

**THE TOWNSHIP OF TARBUTT**  
**Minutes of the Council Meeting**  
**Tuesday, December 17, 2024**  
**Township Council Chambers, 27 Barr Road S.**

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

**STAFF:** Jared Brice, Deputy Clerk/Planning Coordinator  
Michael Pigeon, Road Superintendent (left the meeting at 6:50)  
Carol Trainor, CAO/Clerk/Deputy Treasurer

**GUESTS:** Mr. Joseph Bisceglia, Certified Specialist Civil Litigation  
Mr. John McDonald, Tulloch Engineering

**1. CALL TO ORDER**

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

**2. DISCLOSURES OF PECUNIARY INTEREST**

Mayor Smith declared a Conflict with item 6 c. of the agenda as he is the owner of the subject property.

**3. PREVIOUS MINUTES**

a. Minutes of the previous Council meeting.

Resolution No: 2024 – 193

Moved by: D. Farrar

Seconded by: D. McClelland

Be it resolved that the minutes of the regular Council meeting held November 20, 2024 be adopted as circulated.

Carried

**4. DEPUTATIONS / PRESENTATIONS**

a. Application for Zoning By-law Amendment, 179 Brown’s Island

Joseph Bisceglia, Certified Specialist Civil Litigation

John McDonald, Tulloch Engineering

Mr. Bisceglia provided an overview of the situation wherein the owners of 179 Brown's Island Road wish to construct a home and retain the existing garage. Plumbing facilities had been installed in the garage and assurance was provided to the Township that the plumbing would be removed, and the building would not become a second dwelling unit.

The Township's concerns lie in the location of the proposed building to the floodline and high water mark, as the site plan shows the proposed dwelling overlying the floodline rather than being above it. Mr. John McDonald from Tulloch Engineering, explained that the floodline is tied to the historical high water mark, noted as the "flood fringe".

Mayor Smith thanked the individuals present for their presentation and advised that the Township would be seeking the advice of their own planner. A response to the request for a zoning amendment will be provided in time.

Resolution No: 2024 – 194

Moved by: J. Abbott

Seconded by: J. Nagel

Be it resolved that the deputation by Mr. Bisceglia and Mr. McDonald regarding the application for Zoning Amendment at 179 Brown's Island Road be received.

Carried

## 5. FINANCIAL STATEMENTS

- a. Payment Log for the month of November, 2024.

Resolution No: 2024 – 195

Moved by: D. McClelland

Seconded by: D. Farrar

Be it resolved that the payment log for the month of November, 2024 in the amount of \$158,884.85 be approved.

Carried

## 6. STAFF AND COMMITTEE REPORTS

- a. Verbal report from the Road Superintendent

M. Pigeon advised that they are using a lot of sand this year due to the ice and rain. The gate for the old landfill site is in process, and Karhi should be commencing landscaping work in the next week, weather permitting.

Resolution No: 2024 – 196

Moved by: J. Nagel

Seconded by: U. Abbott

Be it resolved that the verbal report from the Road Superintendent dated December 17, 2024 be received.

Carried

b. Application for Zoning By-law Amendment, 179 Brown's Island

Resolution No: 2024 – 197

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

Be it resolved that the report from the Deputy Clerk/Planning Coordinator regarding the application for zoning amendment at 179 Brown's Island Road be received; and

That the Zoning By-law amendment application be updated to reflect the actual location of the high water mark and its associated 15 m setback; and

That the zoning by-law amendment application address the change in use of a garage to an unpermitted dwelling unit; and

That the authorized agent continue to work with Township staff to provide an updated zoning by-law amendment application; and

That staff consult with the Township's Planner and legal counsel on this matter.

Carried as amended

c. Recommended addition to Prime Agricultural Lands

Mayor Smith declared a conflict with this matter as he is the owner of the subject property. Deputy Mayor D. Farrar took the Chair.

Resolution No: 2024 – 198

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

Be it resolved that the report from the Deputy Clerk/Planning Coordinator be received; and

That Council supports the Planning Board resolution for the recommended Prime Agricultural Land addition(s) within The Township of Tarbutt from J.L. Richards and Associates, and

That Council accept the recommended Prime Agricultural Area for the Joint Official Plan as presented.

Carried

Mayor Smith resumed the chair.

d. Assumption of a Portion of Barr Road North

Resolution No: 2024 – 199

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

Be it resolved that the report from the Deputy Clerk/Planning Coordinator regarding the assumption of a portion of Barr Road North be received; and

That Council authorize the Mayor and the Clerk to sign the Acknowledgement and Direction to assume the portion of the Barr Road North known as Pt 3 of Plan 1R-14084.

Carried

e. Proposed General Zoning By-law Amendments

Resolution No: 2024 – 200

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

Be it resolved that the report from the CAO/Clerk regarding proposed general amendments to the Township's Zoning By-law 85-10 be received; and That staff be directed to prepare the Notice of Public Meeting as required under Section 34 of the *Planning Act* to amend By-law 85-10 to revise the maximum lot coverage for dwellings and accessory structures to one consistent amount of 15%, and to include a definition of High Water Mark for all parcels abutting a waterway; and

That staff be authorized to enlist the assistance of JL Richards to prepare a Site Plan Control By-law to make provision for requirements on any parcel of land which is located within 120 m of a wetland, lake or river, including creeks and streams, and which is located within 300 m of a railway line.

