



THE TOWNSHIP OF TARBUTT
Council Meeting Agenda
Wednesday, October 15, 2025 at 5:30 pm
Township Council Chambers, 27 Barr Road S.

1. CALL TO ORDER

2. DISCLOSURES OF PECUNIARY INTEREST

3. PREVIOUS MINUTES

- a. Minutes of the regular Council meeting held September 17, 2025. 1 - 8

4. DEPUTATIONS / PRESENTATIONS

- a. Request to amend the agenda to permit Council to move into closed session under Sec. 239 (2) (f) to hear advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and Section 239 (2) (c), being a proposed or pending acquisition or disposition of land by the municipality or local board.
- Update of the Judicial Review
 - Proposed sale of land

5. FINANCIAL STATEMENTS

- a. Disbursements for the month of September, 2025 9 – 10

6. STAFF AND COMMITTEE REPORTS

- a. Roads Superintendent Report / Roads Committee meeting
- b. Proposed Sale of Land Policy 11 - 17
- c. Amended Building Fee Schedule 18 - 19
- d. Report of the CAO/Clerk
- e. Huron North Community Economic Alliance Video Presentation on Community Economic Development

7. BY-LAWS

- a. A By-law to adopt a Sale and Disposition of Land Policy 20



8. INFORMATION / CONSENT AGENDA

9. OTHER BUSINESS

a. Landfill Security

10. CLOSED SESSION

11. CONFIRMATION BY-LAW

12. ADJOURNMENT



3a

THE TOWNSHIP OF TARBUTT
Minutes of the Council Meeting
Wednesday, September 17, 2025 at 5:00 pm
Township Council Chambers, 27 Barr Road S.

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

STAFF: Carol Trainor, CAO/Clerk
Jared Brice, Deputy Clerk/Planning Coordinator (left the meeting at 6:20)
Mike Pigeon, Road Superintendent (joined at 5:30, left the meeting at 5:50)

1. CALL TO ORDER

Mayor Smith called the regular Council meeting to order at 5:00.

2. DISCLOSURES OF PECUNIARY INTEREST

Councillor Farrar declared a pecuniary interest with agenda item 5a), Payables.

3. PREVIOUS MINUTES

a. Minutes of the regular Council meeting held August 13, 2025.

Resolution No: 2025 - 144

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

Be it resolved that the minutes of the regular council meeting held August 13, 2025 be adopted as circulated.

Carried

4. PUBLIC MEETING under Sec. 34 of the Planning Act

a. Application for Zoning By-law Amendment
415A Lakeshore Drive, Shoreline Residential (SR) Zone

The purpose of this Public Meeting is to review an Application to amend the Township's Zoning By-law, submitted by the owner of 415A Lakeshore Drive in The Township of Tarbutt. The subject property is .165 ha/.41 ac in size with a 14.02m/46ft frontage along the public road and is located within the SR (shoreline residential) zone. The property contains one dwelling.



The Clerk advised that Notice has been given and this Public Meeting is being held in accordance with Section 34 of the *Planning Act* to provide an opportunity for Council to hear and receive comments regarding the proposed Zoning By-law Amendment.

The proposed zoning amendment would reduce the side yard setback on the northern boundary of the property from 3m/10ft to 1.82m/6ft to allow the construction of an accessory structure. Due to the narrow lot, the location of the driveway, and the location of the septic bed, the proposed structure is unable to meet the 3m/10ft setback required by the zoning by-law.

The Township office received some calls and enquiries following circulation of the Public Notice, but no written comments or objections have been received. There has been no response and no objection from the agencies notified of the proposed amendment.

The Applicant, Mr. Ambeault, was in attendance but had nothing further to add to the recitation. Members of Council did not make further enquiries.

Hearing no further questions or submissions, 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.

This meeting, held under the Planning Act, is hereby closed.

5. FINANCIAL STATEMENTS

a. Disbursements for the month of August, 2025

Resolution No: 2025 – 145

Moved by: U. Abbott

Seconded by: J. Nagel

Be it resolved that the disbursements and payables for the month of August, 2025 in the total amount of \$146,007.20 be approved.

Carried

b. Fire Department YTD budget as of September 8, 2025

Council questioned the overrun on the fire department expense. This line includes some expenses that should be reallocated into designated accounts rather than general expenses. Staff will reallocate and recirculate the budget.

