



## **AGENDA – Regular Meeting of Council**

**Wednesday, June 21, 2023**

**1:00 PM**

**Magnetawan Community Centre**

### **Page # OPENING BUSINESS**

- 1.1 Call to Order
- 1.2 Adoption of the Agenda
- 1.3 Disclosure of Pecuniary Interest
- 3 1.4 Adoption of Previous Minutes

### **PRESENTATION**

SUPER SENIOR 2023 & Ontario Senior of the Year Award - Maria Dunnett

### **PUBLIC MEETING**

- 10 Stop Up Close & Road Exchange Unopened Road Allowance - Concessions 12 & 13, Township of Chapman being Parts 1 & 2, 42R22166 - Main/Hutcheson

### **STAFF REPORTS, MOTIONS AND DISCUSSION**

- 29 2.1 Consent Application - Muszynski - 695 Nelson Lake Road
- 61 2.2 Consent Application - Wiens - CON 1, Part Lot 9 PLAN 42R-10938 Chapman
- 213 2.3 Report to Council Deputy Clerk Erica Kellogg Columbarium Update
- 217 2.4 Almaguin Highlands Health Centre (AHHC) Letter of Support
- 221 2.5 Report from Public Works Superintendent Scott Edwards Magnetawan Watershed Land Trust Parking
- 223 2.6 Report to Council Deputy Clerk Laura Brandt Outcome of Public Call for Art Ahmic Harbour
- 225 2.7 DRAFT By-law Roads Fouling
- 235 2.8 DRAFT By-law Administrative Penalties

### **MUNICIPAL BOARDS AND COMMITTEE MINUTES**

- 243 3.1 Central Almaguin Planning Board (CAPB) Minutes April 5, 2023
- 247 3.2 Magnetawan Library Board Meeting Minutes April 25, 2023
- 249 3.3 Almaguin Highlands Health Centre (AHHC) Minutes June 1, 2023

### **CORRESPONDENCE**

- 255 4.1 City of Cambridge Highway Traffic Act Amendments
- 257 4.2 Lakeland Media Release May 26, 2023 EV Chargers
- 260 4.3 OPP PB Financial Services Unit (OPP) January to March 2023 Detachment Revenues
- 261 4.4 North Bay & Parry Sound District Health Unit New Emergency Management Contact
- 262 4.5 2024 FONOM Annual Conference
- 263 4.6 Lake Bernard Phragmites Working Group Boat Launch Education July 3, 2023
- 264 4.7 Thank You Card Tartan Theatre - When the Fat Lady Sings

- 268 4.8 Ministry for Seniors and Accessibility Successful Outcome of Grant Funding  
269 4.9 NOHFC Successful Outcome Stage 1 Grant Funding - Ahmic Lake Docks Replacement 2024  
270 4.10 RFT 2023-02 Request for Tender Replacement of the Orange Valley Road Bridge  
314 4.11 RFP 2023-03 Request for Proposal Winter Sand  
326 4.12 Beach Toy Lending Poster  
327 4.13 Boat Locks Opening Poster  
328 4.14 Heritage Centre Museum Opening Poster  
329 4.15 Rock 'N' Roll in the Mag Poster  
330 4.16 Canada Day Line Up Poster  
331 4.17 Canada Day Mapping of Events Poster  
332 4.18 Canada Day Fireworks Poster  
333 4.19 Notice of Road Closure Saturday July 1, 2023 Poster  
334 4.20 Office Closure Monday July 3, 2023 Poster  
335 4.21 ICYMI Council Highlights May 31, 2023

#### **ACCOUNTS**

- 336 5.1 Accounts in the amount of \$400,614.69

#### **BY-LAWS**

- 350 6.1 Deeming By-law Langford Family Investments – Plan 319 Lots 20 E/S Miller Street, Plan 319 Lot 19 F/S Miller St, Lots 18 & 19 Plan 319 W/S Richmond Street  
351 6.2 Stop Up Close & Road Exchange Unopened Road Allowance - Concessions 12 & 13, Township of Chapman being Parts 1 & 2, 42R22166 - Main/Hutcheson  
356 6.3 Appoint Deputy Clerk Erica Kellogg

#### **CLOSED SESSION**

In accordance with Section 239(2) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, Council shall proceed into Closed Session in order to address matters pertaining to:

- (c) a proposed or pending acquisition or disposition of land by the municipality or local board
- (d) labour relations or employee negotiations
- (i) technical, commercial information, supplied in confidence to the municipality

#### **CONFIRMING BY-LAW AND ADJOURNMENT**

- 357 7.1 Confirm the Proceedings of Council and Adjourn



**Municipality of  
Magnetawan**

**COUNCIL MEETING MINUTES**

**May 31, 2023**

**1:00 pm**

The meeting of the Council of the Corporation of the Municipality of Magnetawan was held at the Magnetawan Community Centre on Wednesday May 31, 2023, with the following present:

Mayor Sam Dunnett  
Councillor Bill Bishop  
Councillor Jon Hind  
Councillor Brad Kneller

Regrets: Deputy Mayor John Hetherington

Staff: CAO/Clerk Kerstin Vroom and Deputy Clerk Recreation and Communications Laura Brandt were present for the entire meeting. Acting Deputy Clerk Planning and Development Erica Kellogg, Treasurer Stephanie Lewin, and Public Works Superintendent Scott Edwards were present for their respective sections in the meeting.

**OPENING BUSINESS**

**1.1 Call to Order**

The meeting was called to order at 1:00 p.m.

**1.2 Adoption of the Agenda**

*RESOLUTION 2023-149 Bishop-Kneller*

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan adopts the agenda as amended to include 2.11 OLT Camp Klahanie Zoning By-Law Amendment – 1680 Lakeside Trail.*

*Carried.*

**1.3 Disclosure of Pecuniary Interest**

Mayor Sam Dunnett stated that should anyone have a disclosure of pecuniary interest that they could declare the nature thereof now or at any time during the meeting.

\*Councillor Bill Bishop declared pecuniary interest for Agenda Items 2.6 & 6.1 due to being a member of the Magnetawan Builds Committee.

**1.4 Adoption of the Previous Minutes**

*RESOLUTION 2023-165 Hind-Bishop*

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan adopts the minutes on May 10, 2023, as copied and circulated.*

*Carried.*

## **DEPUTATION**

### **Albert Gilewicz, Public Art Proposals**

#### **RESOLUTION 2023-151 Bishop-Kneller**

WHEREAS the Council of the Municipality of Magnetawan thanks Albert Gilewicz for considering the Municipality of Magnetawan for his proposal for temporary publicly accessible Art Projects;

AND WHEREAS Council is supportive of public art projects in our community;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the temporary "X Marks the Spot" public art project to be installed at the corner of Hwy 520 and Biddy Street at no cost to the Municipality for the Summer of 2023 and the temporary "Out of Water" public art project in the Summer of 2024;

AND FURTHER is in favour of supporting and overseeing the sponsorship portion of the 2024 "Out of Water" public art project.

Carried.

## **PRESENTATION**

### **Jessica Dion, Bakertilly – Presentation of 2022 Financial Statements**

#### **RESOLUTION 2023-152 Kneller-Hind**

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan thanks Jessica Dion, Bakertilly, for her presentation on the 2022 Financial Statements and extends their appreciation to Jessica and her staff for their good work on the 2022 audit;

AND HEREBY, receives and approves the 2022 Financial Statements as presented.

Carried.

## **STAFF REPORTS, MOTIONS AND DISCUSSION**

### **2.1 Consent Application – Siebels – CON 4, Lot 6&7 PLAN 42R-17369 Part 6 & 7 Croft**

#### **RESOLUTION 2023-153 Hind-Bishop**

WHEREAS the Municipality of Magnetawan has received a request to support an application for consent for creation of 1 new lot located at CON 4, Lot 6&7 PLAN 42R-17369 Part 6&7 CROFT Magnetawan, which is a water access lot, (Seibels 4944 030 00107805) hereinafter referred to as "the Lands";

WHEREAS the Municipal planning consultant has provided a report in support of the application with conditions;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan supports in principle the consent application for the Lands, which is valid only for a period of six (6) months subject to the following conditions:

- That the foregoing conditions be fulfilled within two years of the notice of decision of the Planning Board;
- Draft Reference Plan to be approved by the Municipality prior to registration;
- Two (2) true certified paper copies of the registered plan and an electronic version with a certification that it is a true copy be provided to the Municipality;
- Draft copy of the deeds (with all schedules) to be approved by the Municipality prior to registration;
- A copy of the original executed transfer (deed) with all schedules be provided to the Municipality;



- Confirmation from the North Bay Mattawa Conservation Authority (NBMCA) that the proposed Severed and Retained Lots can be adequately serviced by individual on-site septic systems;
- Payment of all taxes, municipal legal fees, planning fees and fees as per the current Fees and Charges By-law, Park Land Dedication By-law and all other fees associated with the processing of this application;
- Applicant submit and obtain approval for a Zoning By-law Amendment to rezone the proposed Retained Lot to the Shoreline Residential Holding (RS-H) Zone. The requirement for removal of the Holding "H" Symbol shall be the preparation and approval of an Environmental Impact Study (EIS) to review deer wintering habitat and any other natural heritage features (should they be identified), and to establish suitable building site and dock envelope locating. The EIS may identify any required mitigation measures to be completed prior to the removal of the holding symbol and prior to future development on the Retained Lot;
- Applicant enter into a Limited Service Agreement with the Municipality to be registered on title.
- That the Applicant provide a copy of an agreement demonstrating there are sufficient facilities for private mainland parking and docking available.

*Carried.*

## **2.2 Deeming By-law Request Langford Family Investments— Plan 319 Lot 20 E/S Miller Street, Plan 319 Lot 19 E/S/ Miller St, Lots 18 & 19 Plan 319 W/S Richmond Street**

*RESOLUTION 2023-154 Hind--Kneller*

*WHEREAS; Council has received correspondence and required fees from Langford Family Investments requesting the deeming together of Plan 319 Lot 20 E/S Miller St, Plan 319 Lot 19 E/S Miller St, Lots 18 & 19 Plan 319 W/S Richmond St;*

*NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan supports in principle the deeming together of Plan 319 Lot 20 E/S Miller St, Plan 319 Lot 19 E/S Miller St, Lots 18 & 19 Plan 319 W/S Richmond St in Magnetawan and directs staff to bring back the by-law for passing to a future Council meeting.*

*Carried.*

## **2.3 Pinchin Ltd. – Landfill Closure and Post Closure Liability Estimates**

*RESOLUTION 2023-155 Bishop-Kneller*

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the 2022 Landfill Closure and Post Closure Care Liability Estimates;*

*AND FURTHER directs Staff to give consideration to these amounts in preparing future budgets.*

*Carried.*

## **2.4 Almaguin Highlands Health Centre – Request for Funding – Contribution Plan**

*RESOLUTION 2023-156 Hind-Bishop*

*WHEREAS at the September 22, 2021, Council Meeting Council deferred its decision for funding for the renovations until all 11 Municipalities (that are users of the facility) were approached for funding for the new expansion and that OTN reserves be made available for the proposed renovations;*

AND WHEREAS at the October 13, 2021, Council Meeting direction was given to Staff to draft a motion to include a donation of 1/11 share in the amount of \$5,056 in the 2022 budget for the next meeting and to ascertain if the OTN reserve funds have been considered for use for this renovation;

AND WHEREAS Council passed motion 2021-38 contributing \$606.81 for rental expenses related to the new Physiotherapy Clinic, motion 2021-319 approving a financial contribution for the 1/11<sup>th</sup> share in the amount of \$5,056 and motion 2022-51 making a one-time payment of \$4,545 for building costs;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the Almaguin Highlands Health Centre Contribution Plan for information purposes only;

AND FURTHER approves a one-time financial contribution for 1/10<sup>th</sup> share in the amount of \$6,146.10 in 2023.

Deferred.

Direction was given to Staff to invite Rod Ward Chair, Almaguin Highland Health Council to make a presentation to Council.

## **2.5 Village of Burk's Falls – Request for Funding – Start Up Costs of a Dental Clinic**

**RESOLUTION 2023-157 Bishop-Kneller**

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the Village of Burk's Falls - Supporting the Start Up Costs of a Dental Clinic - in Burk's Falls and authorizes a onetime payment of \$1,572,47.

Carried.

## **2.6 DRAFT By-law Gifting of Lands – Habitat for Humanity Magnetawan Builds – PLAN 319 Lot 26 Last Street W/S**

**RESOLUTION 2023-158 Kneller-Hind**

\*Councillor Bill Bishop declared pecuniary interest for Agenda Item 2.6 due to being a member of the Magnetawan Builds Committee. Councillor Bill Bishop left the room.

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the DRAFT Gifting of Lands – Habitat for Humanity Magnetawan Builds – PLAN 319 Lot 26 Last Street W/S, reserving the right to amend the condition of reconveyance if needed, and the by-law on this matter will be passed later on in the meeting;

AND FURTHER Council approves the request to waive the property taxes during the build process, building permit fees, entrance permit fees including the donation of a culvert, 911 numbering fees, as well as the property deed and land exchange fees.

Carried.

## **2.7 Ontario Federation of Anglers and Hunters – Request to Host Boat Launch Education- Phragmites Working Group**

**RESOLUTION 2023-159 Kneller-Bishop**

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives and approves the Request from the Ontario Federation of Anglers and Hunters – Host Boat Launch Education – Phragmites Working Group at one of our public boat ramps.

Carried.

**2.8 Magnetawan Central Public School – Emily Ross Langford Graduation Award for Citizenship**

*RESOLUTION 2023-160 Bishop-Hind*

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan is supportive of our community school and students and congratulates all of our graduates;*

*NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan authorizes a donation of \$100 for the Magnetawan Central Public School Emily Ross Langford Award for Citizenship.*

*Carried.*

**2.9 Ahmic Harbour Recreation Committee – Request for Donation – Canada Day Celebrations**

*RESOLUTION 2023-161 Hind-Kneller*

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves a donation of up to \$300 with the presentation of receipts for the Ahmic Harbour Recreation Canada Day Celebrations.*

*Carried.*

**2.10 Discussion Docks Located at the Old Marina and Locks Lower Level on Ahmic Lake Side**

*RESOLUTION 2023-162 Bishop-Hind*

*WHEREAS the Council of the Municipality of Magnetawan is always looking to improve and extend the useful life of social and recreational facilities while maintaining excellent service to our residents;*

*NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan authorizes Staff to apply for NOHFC funding and to actively source any applicable grant funding for the repair/replacement of the lock's lower docks and docks (old marina) on Ahmic Lake;*

*AND FURTHER directs Staff to include this project in the 2024 budget.*

*Carried.*

**2.11 OLT Camp Klahanie Zoning By-law Amendment – 1680 Lakeside Trail**

*RESOLUTION 2023-163 Kneller-Hind*

*WHEREAS Council for the Municipality of Magnetawan received an application for a Zoning By-law Amendment for (Klahanie Campers Corporation) as CRFOT CON 3 & 4 PT LOT 17 PCL 12303 SS, municipally known as 1680 Lakeside Trail;*

*WHEREAS Council for the Municipality of Magnetawan passed Motion 2023-147 passing the application on the basis that the amendment does meet the general intent and purpose of the Municipality's Official Plan and Zoning By-law;*

*BE IT RESOLVED THAT should Council for the Municipality of Magnetawan receive a Notice of Appeal the Council of the Municipality of Magnetawan will issue a Notice of Dispute Resolution to the appellant and authorizes MHBC Planning Urban Design & Landscape Architecture to engage in mitigation discussions with the appellant and, if required, authorizes MHBC Planning Urban Design & Landscape Architecture and the Municipal Solicitor to act on behalf of the Municipality should a hearing notice be received.*

*Carried.*

## **MUNICIPAL BOARD AND COMMITTEE MINUTES**

- 3.1 District of Parry Sound Social Services Administration Board, CAO's Report May 2023
- 3.2 Almaguin Highlands Health Centre (AHHC) Minutes May 4, 2023
- 3.3 Parry Sound Provincial Offences Act Court Manager's Report Q1 2023, 2023 POA Budget – DRAFT YTD, 2022 POA Municipal Partners Distribution

*RESOLUTION 2023-164 Kneller-Hind*

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the Municipal Boards and Committee Minutes as copied and circulated.  
Carried.*

## **CORRESPONDENCE**

- 4.1 Corporation of the Township of Armour Water Aerodromes
- 4.2 Correspondence from Prime Minister Trudeau Bail Reform Endorsement Resolution
- 4.3 Parry Sound Area Community Business & Development Centre Inc. Thank You Letter
- 4.4 Ontario's Invading Species Awareness Program Least Wanted Invasive Species in Almaguin Highlands
- 4.5 Public Notice May 11, 2023 Surplus Lands PLAN 319 Lot 26 Last Street W/S
- 4.6 2021 Broader Public Sector (BPS) Annual Energy Reporting
- 4.7 Successful Outcome of NOHFC Workforce Development Stream Grant Funding
- 4.8 Successful Outcome of NOHFC Community Events Stream Grant Funding
- 4.9 Unsuccessful Outcome of OTF Resilient Communities Grant Funding
- 4.10 2023 New Geocache Launch Poster
- 4.11 Monday Night Archery Poster
- 4.12 Drumming with Sandra Poster
- 4.13 Art in the Park Line Up Poster
- 4.14 ICYMI Council Highlights May 16, 2023

