) b) in order to discuss personal matters about an identifiable individual, including municipal or local board employees.

7. CONFIRMATION BY-LAW

- a. A By-law to confirm the proceedings of Council, this Third day of July, 2024

8. ADJOURNMENT



**PUBLIC MEETING for a
PROPOSED ZONING BY-LAW AMENDMENT
131 LAKESHORE DRIVE**

This Public Meeting is held in accordance with Section 34 of the *Planning Act* to consider an amendment to the Township's Zoning By-law 85-10, to consider an application for a site specific zoning amendment to reduce the northerly side yard setback at the property located at 131 Lakeshore Drive.

The Township has received an application to amend the Zoning By-law for the property legally described as Con 5, Pt Lot 10, PCL 5182 ACS, also known as 131 Lakeshore Drive. The subject property is 0.54 acres (23522 sq ft), located in the Shoreline Residential (SR) zone. The property contains a residential dwelling unit with five small accessory structures and a travel trailer. The Zoning By-law permits maximum lot coverage at 15% for dwellings and 5% for accessory structures in the SR zone. The maximum lot coverage for dwellings on this property is not exceeded, however the placement of the trailer exceeds the max lot coverage.

The purpose of the Application for Zoning Amendment is to request a reduction of the side yard setback on the northerly side of the property for an addition to the dwelling, from 3m (10 ft) in the SR zone, to 1.31m (4.3 ft) for an addition to the dwelling, and also to permit a reduced side yard setback for a trailer, from 3m (10 ft) to 2.29 m (7.5 ft).

A trailer permit has been issued for the trailer, which has been on the site year round. The Township was advised that the trailer would be removed from the property by July 1.

When considering amendments to the zoning by-law, Council should consider:

- Zoning provisions and standards apply to the property, not to the owner
- Does the application conform to the zoning by-law, official plan and adjacent land uses
- Compatible uses and suitability of the land for the proposed purpose, including the size and shape of the lot(s)
- Risk of flooding
- Impact to abutting or neighbouring property owners
- Implications of permitting a reduced setback in any zone
- Would the request create a situation of liability for the municipality
- Any conditions that Council may wish to apply

As required under the *Planning Act*, the Public Meeting Notice was circulated to all property owners within 120 m/400 feet of the subject property, along with agencies and organizations. Numerous letters of opposition were received from residents, some within the area of the subject property and some from different parts of the municipality. Algoma Public Health was the only agency to respond, noting no objection.

COMMENTS FROM THE PUBLIC

Those who had requested and received confirmation of their delegation are asked to state their name and address for the record.

COMMENTS FROM COUNCIL

If any member of Council has any comments with respect to this matter, they are asked to provide it now.

IN CLOSING

Council wishes to thank those in attendance for their participation. The Clerk will circulate a Notice of Passing to all parties wishing to be notified, and to the agencies specified in the *Planning Act*, once a By-law in this regard has been passed.

An appeal of Council's decision may be filed by the Applicant, or the Minister, to the Ontario Land Tribunal once the By-law to amend the Zoning By-law is passed by Council.

PUBLIC NOTICE CONCERNING A PROPOSED ZONING BY-LAW AMENDMENT

TAKE NOTICE that The Corporation of The Township of Tarbutt will hold a public meeting on Wednesday, July 3, 2024 beginning at 6:00 pm to consider an application to amend the Township's Zoning By-law with respect to the following property:

Concession 5 Lot 10 Pt, PCL 5182 ACS
Also known as 131 Lakeshore Drive

The purpose and effect of the application is to amend the municipality's Zoning By-law to reduce the northerly side yard setback from 3 m (10 feet) to 1.31 m (4.3 feet) to permit an addition previously added to the dwelling, and also to permit a reduced side yard setback for a trailer, from 3 m (10 feet) to 2.29 m (7.5 feet).

Any person may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed amendment. Written submissions should be addressed to the undersigned, no later than 12:00 noon on Thursday, June 27, 2024.

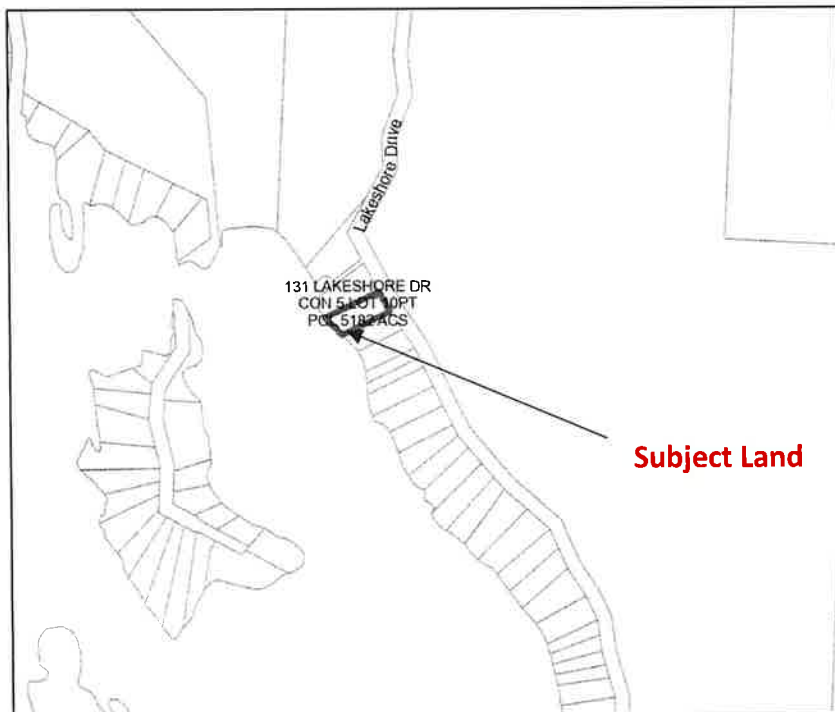
If a person or public body has the ability to appeal the decision of Council to the Ontario Land Tribunal, but the person or public body does not make an oral submission at a public meeting or make a written submission to The Township of Tarbutt before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make an oral submission at a public meeting or make a written submission to The Township of Tarbutt before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Any person wishing to be notified of the Council decision on the proposed zoning by-law amendment must make a written request prior to the public meeting date to the Attention of the Clerk at:

The Township of Tarbutt
27 Barr Road South
Desbarats, ON POR 1E0

Additional information relating to the proposed Zoning By-Law Amendment is available for inspection at The Township of Tarbutt municipal office, located at 27 Barr Road South.



DATED AT THE TOWNSHIP OF TARBUTT
THIS TENTH DAY OF JUNE, 2024

Carol O. Trainor, CAO/Clerk
The Township of Tarbutt
clerk@tarbutt.ca
(705) 782-6776