Resolution No: 2025 – 146

Moved by: D. McClelland

Seconded by: D. Farrar



Be it resolved that the YTD budget for Protection to Persons and Property, and the Fire Department budget, be received.

Carried

6. STAFF AND COMMITTEE REPORTS

a. Roads Department Update

This item was deferred pending arrival of the Road Superintendent.

b. Application for Zoning Amendment, 415A Lakeshore Drive

Resolution No: 2025 – 147

Moved by: D. Farrar

Seconded by: D. McClelland

Be it resolved that the report from the CAO/Clerk regarding an application to amend the Zoning By-law for the property located at 415A Lakeshore Drive received; and

That Council has no objection to the request to reduce the northerly side yard setback on the subject property from 3m/10ft to 1.82m/6ft to permit the construction of an accessory structure; and

That the By-law to amend the Zoning By-law 10-85 be presented to Council.

Carried

c. Application for Consent/Lot Addition, 134 Brown's Island Road

The Planning Board has received an application for a lot addition on Brown's Island Road, which would result in transferring a small part of the subject parcel to the abutting parcel to the south, located at 176B Brown's Island Road. The smaller portion will still be below the standard lot size, the addition from the northerly parcel will increase its size. Both parcels are otherwise in conformity with the Township's Zoning By-law and the Official Plan. Council had no objections or concerns with the proposal.

Resolution No: 2025 – 148

Moved by: U. Abbott

Seconded by: J. Nagel

Be it resolved that the report from the CAO/Clerk regarding the Application for Consent for the property at 134 Brown's Island Road be received; and

That the Planning Board be advised that Council has no objection to the proposed lot addition at 134 Brown's Island Road; and

That all amounts owing on the subject properties be paid in full before the lot addition is completed.

Carried



d. Application for Consent/Severance, 2854 Government Road

J. Brice provided an overview of the proposal to create two new lots out of one very large parcel making three parcels in total of more than 80 acres each. Both the Zoning By-law and Official Plan designate the lands on the north and south ends of the parcel as agricultural, and the proposed centre portion as rural. The applicant intends to sell two of the lots with the expectation that they will continue to be used for agricultural and residential purposes.

MacLennan Road, which provides access for the centre and northerly parcels, runs within the actual lots. In any such case, the road should be in the ownership of the municipality for road works purposes, and also to reduce liability on the owner of the lands. A proviso should be added that the remnant lands between the road and the boundary line be conveyed to the Township.

Resolution No: 2025 – 149

Moved by: D. McClelland

Seconded by: D. Farrar

That the report from the Deputy Clerk/Planning Coordinator regarding the application to create two new lots on MacLennan Road be received; and

That Council support the application for the creation of two new lots as presented; and

That the Planning Board be advised that the Township chooses to impose the 5% cash-in-lieu of parkland on the proposed severed portions at the reduced Farmland Tax Rate; and

That any portion of the travelled roads known as Government Road and MacLennan Road North that are located on the subject property be transferred to the Township at the expense of the applicant, to include the remnant lands to the west of the travelled road.

Carried as amended

e. Roads Department Update

Road Superintendent M. Pigeon advised that the resurfacing has been completed, after a late start, a number of delays and equipment issues. Both Pine Island Road and Smith Road are completed now, except for one more coat of seal required on Smith.

Resolution No: 2025 – 150

Moved by: J. Nagel

Seconded by: U. Abbott

Be it resolved that the verbal report from the Road Superintendent for the months of August and September, 2025 be received.

Carried



f. Fire Protection Grant, 2025

J. Brice advised that this grant offers funding for much needed equipment, particularly for bunker gear, which aligns with the objective of PPE for cancer prevention.

Resolution No: 2025 – 151

Moved by: J. Nagel

Seconded by: U. Abbott

That the report from the Fire Department Training Officer/Deputy Clerk be received; and

That Council support Objective 2 as identified by the Tarbutt Volunteer Fire Chief for the Fire Protection Grant in the year 2025; and

That staff be authorized to submit the application for the Fire Protection Grant 2025/26 to Transfer Payment Ontario (TPON).

Carried

g. Joint Landfill Tipping Fees re: boats

Johnson Council has expressed concern about where fiberglass boats will be dumped if the landfill does not accept them. Tarbutt council proposed to continue to accept them at a higher fee than other types of boats, but they should be set aside until there are enough to warrant the dozer to crush them, taking up much less room in the cell.