*RESOLUTION 2023-165 Koeller-Bishop*

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the correspondence items as copied and circulated.  
Carried.*

*RESOLUTION 2023-166 Bishop-Hind*

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan endorses and supports item 4.1 Corporation of the Township of Armour Water Aerodromes;  
AND FURTHER THAT this resolution be circulated to neighbouring municipalities, the Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM), Federation of Northern Ontario Municipalities (FONOM), Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), MP Scott Aitchison, MP Marcus Powlowski, and MPP Graydon Smith.  
Carried.*

## **ACCOUNTS**

### **5.1 Accounts in the amount of \$559,889.78**

*RESOLUTION 2023-167 Kneller-Bishop*

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the accounts in the amount of \$559,889.78 as presented.*

*Carried.*

## **BY-LAWS**

### **6.1 Gifting of Lands – Habitat for Humanity Magnetawan Builds – PLAN 319 Lot 26 Last Street W/S**

*RESOLUTION 2023-168 Kneller-Hind*

*\*Councillor Bill Bishop declared pecuniary interest for Agenda Item 2.6 due to being a member of the Magnetawan Builds Committee. Councillor Bill Bishop left the room.*

*BE IT RESOLVED THAT by the Council of the Municipality of Magnetawan that the following by-laws are now read a first, second and a third time, passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation, and engrossed in the by-law book:*

#### **6.1 Gifting of Lands – Habitat for Humanity Magnetawan Builds – PLAN 319 Lot 26 Last Street W/S**

*Carried.*

## **CONFIRMING BY-LAW AND ADJOURNMENT**

### **7.1 Confirm the Proceedings of Council and Adjourn**

*RESOLUTION 2023-169 Hind-Bishop*

*BE IT RESOLVED by the Council of the Municipality of Magnetawan that the Confirming By-law is now read a first, second and a third time, passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation and engrossed in the by-law book;*

*AND FURTHER THAT, this meeting is now adjourned at 2:40 pm to meet again on Wednesday June 21, 2023, at 1:00 pm or at the call of the Chair.*

*Carried.*

Approved by:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**Moved by:** \_\_\_\_\_

**Seconded by:** \_\_\_\_\_

**BE IT RESOLVED THAT** the Council of the Municipality of Magnetawan, after holding its public meeting regarding the 'Stop Up, Close and Sell Road Allowance – Main/Hutcheson, agrees to pass the by-law later in the meeting with the understanding that the road allowance lands are merged on title at the time of transfer with the purchaser's lot abutting the road allowance, that was specified in the application and in the letter from the Municipal Solicitor.

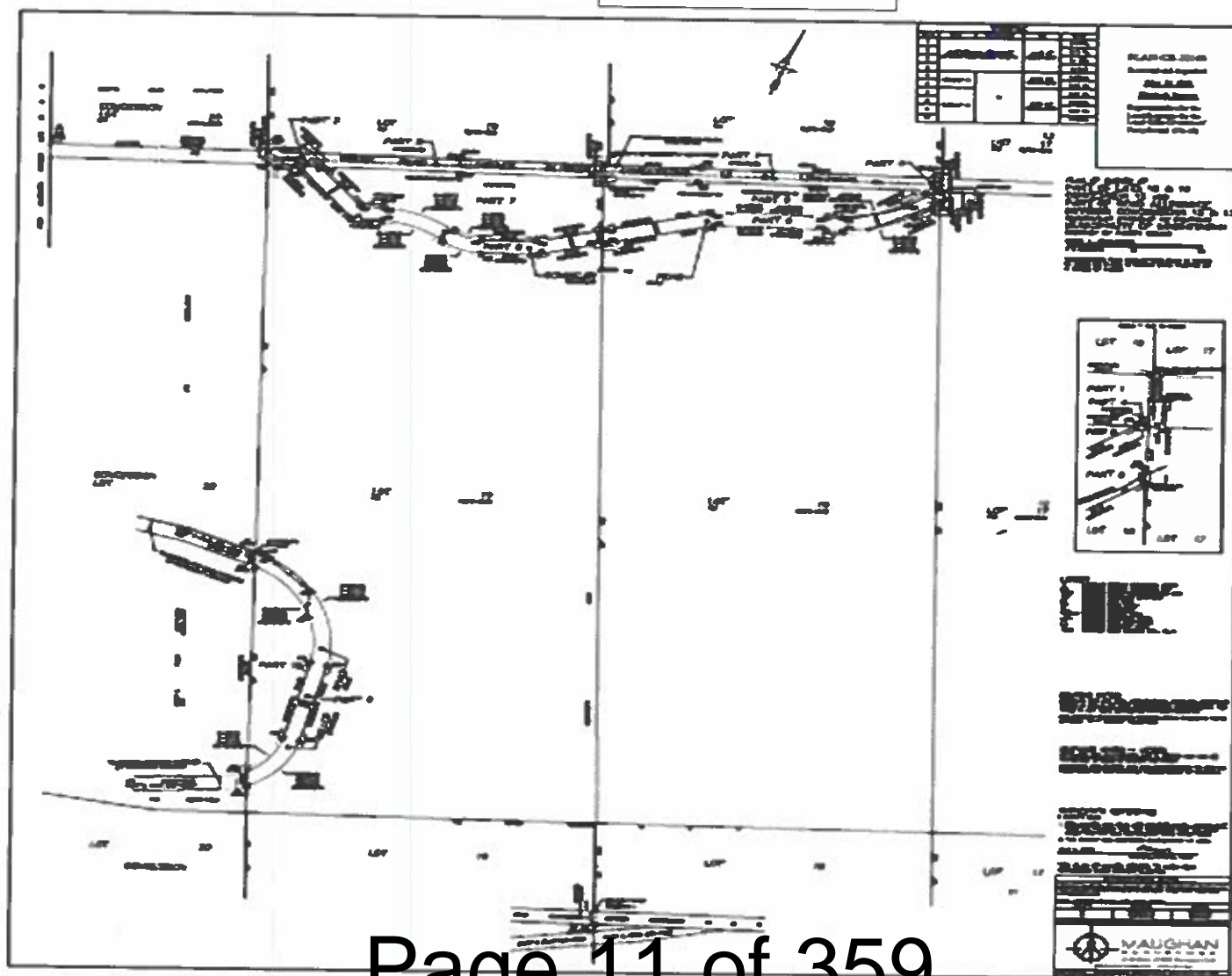
Carried \_\_\_\_\_ Defeated \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
Sam Dunnett, Mayor

**Recorded Vote Called by:** \_\_\_\_\_

**Recorded Vote**

| <b>Member of Council</b> | <b>Yea</b> | <b>Nay</b> | <b>Absent</b> |
|--------------------------|------------|------------|---------------|
| Bishop, Bill             |            |            |               |
| Hetherington, John       |            |            |               |
| Hind, Jon                |            |            |               |
| Kneller, Brad            |            |            |               |
| Mayor: Dunnett, Sam      |            |            |               |



# THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

## BY-LAW 2023 –

Being a By-law to stop up, close and sell Part Road Allowance between Concessions 12 & 13, Township of Chapman being Parts 1 & 2, 42R22166, District of Parry Sound  
(Main/Hutcheson)

### LEGISLATION

**WHEREAS** pursuant to Section 27(1) of the *Municipal Act, S.O. 2001, c. 25*, as amended, municipalities are given authority over highways within their jurisdiction;

**AND WHEREAS** the Original Road Allowances which are the subject matter of this By-law is within the jurisdiction of the Municipality of Magnetawan;

**AND WHEREAS** Schmeler Road deviated from the Original Road Allowance between Concession 12 & 13, Township of Chapman;

**AND WHEREAS** Miller Road deviated from the Original Road Allowance between Lots 20 and 21, Township of Chapman;

**AND WHEREAS** the owners of Lot 18 & 19, Concession 12, Township of Chapman will convey lands occupied by Schmeler Road and Miller Road to the Municipality of Magnetawan;

**AND WHEREAS** the Municipality will transfer portions of the road allowance between Concessions 12 and 13 to the foregoing owners;

**AND WHEREAS** pursuant to the Municipality's Procedures for Public Notice By-law No. 2016-12, the Clerk of this Corporation did cause a Notice of the proposed By-law to be published in accordance with requirements of the said By-law.

### BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN AS FOLLOWS:

1. **Stop Up and Close** – This Council does hereby stop up and close to vehicular and pedestrian traffic the lands described in Schedule “A”.
2. **Surplus Property** - The said lands described in Schedule “A” are declared to be surplus to the requirements of this Municipality.
3. **Authorization for Sale** – This Council does hereby authorize the exchange of the said lands described in Schedule “A” for other lands to be conveyed to the Municipality (being Parts 6, 8 & 9, 42R22166).
4. **Easements** – This Council does hereby authorize the transfer of such easements over the lands described in Schedule “A” attached hereto as may be required by utility providers. Notice of the proposed road



closings were sent to Hydro One Networks Inc. and Bell Canada. Both have responded that they do not have any easement requirements.

5. **Sale of Land By-law** – Compliance with the Notice provisions of Public Notice By-law 2016-12, will be deemed to be in compliance with the Notice provisions of this Municipality's Sale of Land By-law 2006-11.

6. **Execution of Documents** –

a) **If Paper Registration**

The Mayor and the Clerk are hereby authorized to execute all documents for paper registration (including public utility easements, if any) in connection with the closing and subsequent transfer of title to the lands described in Schedule "A".

b) **If Electronic Registration**

The Clerk is hereby authorized for or on behalf of the Municipality to execute, for the Municipal Solicitor an "Acknowledgment and Direction" authorizing the Municipal Solicitor to complete the Electronic Registration for any required easements, and the subsequent transfer of title relating to the lands described in Schedule "A".

7. **Clerk's Affidavit** - There shall be attached to this By-law, as Schedule "B", an affidavit by the Clerk of this Corporation, setting out:

- a) the procedures taken for the giving of Notice pursuant to By-law 2016-12 and;  
b) the procedures taken for notice to Public Utilities and applicable Government Departments or Ministries.

READ A FIRST AND SECOND TIME THIS 21<sup>ST</sup> DAY OF JUNE, 2023

READ A THIRD TIME AND FINALLY PASSED THIS 21<sup>ST</sup> DAY OF JUNE, 2023.

THE CORPORATION OF THE  
MUNICIPALITY OF MAGNETAWAN

\_\_\_\_\_  
Sam Dunnett, Mayor

\_\_\_\_\_  
Kerstin Vroom, CAO/Clerk

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SCHEDULE "A"

Part Road Allowance between Concession 12 & 13, Township of Chapman being Parts 1 & 2, 42R22166,  
District of Parry Sound

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BY-LAW CERTIFICATION

CERTIFIED to be a true copy of By-law \_\_\_\_\_, and that such By-law is in full force and effect.

Dated at the Municipality of Magnetawan, this the 21<sup>st</sup> day of June, 2023

\_\_\_\_\_  
Kerstin Vroom, CAO/Clerk c/s

SCHEDULE "B"

Part Road Allowance between Concession 12 & 13, Township of Chapman being Parts 1 & 2,  
42R22166, District of Parry Sound

CLERK'S AFFIDAVIT - NOTICE

I, Kerstin Vroom, CAO/Clerk, of the Municipality of Magnetawan, make oath and say as follows:

1. This Deponent

I am the CAO/Clerk of the Corporation of the Municipality of Magnetawan and as such, have knowledge of the facts hereinafter deposed to.

2. Publication and Posting

Pursuant to By-law 2016-12, I did cause Notice of Council's intention to consider a By-law to stop up, close and sell that parcel of land described in Schedule "A" to be published as follows:

Public Posting - posted on the Municipal website and at the Municipal Office at least seven (7) days prior to consideration of the matter by Council;

3. Grace Period

This By-law was passed by Council more than seven (7) days after the posting.

4. Copy of Notice

Attached to this my Affidavit as Exhibit "A" is a copy of the actual Notice as it was posted.

5. Additional Notification

Notice of the proposed road closing was sent to Hydro One Networks Inc., and Bell Canada and they have advised that they do not have any interest in the subject lands.

6. Procedure

To the best of my knowledge, the closing and selling procedures taken by this Municipality have been in accordance with the Municipality's Public Notice and Sale of Land By-laws.

7. Public

The proposed by-law came before Council at its regular meeting on the 21<sup>st</sup> day of June, 2023 and at that time, no person made any claim that the effect of the By-law would be to deprive them of the right of motor vehicle access to or from their land, and that all persons who applied to be heard, were heard.

SWORN before me at the )  
Municipality of Magnetawan )  
this the 21<sup>st</sup> day )  
of June, 2023. )

\_\_\_\_\_  
Kerstin Vroom, CAO/Clerk

\_\_\_\_\_  
A Commissioner for taking Affidavits, etc.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

This is Exhibit "A" to the Affidavit of Kerstin Vroom, CAO/Clerk of The Corporation of the Municipality of Magnetawan.

Posting

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN**

**PUBLIC NOTICE**

**Re:** Closing of Part Road Allowance between Concession 12 & 13, Township of Chapman being Parts 1 & 2, 42R22166, District of Parry Sound.

(Mam/Hutchison)

**TAKE NOTICE** that the Council of the Corporation of the Municipality of Magnetawan proposes to enact a by-law to stop up, close and convey part of the following road allowances:

Part Road Allowance between Concession 12 & 13, Township of Chapman being Parts 1 & 2, 42R22166, District of Parry Sound.

**AND TAKE FURTHER NOTICE THAT** the proposed by-law will come before Council of the Municipality of Magnetawan at its regular meeting at the Magnetawan Community Centre at 4304 Highway 520, Magnetawan, Ontario on Wednesday, the 21<sup>st</sup> day of June, 2023 at the hour of one o'clock in the afternoon, and at that time Council will hear anyone in person, or by his/her counsel, solicitor or agent, who claims that his/her land will be prejudicially affected by the by-law, and who applies to be heard.

Plan 42R22166 is available for inspection at the Municipal office or are available for inspection by emailing the Deputy Clerk at [ekellozz@magnetawan.com](mailto:ekellozz@magnetawan.com) or Phone: 705-387-3947.

**DATED** at the Municipality of Magnetawan, this the 14 day of June, 2023.

Kerstin Vroom, CAO/Clerk  
Municipality of Magnetawan  
4304 Highway 520  
Magnetawan, Ontario  
P0A 1P0

*This is Exhibit "A" mentioned and referred to in the Affidavit of Kerstin Vroom*

*SWORN before me this 21<sup>st</sup> day of June, 2023*

\_\_\_\_\_  
*A Commissioner for Taking Affidavits, etc.*

Name: \_\_\_\_\_

Title: \_\_\_\_\_



RESOLUTION NO. 2022 - 202

JULY 27, 2022

Moved by:

Seconded by:

**WHEREAS** the Municipality of Magnetawan has received a request to support an application for consent for creation of a new lot located at 1113 Miller Road, Magnetawan (Main/Hutcheson 4944 010 00230600 and 4944 010 00230500). The property is legally described as CON 12, PT LOT 19 and LOT 18, hereinafter referred to as "the Lands";

**AND WHEREAS** the Municipal planning consultant has provided a report in support of the application with conditions;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Municipality of Magnetawan supports in principle the consent application for the Lands, subject to the following conditions:

- Draft copy of the deeds (with all schedules) to be approved by the Municipality prior to registration;
- A copy of the original executed transfer (deed) with all schedules be provided to the Municipality;
- That a registrable description of the severed lands be submitted to the Municipality, with survey if applicable;
- Payment of all taxes, municipal, legal and planning fees associated with the processing of this application including fees under By-law 2011-11, 2011-16 and current Municipal Fees & Charges By-law including a parkland dedication fee;
- Confirmation from the North Bay Mattawa Conservation Authority (NBMCA) that the proposed Retained Lot can be adequately serviced by individual on-site septic systems and individual on-site water systems;
- That the applicant obtain a letter of suitable entrance from the Municipality for the proposed Severed Lot;
- That a Minimum Distance Separation I (MDS I) Calculation is required, to the satisfaction of the Municipality of the proposed Severed and Retained Lots;
- That the Applicant gift to the Municipality of Magnetawan the portion of traveled road known as Miller Road that traverses through CON 12 Lots 19, at a minimum of 66' wide, to the satisfaction of the Municipality;
- That the Applicant agree to swap the traveled portion of Schmeler across the north section of CON 12 Lots 18 & 19, at a minimum of 66' wide, with the Municipality for ownership over the unopened road allowance and that unopened road allowance be merged with Con 13 Lot 18 and the remnants of Con 12 Lots 18 & 19.

