



THE TOWNSHIP OF TARBUTT
Minutes of the Special Council Meeting
Under the Planning Act
Monday, April 27, 2026 at 4:00 pm

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

STAFF: Carol Trainor, CAO/Clerk

GUESTS: R. Chauvin, 55 Barr Road S.
S. Leistner, 20 Kingfisher Drive

1. CALL TO ORDER

Mayor Smith called this Special Council meeting to order at 4:00 pm in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c.P.13.

2. DISCLOSURES OF PECUNIARY INTEREST

3. DEPUTATIONS / PRESENTATIONS

4. STAFF AND COMMITTEE REPORTS

a. Application Z2026-01 for Zoning Amendment, 55 Barr Road South

The purpose of this Public Meeting is to review an Application to Amend the Township's Zoning By-law, submitted by the owner of 55 Barr Road S. (formerly known as 6463 Highway 17 E) in The Township of Tarbutt. The subject property is 26.95 ac in size with a 1,026.4 ft frontage on a publicly maintained roadway within the Rural (Ru) zone. The property contains only a small accessory structure.

The applicant seeks to permit the construction of an accessory building on an otherwise vacant parcel for personal use only; there is no intent to use the shop for commercial purposes. Notice has been given and this Public Meeting is being held in accordance with *Section 34 of the Planning Act* to provide an opportunity to present the proposed rezoning and to hear and receive comments regarding the proposed Zoning By-law Amendment.

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



- Zoning provisions and standards apply to the property, not to the owner
- The application's conformity to the zoning by-law, official plan, Provincial Planning Statement 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
- If the request would create a situation of liability for the municipality
- Any conditions that Council may wish to apply

The proposed zoning amendment would permit the construction of an accessory structure without the benefit of a primary purpose/use, being a Residence in the Rural (Ru) zone. The former dwelling unit on the property has been demolished.

Section 2 of the Township's Zoning By-law provides that an accessory use is "a separate building or structure, normally incidental, subordinate, devoted to or located on the same lot as the principal use". Section 5.2 f) of the Township's Zoning By-law provides that an Accessory Building is permitted in the Rural Residential zone.

The Township has not received any calls, enquiries or objections following circulation of the Public Notice, either from neighbouring property owners or from the agencies notified of the proposed amendment.

The owner, Mr. Chauvin, was in attendance but did not have any comments or additional information for council. Members of Council did not have any additional questions for the applicant.

Hearing no further comments, Council thanked those in attendance for their participation. A Notice of Decision will be circulated to all those who have requested notification within 15 days of the decision. If the By-law is passed at this meeting, the Zoning Amendment will take effect 21 days after the Notice of Decision unless an appeal has been filed with the Ontario Land Tribunal.

b. Application Z2026-02 for Zoning Amendment, 20 Kingfisher Drive

The purpose of this Public Meeting is to review an Application to Amend the Township's Zoning By-law for a site specific amendment for the property located at 20 Kingfisher Drive. The subject property is 1.62 ac in size with a 33.3 ft frontage along a private, unmaintained road and is located within the SR (shoreline residential) zone. The property contains one seasonal dwelling unit and one accessory structure (garage). This property does not have direct shoreline access.



The application seeks to permit the construction of a second dwelling unit within the existing accessory structure. Notice has been given and this Public Meeting is being held in accordance with *Section 34 of the Planning Act* to provide an opportunity to present the proposed rezoning and to hear and receive comments regarding the proposed Zoning By-law Amendment.

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

- Zoning provisions and standards apply to the property, not to the owner
- The application's conformity to the zoning by-law, official plan, Provincial Planning Statement 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

The proposed zoning amendment would permit the construction of an additional dwelling unit on the second story of the accessory structure, a garage, which was constructed new in 2025 with a vacant second story.

Section 3.9 of the Township's Zoning By-law states that "not more than one dwelling, together with accessory buildings, shall be erected or placed on a single lot, except in the agricultural zone". The garage meets all other provisions of the zoning by-law.