Carried

f. Quotation for 2025 Municipal Insurance Policy **Deferred**

The quotation had not been received in advance of the Council meeting. The policy renewal date will be extended for 30 days.

g. Report from the CAO/Clerk for December, 2024

The Clerk's report included an update on the blue box transition, particularly the handling of non-eligible sources post transition; the water system at the MacLennan Hall, personnel matters, and the close of what has been a very challenging year.

Resolution No: 2024 – 201

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

Be it resolved that the report from the CAO/Clerk for the month of December, 2024 be received.

Carried

**7. BY-LAWS**

a. A By-law to appoint a Treasurer

Resolution No: 2024 – 202

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

Be it resolved that leave be granted to introduce By-law 2024 – 27, being a By-law to appoint a Treasurer and to repeal By-law 2021-21; and

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

Carried

b. A By-law to appoint a Deputy Clerk/Planning Coordinator

Resolution No: 2024 – 203

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

Be it resolved that leave be granted to introduce By-law 2024 – 28, being a By-law to appoint a Deputy Clerk / Planning Coordinator; and

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

Carried

c. A By-law to enter into agreement with the Minister of the Solicitor General on behalf of the Ontario Provincial Police (OPP) for 9-1-1 Service

Resolution No: 2024 – 204

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

Be it resolved that leave be granted to introduce By-law 2024 – 29, being a By-law authorizing the Mayor and the Clerk to enter into an agreement with the Minister of the Solicitor General on behalf of the Ontario Provincial Police (OPP) for the provision of Primary Public Safety Answering Point (P-PSAP) Services 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 Seventeenth day of December, 2024.

Carried

## **8. INFORMATION / CONSENT AGENDA**

a. Resolution from King Township

Re: Distribution of Provincial Land Transfer Tax and GST

b. Resolutions from the Township of Terrace Bay

Re: Ambulance Shortages and Healthcare System Issues  
Letter of support for Billy Bishop Airport

c. Letter from the Ministry of Municipal Affairs and Housing

Re: Planning Act changes to remove municipal zoning by-law barriers to ARU's

d. Letter from the Township of Johnson

Re: Request for recreation funding for 2024

e. Announcement from Algoma Power Inc.

Re: Line Clearing and Brush Control across The Township of Tarbutt

- f. Letter from Algoma Public Health  
Re: 9% Increase to the 2025 municipal levy
- g. Article from CBC Sudbury  
Re: Horse and Buggy Travel and recent tragedies  
(copied with the permission of CBC)
- h. Central Algoma Freshwater Coalition  
Re: Winter 2025 Newsletter
- i. Letter from the Ministry of Municipal Affairs  
Re: Proposed Municipal Accountability Act, 2024 introduced

Resolution No: 2024 – 205

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

Be it resolved that correspondence items a through i on the Consent Agenda dated December 17, 2024 be received; and

That The Township of Tarbutt supports the resolution from the Township of King requesting the provincial and federal governments to redistribute revenue from Land Transfer Tax and GST collected on property transactions with municipalities, to provide a sustainable source of infrastructure funding; and

That The Township of Tarbutt supports the resolutions from the Township of Terrace Bay asking the Ontario Minister of Health to address funding shortfalls and structural challenges in the delivery of Emergency Medical Services in Northern communities; and also the resolution seeking urgent action to commence a process to conclude by the end of 2025 to modernize the current Tripartite Agreement and secure the future of Billy Bishop Airport, a critical access point for Northern communities; and

That the letter from The Township of Johnson requesting a donation for 2024 recreation programming be approved in the amount of \$3,000.

Carried

## 9. OTHER BUSINESS

## 10. CLOSED SESSION

Resolution No: 2024 – 206

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

Council will move into closed session at 7:17 pm under Section 239 2. (b) of the *Municipal Act* in order to discuss personal matters about an identifiable individual, including municipal or local board employees.

Carried

- Integrity Commissioner Complaint

Resolution No: 2024 – 207

Moved by: U. Abbott

Seconded by: J. Nagel

Be it resolved that Council rise from closed session at 7:48 pm.

Carried

Resolution No: 2024 – 208

Moved by: D. McClelland

Seconded by: D. Farrar

Be it resolved that the letter regarding the complaint to the Township's Integrity Commissioner dated December 2, 2024 be received; and

That the response from the Township's Integrity Commissioner dated December 16, 2024 also be received.

Carried

## 11. CONFIRMATION BY-LAW

Resolution No: 2024 – 209

Moved by: J. Nagel

Seconded by: U. Abbott

Be it resolved that leave be granted to introduce By-law 2024 – 30, being a By-law to confirm the proceedings of the regular Council meeting held this Seventeenth day of December, 2024; 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: 2024 – 210

Moved by: D. McClelland

Seconded by: D. Farrar

The regular Council meeting of December 17, 2024 will adjourn, to meet again on Wednesday, January 22, 2025 at 6:00 pm.

Carried



Lennox G. Smith, Mayor



Carol O. Trainor, Clerk