Carried ☒ Defeated ☐ Deferred ☐

Recorded Vote Called by: .....

Sam Dunnett, Mayor

| Member of Council   | Yea | Nay | Absent |
|---------------------|-----|-----|--------|
| Brunton, Tim        |     |     |        |
| Hetherington, John  |     |     |        |
| Kneller, Brad       |     |     |        |
| Smith, Wayne        |     |     |        |
| Mayor: Dunnett, Sam |     |     |        |

**APPLICATION FOR CONSENT**  
Under Section 34 of the Planning Act

**MUNICIPALITY OF MAGNETAWAN**

18 &

**FILE #B.....**

**Note to Applicants:** This application form is to be used if the **CENTRAL ALMAGUIN PLANNING BOARD** is the consent granting authority. In this form the term "subject" land means the land to be severed and the land to be retained.

**RECEIVED**

**Completeness of the Application**

The information in this form that must be provided by the applicant is indicated by **black arrows** on the left side of the section numbers. This information is prescribed in the Schedule to Ontario Regulation 197/96 made under the **Planning Act**. The mandatory information must be provided with the appropriate fee. If the mandatory information and fee are not provided, the CAPB will return the application or refuse to further consider the application until the information and fee have been provided.

The application form also sets out other information that will assist the CAPB and others in their planning evaluation of the consent application. To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

**Submission of the Application**

- One application form is required for each parcel to be severed.
- A complete application form **MUST** include a council resolution from the organized municipality stating the pre-consult requirements have been met to its satisfaction and be accompanied by a list of conditions the municipality requires.

- The applicable fee is \$675 per lot created, per Lot Addition or per Right of Way – effective January 1, 2017
- 10 copies of the completed application form and 10 copies of the sketch are required by the CAPB. The copies may be used to consult with other ministries or agencies that may have an interest in the application.
- Please remember to include your property roll number

**Measurements are to be in metric units.**

1 ft = .3048 meters; 1 acre = 0.404686 hectare

**For Help**

To help you understand the consent process and information needed to make a planning decision on the application, refer to the Guide.

You can also call:

Susan L. Arnold, Secretary - Treasurer

Central Almaguin Planning Board

63 Marie St, P. O. Box 310

South River, On POA 1X0 705 386 - 2573

e-mail: centralalmaguinplan@hotmail.com

Web Page for forms: www.strongtownship.com

Office hours: Wednesdays- 9:00 a.m. to 2:00 p.m.

→ **Please Print and Complete Appropriate Box(es)**

**1. Application Information – MUNICIPAL TAX - ROLL # 494401000230600 0000**

→ **1.1 Name of Owner(s). An owner's authorization is required in Section 11.1, if the applicant is not the owner.**

Robert Main, Ron Hutchison

|  |                    |                        |
|--|--------------------|------------------------|
| Name of Owner(s)                           | Home Telephone No. | Business Telephone No. |
| Address                                    | Postal Code        |                        |
| <u>640 Skyhills Road, Huntsville, Ont.</u> | <u>P1H2N5</u>      |                        |

**1.2 Agent/Applicant: Name of the person who is to be contacted about the application, if different than the owner.**  
(This may be a person or firm acting on behalf of the owner.) e-mail -

|                              |                    |                        |
|------------------------------|--------------------|------------------------|
| Name of Contact Person/Agent | Home Telephone No. | Business Telephone No. |
| Address                      | Postal Code        | Fax No.                |

**2. Location of the Subject Land (Complete applicable boxes in 2.1)**

**2.1 District Local Municipality/Unorganized Township Former Municipality Section or Mining Location No.**

Parry Sound

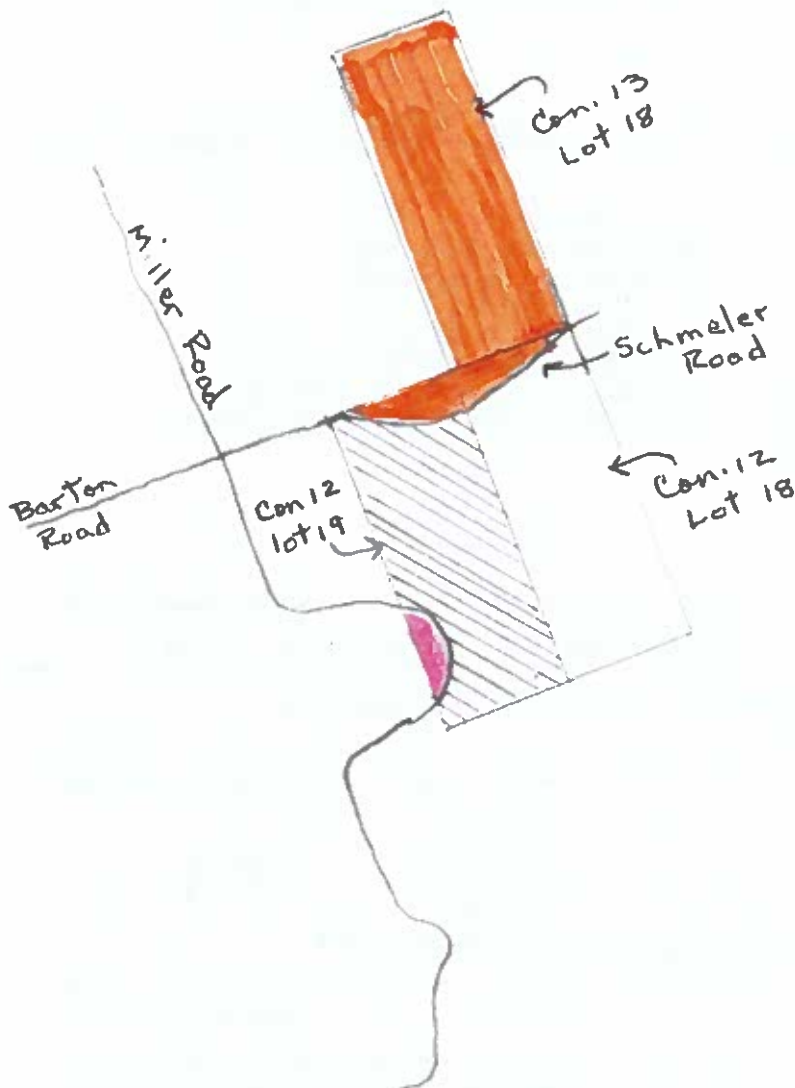
Magnetawan

|                                   |  |   |                 |
|-----------------------------------|--|---|-----------------|
| Concession Number(s)<br><b>12</b> | Lot Number(s)<br><b>Pt 1st 19 PEL 9839 S/S</b> | Registered Plan No.   | Lot(s)/Block(s) |
| Reference Plan No                 | Part Number(s)                                 | Municipal Address<br><b>1113 Miller Road (was 1091 Miller Road)</b> | Parcel Number   |

2.2 Are there any easements or restrictive covenants affecting the subject land?  
☒ No ☐ Yes If Yes, describe the easement or covenant and its effect.

1101(08/96)

Page 2



☒ Natural Severence after gifting Miller Road.

☒ Natural Severence after gifting Schmeler Road and original 66' Road allowance swap.

☒ Proposed severed land

☐ retained land (lot 18, Conc. 12 south of Schmeler Rd)



### 3. Purpose of this Application

#### 3.1 Type and purpose of proposed transaction (check appropriate box)

Transfer  
Other

☒ Creation of a new lot  
A charge

Addition to a lot  
A lease

☒ An easement  
A correction of title

Other purpose

#### 3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged

Robert Main

#### 3.3 If a lot addition, identify the lands to which the parcel will be added.

### 4. Description of Subject Land and Servicing Information (Complete each subsection.)

#### 4.1 Description

|               |  |                     |
|---------------|--|---------------------|
| Frontage (m.) | $\approx 400m$ (all year)<br>$\approx 400m$ (seasonal) | $400m$ (seasonal)   |
| Depth (m.)    | $400m$   | $1000m \times 400m$ |
| Area (ha.)    | $\approx 36 ha$  | $\approx 38 ha$     |

#### 4.2 Use of Property

|                 |              |              |
|-----------------|--------------|--------------|
| Existing Use(s) | recreational | recreational |
| Proposed Use(s) | recreational | recreational |

#### 4.3 Buildings or Structures

|                                 |       |                                     |
|---------------------------------|-------|-------------------------------------|
| Existing (Date of Construction) |       | 4 bedrm house 1930's<br>barn 1930's |
| Proposed                        | rural |                                     |

#### 4.4 Access (check appropriate space)

|                                       |                                     |                                     |
|---------------------------------------|-------------------------------------|-------------------------------------|
| Provincial Highway                    |                                     |                                     |
| Municipal road, maintained all year   | <input checked="" type="checkbox"/> |                                     |
| Municipal road, seasonally maintained | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other public road (e.g. LRB)          |                                     |                                     |
| Right of way                          |                                     | (Proposed)                          |
| Water Access (if so, describe below)  |                                     |                                     |

Describe in section 9.1, the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.

#### 4.5 Water Supply

|  |  |  |
|--|--|--|
| Publicly owned and operated piped water system |  |  |
| Privately owned and operated individual well   |  | <input checked="" type="checkbox"/>                |
| Privately owned and operated communal well     |  |  |
| Lake or other water body                       | <input checked="" type="checkbox"/> Distress River | <input checked="" type="checkbox"/> Distress River |
| Other means                                    |  |  |

#### 4.6 Sewage Disposal (Check appropriate space)

|   |  |                                     |
|---|--|-------------------------------------|
| Publicly owned and operated sanitary sewage system    |  |                                     |
| Privately owned and operated individual septic tank   |  | <input checked="" type="checkbox"/> |
| Privately owned and operated communal sanitary system |  |                                     |



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Privy

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Other means

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(1) A certificate of approval from the North Bay Mattawa Conservation Authority submitted with this application will facilitate the review.

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**4.7 Other Services**  
Check if the  
service is  
available

Electricity ☒

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School Bussing ☒

---

Garbage Collection ☒

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**4.8** If access to the subject land is by private road, or right of way was indicated in section 4.4., indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year.

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## 5. Land Use

➤ 5.1 What is the existing official plan designation(s), if any, of the subject land?

5.2 What is the zoning, if any, of the subject land? If the subject land is covered by a Minister's zoning order, what is the regulation number?

rural E

5.3 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

| Use or Feature  | On the Subject Land | Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance) |
|---|---------------------|---|
| <input type="checkbox"/> An agricultural operation including livestock facility or stockyard      |                     | barn 200 m  |
| <input type="checkbox"/> A landfill   |                     | (not in use)  |
| <input type="checkbox"/> A sewage treatment plant or waste stabilization plant                    |                     |   |
| <input checked="" type="checkbox"/> A provincially significant wetland (Class 1, 2 or 3 wetland)  |                     | Distress River touches south boundary of Proposed Severed lot.                                |
| <input type="checkbox"/> A provincially significant wetland within 120 metres of the subject land | N/A                 |   |
| <input type="checkbox"/> Flood plain  |                     |   |
| <input type="checkbox"/> A rehabilitated mine site  |                     |   |
| <input type="checkbox"/> A non-operating mine site within 1 kilometre of the subject land         |                     |   |
| <input type="checkbox"/> An active mine site  |                     |   |
| <input type="checkbox"/> An industrial or commercial use, and specify the use(s)                  |                     |   |
| <input type="checkbox"/> An active railway line   |                     |   |
| <input type="checkbox"/> A municipal or federal airport   |                     |   |
| <input type="checkbox"/> Utility corridors  |                     |   |

## 6. History of the Subject Land

➤ 6.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?  
☒ No ☐ Yes ☐ Unknown If Yes and if Known, provide the Ministry's application file number and the decision made on the application.

6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application

➤ 6.3 Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?  
☐ No ☒ Yes If Yes, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

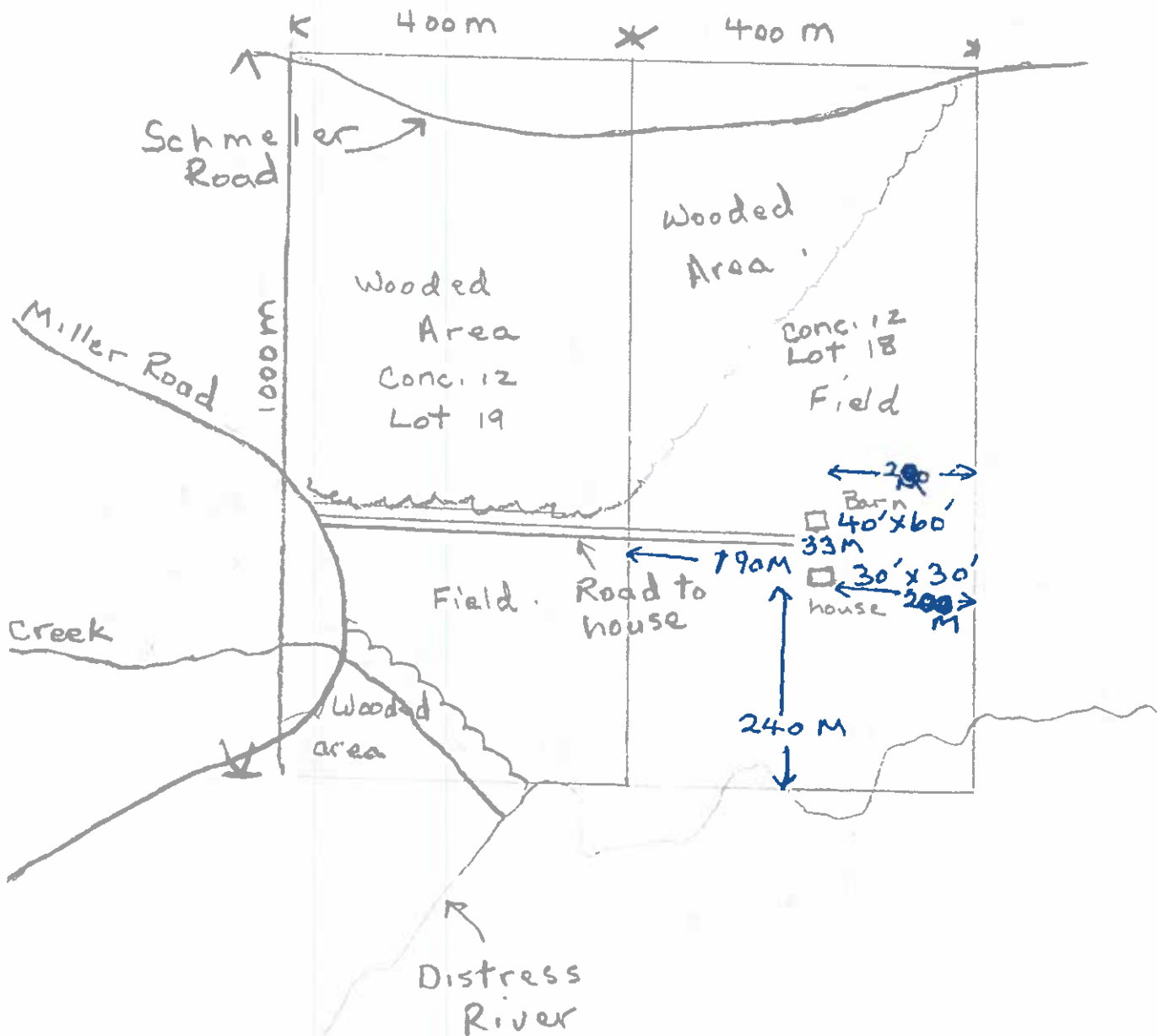
2 Natural Severences are presently in process awaiting Surveying. The municipality has approved in principal on June 30, 2021. See Attached map Page 2

## 7. Current Applications

➤ 7.1 Is the subject land currently the subject of a proposed official plan or official plan amendment that has been submitted to the Minister for approval?  
☒ No ☐ Yes ☐ Unknown If Yes and if Known, specify the Ministry file number and status of the application.

- 
- 7.2 Is the subject land the subject of an application for a zoning by-law amendment, Minister' s zoning order amendment, minor variance, consent or approval of a plan of subdivision?  
☐ No Yes Unknown If Yes, and if Known, specify the appropriate file number and status of the application.
-

- ☐ The part to be severed is Conc. 12 Lot 19 South of Schmeler Road and East of Miller Road.
- ☐ The part to be retained is Conc. 12 lot 18 South of Schmeler Road.



Central Almaguin Planning Board.

Ron Hutchison and I, Robert Main are each presently 50% owners of our 300 acres on Miller Road. We are attempting to separate the property into separate ownerships to simplify our estates in the future. Our ultimate plan with completing the natural severences and separating Conc 12, lot 19 from Conc. 12 lot 18 would be for me to be deeded the property north of Schmeler Road we presently jointly own. Also I would be deeded Conc. 12, lot 19 south of Schmeler Road. and east of Miller Road. Ron would be deeded Conc 12, lot 18 south of Schmeler Road with the house and barn.