Resolution No: 2025 – 152

Moved by: D. McClelland

Seconded by: D. Farrar

Be it resolved that Council acknowledge the discussion regarding tipping fees and disposal of boats at the Joint Landfill Site; and

That Johnson Council be requested to confirm that aluminum and wooden boats continue to be accepted at a tipping fee of \$8.00 per foot, and disposed of in the scrap metal and back cell respectively, and that fiberglass boats be accepted at a tipping fee of \$15.00 per foot and put aside for eventual crushing.

Carried as amended

h. Report of the CAO/Clerk

Council was advised that communications between Johnson and Tarbutt are going well with respect to landfill administration. The cleaning position remains vacant and will continue to be advertised. Human Resources policies are silent on bereavement so the Clerk will be bringing forward a revised policy to include bereavement leave for employees.

Resolution No: 2025 – 153

Moved by: U. Abbott

Seconded by: J. Nagel



Be it resolved that the report from the CAO/Clerk regarding activities for August and September, 2025 be received.

Carried

7. BY-LAWS

- a. A By-law to amend the Zoning By-law for a reduced side yard setback
At 415A Lakeshore Drive in the Shoreline Residential (SR) Zone

A public meeting has been held and notice distributed to all required individuals and agencies with no objection to the proposal. The by-law will take effect following the appeal period.

Resolution No: 2025 – 154

Moved by: D. McClelland

Seconded by: D. Farrar

Be it resolved that leave be granted to introduce By-law 2025-23, being a By-law to amend By-Law No. 10-85 of The Township of Tarbutt to reduce the site specific side yard setback at 415A Lakeshore Drive to permit the construction of an accessory building in the Shoreline Residential (SR) Zone; 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 September, 2025.

Carried

8. INFORMATION / CONSENT AGENDA

- a. Consent Agenda / Correspondence

Resolution No: 2025 – 155

Moved by: J. Nagel

Seconded by: U. Abbott

Be it resolved that correspondence items a through d on the Consent Agenda dated September 17, 2025 be received; and

That The Township of Tarbutt supports the Municipality of Tweed resolution seeking the creation of a provincial working group to explore and implement clean incineration, stronger recycling programs and other sustainable waste management practices; and

That The Township of Tarbutt support the resolution from the Municipality of West Nipissing requesting that the Minister of Natural Resources and Forestry reconsider the use of glyphosate-based herbicide across Ontario pending further independent research and risk assessments; and

That The Township of Tarbutt supports the City of North Bay resolution urging the Government of Ontario to make the Northern Ontario Resource Development Support (NORDS) funding program a permanent fixture of financial support to northern municipalities.

Carried



9. OTHER BUSINESS

a. Last Call for Tree Giveaway in partnership with Algoma Power

There are still some trees available. The public event for the tree giveaway will be held on Saturday, October 4 from 10:00 at the Johnson Farmers' Market.

b. Relocation of the Planning Board workstation

At its last meeting, the Planning Board requested confirmation from Council of the potential relocation of the Planning Board office, and recommended that a lease agreement be drafted.

Resolution No: 2025 – 156

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

Be it resolved that the report from the CAO/Clerk regarding dedicated time and space for Planning Board business be received; and

That Council support the Planning Board move to a dedicated public day for planning related matters within the next few months; and

That Council authorize the Clerk to work with the Secretary-Treasurer of the Desbarats to Echo Bay Planning Board to prepare a rental agreement for the Township Library.

Carried

c. Community Emergency Preparedness Grant, Round 3

Applications are now being accepted for Round 3 of the Community Emergency Preparedness Grant until October 28, 2025. The Township has applied for this grant twice in the past, and would like the opportunity to apply again for an emergency generator, installation of a potable water system in the Administration building, and other amenities that would assist in Emergency Preparedness. Grants of up to \$50,000 are available per project.

Resolution No: 2025 – 157

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

Be it resolved that staff be authorized to complete and submit an application for Round 3 of the Community Emergency Preparedness Grant for funding of up to \$50,000 for emergency management amenities.