The Township office has not received any calls, enquiries or objections following circulation of the Public Notice, either from neighbouring property owners or from the agencies notified of the proposed amendment.

The owner, Mr. Leistner, was in attendance but did not have any comments or additional information for council. Members of Council did not have any additional questions for the applicant.

Hearing no further comments, Council thanked those in attendance for their participation. A Notice of Decision will be circulated to all those who have requested notification within 15 days of the decision. If the By-law is passed at this meeting, the Zoning Amendment will take effect 21 days after the Notice of Decision unless an appeal has been filed with the Ontario Land Tribunal.

The public meeting under the *Planning Act* was completed. Council continued proceedings under the *Municipal Act, 2001*, as amended.



c. Central Algoma Building Services Inter Municipal Agreement

The draft Agreement for Building Services to be shared by eight municipalities is not yet complete as each party is reviewing the most recent version. The agreement is to take effect May 1, with only editing revisions to be made to the final agreement. The Mayor of each municipality will sign the agreement, and a copy will be provided to all.

Recommendation 2026 - 78

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

Be it resolved that the report from the report from the CAO/Clerk regarding the Central Algoma Building Services Inter-municipal Agreement be received; and That Council authorize the Mayor and the Clerk to enter into agreement with seven (7) other municipalities for the Central Algoma Building Services Inter Municipal Agreement, to take effect May 1, 2026.

Carried

5. BY-LAWS

a. A By-law to amend Zoning By-law 10-85 for 55 Barr Road South

Recommendation 2026 - 79

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

Be it resolved that leave be granted to introduce By-law 2026 – 15, being a By-law to amend By-law 85-10 of The Township of Tarbutt to permit the construction of an accessory structure without a primary use in the Rural Zone at 55 Barr Road South; and

That said by-law be read a first, and taken as read a second and third time and finally passed this Twenty Seventh day of April, 2026.

Carried

b. A By-law to amend Zoning By-law 10-85 for 20 Kingfisher Drive

Recommendation 2026 – 80

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

Be it resolved that leave be granted to introduce By-law 2026 – 16, being a By-law to amend By-law 85-10 of The Township of Tarbutt to permit the construction of a second dwelling unit in the Shoreline Residential Zone at 20 Kingfisher Drive; and

That said by-law be read a first, and taken as read a second and third time and finally passed this Twenty Seventh day of April, 2026.

Carried

c. A By-law to appoint a Chief Building Official and to sign the Inter-Municipal Agreement for Building Services.



Recommendation 2026 – 81

Moved by: D. McClelland

Seconded by: D. Farrar

Be it resolved that leave be granted to introduce By-law 2026 – 17, being a By-law to Appoint a Chief Building Official for The Township of Tarbutt as part of the Central Algoma Building Services Intermunicipal Agreement, and to Repeal By-law 2025-08.

Carried

6. OTHER BUSINESS

- a. Council and staff have been considering options for a new table for the council chambers, comparing purchase vs construction.
- b. Enforcement of the Clean Yards By-law and Trailer By-law will be escalated.
- c. Installation of the second non household bin at the landfill should occur in time for the busier summer season to avoid filling the back cell.

7. ADJOURNMENT

Recommendation 2026 – 82

Moved by: D. McClelland

Seconded by: D. Farrar

Be it resolved that leave be granted to introduce By-law 2026 – 18, being a By-law to confirm the proceedings of the Special Council meeting held this Twenty Seventh day of April, 2026; and

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

Carried


Resolution No: 2026 – 83

Moved by: J. Nagel

Seconded by: U. Abbott

Be it resolved that the Special Council meeting held this Twenty Seventh day of April, 2026 adjourn at 4:55 pm, to meet again on the regular meeting date of Wednesday, May 20, 2026 at 6:00 pm.

Carried



Lennox G. Smith, Mayor



Carol O. Trainor, Clerk