Since the present road access to the farmhouse runs east through conc. 12, lot 19 from the year round Miller Road, we are asking for a legal Right of Way.

The natural severence west of Miller Road would be co owned by Ron and I.

Thank you.

Rob. Main.

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8. **Sketch (Use the attached Sketch Sheet) To help you prepare the sketch, refer to the attached Sample Sketch.**

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➤ The application shall be accompanied by a sketch showing the following:

- ☐ the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
  - ☐ the boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land the distance between the subject land and the nearest township lot line or landmark, such as a railway crossing or bridge
  - ☐ the location of all land previously severed from the parcel originally acquired by the current owner of the subject land
  - ☐ the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks
  - ☐ the existing use(s) on adjacent lands
  - ☐ the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way
  - ☐ if access to the subject land is by water only, the location of the parking and boat docking facilities to be used
  - ☐ the location and nature of any easement affecting the subject land
- 

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9. **Other Information**

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Is there any other information that you think may be useful to the CAPB or other agencies in reviewing this application? If so, explain below or attach on a separate page

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1 **Affidavit or Sworn Declaration**  
0.

## 11 Authorizations

- 11. If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.

### Authorization of Owner for Agent to Make the Application

I, \_\_\_\_\_, am the owner of the land that is the subject of this application for a \_\_\_\_\_ consent and I authorize \_\_\_\_\_ to make this application on my behalf.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner

11. If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

### Authorization of Owner for Agent to Provide Personal Information

I, Rob Main, Ron Hutcherson, am the owner of the land that is the subject of this application for a consent and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize \_\_\_\_\_ as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner

## 1 Consent of the Owner

- Complete the consent of the owner concerning personal information set out below.

### Consent of the Owner to the Use and Disclosure of Personal Information

We Rob Main, Ron Hutcherson, am the owner of the land that is the subject of this consent application and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

Feb. 17, 2022  
Date

Robert Main  
Ron Hutcherson  
Signature of Owner

I, Rob Main of the

in the Municipality of Magnetawan make oath and say (or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application is true.

Sworn (or declared) before me

at the Municipality of Magnetawan

in the District of Parry Sound

this 18 day of February 2022

Nicole Gourlay  
Commissioner of Oaths

Robert Main  
Applicant

Nicole Gourlay, Deputy Clerk  
Commissioner for taking oaths,  
Municipality of Magnetawan,  
District of Parry Sound





**RESOLUTION NO. 2023 -**

**June 21, 2023**

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**WHEREAS** the Municipality of Magnetawan has received a request to support an application for consent for creation of 1 new lot located at 695 Nelson Lake Road, Magnetawan which is a municipally maintained public road, (Muszynski 4944 040 00704100). The property is legally described as CON 12, PART LOT 12 & 13 PCL 2943 SS Township of Spence hereinafter referred to as "the Lands";

**WHEREAS** the Municipal planning consultant has provided a report on the application with conditions;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Municipality of Magnetawan supports in principle the consent application for the Lands, which is valid only for a period of six (6) months; subject to the following conditions:

- That the foregoing conditions be fulfilled within two years of the notice of decision of the Planning Board;
- Draft Reference Plan to be approved by the Municipality prior to registration;
- Two (2) true certified paper copies of the registered plan and an electronic version with a certification that it is a true copy be provided to the Municipality;
- Draft copy of the deeds (with all schedules) to be approved by the Municipality prior to registration;
- A copy of the original executed transfer (deed) with all schedules be provided to the Municipality;
- Confirmation from the North Bay Mattawa Conservation Authority (NBMCA) that the proposed Severed Lot can be adequately serviced by individual on-site septic systems;
- Payment of all taxes, municipal legal fees, planning fees, all fees as per the current Fees and Charges By-law, Park Land Dedication By-law and all other fees associated with the processing of this application;
- The applicant undertake and submit an Environmental Impact Study to evaluate potential impacts on the proposed severed lot of present or adjacent heritage/hydrologic features, showing suitable building locations;
- That the Applicant receive written acknowledgment from the Municipality that there is a suitable location for entrance on the severed lot;
- The entering into a Development Agreement, to be registered on title, with the Municipality to implement the recommended measures contained in the Planning Reports/Studies/Public Consultation for the proposed Severed and Retained Lot;□

Carried \_\_\_\_\_ Defeated \_\_\_\_\_ Deferred \_\_\_\_\_

| Member of Council   | Yea | Nay | Absent |                    |
|---------------------|-----|-----|--------|--------------------|
| Bishop, Bill        |     |     |        | Sam Dunnett, Mayor |
| Hetherington, John  |     |     |        |                    |
| Hind, Jon           |     |     |        |                    |
| Kneller, Brad       |     |     |        |                    |
| Mayor: Dunnett, Sam |     |     |        |                    |



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Peterborough, ON K9J 3H3

T 705.876.8340 | F 705.742.8343

www.ecovueconsulting.com

# Planning Report

**To:** Mayor and Council, Municipality of Magnetawan

**From:** Kent Randall & Chris Conti (EcoVue Consulting),  
Township Planning Consultants

**Subject:** Application for Consent (Muszynski)

**Property Location:** Part of Lots 12 and 13, Concession 12, Geographic Township of Spence, Municipality of Magnetawan  
695 Nelson Lake Road

**EcoVue File No.:** 23-2125-03

**Date:** June 12, 2023

---

## 1.0 Recommendation

We recommend that Council receive the report dated June 12, 2023 from EcoVue Consulting Services regarding Consent application (Muszynski) and that Council approve the application and that provisional consent be given subject to the following conditions:

1. The applicant undertake and submit, to the satisfaction of the Municipality of Magnetawan, an Environmental Impact Statement which evaluates any and all potential impacts from the proposed severance on any present or adjacent natural heritage or hydrologic features and identifies appropriate building locations on the proposed severed parcel;
2. That any mitigation measures and recommendations contained in the Environmental Impact Statement be implemented through a development agreement with the Municipality of Magnetawan;
3. That confirmation be obtained that the proposed severed parcel can be adequately serviced by individual on-site septic systems and individual on-site water systems;
4. That the Applicants provide a draft copy of the deeds (with all schedules) to be approved by the Municipality prior to registration.
5. That a draft reference plan of survey be provided to the Municipality of Magnetawan for review prior to registration.
6. That confirmation be provided in writing from the Municipality of Magnetawan that a 911 Address Number to the new lot created has been assigned.

7. That a payment-in-lieu of a parkland dedication shall be paid in accordance with Section 51.1 of the Planning Act acceptable to the Municipality of Magnetawan in cash or certified cheque.
8. That all taxes, municipal, legal and planning fees associated with the processing of this application including fees under By-law 2011-11, 2011-16 and current Municipal Fees & Charges By-law including a 5% parkland dedication fee be paid;
9. The applicant provides confirmation from the Municipality of Magnetawan Roads Foreman with respect to entrance Municipal fees and disbursements (legal, engineering, planning), if any incurred by the Municipality with respect to this application, shall be paid for by the owner.

## **2.0 The Application**

Tomas and Barbara Muszynski (Applicants) have applied to sever a parcel with an area of approximately 27 hectares and approximately 382 metres of lot frontage from the western part of their property on Nelson Lake Road. The intent is to use the proposed severed parcel for recreational purposes and separate it from the larger property. The proposed retained parcel will have an area of approximately 47 hectares and approximately 455 metres of lot frontage.

Nelson Lake Road in this area is oriented at an angle to the lot lines. The road frontage of the severed and retained parcels is not clear from the application. The exact dimensions of the proposed severed and retained parcels should be confirmed by survey prior to final approval of the severance. However, some minor adjustment in the dimensions of the parcels should not affect the Municipality and Planning Board approval of the consent.

The stated purpose of the application is to create one large additional parcel primarily to be used for outdoor recreational purposes. The proposed severed parcel contains no buildings or structures, and the Applicants are currently not proposing to construct buildings or structures on the severed parcel.

## **3.0 Subject Property**

The subject property is approximately 74 hectares and located on the south side of Nelson Lake Road. Much of the property is heavily wooded and it contains a wetland and a small watercourse in its central portion. The eastern part of the property contains a dwelling and associated buildings.

It appears from the drawings submitted as part of the application that the Applicants may also own lands to the west of the subject property which are not part of the property at 695 Nelson Lake Road and are not part of this application.



The surrounding area is characterized mainly by large, wooded properties with some scattered residences located close to Nelson Lake Road. There are also residences associated with lakes that are scattered throughout the larger area.

The existing residential use is on the retained parcel which is intended to continue.

As noted above, the severed parcel is intended to be used for recreational purposes and there is no current proposal to construct buildings or structures on this parcel.

#### **4.0 Planning Analysis**

##### **4.1 The Planning Act**

*The Planning Act*, R.S.O., 1990, c.P 13, (Act), through Section 3 (5) (a), requires all decisions that affect a planning matter to be consistent with policy statements that are in effect on the date of the decision. Through this provision, the decision regarding the proposed consent must be consistent with the Provincial Policy Statement (PPS).

Furthermore, the authority for municipalities to grant severances emanates from Section 53 (1) of the Act which states:

*(1) An owner, chargee or purchaser of land, or such owner's, chargee's or purchaser's agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 2021, c. 25, Sched. 24, s. 4 (1).*

Severances are required to have regard for matters in Section 51 (24) of the Act through reference in Section 53 (12). Section 51 (24) states the following:

*(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,*

*(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

*(b) whether the proposed subdivision is premature or in the public interest;*

- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*
- (d) the suitability of the land for the purposes for which it is to be subdivided;*
  - (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;*
- (e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*
- (f) the dimensions and shapes of the proposed lots;*
- (g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;*
- (h) conservation of natural resources and flood control;*
- (i) the adequacy of utilities and municipal services;*
- (j) the adequacy of school sites;*
- (k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*
- (l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*
- (m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).*

Through Sections 51 (24) (c) and (g) severances must conform to the applicable Official Plan and Zoning By-law.

The above-noted requirements of the Act are addressed through the sections of this report that follow.

#### **4.2 Provincial Policy Statement (2020)**

##### **4.2.1 *Managing and Directing Land Use to Achieve Resilient and Efficient Development and Land Use Patterns***

Section 1.1.1 states in part that healthy, livable and safe communities are sustained by promoting efficient development and land use patterns, accommodating an appropriate range and mix of land uses, including recreation, parks and open space, and avoiding development and land use patterns which may cause environmental or public health and safety concerns.

The proposed consent will create a large parcel, mainly for recreational purposes, which is consistent with land use patterns in the area. It will contribute to the range of land uses by providing a parcel for mainly recreational purposes.

While no development is currently proposed for the severed parcel, because of the presence of a woodland, a wetland and a watercourse on the property, the consent may raise environmental and safety concerns. In order to ensure consistency with the above policies it is necessary to provide an environmental evaluation to ensure that any concerns are mitigated. This matter is dealt with in greater detail later in this report.

##### **4.2.2 *Rural Lands and Areas in Municipalities***

The provisions in Section 1.1.4 (Rural Areas in Municipalities) and Section 1.1.5 (Rural Lands in Municipalities) of the PPS are relevant as they relate to the proposed consent.

Section 1.1.4.1 refers to building on local character, conserving biodiversity, and considering the ecological benefits provided by nature. The proposed consent will create a large parcel primarily for recreational purposes which will be consistent with local character.

However, it contains woodlands, a wetland, and a small watercourse. Therefore, in order to demonstrate consistency with Section 1.1.4.1, it is necessary to ensure that biodiversity will be conserved and that ecological impacts are considered.

Section 1.1.5.2 sets out the permitted uses for rural lands in municipalities which include resource-based recreational uses. The proposed recreational use of the severed parcel is permitted and is consistent with this provision.

#### **4.2.3 Natural Heritage**

Section 2.1 of the PPS provides policies about Natural Heritage, and it applies to the proposed consent because of the presence of the wetland, woodland, and watercourse.

Section 2.1.1 states that natural features and areas are to be protected for the long term. Furthermore, Section 2.1.2 of the PPS states the following:

*2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*

Section 2.1.4 prohibits development in significant wetlands. Section 2.1.5 (b) and (d) further states that development and site alteration are not permitted in significant wildlife habitat unless it is demonstrated that there will be no negative impact on the natural feature or their ecological functions.

The wetland on the property has not been identified as significant and therefore development is not prohibited. Furthermore, it is not clear if there is significant wildlife habitat present on the site.

However, the intent of the above policies is to take appropriate action to protect natural heritage features and ensure that there is no negative impact on significant features and their functions.

Consents are defined in the PPS to be a form of development and the proposed consent must be consistent with the above policies. This potential impact on environmental features is addressed more further in this report in the context of the policies of the Official Plan.

Section 3.1 of the PPS provides policies for natural hazards. Section 3.1.1 generally directs development away from hazardous lands adjacent to streams and rivers that are impacted by flooding hazards. Section 3.1.2 prohibits development in areas that would be inaccessible during times of flood hazards unless safe access can be demonstrated and in floodways.

These policies are applicable to the proposed consent in relation to small watercourse that runs through a portion of the property. This matter is addressed more fully in this report in the context of the Official Plan policies.



Subject to the considerations above, the proposed consent is consistent with the PPS.

#### **4.3 Municipality of Magnetawan Official Plan**

The subject property is designated as Rural and Environmental Protection in the Municipality of Magnetawan Official Plan (MMOP). As noted in Section 5.2.1 of the MMOP, the Rural designation permits a wide range of uses including agriculture, forest management, conservation, residential dwellings, hunt camps, small scale commercial and industrial developments, and others.

The Environmental Protection designation identifies lands which possess physical characteristics which restrict development and may also include important natural heritage features. Uses in areas designated as Environmental Protection as stated in Section 5.3.1 are limited to conservation, forestry, wildlife areas, fishery resource management, public or private parks, and outdoor recreational activities which can be developed without adverse environmental impacts.

It appears from the Land Use Map, Schedule A that the proposed severed and retained parcels contain both areas within the Rural designation and the Environmental Protection designation. Therefore, the permitted uses including a residential dwelling could be allowed on portions of the proposed severed parcel that are within the Rural designation.

The retained and severed parcels contain portions of a wetland and watercourse. Schedule B of the Official Plan identifies environmental features, and it distinguishes between provincially significant wetlands and other wetlands. The wetland that is partially contained on the subject property is identified as 'Other Wetland' and therefore is not subject to the prohibitions in the Provincial Policy Statement (PPS) for wetlands that are provincially significant.

However, section 4.4 of the MMOP states the following:

*Natural heritage features will be protected in the Municipality consistent with the Provincial Policy Statement to provide long term and sustainable environmental, economic and social benefits. This goal will be achieved by:*

*a) Identifying a continuous natural heritage system throughout the Municipality. This system will provide for preservation of important ecological functions and features;...*

*New development or alterations shall have no negative impact on the natural features or ecological functions of significant habitat of endangered or threatened species, other*





*significant wildlife habitat, fish habitat, a provincially significant wetland or other significant natural heritage feature or function. Where development is proposed within or adjacent to these areas, the approval authority shall require the submission of an Environmental Impact Assessment.*

Furthermore, Section 4.5 contains policies for the protection of wetlands. It states in part:

*Locally significant wetlands are shown as Locally Significant Wetlands on Schedule B. Wherever possible these areas should be left in their natural state. Where it can be demonstrated to the satisfaction of Council that there is no reasonable alternative for the logical development of lands other than to develop a portion of a locally significant wetland, the Municipality will impose site plan control to ensure that the appropriate mitigation measures are employed to minimize the impact on the wetland. No development or site alteration will be permitted in or within 120 metres of any areas identified as potential provincially significant wetlands until an evaluation is completed by a qualified wetland evaluator using the Ontario Wetland Evaluation System: Northern Manual to conform its significance, as well as to address any significant impacts through completion of an Environmental Impact Assessment.*

Schedule B also identifies a large area as "Deer Yard" which includes the entire subject property. Section 4.6 states that the Ministry of Natural Resources has identified large portions of the Municipality as significant deer habitat. Development in these areas must be sensitive to impacts on deer wintering areas and vegetation removal in these areas must be minimized. Furthermore, it states:

*Within the significant deer habitat areas shown on Schedule B new lots should avoid areas of dense conifer cover or be of a sufficient size to provide a suitable development area including access and services, outside the most significant deer wintering habitat areas described above. The minimum lot size shall be 90 metres frontage and 90 metres depth.*

It appears from Schedule B to the MMOP that the subject property does not contain deer wintering habitat. The severed and retained parcels appear to meet the size and frontage criteria stated above.