Carried

10. CLOSED SESSION

Resolution No: 2025 – 158



Moved by: D. McClelland Seconded by: D. Farrar
Be it resolved that Council move into closed session at 6:20 pm under Section 239 (2) (e) of the *Municipal Act*, 2001, in order to discuss litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
Carried

- Superior Court Claim

Resolution No: 2025 – 159
Moved by: J. Nagel Seconded by: U. Abbott
Be it resolved that Council rise from closed session at 6:48 pm.
Carried

11. CONFIRMATION BY-LAW

Resolution No: 2025 – 160
Moved by: D. McClelland Seconded by: D. Farrar
Be it resolved that leave be granted to introduce By-law 2025-23, being a By-law to confirm the proceedings of the regular Council meeting held this Seventeenth Day of September, 2025; 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 September, 2025.
Carried

12. ADJOURNMENT

Resolution No: 2025 – 161
Moved by: J. Nagel Seconded by: U. Abbott
Be it resolved that the regular Council meeting of September 17, 2025 be adjourned at 7:02 pm, to meet again on Wednesday, October 15, 2025 at 6:00 pm, or at the call of the Chair.
Carried

Lennox G. Smith, Mayor

Carol O. Trainor, Clerk

Payment Log
For the month of September, 2025

Cheque No.	Date	Payee	Amount
5541	09/08/2025	Receiver General - Employee Remittance	\$ 9,923.54
5542	09/08/2025	OPP Policing Contract	\$ 8,060.00
5543	09/08/2025	By Law Enforcement - Laptop Upgrade Shared Expense	\$ 257.07
5544	09/08/2025	Fisher's Regalia - Fire Dept. - Uniform pieces	\$ 66.57
5545	09/08/2025	Quattra SCS LTD. - Fire Dept. Alarms & Monitoring	\$ 415.00
5546	09/09/2025	Island Clippings - Job Ad	\$ 67.80
5547	09/09/2025	North Shore Sentinel - Job Ad	\$ 161.86
5548	09/09/2025	Township of Johnson - First Aid (2 employees)	\$ 418.10
5549	09/08/2025	Kentvale Merchants Ltd. - Faucets	\$ 457.99
5550	09/08/2025	Ritchie Ketchison legal corp	\$ 9,325.00
5551	09/15/2025	Conseil scolaire catholique du Nouvel-Ontario	\$ 513.00
5552	09/15/2025	Algoma District School Board	\$ 39,427.00
5553	09/15/2025	Huron Superior Catholic District School Board	\$ 2,663.00
5554	09/15/2025	Karhi Contracting - Landfill Clean up	\$ 9,779.45
5555	09/15/2025	Mansour Commodities Inc. - Gate Valve	\$ 256.49
5556	09/15/2025	Heritage Home Hardware - Water filtration (salt)	\$ 81.27
5557	09/15/2025	Util-Equip Manufacturing-Fire Dept Ladder Inspection	\$ 567.26
5558	09/15/2025	Ledger Management Services - Bookkeeping	\$ 152.55
5559	09/15/2025	Desbarats to Echo Bay Planning Brd. - OP Shared	\$ 708.85
5560	09/17/2025	Algoma Public Health - Quarterly Levy	\$ 6,693.00
5561	09/22/2025	M & L Fire & Safety-Fire Dept. Compressor Maint.	\$ 3,228.18
5562	09/30/2025	Landfill Monthly admin fee	\$ 100.00
5563	09/29/2025	Shields Appraisals and Consulting Ltd.	\$ 1,356.00
5564	09/29/2025	AMCTO - Zone 7 - Fall Meeting Fees	\$ 225.00
5565	09/30/2025	North Shore Sentinel - Job Ad	\$ 79.73
EFT129379	09/09/2025	Algoma Business Computers - Anti Virus August	\$ 33.90
EFT 09-23	09/22/2025	UPS Canada Ltd.- Mail Received (charged back)	\$ 11.99
EFT 09/23	09/17/2025	Algoma Office Equipment - Copier Contract	\$ 59.21
EFT09/23	09/17/2025	Algoma Business Computers-Anti Virus Sept	\$ 33.90
TOTAL CHEQUES			\$ 95,122.71
Total September Payroll			\$ 45,348.50
VISA		Starlink - Internet Services	\$ 158.20
VISA		MFOA Conference	\$ 226.00
VISA		Zoom Subscription	\$ 25.98
VISA		Adobe Subscription	\$ 105.06
VISA		Bell Mobility - Fire/Roads	\$ 242.12
VISA		Bell Canada - Hall	\$ 76.99
VISA		Bell Canada - Office	\$ 160.42
VISA		Bell Canada - Fire	\$ 70.77

