



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

1. CALL TO ORDER

Mayor Smith called the Special Council Meeting to order at 6:00 pm.

2. DISCLOSURES OF PECUNIARY INTEREST

3. PUBLIC MEETING UNDER THE PLANNING ACT

Mayor Smith opened the Public Meeting held under Section 34 of the *Planning Act* to consider an application for a site specific zoning amendment to reduce the northerly side yard setback for two structures 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 for accessory structures.

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 in the SR zone, from 3m (10 ft) 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 was intended to be removed from the property by July 1.

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.



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

Abutting neighbours Kevin and Flora Nott on the northerly side, and Gloria Burns on the south side of the subject property, addressed Council and provided reasons for their opposition to the application. Property owner Carrie Wilton was in attendance, and added that she would like to put any previous issues behind them and move on to use the property without further conflict.

No member of Council offered any comments with respect to this matter.

A Notice of Decision, once made, will be circulated to all parties who advised, in writing, their desire to be notified, and also to the agencies specified in the *Planning Act*.

An appeal of Council's decision may be filed with the Ontario Land Tribunal by specified persons who made verbal or written submissions to Council, once the Notice of Decision is circulated.

The public meeting under the Planning Act was closed at 6:30 pm.

4. STAFF AND COMMITTEE REPORTS

a. Mandatory Health and Safety Training

Resolution No: 2024 – 101

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

Be it resolved that the report from the Health and Safety Representative and Volunteer Fire Training Officer be received; and

That Council authorize staff to proceed with First Aid certification for all volunteers and staff at an amount not exceeding \$2,000.00 plus tax.

Carried

b. Budget Review

Council reviewed the revisions made since the previous budget meeting, noting that a special meeting should be held to discuss reserves, reallocating, and transfers to and from reserves for 2023 and 2024.

Resolution No: 2024 – 102

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

Be it resolved that the amended budget documents be received; and

That Council approves a tax rate increase of 3% over 2023; and

That staff be authorized to proceed with 2024 final tax billing.

Carried



5. BY-LAWS

- a. Municipal Funding Agreement for the Canada Community Building Fund (CCBF).

Resolution No: 2024 – 103

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

Be it resolved that leave be granted to introduce By-law 2024 – 17, being a By-law to enter into a Municipal Funding Agreement with The Government of Canada and the Association of Municipalities of Ontario (AMO), for the Canada Community Building Fund; and

That said By-law be read a first, and taken as read a second and third time and finally passed this Third day of July, 2024.

Carried

- b. Application for Zoning Amendment, 131 Lakeshore Drive

Resolution No: 2024 – 104

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

Be it resolved that the application for site specific zoning amendment, and the information received from the public meeting for the property located at 131 Lakeshore Drive be received; and

That Council does not support the application to reduce the side yard setback on the northerly side of the property for the addition to the dwelling or for the trailer structure; and

That the owners of the property be directed to relocate the trailer to meet the required setback, and that the accessory structure on the north side of the dwelling be removed; and further

That the deck be reduced to meet the 3m/10 foot minimum setback, and that a building permit be obtained for this structure.

Carried

6. CLOSED SESSION

Resolution No: 2024 – 105

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

Be it resolved that Council move into closed session at 7:17 pm under Sec. 239 (2) b) in order to discuss personal matters about an identifiable individual, including municipal or local board employees.

Carried

Resolution No: 2024 – 106

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

Be it resolved that Council rise from closed session at 7:37 pm; and



That Council authorizes the CAO/Clerk to continue to work with the Township Solicitor toward a resolution.

Carried

Resolution No: 2024 – 107

Moved by: D. McClelland

Seconded by: D. Farrar

Be it resolved that the summer position be offered to Hayden Wells with a start date of Monday, July 8, 2024.

Carried

7. CONFIRMATION BY-LAW

Resolution No: 2024 – 108

Moved by: D. Farrar

Seconded by: D. McClelland

Be it resolved that leave be granted to introduce By-law 2024 – 18, being a By-law to confirm the proceedings of the Special Council meeting held this Third day of July, 2024; and

That said by-law be read a first, and taken a third time and finally passed this third day of July, 2024.

Carried

8. ADJOURNMENT


Resolution No: 2024 – 109

Moved by: J. Nagel


Seconded by: U. Abbott

Be it resolved that the Special Council meeting of July 3, 2024 be adjourned at 7:52 pm, to meet again for the Regular Council meeting on July 17, 2024.

Carried



Lennox G. Smith, Mayor



Carol O. Trainor, Clerk