In addition to the above requirements, Section 5.3.3 of the MMOP states the following:

*Building setbacks may be imposed from the boundaries of Environmental Protection areas as found in the implementing Zoning By-law or otherwise as the result of an approved*

*Environmental Impact Assessment. The severity of the hazard or the sensitivity of the environment shall be the determining factor.*

In view of the natural heritage features present on the property and the potential for a dwelling to be constructed on the severed parcel, it would be prudent for an Environmental Impact Statement (EIS) to be prepared prior to final approval of the consent which identifies locations where a dwelling can be constructed on the severed parcel without negative impacts on significant natural heritage features and functions. The EIS should consider if the significance of the identified natural heritage features should be re-evaluated, including if deer wintering habitat is present on the subject property and if the wetland has provincially significant features. It should also determine if there are other natural heritage features present on the subject property which could be impacted.

Section 4.2.2 of the MMOP includes policies for flood hazards. Through this section, engineering studies are required to determine impacts on flood elevations and flow velocities. However, this policy should apply where there is potential for development to directly impact the floodplain and where there is no opportunity to avoid it.

In this case, there may be a floodplain associated with the watercourse that runs through the property. However, given the size of the proposed severed parcel, there should be no need for the development of a dwelling to encroach into the floodplain of the watercourse. The potential location of a dwelling on the severed parcel should be in the area designated Rural close to Nelson Lake Road. Based upon Schedule B of the MMOP, the watercourse is contained within the wetland in the northern portion of the property and the wetland covers a wide area in this location. It is highly unlikely given the small size of the watercourse that its floodplain would extend beyond the wetland boundary. Restrictions on development in the wetland and setbacks that may be required through an EIS should encompass any floodplain that may be present in this area.

Therefore, our opinion is that an engineering study to determine the extent of the floodplain of the watercourse is not required at this time. If the Applicants proposed a dwelling in the southern portion of the severed parcel, then one may be necessary at that time.

Section 7.1 of the Official Plan contains policies that govern severance applications. It states that consents shall only be considered if they are minor and do not require the extension of municipal services.

Section 7.1.1 provides the criteria for the creation of new lots. As required in Section 7.1.1 (a) and (b), the proposed severance is only for one (1) lot; therefore, no plan of subdivision is required. Further, the proposed severed lot size meets the requirements of the MMOP and the Zoning By-law.

Section 7.1.1 (c) states that proposed lots must front on a municipally maintained public road except for certain lots in the shoreline designation. Section 7.1.1 (d) states that lots for hunt camps, fishing camps or similar uses may be permitted on unmaintained municipal road allowances or on private rights of way to publicly maintained roads, provided agreements are in place to alleviate the municipality of liability.

Section 7.1.1 (e) requires the new lot to have road access where traffic hazards are avoided.

The proposed severed parcel is located on a municipally maintained public road. It has sufficient frontage on Nelson Lake Road that access can be provided in a way that avoids traffic hazards.

Section 7.1.1.(f) states that lots must allow for an adequate building site and allow for the provision of sewage disposal and water supply and safe access and a building site outside of the floodplain and any other hazard land. While the Applicants are not proposing construction, given the size and location of the proposed severed parcel, it is expected that the consent complies with this policy.

Section (g) is not applicable to the application.

Section 7.1.1. (h) requires that lots for permanent residential use shall be located on a year round maintained municipal road or provincial highway. While the current intent is to use the severed parcel for recreational purposes, the lot is located on a maintained municipal road.

Section 7.1.1.(i) provides restrictions on the number of lots that can be created within the Rural designation, on each original hundred acre lot and on each 50 acre lot that existed on the date when the MMOP was approved. It appears from the information provided with the application that the proposed consent complies with this policy.

In addition, Section 7.1.1 (j) states, *"the creation of any lot will not have the effect of preventing access to or land locking any other parcel of land."*

There was some concern during pre-consultation that the severed parcel might be landlocked, but the Applicants have provided further information to demonstrate that this will not be the case.



Section 7.1.1. (k) requires that severances on lands adjacent to livestock operations should meet the Minimum Distance Separation requirements and demonstrate that proposed water supply has not been contaminated. This section does not apply to the location of the proposed consent as there are no barns within 1,000 metres of the property.

In view of the above considerations our opinion is that the consent complies with the requirements of Section 7.1.1. of the MMOP.

As indicated above, because the residential use is permitted on the part of the property that is designated Rural, an EIS is required to ensure that an appropriate building location can be identified where development will not cause negative impacts on the natural heritage features and functions.

Subject to the above requirement, our opinion is that the proposed consent complies with the MMOP.

#### **4.4 Municipality of Magnetawan Zoning By-law No. 2001-26**

The subject property is zoned Rural (RU) and Environmental Protection (EP) in Magnetawan Zoning By-law 2001-26.

The By-law permit a wide range of uses in the RU zone including detached dwellings, farms, hunt camps, logging activities, and resource management activities. The regulations in Section 4.6.2 require a minimum lot size of 10 hectares and minimum lot frontage of 134 metres.

Both retained and severed parcels meet the lot size requirement for the RU zone. Both lots also meet the lot frontage requirements which the By-law defines as the horizontal distance between the side lot lines.

Section 4.16 sets out the standards for the EP Zone. It states that the only permitted uses are conservation, resource management activities and passive public parks. In Section 4.16.2 the By-law states that no buildings or structures are permitted in the EP zone except for pump houses and those required for flood and erosion control. No size and frontage requirements are included in Section 4.16.

In Section 3.7 the By-law indicates that lands zoned EP may be included in the calculation of lot area and yard requirements except for the area for the area below the normal or maintained high water mark. It appears from Schedule B to the MMOP that a portion of the watercourse runs through the retained parcel and eliminating the area below the high water mark will reduce the lot area. However, it is not expected that removing this area would reduce the lot area to the extent that the lot size will be less than 10 hectares.



In consideration of the above, our opinion is that the proposed consent complies with the applicable requirements of Comprehensive Zoning By-law No. 2001-26.

#### **4.5 Summary of Planning Considerations**

In view of the above, the proposed consent is consistent with the applicable requirements of the PPS and complies with all requirements of the Official Plan subject to the need for an EIS to address potential impacts on natural heritage features. The proposed consent also complies with Zoning By-law No. 2001-26.

With regard to Section 51 (24) of the *Planning Act*:

- The proposed consent is not expected to affect matters of provincial interest as required in Section 51 (24) (a);
- Pursuant to Section 51(24) (b) the consent is not premature, and it is in the public interest,
- The consent conforms to the Official Plan as required in section 51 (24) (c) and the land is suitable for the purpose of the consent as required in Section 51 (24) (d),
- The road access is sufficient for the consent pursuant to Section 51 (24) (e),
- The dimension and shapes of the proposed lots is appropriate as required in Section 51 (24) (f),
- Pursuant to Section 51 (24) (g) the consent complies with standards in the zoning By-law and other applicable restrictions,
- An EIS will ensure that the proposed consent will not impact natural heritage features on the site. In addition, any construction on the property will avoid areas prone to flooding. Therefore, the proposed consent has regard for the conservation of natural resources and flood control as required in Section 51 (24) (h).
- Pursuant to Section 51 (24) (i) appropriate utilities and services are available for the property.
- Regarding Section 51 (24) (j) the proposed consent is not expected to impact the need for school sites.

- A cash in-lieu parkland dedication will be required pursuant to Section 51 (24) (k).
- Pursuant to Section 51 (24) (l) any buildings that may be constructed on the severed parcel will be subject to energy conservation measures in the Ontario Building Code.

Therefore, in view of the above, the proposed consent has appropriate regard for Section 51 (24) of the Act.

Our planning opinion is that the consent is consistent with, or complies with all applicable planning provisions, subject to the conditions listed in the recommendation.

### 5.0 Recommendations

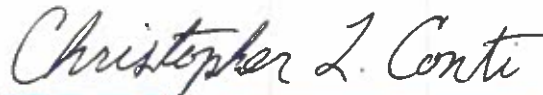
That the consent application by Tomas and Barbara Muszynski to create an additional Lot on Nelson Lake Road within the Municipality of Magnetawan be approved and that the provisional consent be recommended to the South Parry Sound District Planning Board subject to the conditions contained in this report.

Respectfully Submitted,

**ECOVUE CONSULTING SERVICES INC.**



J. Kent Randall B.E.S. MCIP RPP  
Township Planning Consultant



Chris Conti, M. E.S.  
Senior Planner

# Pre-consultation Memo

**To:** Erica Kellog, Acting Deputy Clerk - Planning and Development, Municipality of Magnetawan

**Subject:** Proposed Consent, 695 Nelson Lake Road, , Municipality of Magnetawan

**Municipal  
File No.:**

**EcoVue  
File No.:** 23-2125-01

**Date:** March 29, 2023

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## 1.0 Introduction

The purpose of this pre-consultation memo is to provide a brief summary of planning requirements for a proposed consent at 695 Nelson Lake Road, Magnetawan (subject property).

The analysis in this memo is in part based upon the information provided by the Tomasz and Barbara Muszynski (Applicants) in the form they submitted for approval of the consent.

The Applicants intend sever a lot with approximately 400 metres of frontage on Nelson Lake Road, a depth of 700 metres, and an area of approximately 27 hectares from a larger property, leaving a retained parcel with no road frontage, a depth of 300 metres and an area of approximately 13 hectares. The property is heavily wooded and contains portions of a wetland and watercourse.

According to the Applicants' submissions, the subject property is a vacant bush lots that contains no structures. The Applicants have not indicated an intent to build structures on either the retained or subject parcel.

## **2.0 Planning Analysis**

### **2.1 The Planning Act**

The authority for municipalities to grant severances emanates from the Planning Act, R.S.O., 1990, c.P 13, (Act) states in Section 53 (1):

*(1) An owner, chargee or purchaser of land, or such owner's, chargee's or purchaser's agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 2021, c. 25, Sched. 24, s. 4 (1).*

Severances are required to have regard for matters in Section 51 (24) of the Act through reference in Section 53 (12). Section 51 (24) states the following:

*(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,*

*(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

*(b) whether the proposed subdivision is premature or in the public interest;*

*(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*

*(d) the suitability of the land for the purposes for which it is to be subdivided;*

*(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;*



*(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*

*(f) the dimensions and shapes of the proposed lots;*

*(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;*

*(h) conservation of natural resources and flood control;*

*(i) the adequacy of utilities and municipal services;*

*(j) the adequacy of school sites;*

*(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*

*(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*

*(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).*

Through Sections 51 (24) (c) and (g) severances must conform to the applicable Official Plan and Zoning By-law.

Regard for the above matters is discussed later in this report.

## 2.2 Official Plan

The subject property is designated as Rural and Environmental Protection in the Official Plan. As noted in Section 5.2.1 the Rural designation permits a wide range of uses including agriculture, forest management, conservation, residential dwellings, and others. The Applicants have not indicated an intent to change the existing use of the property.

The Environmental Protection designation identifies lands which possess physical characteristics which restrict development and may also include important natural heritage features. Uses in areas designated as Environmental Protection as stated in Section 5.3.1 are limited to conservation, forestry, wildlife areas, fishery resource management, public or private parks, and outdoor recreational activities which can be developed without adverse environmental impacts.

The retained and severed parcels contain portions of a wetland and watercourse. Schedule B of the Official Plan identifies environmental features and it distinguishes between provincially significant wetlands and other wetlands. The wetland that is partially contained on the subject property is identified as 'Other Wetland' and therefore is not subject to requirements under the Provincial Policy Statement (PPS) for wetlands that are provincially significant.

Schedule B also identifies a large area as "Deer Yard" which includes the entire subject property. Section 4.6 states that the Ministry of Natural Resources has identified large portions of the Municipality as significant deer habitat. Development in these areas must be sensitive to impacts on deer wintering areas and vegetation removal in these areas must be minimized. Furthermore, it states:

*Within the significant deer habitat areas shown on Schedule B new lots should avoid areas of dense conifer cover or be of a sufficient size to provide a suitable development area including access and services, outside the most significant deer wintering habitat areas described above. The minimum lot size shall be 90 metres frontage and 90 metres depth.*

It appears from Schedule B to the Official Plan that the subject property does not contain deer wintering habitat. The severed and retained parcels appear to meet the size and frontage criteria stated above.

Section 4.2.2 includes policies for flood hazards. There may be a floodplain associated with the watercourse that runs through the property. However, we have no information about a flood calculation for the watercourse and since no change in land use or construction is proposed, there should be no

need to determine a floodline at this time. Given the size of the retained and severed parcels it is not expected that the floodplain from the watercourse would affect their entire area.

Section 7.1 of the Official Plan contains policies that govern severance applications. It states that consents shall only be considered if they are minor and do not require the extension of municipal services.

The criteria for the creation of new lots in section 7.1.1 include the requirement in section 7.1.1 (c) that proposed lots must front on a municipally maintained public road except for certain lots in the shoreline designation. Section 7.1.1 (d) states that lots for hunt camps, fishing camps or similar uses may be permitted on unmaintained municipal road allowances or on private rights of way to publicly maintained roads provided agreements are in place to alleviate the municipality of liability.

Section 7.1.1. (h) requires that lots for permanent residential use shall be located on a year round maintained municipal road or provincial highway. In addition, Section 7.1.1 (j) states, "*the creation of any lot will not have the effect of preventing access to or land locking any other parcel of land.*"

The Applicants have not specifically identified the purpose in seeking the consent. The severed parcel will have frontage on Nelson Lake Road, but it appears that the retained parcel will not have road frontage, and it is not clear from the submissions that the proposed lot will have access to a private road.

From the property index map included with the application, it appears that the applicant may own property to the east which abuts the retained parcel. The property to the east has frontage on Nelson Lake Road which may facilitate road access to the retained parcel which could resolve the access issue. However, the access/frontage issues should be resolved prior to the submission of a formal consent application.

### **2.3 Zoning By-law**

The subject property is zoned Rural (RU) and Environmental Protection (EP) in Magnetawan Zoning By-law 2001-26.

The By-law permit a wide range of uses in the RU zone including detached dwellings, farms, hunt camps, logging activities, and resource management activities. The regulations in section 4.6.2 require a minimum lot size of 10 hectares and minimum lot frontage of 134 metres.

In the EP Zone, the only permitted uses are conservation, resource management activities and passive public parks. In Section 4.16.2 the By-law states that no buildings or structures are permitted in the EP zone except for pump houses and those required for flood and erosion control.

Both retained and severed parcels appear to meet the lot size requirement for the RU zone. The size of the retained parcel is identified as 13 hectares. In Section 3.7 the By-law indicates that lands zoned EP may be included in the calculation of lot area and yard requirements except for the area for the area below the normal or maintained high water mark. A portion of the watercourse runs through the retained parcel and eliminating the area below the high water mark will reduce the lot area. We are not in receipt of information about the location of the high water mark of the watercourse. From our review, it appears that removing this area will not reduce the lot area to the extent that the lot size will be less than 10 hectares. However, the Municipality could request further information if there are concerns about this matter.

Both lots also meet the lot frontage requirements which the By-law defines as the horizontal distance between the side lot lines.

Based upon the submissions, the Applicants are not proposing to build any structures on either the retained or severed parcels. It appears that the intent is to maintain the recreational use of the lands which would appear to meet the requirements of the RU and EP zones.

### **3.0 Summary and Conclusions**

Based upon the submitted documents, the Applicants are proposing to sever a 27 hectare lot from a 40 hectare parcel in order to create a lot for recreational purposes. The property is forested and contains an area of wetland. Also a watercourse runs through both the retained and severed parcels.

However, the wetland is not provincially significant and therefore is not subject to possible development prohibitions in the PPS. The watercourse only affects portions of the retained and severed parcels and there appear to be significant portions on each parcel that are a significant distance from the watercourse and wetland.

Given the above purpose of the application, proposed use of the property and size of the parcels, it appears that the consent will comply with most requirements of the Official Plan and Zoning By-law. However, there are some inconsistencies in the application.

The drawings submitted by the applicant and the sizes of the parcels in the application form indicate that the size of the retained parcel is 13 hectares and the severed parcel in 27 hectares. However, the property index map attached to the application seems to identify the size of the severed parcel as 87 hectares. This matter should be clarified.

Also, Section 7.1.1 (c) and (d) and of the Official Plan require new lots to have some form of access to municipal roads. For hunt camps and fishing camps this can be achieved via unmaintained municipal road allowances or on rights-of-way to publicly maintained roads. Also, Section 7.1.1 (j) requires that the creation of a new lot will not have the effect of landlocking another parcel.

The severed parcel will have frontage on Nelson Lake Road. However, it appears that the retained parcel will have not road frontage, and it is not clear if it will have a form of access to a municipal road, as required by the Official Plan. It maybe that the retained parcel will have access to Nelson Lake Road through the parcel to the east. However, this matter should be clarified.

In summary, based upon the submitted information the proposed consent appears to meet most applicable requirements of the Official Plan and By-law.


If the consent complies with the Official Plan and Zoning By-law it should also have appropriate regard for the applicable provisions off Section 51 (24) of the Act.

However, before making a decision the Municipality should be satisfied about the following:

1. That the proposed use of the retained parcel is for recreation,
2. That no buildings or structures area being proposed,
3. That the size of the parcels are accurately identified in the application,
4. That the retained parcel will have appropriate access and will not be "landlocked".