VISA	Staples - Landfill receipt book	\$	27.39
VISA	Canada Post - Notices	\$	14.55
VISA	Metro - Drinking Water all depts.	\$	21.98
	Total Visa Charges	\$	1,129.46
DD	Equitable Life Insurance - Employee Benefits	\$	3,095.37
DD	RCAP Copier Lease	\$	93.33
DD	Esso Mobil - Gas and Diesel	\$	2,020.02
EFT	TMM - Software Contract and Tax Run	\$	390.30
EFT	ADSAB - August Levy	\$	32,389.58
EFT	JL Richards - Planning Services	\$	1,436.61
EFT	OMERS - July 2025	\$	5,651.06
DD	CIBC Service Charge	\$	66.00
EFT	GFL - Solid Waste collection	\$	12,894.31
DD	Algoma Power - Hall	\$	161.10
DD	Algoma Power - Municipal Office/Roads/Fire	\$	238.78
DD	Algoma Power - Landfill	\$	43.54
DD	CIBC Admin Fee	\$	25.00
DD	CIBC Monthly Fee	\$	55.00
DD	Paper Statement Fee	\$	5.00
	Total Direct Payments	\$	58,565.00
	TOTAL VOUCHER FOR SEPTEMBER 2025	\$	200,165.67



The Township of Tarbutt

REPORT TO COUNCIL

Date: October 15, 2025

From: Carol O. Trainor, CAO/Clerk

Re: Policy for the Sale of Real Property under Sec. 270 of the Municipal Act

OVERVIEW

Section 270(1) 1. of the *Municipal Act*, 2001, S.O.2001 c 25, as amended, requires all municipalities to adopt and maintain policies governing the sale of surplus land. The Township's Sale of Real Property By-law, By-law 32-2007, was passed by Council but is not supported by an accompanying policy.

Such policies under the *Municipal Act* should be adopted by by-law to entrench the policy as council endorsed, enabling staff to conduct the sale of land in an open, transparent and public method, and to establish principles, guidelines and procedures.

Council and staff of The Township of Tarbutt recognize the importance of having open, transparent processes and principles for the sale of surplus land, and for giving notice of any such proposed sale. There are instances where a parcel of land is too small to be developed, is land locked, or has other constraints so that it could not be used for any other permitted use, and might be sold only to an abutting owner.

FINANCIAL IMPACT

The updated policy will provide methods and options to determine how the value of a parcel of land would be determined, the means by which it might be sold, and to make provisions for the recovery of other Township costs such as surveying or legal fees.

SUMMARY

The process of selling or otherwise disposing of public lands is required under the *Municipal Act*, and requires both a policy outlining the procedures as well as an enabling By-law. The policy should be reviewed every five years to ensure that it continues to meet the needs of the municipality, and so that any legislative changes are implemented.

RECOMMENDATION:

Be it resolved that the report from the CAO/Clerk regarding updates to the Sale and Disposition of Land By-law, and accompanying Policy, be received.

**THE TOWNSHIP OF TARBUTT
POLICY AND PROCEDURE MANUAL**

Policy Name: Sale and other Disposition of Land **Department:** Administration

Date Introduced: October 15, 2025 **Approved:** October 15, 2025

POLICY STATEMENT AND RATIONALE

1. Authority

In accordance with Section 270(1) 1. of the *Municipal Act*, 2001, S.O. 2001 c. 25, as amended, this policy ensures that any disposition of land is conducted in a manner that fosters public trust.

2. Policy Statement

The Corporation of The Township of Tarbutt and its management recognize the following principles for the sale of surplus land, the declaration of land as surplus, and for giving notice of any such proposed sale:

- The process is fair, open and transparent;
- The current and future interests of the Township are protected;
- The Township considers the value of its real property assets;
- Any real or potential risks to the environment, the health and safety of residents, and the financial integrity of the Township shall be minimized.

3. Definitions

Act means the *Municipal Act*, 2001, S.O. 2001 as amended.

Abutting Land means real property that directly adjoins the municipality's land. In the case of the disposal of a closed highway, abutting land is considered real property that is immediately to the side of the closed highway.

Appraisal means an opinion of the fair market value of the surplus land provided by a land appraiser or such other qualified person as Council may provide in this policy.

Certificate means the Clerk's Certificate verifying that, to the best of their knowledge, the requirements of the *Municipal Act*, 2001 and a policy which applies to the sale of surplus land have been complied with.

Clerk means the Clerk of The Township of Tarbutt, or designate, as appointed by by-law.

Council means the elected Council of the Corporation of The Township of Tarbutt.