Respectfully Submitted,

**ECOVUE CONSULTING SERVICES INC.**

  
J. Kent Randall B.E.S. MCIP RPP  
Intermediate Planner



  
Chris Conti, M.E.S.  
Senior Planner

# RECEIVED

APR 05 2023

CODE:  
DESC:

## APPLICATION FOR CONSENT Under Section 53 of the Planning Act

FILE #B.....

**Note to Applicants:** This application form is to be used if the **CENTRAL ALMAGUIN PLANNING BOARD** is the consent granting authority. In this form the term "subject" land means the land to be severed and the land to be retained.

### Completeness of the Application

The information in this form that must be provided by the applicant is indicated by black arrows on the left side of the section numbers. This information is prescribed in the Schedule to Ontario Regulation 197/96 made under the Planning Act. The mandatory information must be provided with the appropriate fee. If the mandatory information and fee are not provided, the CAPB will return the application or refuse to further consider the application until the information and fee have been provided.

The application form also sets out other information that will assist the CAPB and others in their planning evaluation of the consent application. To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

The applicable fee is \$675 per lot created, per Lot Addition or per Right of Way – effective January 1, 2017

- 10 copies of the completed application form and 10 copies of the sketch are required by the CAPB. The copies may be used to consult with other ministries or agencies that may have an interest in the application.
- Please remember to include your property roll number

Measurements are to be in metric units.  
1 ft = .3048 meters; 1 acre = 0.404686 hectare

### For Help

To help you understand the consent process and information needed to make a planning decision on the application, refer to the Guide.

You can also call:  
Susan L. Arnold, Secretary - Treasurer  
Central Almaguin Planning Board  
63 Marie St, P. O. Box 310  
South River, On POA 1X0 705 386 - 2573  
e-mail: centralalmaguinplan@hotmail.com  
Web Page for forms: www.strongtownship.com  
Office hours: Wednesdays- 9:00 a.m. to 2:00 p.m.

### Submission of the Application

- One application form is required for each parcel to be severed.
- A complete application form MUST include a council resolution from the organized municipality stating the pre-consult requirements have been met to its satisfaction and be accompanied by a list of conditions the municipality requires.

### → Please Print and Complete Appropriate Box(es)

#### 1. Application Information – MUNICIPAL TAX - ROLL # 4955 040 00704100

|  |                    |                        |                     |
|--|--------------------|------------------------|---------------------|
| 1.1 Name of Owner(s). An owner's authorization is required in Section 11.1, if the applicant is not the owner.   |                    |                        |                     |
| Name of Owner(s)   | Home Telephone No. | Business Telephone No. |                     |
| TOMASZ + BARBARA MUSZYNSKI   | 226 398 0348       | NA                     |                     |
| Address 2540 2nd Concession Rd. W, Lynden, On.   |                    |                        | Postal Code L0R 1T0 |
| 1.2 Agent/Applicant: Name of the person who is to be contacted about the application, if different than the owner.<br>(This may be a person or firm acting on behalf of the owner.) e-mail - |                    |                        |                     |
| Name of Contact Person/Agent   | Home Telephone No. | Business Telephone No. |                     |
| NA   |                    |                        |                     |
| Address  | Postal Code        | Fax No.                |                     |
|  |                    |                        |                     |

#### 2. Location of the Subject Land (Complete applicable boxes in 2.1)

|     |  |   |                     |                                |
|-----|--|---|---------------------|--------------------------------|
| 2.1 | District   | Local Municipality/Unorganized Township | Former Municipality | Section or Mining Location No. |
|     | Concession Number(s)   | Lot Number(s)                           | Registered Plan No. | Lot(s)/Block(s)                |
|     | 12   | 12 + 13                                 |                     |                                |
|     | Reference Plan No.   | Part Number(s)                          | Municipal Address   | Parcel Number                  |
|     |  |   | 695 NELSON LK RD    | R 2943                         |
| 2.2 | Are there any easements or restrictive covenants affecting the subject land?<br>Yes No If Yes, describe the easement or covenant and its effect. |   |                     |                                |

### 3. Purpose of this Application

3.1

Type and purpose of proposed transaction (check appropriate box)

Transfer Other Creation of a new lot Addition to a lot A lease An easement A correction of title Other purpose

3.2

Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged NA

3.3

If a lot addition, identify the lands to which the parcel will be added. NA

### 4. Description of Subject Land and Servicing Information (Complete each subsection.)

4.1

Description Frontage (m.) 837m Severed 419m Retained 402m  
Depth (m.) 1000 800 of 1 lot 200 of lot 1  
Area (ha.) 7.4 ha 27 1000 of lot 12

4.2

Use of Property Existing Use(s) Residential Recreation 47 ha Residential  
Proposed Use(s) Recreational Recreation Residential

4.3

Buildings or Structures Existing (Date of Construction) dwelling NA 1977  
Proposed NA NA NA

4.4

Access (check appropriate space) Provincial Highway NA  
Municipal road, maintained all year ✓  
Municipal road, seasonally maintained NA  
Other public road (e.g. LRB) NA  
Right of way NA  
Water Access (if so, describe below) NA

4.5

Water Supply Describe in section 9.1, the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.  
Publicly owned and operated NA  
Private water system  
Privately owned and operated well  
Individual well NA  
Privately owned and operated NA  
Communal well  
Lake or other water body Wetland  
Other means NA

4.6

Sewage Disposal (Check appropriate space) Publicly owned and operated NA  
Sewerage system  
Privately owned and operated Septic  
Individual septic tank  
Privately owned and operated NA  
Communal septic system  
Privy NA  
Other means NA

4.7 Other Services  
Check if the service is available

(1) A certificate of approval from the North Bay Mattawa Conservation Authority submitted with this application will facilitate the review.  
Electricity NA  
School Bussing ✓  
Garbage Collection NA

4.8 If access to the subject land is by private road, or right of way was indicated in section 4.4., indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year.

NA



5. Land Use

➤ 6.1 What is the existing official plan designation(s), if any, of the subject land? Rural and Environmental Protection

6.2 What is the zoning, if any, of the subject land? If the subject land is covered by a Minister's zoning order, what is the regulation number? Rural and Environmental Protection

6.3 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature

On the Subject Land N/A Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance) N/A

- ☐ An agricultural operation including livestock facility or stockyard
- ☐ A landfill
- ☐ A sewage treatment plant or waste stabilization plant
- ☐ A provincially significant wetland (Class 1, 2 or 3 wetland)
- ☐ A provincially significant wetland within 120 metres of the subject land
- ☐ Flood plain
- ☐ A rehabilitated mine site
- ☐ A non-operating mine site within 1 kilometre of the subject land
- ☐ An active mine site
- ☐ An industrial or commercial use, and specify the use(s)
- ☐ An active railway line
- ☐ A municipal or federal airport
- ☐ Utility corridors

N/A

6. History of the Subject Land

➤ 6.1

Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act? Yes

6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application NO

➤ 6.3 Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act? Yes If Yes, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

7. Current Applications

➤ 7.1

Is the subject land currently the subject of a proposed official plan or official plan amendment that has been submitted to the Minister for approval?

Yes If Yes, specify the Ministry file number and the status of the application. Unknown If Yes and If Known, specify the Ministry file number and status of the application.

- 
- 
- > 7.2 Is the subject land the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, consent or approval of a plan of subdivision?
- ☐ No ☒ Yes ☐ Unknown If Yes, and if Known, specify the appropriate file number and status of the application.
- 
-

8. Sketch (Use the attached Sketch Sheet) To help you prepare the sketch, refer to the attached Sample Sketch

➤ The application shall be accompanied by a sketch showing the following:

- ☐ the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
- ☐ the boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land the distance between the subject land and the nearest township lot line or landmark, such as a railway crossing or bridge
- ☐ the location of all land previously severed from the parcel originally acquired by the current owner of the subject land
- ☐ the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks
- ☐ the existing use(s) on adjacent lands
- ☐ the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way
- ☐ if access to the subject land is by water only, the location of the parking and boat docking facilities to be used
- ☐ the location and nature of any easement affecting the subject land

9. Other Information

Is there any other information that you think may be useful to the CAPB or other agencies in reviewing this application? If so, explain below or attach on a separate page.

*Subject Land is surrounded by wooded lots for recreational use only. The subject land is a vacant land separated from rest by a marsh.*

10. Affidavit or Sworn Declaration

➤ I, DMARZ J. BARBARA MUZYHUSKI of the District of Parry Sound in the Municipality of Magnetawan make oath and say (or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application is true.


Sworn (or declared) before me

at the Municipal office

in the Municipality of Magnetawan

this 13 day of April 2023

  
Commissioner of Oaths

  
Applicant

**Sketch Sheet**

**Sketch Accompanying Application. (Please Use Metric Units)  
(See Section 8)**

**Key Plan N**

*TWO SKETCHES ATTACHED*

1101(08/98)

Page 6

## 11. Authorizations

- 11.1 If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.

### Authorization of Owner for Agent to Make the Application

I \_\_\_\_\_, am the owner of the land that is the subject of this application for a consent and I authorize \_\_\_\_\_ to make this application on my behalf.

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Owner

- 11.2 If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

### Authorization of Owner for Agent to Provide Personal Information

I \_\_\_\_\_, am the owner of the land that is the subject of this application for a consent and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize \_\_\_\_\_ as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Owner

## 12. Consent of the Owner

- Complete the consent of the owner concerning personal information set out below.

### Consent of the Owner to the Use and Disclosure of Personal Information

I, Senay T. Kayaolu, am the owner of the land that is the subject of this consent application and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

05.04.2023

\_\_\_\_\_ Date

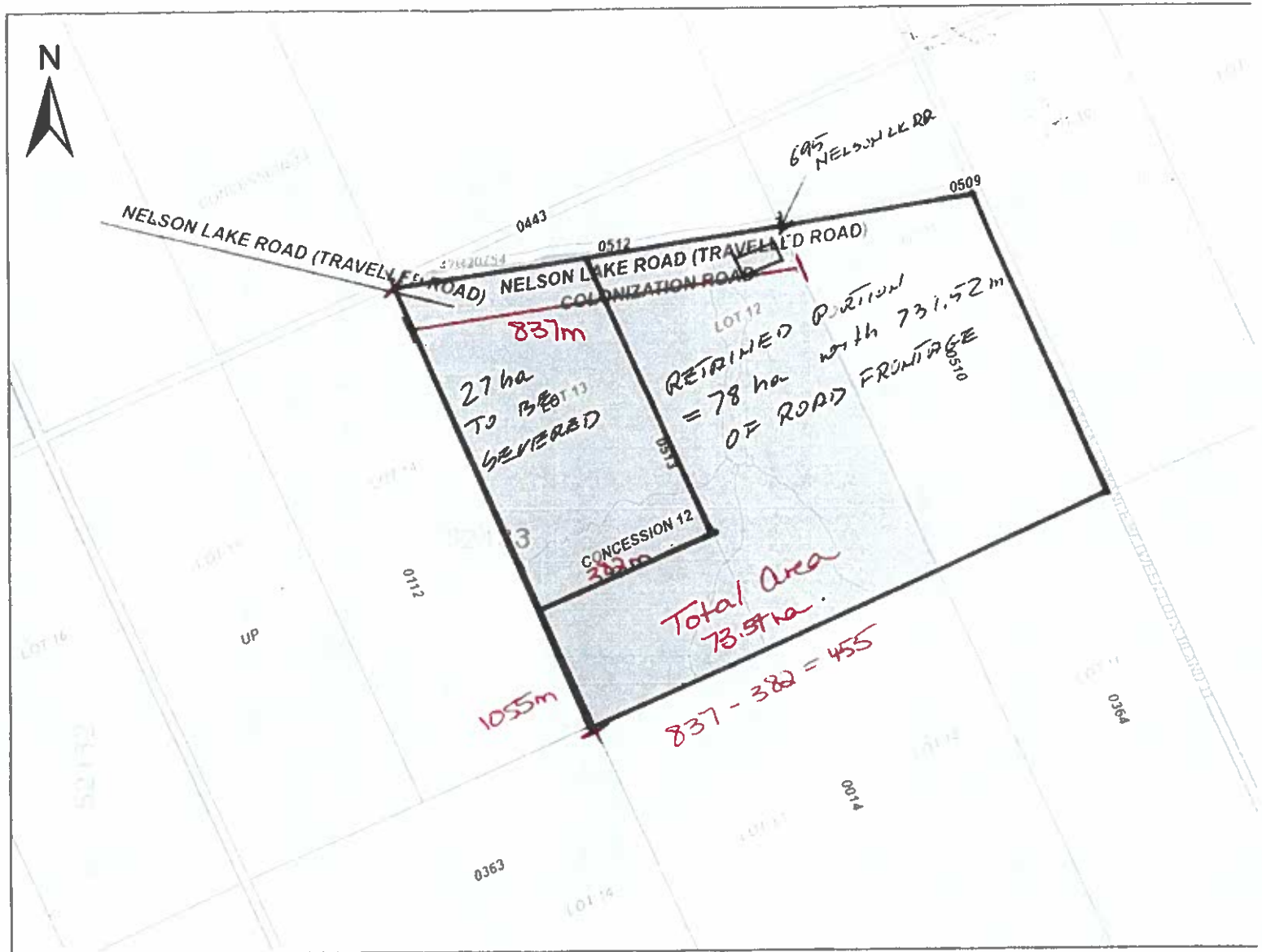
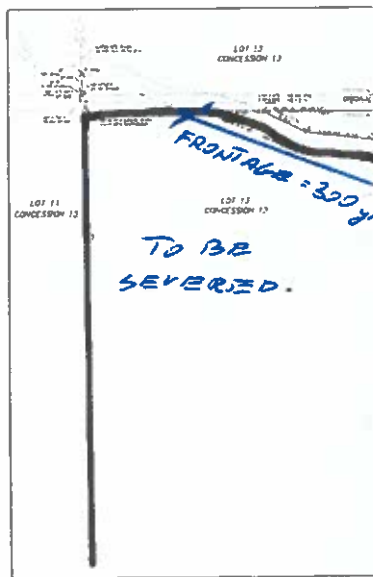
Senay T. Kayaolu  
\_\_\_\_\_ Signature of Owner

- The CAPB will assign a File Number for complete applications and this should be used in all communications.

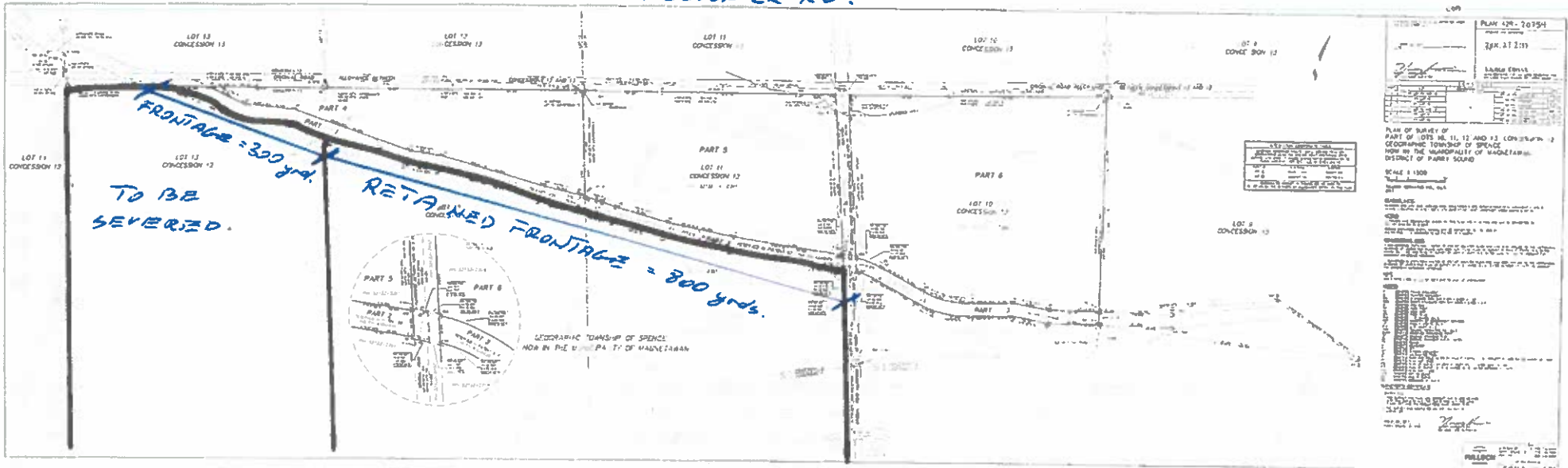
- Applicant's Checklist:** Have you remembered to attach:
- ☐ 10 copies of the completed application form?
  - ☐ 10 copies of the sketch?
  - ☐ 1 copies of the North Bay Mattawa Conservation Authority comments regarding Septic system
  - ☐ The required fee payable to the Central Almaguin Planning Board