Disposition means the sale, transfer, conveyance, or exchange of the Fee Simple Interest in Real Property, or the granting of a permanent easement or right-of-way, but does not include the granting of a short term lease, or a license of occupation, or the release of easement or right-of-way by the Township. A lease of twenty one (21) years or longer shall be considered a disposition.

Fair Market Value means the highest amount that real property might be expected to realize if sold on the open market by a willing seller to a willing buyer.

Highway means a common and public highway and includes any bridge, trestle, viaduct or other structure forming part of the highway and, except as otherwise provided, includes a portion of a highway.

Land means lands owned by The Township of Tarbutt, whether vacant or not, or any other proprietary interest in lands owned by the Township, and, without limiting the generality of the foregoing, includes easements, rights-of-way, leaseholds exceeding twenty-one (21) years, and an interest in lands under an agreement of purchase and sale.

Non-Viable Land means property that, owing to zoning principals or physical constraints cannot be developed on its own or function as a separate entity, and that can therefore can only become functional if used by an adjoining owner in conjunction with such owner's property. Non-viable lands may be of a size, shape or nature for which there is no general demand. This includes land for which a building permit cannot be issued because it is landlocked or because it is of insufficient size and shape to permit development unless in conjunction with abutting lands.

Notice means notification provided to the public in accordance with The Township of Tarbutt Procedure By-law, Notice provisions or relevant legislation.

Published means published in a newspaper that, in the opinion of the Clerk, has general circulation within The Township of Tarbutt to provide reasonable notice to those affected by, or interested in the surplus land sale.

Sale means an unconditional agreement of purchase of municipal surplus property has been accepted by The Township of Tarbutt, and without limiting the generality of the foregoing, excluding lands temporarily conveyed to The Township of Tarbutt for municipal purposes intended to be reconveyed to the grantor, and any land or interest in land Quit Claimed or released by The Township of Tarbutt.

Surplus land means any land declared surplus by the Council of The Township of Tarbutt at a regular Council meeting held and open to the public.

Township means The Corporation of The Township of Tarbutt.

4. Declaration of Surplus Land

Prior to selling any land, Council shall, by resolution or by-law, declare the land to be surplus to the needs of the Township, whether the lands are viable or non-viable, and the method of sale.

5. Valuation of the Surplus Land

- a. Before selling any surplus land, the Township may obtain or require an **Appraisal** or Letter of Opinion of the fair market value of the land from:
 - an independent qualified appraiser who may be a registered member in good standing of the Appraisal Institute of Canada; or
 - a real estate brokerage firm or an independent real estate agent; or
 - any other person deemed by the Township to be qualified for this purpose.
- b. Notwithstanding the requirements outlined herein, the Township may not be required to obtain a property valuation unless Council directs otherwise, for any of the following:
 - Closed highways, if sold to an abutting owner;
 - Landlocked properties, if sold to the owner of abutting land; or
 - Land transferred to another municipality or the Crown in right of Ontario, or Canada, including their local boards and agencies.
- c. Any property valuation obtained shall be used solely as a guideline, and shall not determine the price for which the parcel shall be sold. Other factors, including the history of the parcel or related properties may be considered. Council shall have the absolute authority to determine the selling price.

6. Notice of the proposed Sale of Land

- a. Before selling any surplus land, the Township shall provide Public **Notice** in at least one (1) newspaper and on the Township website at least twenty (20) days prior to the disposal of viable land.
- b. The Township shall provide at least twenty (20) days notice to the abutting property owners of the subject lands of any **non-viable land**. The method of notice will be by mail or e-mail to the abutting property owners.
- c. Additional notice shall be at the discretion of the Clerk.
- d. Should any submissions or concerns be received from the public, such comments shall be considered by Council during an open public meeting prior to the passing of the by-law authorizing the sale.

7. Method of Sale:

Council shall determine, by resolution, the method of sale by any of the following:

a. Request for **Tender (RFT)** or **Quotation RFQ**:

In accordance with the Township's Procurement Policy, Council may direct that surplus lands be disposed of by a Request for Tender or Quotation.

b. Listing with a **Real Estate Agent or Broker**

- The Agent shall list the land on the Multiple Listing Service (MLS);
- The listing price shall be determined to be no less than the appraised value, plus costs identified herein;
- The Clerk shall be authorized to sign the listing agreement upon the direction of Council;
- The Clerk shall submit all final offers to Council for review.

c. Where the subject land is a **Closed Highway** or is **being Closed** under the provisions of the *Municipal Act*, the Township may:

- estimate the costs incurred to close and/or sell the highway or a portion of a highway including public notice, survey, legal fees, realty fees, encumbrances, improvements or any costs associated with the sale;
- determine a sale price based on the value of the land plus estimated costs as noted above;
- The Township may, at its sole discretion, place a nominal value on the land where the purpose of the road closure and sale is to resolve a long standing encroachment on the highway, or to bring a pre-existing building into compliance with the Township's Zoning By-law;
- Where the purpose of the proposed road closure and sale is to permit development of the lands either as part of an application under the *Planning Act*, or the *Building Code Act*, the Township shall determine the value of the lands in a manner consistent with the Appraisal section of this policy.
- Provide notice in the same form and method as set out herein;
- Establish any special terms or conditions of the sale; and
- Council reserves the right to adjust the sale price where, in the opinion of Council, it is in the best interests of the Township to do so.

d. **Land Exchange**

A land exchange involves a reciprocal transfer of land of an equivalent value, in whole or in part. Such exchanges may be negotiated as follows:

- The negotiated price shall not be less than the appraised value, plus costs, as identified herein.
- Council may authorize the Clerk to negotiate a direct sale;
- All final offers shall be submitted to Council for review.

8. Evaluation and Acceptance of Offers

- a. All tenders, quotations, proposals or offers may be presented to Council in Closed Session, in accordance with Section 239 2. (c) of the *Municipal Act*, unless Council has directed staff to negotiate the sale within certain terms or by another method.
- b. If a final decision is not made at the Council meeting specified in a notice given under this policy and Council refers consideration of the matter to a future Council meeting for discussion, no further notice is required provided that a resolution is passed indicating Council's decision.
- c. Council reserves the right to accept an offer of less than the appraised value including costs where, in the opinion of Council, it is in the best interests of the Township to do so.
- d. Council shall pass a by-law authorizing the disposition and directing the Mayor and the Clerk to execute an Agreement of Purchase and Sale, in consultation with the Township's Solicitor.

9. Exemptions

The following classes of land are exempt from the provisions of this policy:

- a. The Sale of Lands for Tax Arrears which shall be subject to the procedures set out in Part XI of the *Municipal Act*;
- b. Land 0.3m or less in width acquired in connection with an approval or decision under the *Planning Act*, as amended;
- c. Land to be used for the establishment of industrial operations and incidental uses;
- d. Easements over municipally owned lands, as approved by Council; and
- e. the sale of lands under the *Expropriation Act*.

10. Certificate of Compliance

- a. The Clerk may issue a certificate with respect to a sale of land by the municipality verifying that, to the best of their knowledge, the requirements of the *Municipal Act* and this policy, which applies to the sale of surplus land, have been complied with.
- b. The Clerk's signature may be included in a deed or transfer of land and, unless a person to whom the land is sold has notice to the contrary, may be deemed to be sufficient proof that this section has been complied with.

11. General

- a. This Policy shall be administered by the Clerk.
- b. This Policy shall be referred to as the 'Sale of Land Policy'.
- c. Upon approval of this Policy, By-Law 23-2007 and any other by-law relating to the sale of land in The Township of Tarbutt are hereby repealed.
- d. In the event that the provisions of this Policy are inconsistent with the provisions of the *Municipal Act*, its Regulations or any other Act, the provisions of the Act or Regulation shall prevail.
- e. This Policy shall come into force and effect on the date of passing of the by-law.
- f. This Policy shall be reviewed every five (5) years, or as required under the *Municipal Act*.

Approved by Council Resolution No: 2025 - _____



6c

The Township of Tarbutt
27 Barr Road South
Desbarats, Ontario P0R 1E0
Ph: 705-782-6776 Fax: 705-782-4274

REPORT TO COUNCIL

Date: October 15, 2025
From: Carol O. Trainor, CAO/Clerk
Re: Amendment to the Building By-law Fee Schedule

BACKGROUND / OVERVIEW

Through the course of plans review, the Chief Building Official (CBO) noticed that a section of the fee schedule relating to the cost of renovations for housing projects included additions. Unless the addition to a home is a very small structure such as a deck, porch or mudroom, residential additions require the same amount of review, scrutiny and inspection as any other residential dwelling and should therefore be priced the same and placed under new house permit fees, with an appropriate cost per square foot.

FINANCIAL IMPACT

The difference between \$.63/sf (renovations) and \$2.04/sf (new home) is significant when one considers the time the CBO must take to review residential plans which include structural, plumbing, electrical, HVAC and numerous inspections, as opposed to a simple addition project which would not tie into any of the more complex systems.