Forward to:

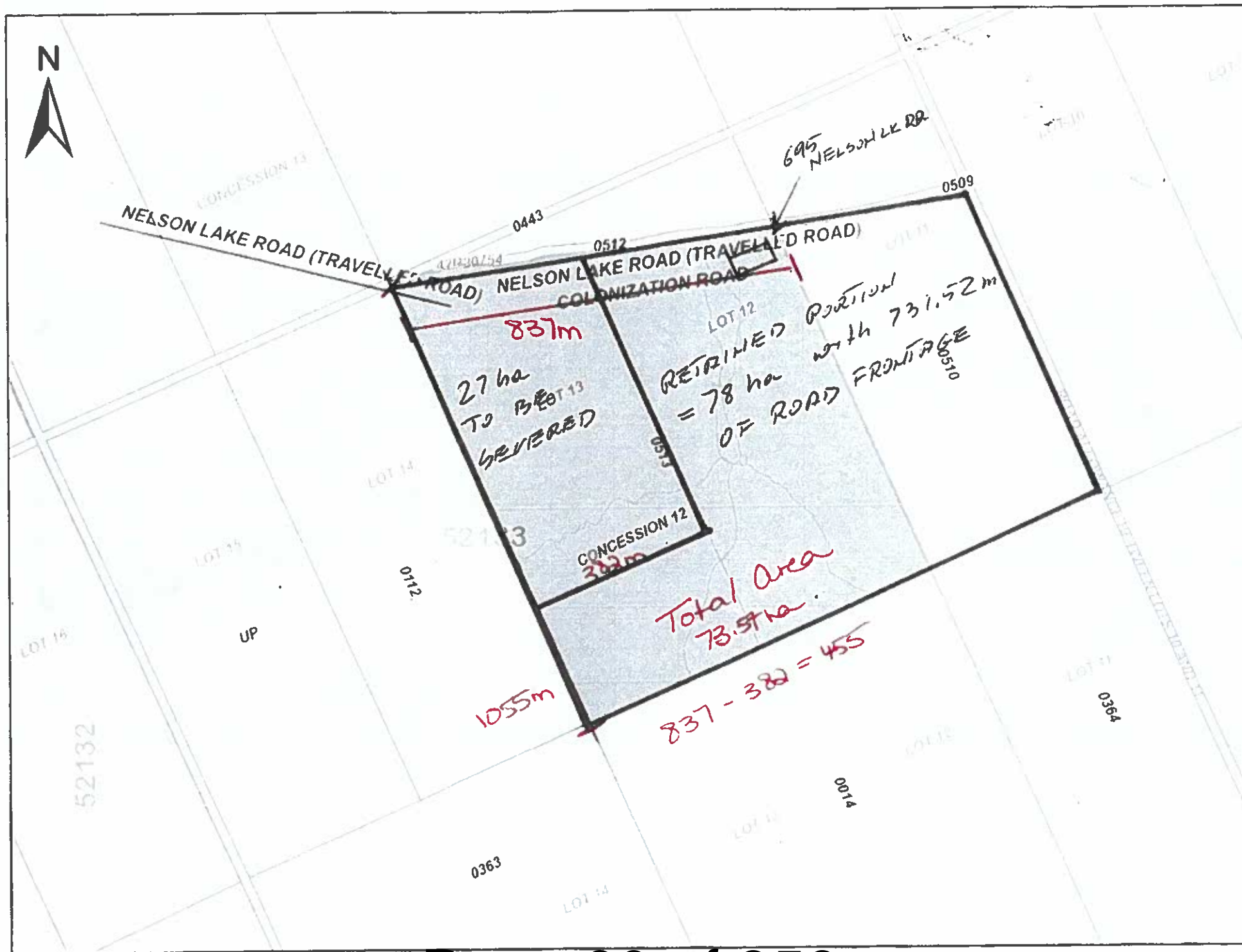
CENTRAL ALMAGUIN PLANNING BOARD, P.O.Box 310, South River, ON POA 1X0



FRONTAGE OF 695 NELSON LK RD.











**RESOLUTION NO. 2023 -**

**June 21, 2023**

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**WHEREAS** the Municipality of Magnetawan has received a request to support an application for consent for creation of 1 new lot located at CON 1, Part Lot 9 PLAN 42R-10938 CHAPMAN Magnetawan, which is a water access lot, (WEINS 4944 010 00105250) hereinafter referred to as "the Lands";

**WHEREAS** the Municipal planning consultant has provided a report indicating the application is absent a Lake Capacity Study that did not consider specifics of the Subject property or recommended any mitigation measures for the adjacent property to the west and recommended the application be deferred or denied, the Report also included specific conditions should Council chose to support in principle the application;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Municipality of Magnetawan support in principle the consent application for the Lands, which is valid only for a period of six (6) months; subject to the following conditions:

- That the foregoing conditions be fulfilled within two years of the notice of decision of the Planning Board;
- Draft Reference Plan to be approved by the Municipality prior to registration;
- Two (2) true certified paper copies of the registered plan and an electronic version with a certification that it is a true copy be provided to the Municipality;
- Draft copy of the deeds (with all schedules) to be approved by the Municipality prior to registration;
- A copy of the original executed transfer (deed) with all schedules be provided to the Municipality;
- Confirmation from the North Bay Mattawa Conservation Authority (NBMCA) that the proposed Severed and Retained Lots can be adequately serviced by individual on-site septic systems;
- Payment of all taxes, municipal legal fees, planning fees and fees as per the current Fees and Charges By-law, Park Land Dedication By-law and all other fees associated with the processing of this application;
- That the Applicant submit and obtain approval for a Zoning By-law Amendment to rezone the Severed lot and Retaining Lot to the Shoreline Residential Exception Zoning to bring the lots into compliance with the Zoning By-law, including the application of increased setbacks (50 Meters from the "other wetland" located on the Severed Lot;
- Applicant enter into a Limited Service Agreement with the Municipality to be registered on title;
- That the Applicant provide a copy of an agreement demonstrating there are sufficient facilities for private mainland parking and docking available to service severed lot.□

Carried \_\_\_\_\_ Defeated \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
Sam Dunnett, Mayor

| Member of Council   | Yea | Nay | Absent |
|---------------------|-----|-----|--------|
| Bishop, Bill        |     |     |        |
| Hetherington, John  |     |     |        |
| Hind, Jon           |     |     |        |
| Kneller, Brad       |     |     |        |
| Mayor: Dunnett, Sam |     |     |        |

## THE MUNICIPALITY OF MAGNETAWAN

### **PLANNING REPORT**

TO: Erica Kelogg, Acting Deputy Clerk – Planning & Development  
Municipality of MagnetawanMunicipality of Magnetawan

FROM: Jamie Robinson, BES, MCIP, RPP & Jonathan Pauk, MCIP, RPP  
MHBC Planning

DATE: May 31, 2023

SUBJECT: Consent Application – Parcel 23503 Section SS; Part Lot 9, Concession  
1 Chapman Part 1, 42R10938, Henry Wiens  
Roll: 494401000105250

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### **Recommendations**

That prior to the consideration of the consent application by the Planning Board, a Lake Capacity Study be completed for the Subject Property. The addendum letter provided by Riverstone is not a Lake Capacity Study and did not consider the specifics of the Subject Property or recommend any mitigation measures as was included in the 2018 Lakeshore Capacity Assessment for the adjacent property to the west.

As a result, it is recommended that the application be deferred or denied.

Should the Planning Board approve the Consent application to create one (1) retained lot and one (1) new water access seasonal residential the following conditions of provisional consent should be included:

1. That the Applicant meet all financial requirements of the Municipality;
2. That a registrable description of the Severed Lot be submitted to the Municipality;
3. Confirmation from the North Bay Mattawa Conservation Authority (NBMCA) that the proposed Severed and Retained Lots can be adequately serviced by individual on-site septic systems and individual on-site water systems;
4. That a draft survey of the Severed Lot be provided to the Municipality for review and approval;
5. That the Applicant submit and obtain approval for a Zoning By-law Amendment to rezone the Severed Lot and Retained Lot to the Shoreline Residential Exception

Zone to bring the lots into compliance with the Zoning By-law, including the application of increased setbacks (50 metres) to from the “other wetland” located on the Severed Lot;

6. That cash-in-lieu of parkland be dedicated to the Municipality in the amount of 5% of the assessed value of land of the newly created lot or the entire lands, whichever is lesser; and,
7. That the foregoing conditions be fulfilled within two years of the date of the notice of the decision of the Planning Board.

### **Proposal / Background**

Marie Poirier (Marie Poirier Planning and Associates Inc.) has submitted a consent application on behalf of the property owner, 1671258 Ontario Inc. (Henry Wiens). The application proposes to create one new residential lot fronting onto Horn Lake. The proposed Severed and Retained lots are proposed to be accessed by a navigable waterway (there is no road access to either lot). As part of the application submission, the Applicant has provided confirmation of mainland docking, parking and garbage removal at Birch Crest Resort. A Planning Justification Report (Attachment 1) and a Planning Justification Addendum Letter (Attachment 2) were submitted by the Applicant.

The Subject Property is currently vacant. The proposed Retained and Severed lots are intended to be used for seasonal residential purposes. The location of the Subject Property is shown in Figure 1.

*Figure 1: Subject Property*



The Subject Property has a lot area of 20.7 hectares with approximately 478 metres of frontage on Horn Lake along the southern frontage and 105 metres on the northern

portion fronting onto a small bay of Horn Lake. The Subject Property is designated Shoreline, Rural and Environmental Protection in the Municipality's Official Plan and are zoned Rural (RU) and Environmental Protection (EP) the Municipality's Zoning By-law.

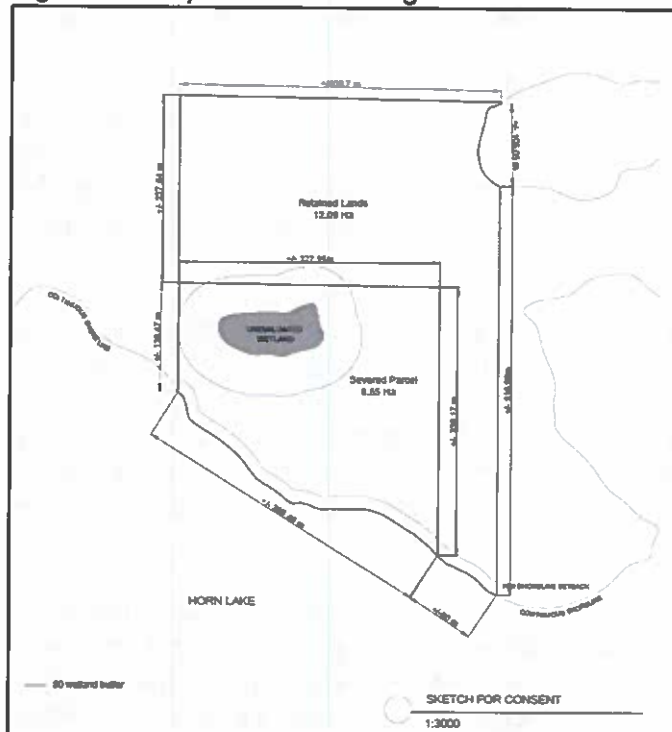
The proposal is to create one additional water access lot for a future seasonal residential dwelling fronting onto Horn Lake. Table 1 identifies the proposed lot frontage, lot area and proposed uses of the Severed and Retained Lots. These measurements are based on the drawing submitted with the Consent application.

**Table 1: Proposal Summary**

| Lot                 | Area         | Lot Frontage                                    | Proposed Use                 |
|---------------------|--------------|---|------------------------------|
| <b>Retained Lot</b> | 12 hectares  | +/- 90 metres (south)<br>+/- 105 metres (north) | Future Shoreline Residential |
| <b>Severed Lot</b>  | 8.5 hectares | 388 metres                                      | Future Shoreline Residential |

The proposed Severed and Retained Lots are currently vacant and are proposed to be developed with a future seasonal residential dwelling. The proposed Severed and Retained Lots are proposed to be accessed via navigable waterway (Horn Lake) and the Applicant has provided confirmation of mainland docking, parking and garbage removal at Birch Crest Resort (See Attachment 5). The proposed lot configuration shown in Figure 2.

**Figure 2: Proposed Lot Configuration**



## **Area Context**

**North:** Crown Land

**East:** Shoreline Residential properties fronting onto Horn Lake

**South:** Horn Lake and Shoreline Residential properties fronting onto Horn Lake

**West:** Rural Residential properties fronting on to Minkler's Lane & South Horn Lake Road

## **Policy Analysis**

### **Provincial Policy Statement**

The Provincial Policy Statement (PPS) is a document that provides policy direction on matters of Provincial interest concerning land use planning. Ontario has a policy led planning system and the PPS sets the foundation for regulating the development and use of land in the Province. Policies are set out to provide for appropriate development while also protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. When making land use planning decisions, Planning Authorities must ensure that decisions are consistent with the PPS.

The Subject Property is located outside of the Magnetawan Village settlement area and is considered to be Rural Lands. The PPS, specifically Section 1.1.5.2, recognizes resource-based recreational uses, (including recreational dwellings) and residential development, including lot creation, which is locally appropriate, as permitted uses on rural lands. The consent application for a future seasonal residential dwelling is permitted.

Section 1.6.6.4 provides policies that apply to development on individual well and septic. It states that individual on-site sewage services and individual on-site water services may be used for a new development provided that site conditions are suitable for the long-term provision of such services with no negative impacts. Section 1.6.6.6 states that planning authorities may allow for lot creation, based on confirmation that adequate servicing can be accommodated.

The lots are proposed to be serviced by individual sewage and water services. Individual on-site sewage services are typical in the area and the proposed lots are anticipated to be of a sufficient size to accommodate on-site services. Should the application be approved, it is recommended that a condition of provisional consent require the North Bay Mattawa Conservation Authority (NBMCA) provide confirmation that a sewage system can be located on each lot. Individual on-site water services can be provided by drilled well or lake water.

Section 2 of the PPS contains policies that address the wise use and management of resources, including the protection of natural heritage features and functions. A portion of the Subject Property (on the proposed Retained Lot) is designated Environmental Protection which is understood to be an "other wetland" on Schedule B of the Official Plan. Development is not being proposed on either lot as part of the consent application.

Should the application be approved, a condition of provisional consent has been included to require that the Applicant submit a Zoning By-law Amendment to bring the Severed and Retained lots into compliance with the Zoning By-law and establish setbacks from the "other wetland". The proposed Severed Lot will be required to meet setback requirements as provided in the Municipality's Official Plan for adjacent lands (50 metres from the "other wetland").

Section 2.2 contains policies that require the quality and quantity of water to be protected, improved or restored. The Applicant submitted an addendum letter by Riverstone Environmental to a previous Lakeshore Capacity and Fish Habitat Assessment for Horn Lake that was prepared in 2018 for 4 (four) new lots at the adjacent property (Attachment 4). The 2018 Assessment concluded that the Lake was not at capacity and could accommodate the additional development. The addendum letter for this consent application concluded that the creation of one additional lot would not result in Horn Lake being at capacity.

The 2018 Lakeshore Capacity and Fish Habitat Assessment for Horn Lake recommended site specific mitigation measures in addition to the measures already required in the Municipality's Official Plan. The addendum letter prepared by Riverstone does not include any mitigation measures for the Subject Property and assumes that no additional development has occurred on Horn Lake that would bring the Lake to capacity.

We do not believe that the material provided by Riverstone is sufficient to address the Official Plan requirement for a Lake Capacity Assessment. A Lake Capacity Assessment for the Subject Property should be prepared and it is expected that such an assessment would include mitigation measures similar to those recommended in the Hutchison Report that can be implemented on the Subject Property. Should a Lake Capacity Assessment be prepared for the Subject Property and conclude there is capacity on Horn Lake and provide mitigation measures development of the proposed consent application could be consistent with Section 2.2 of the PPS.