SUMMARY

The CBO and the Clerk recommend that the Building Permit Fee Schedule be amended to remove "additions" from the accessory structures and renovation section of the fee schedule, to the New House Permit Fees section. The CBO would still be able to use his discretion when dealing with an addition that required less review.

RECOMMENDATION:

Be it resolved that the report from the CAO/Clerk regarding amending the Building Permit Fee Schedule be received; and
That Council approve the staff recommendation to place Additions under New House fees rather than under accessory structures and renovations.

Carol O. Trainor, CAO/Clerk

**THE TOWNSHIP OF TARBUTT
BY-LAW 2025-16 BUILDING BY-LAW
APPENDIX C – PERMIT FEES**

2025 TOWNSHIP OF TARBUTT BUILDING PERMIT FEES	
MINIMUM PERMIT FEE REQUIREMENTS FOR ALL PERMITS UNLESS OTHERWISE STATED	
Minimum Permit Fee (unless otherwise noted)	\$ 110.00
Where work has commenced prior to any permit being issued, the permit fee will be doubled.	2 x regular fee
COMMERCIAL, INDUSTRIAL, INSTITUTIONAL AND LARGE RESIDENTIAL and NON HOUSE BUILDING PERMIT FEES	
New Building Construction and Additions (Group A, Assembly)	\$25.00 / m2 or \$2.32/sf Gross Floor Area (finished)
Alterations, Renovations & Interior Fit Ups (Group A & B)	\$9.00 / m2 or \$.84/sf of floor area being renovated
Alterations, Renovations, Repairs & Interior Fit Ups (Group C,D,E,F)	\$7.50 / m2 or \$.70/sf of floor area being renovated
Accessory Structures	\$6.50 / m2 or \$.60/sf of Gross Floor Area
Demolition Permit for Non-Housing	Minimum Permit Fee of \$110.00
New Construction Permit Review Fee (Deposit required to accompany application and will be deducted from final permit Fee)	\$ 250.00
NEW HOUSE PERMIT FEES	
New House - Includes New Townhouses, Single Detached Homes, Semi Detached Homes, Triplex and Duplex, New Detached Garage with a purpose built dwelling or suite built at time of original construction. Also includes additions and residential renovations.	\$22.00 / m2 or \$2.04/sf for finished area above grade
New construction permit review fee (deposit required to accompany each application, and will be deducted from the final permit fee.)	\$250.00
FARM BUILDING PERMIT FEES	
New Farm Buildings - (Group G) Includes barns, farm use sheds, coverall buildings, farm storage bins and any other farm building as determined by the CBO.	\$6.00 / m2 or \$.56/sf of proposed Gross Floor Area
Renovation of Existing Farm Buildings	1.5% of value of construction OR \$6.00/m2 (\$.56/sf) of the proposed floor area being renovated (whichever is greater)
New Construction Permit Review Fee (Deposit required to accompany application) Will be deducted from final permit Fee.	\$ 250.00

THE CORPORATION OF THE TOWNSHIP OF TARBUTT
BY-LAW 2025 – 24

A BY-LAW to adopt a Sale and Disposition of Land Policy for The Township of Tarbutt, and to repeal By-law 32-2007.

WHEREAS Section 5 (3) of the *Municipal Act*, S.O. 2001, c 25, as amended, provides that municipal powers, including a municipality's capacity, rights, powers and privileges under Section 9, shall be exercised by by-law; and

WHEREAS Section 8 (1) of the *Municipal Act*, 2001, as amended, provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

WHEREAS Section 270 of the *Municipal Act*, 2001, as amended, provides that a municipality shall adopt and maintain policies with respect to its sale and disposition of land;

NOW THEREFORE BE IT RESOLVED THAT the Council of The Corporation of The Township of Tarbutt enacts as follows:

1. THAT the **Sale and Disposition of Land Policy** is hereby attached as Schedule "A".
2. THAT By-law 32-2007 or any previous by-law or resolution, or any section, clause or policy which conflicts with this by-law be and is hereby repealed.
3. THAT this By-law shall come into force and take effect upon the date of passing.
4. THAT this by-law may be cited as the *Sale and Disposition of Land By-law* for The Township of Tarbutt.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME and finally passed this Fifteenth day of October, 2025.

Lennie Smith, Mayor

Carol O. Trainor, Clerk