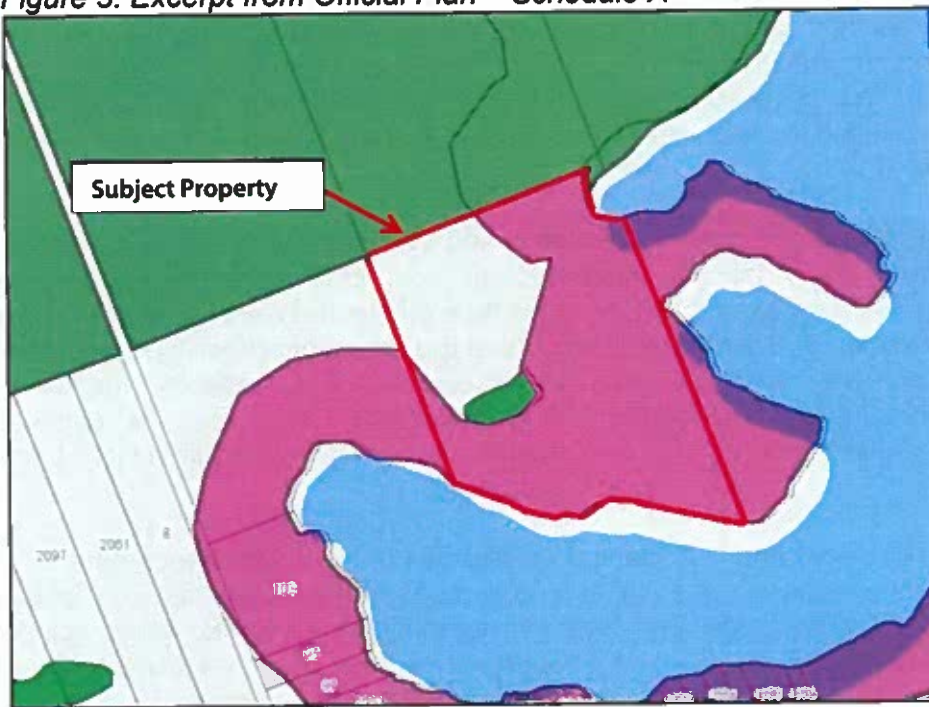
Section 3.1 provides policies pertaining to natural hazards, including flooding. Based on the size of the proposed Severed and Retained Lots, it appears that a suitable building envelope location exists above the applicable flood elevation.

Subject to the Applicant fulfilling the conditions of consent, the proposed application is considered to be consistent with the PPS.

#### Municipality of Magnetawan Official Plan

Schedule A (Land Use Map) to the Official Plan identifies the Subject Property as being designated Rural, Shoreline and Environmental Protection as shown in Figure 3.

*Figure 3: Excerpt from Official Plan – Schedule A*



Based on Schedule B (Natural Heritage Features) of the Official Plan, there is an area mapped as Environmental Protection in the central portion of the Subject Property that appears to recognize an unevaluated wetland area.

Section 4.3 of the Official Plan includes surface water quality policies, and specifically speaks to lot creation policies for lakes that are at or near capacity whereby lot creation is not permitted with exception of certain circumstances. It is understood that if a Lake Capacity Study is completed and concludes that the lake is not at capacity the policies for lot creation on at/near capacity lakes in Section 4.3 do not apply. Accordingly, the Applicant is required to complete a Lake Capacity Study specific to the Subject Property to consider lot creation on the Subject Property.

Section 4.4 of the Official Plan states that new development or site alteration shall have no negative impact on the natural features or ecological functions of significant habitat of endangered or threatened species, other significant wildlife habitat, fish habitat, a provincially significant wetland or other significant natural heritage feature or functions.

Should the application be approved, a condition of provisional consent should be included to require that the Applicant submit a Zoning By-law Amendment to rezone the Subject Property to ensure the proposed lots comply with the minimum lot area, frontage and setbacks in the Zoning By-law.

Section 4.10 establishes what is deemed to be adjacent lands to natural heritage features. For "other wetlands" adjacent lands are identified as being lands within 50 metres. If future development is proposed within 50 metres of the "other wetland" an EIS would be required

to confirm no negative impact on the feature or its function. Should the application be approved subject to the recommended conditions, the rezoning of the Severed Lot will ensure that no future development will occur within 50 metres of the "other wetland."

Section 5.4.1 of the Official Plan establishes permitted uses and detached dwellings are a permitted use in the Shoreline designation. It is understood that future development on the Severed and Retained lots is for seasonal residential purposes and accordingly would conform to Section 5.4.1 of the Official Plan.

Section 5.4.2 of the Official Plan states that Horn Lake has been identified as a lake trout lake that is at capacity. In order to evaluate the capacity issue, a Lakeshore Capacity and Fish Habitat Impact Assessment for Horn Lake was prepared by Hutchison Environmental Sciences Ltd. dated May 1, 2018 (See Attachment 3). The Lakeshore Capacity and Fish Habitat Impact Assessment was prepared in support of a consent application for 4 (four) lots at the abutting property to the west. The Assessment concluded that Horn Lake is not over capacity in terms of total phosphorus, recreational capacity or average Mean Volume-Weighted Hypolimnetic Dissolved Oxygen (MVWHDO) concentrations. The 2018 Lakeshore Capacity and Fish Habitat Assessment for Horn Lake recommended site specific mitigation measures in addition to the measures already required in the Municipality's Official Plan.

The addendum letter prepared by Riverstone does not include any mitigation measures for the Subject Property and assumes that no additional development has occurred on Horn Lake to put the lake at capacity since the preparation of the 2018 report. Further consideration needs to be had for the site specific nature of the Subject Property. A Lake Capacity Assessment for the Subject Property should be prepared with mitigation measures that can be implemented on the Subject Property.

Section 5.4.2 of the Official Plan includes the development standard policies. New lots should have a minimum lot size of 1.0 hectare and minimum lot frontage of 90 metres. The proposed Severed and Retained lots exceed these minimum lot standards. In addition, lot lines should follow existing features and terrain and should be configured so that conflicts between abutting properties will be avoided. The proposed lots would appear to conform to Section 5.4.2.

Section 5.4.8, states that new development in the Shoreline Area should be directed to lands that are physically suitable for development in their natural state in an effort to maintain the area's unique character. The implementing Zoning By-law for future development will address the location of the buildings through appropriate setbacks.

Section 7.1.1 of the Official Plan contains criteria that are applicable to consent applications. Table 2 below summarizes the consent policies.



**Table 2: Official Plan Section 7.7.1 Summary**

| <b>Policy 7.7.1<br/>Severance Criteria</b>   | <b>Does the Application Conform?</b>   |
|--|--|
| a) A registered plan of subdivision is not necessary for the orderly development of the lands.   | A Plan of Subdivision is required where 3 or more lots are proposed. The proposed application is for 1 Retained Lot and 1 Severed lot. Therefore, a Plan of Subdivision is not required.   |
| b) The lot size and setback requirements will satisfy specific requirements of this Plan and meet the implementing zoning by-law requirements.   | <p>Section 5.4.2 of the Official Plan requires a minimum lot area of 1 hectare for new residential lots. The proposed Severed (8.5 ha) and Retained Lots (12 ha) lots exceed this requirement.</p> <p>The subject property is Zoned Rural (RU). The minimum required lot area for the Rural Zone is 10 hectares. The proposed Severed Lot does not comply with the minimum lot area standard. Nor does the Retained Lot comply with the minimum required lot frontage of 134 metres, whereas 90 metres is proposed.</p> <p>In order to ensure Zoning By-law compliance, it is a recommended condition of consent that the proposed Severed and Retained Lots be rezoned to an appropriate Zone to ensure compliance with the Municipality's Zoning By-law and the intended use of the proposed lots.</p> |
| c) The proposed lot must front on a publicly maintained road or, within the Shoreline designation, between existing lots on an existing private road with a registered right-of-way to a municipally maintained road or be a condominium unit, which may be created on private roads having access to a municipal year round road.                 | <p>The Subject Property is located within the Shoreline Designation.</p> <p>See item g) of this Table. The lots are proposed on the basis of water access.</p>   |
| d) Lots for hunt camps, fishing camps, wilderness tourist camps or similar uses may be permitted on unmaintained municipal road allowances or on private right of ways to publicly maintained roads provided that the appropriate agreements are in place to ensure that the Municipality has no liability with respect to the use of these roads. | This policy is not applicable as the proposed lots are not for hunt camps, fish camps etc.   |

|   |   |
|---|---|
| e) The lot must have road access in a location where traffic hazards such as obstructions to sight lines, curves or grades are avoided;   | See item g) of this Table. The lots are proposed on the basis of water access.  |
| f) The lot size, soil and drainage conditions must allow for an adequate building site and to allow for the provision of an adequate means of sewage disposal and water supply, which meets the requirements of the Building Code, the lot must have safe access and a building site that is outside of any flood plain or other hazard land.   | <p>The proposed Retained and Severed Lots are anticipated to be of sufficient size to accommodate a building site and individual on-site sewage and water services.</p> <p>Approval from the North Bay Mattawa Conservation Authority (NBMCA) is required to confirm that the Retained and Severed lots can be adequately serviced by on-site septic systems. The lots can be serviced with drilled wells, or lake water.</p> |
| g) Notwithstanding subsection c), lots created for seasonal or recreational purposes may be permitted where the access to the lot is by a navigable waterbody provided that Council is satisfied that there are sufficient facilities for mainland parking and docking.   | <p>Access for the proposed lots are proposed to be accessed via a navigable waterway.</p> <p>It is noted that lot creation in the Shoreline designation is permitted based on water access. As part of the application submission, the Applicant has provided confirmation that mainland parking and docking is available at the Birch Crest Resort. See Attachment 5.</p>  |
| h) Any lot for permanent residential use shall be located on a year round maintained municipal road or Provincial highway.  | The proposed lots represent seasonal residential uses and are not for permanent residential uses.   |
| <p>i) In the Rural designation, new lots created by consent shall be limited to the following:</p> <ul style="list-style-type: none"> <li>i. The Township will permit the creation of up to eight new lots per year. The new lots must comply with the regulations as set out in the implementing Zoning By-law.</li> <li>ii. two lots per original hundred acre lot;</li> <li>iii. one lot for each 50 acre parcel which existed as of the date of approval of this Plan; and</li> <li>iv. infilling between existing residences within 300 metres of each other on the same side of a municipal road or Provincial highway</li> </ul> | The Subject Property is designated Rural and Shoreline. For the purposes of this report, we have focused our review in the context of the Shoreline designation policy given the location of the subject property and frontage onto Horn Lake.  |
| j) The creation of any lot will not have the effect of preventing access to or land locking any other parcel of land.   | Access to the Severed and Retained lots is by a navigable waterway (Horn Lake). The   |

|  |  |
|--|--|
|  | Severed and Retained lots will not prevent access to, or land lock, any other parcel of land.                              |
| k) Any severance proposal on land adjacent to livestock operations shall meet the Minimum Distance Separation Formula 1 in accordance with the MDS Guidelines and shall demonstrate that the proposed water supply has not been contaminated from agricultural purposes. | The subject lands are not adjacent to livestock operations. MDS calculations are not required for the consent application. |

The new lots are being proposed on the basis of water access, in accordance with Section 7.7.1 g) of the Official Plan as referenced in Table 2. The application form indicates that the applicant intends to obtain mainland parking and boat docking at Birch Crest Resort. In addition, the applicant has provided confirmation from Birch Crest Resort.

#### Municipality of Magnetawan Zoning By-law

The Subject Property is zoned Rural (RU) and Environmental Protection (EP) in the Municipality's Zoning By-law. A detached dwelling is a permitted use in the Rural (RU) Zone.

Table 3 provides a summary of the proposed lots in relation to the minimum requirements for the Rural (RU) Zone.

*Table 3: Zone Standards*

| Zoning By-law Requirements |     | Lot Configuration |                       |                      |
|----------------------------|-----|-------------------|-----------------------|----------------------|
|                            |     | Rural (RU) Zone   | Proposed Retained Lot | Proposed Severed Lot |
| Minimum Area               | Lot | 10 Hectares       | 12 Hectares           | 8.5 Hectares         |
| Minimum Frontage           | Lot | 134 Metres        | +/- 90 Metres         | ~388 Metres          |

The proposed lot configuration does not comply with the minimum lot standards for the Rural (RU) Zone. As mentioned, a condition of consent has been recommended to require the Applicant obtain approval for a Zoning By-law Amendment to rezone the proposed Severed and Retained Lots to bring them into compliance with the Zoning By-law.

The Shoreline Residential Zone identifies that detached dwellings are a permitted use and the minimum lot requirements are 1 hectare with 90 metres of frontage. The Shoreline Residential Zone is an appropriate zone for the intended seasonal residential dwellings on the proposed lots. A condition of provisional consent will need to be the zoning of the lots to the Shoreline Residential Zone. Future development on the proposed lots will be required to comply to the requirements in the Municipality's Zoning By-law.

## **Summary**

Based on a review of the Application and subject to satisfaction of all of the recommended conditions identified in this Report, the proposed Consent application to permit the creation of one new shoreline lot, based on water access, would be consistent with the Provincial Policy Statement and would conform to the policies of the Municipality of Magnetawan Official Plan.

It is our opinion, the Consent Application should be deferred or denied on the basis that a Lake Capacity Assessment has not been completed and is required. Should the Planning Board decide to provisionally approve the application, the recommended conditions of provisional consent should be applied.

Respectively submitted,



Jonathan Pauk HBASc., MSc. MCIP, RPP  
Planning Consultant  
MHBC Planning



Jamie Robinson, BES, MCIP, RPP  
Planning Consultant  
MHBC Planning

Attachment 1: Planning Justification Report prepared by Marie Poirier Planning & Associates Inc.

Attachment 2: Update to Application and Planning Justification Report prepared by Marie Poirier Planning & Associates Inc. dated March 8, 2023

Attachment 3: Lakeshore Capacity Assessment prepared by Hutchison (2018)

Attachment 4: Lake Capacity Review prepared by Riverstone Environmental dated November 3, 2022

Attachment 5: Confirmation of Mainland Parking and Docking

# Attachments

# Attachment 1



**MARIE POIRIER**  
PLANNING & ASSOCIATES INC.

# Planning Report

## Prepared For:

1671258 Ontario Inc. (Henry Wiens)  
Parcel 23503 Section SS; Part Lot 9 Concession 1  
Chapman Part 1, 42R10938  
Municipality of Magnetawan



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## **Planning Justification Report**

**Parcel 23503 Section SS; Part Lot 9 Concession 1 Chapman Part 1, 42R10938;  
Magnetawan**

**Pursuant to Section 34 of the Planning Act**

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## **PURPOSE AND NATURE OF THE APPLICATION**

The purpose of this consent application is to create one new lot and one retained from the subject parent lot fronting on Horn Lake. A sketch for consent purposes is provided in Schedule A of this report (Figure 1). Through a comprehensive policy review, Marie Poirier Planning and Associates has determined that the proposal demonstrates appropriate development and planning for the subject lands. The firm is herewith submitting an application for consent, following the pre-consultation notes provide by the municipality's consulting planner and discussions with municipal staff.

Horn Lake is recognized as an "at-capacity" lake in the municipality's official plan; however a lake capacity was undertaken by Hutchinson Environmental Sciences Ltd. in 2018 concluding that the lake is not at capacity (Schedule B). This report is further discussed in the body of the report as supporting justification. This application has been amended since the initial proposal to ensure compliance with the Official Plan where it is permitted to create one (1) new lot and one (1) retained through the consent process, rather than the initial five lots proposed. The creation of one large lot will ensure the development on this property maintains the integrity of the area.

The proposed access for this subject property is by way of the waterbody Horn Lake. In correspondence with Birch Crest Resort, there is parking and dock space available for the proposed severed and retained lots.

## **PROPERTY DESCRIPTION**

### *Legal*

The property is legally described as Parcel 23503 Section SS, Part Lot 9 Concession 1 Chapman Part 1, 42R10938, Magnetawan.

### *Physical*

The property is approximately 20.72 Ha in area and has two point of frontage on horn Lake, +/- 1653 ft. (+/-503 m) on the southern portion and +/- 379.94 ft. (115.8 m) at the northeast corner. The subject property is vacant. The proposed new lot is to be created on the southern portion of the property.

### *Natural*

The property remains in its natural state and is well vegetated with varying topography, being consistent with the nature of Magnetawan. There are no steep slopes identified on the subject property and the slope is gentle as the land approaches the shoreline. The proposed lot will maintain the vegetation buffers as required along the shoreline, as the property enjoys a large frontage. A sketch of the proposed can be found on the following page, as Figure 1 as well as attached hereto in Appendix I. Photos are provided in Schedule C.



## **PLANNING ANALYSIS**

### **The Planning Act and Provincial Policy Statement**

The Planning Act sections 1, 3 and 6 Subdivision of Land. Under part six particular attentions was given to section 53 Consents and 54 Delegation of authority to give consents. The application has considered all matters of provincial interest, to which it does not offend any of these policies. The proposed is also consistent with the Provincial Policy Statement (PPS), which is reviewed and analyzed in detail below.

The subject property is recognized as both Rural and Shoreline in the Municipality of Magnetawan, with a small portion Environmental Protection as provided in Schedule A of the Official Plan. During review of the Provincial Policy Statement, special attention was given to Section 2.1 Natural Heritage and 2.2 Water.

The natural heritage mapping system created by the Ministry of Natural Resources and Forestry was reviewed in conjunction with the Municipal Schedules as they pertain to the natural features identified. The mapping identifies an “unevaluated wetland” on the subject property; the mapping does not identify any fish habitat.

Section 2.1 states that natural heritage features should be protected for the long term ecological function of the land. The subject property resides in Ecoregion 5E, where the policy below is particularly relevant to the application, given the wetland identified on the parent lot.

*2.1.4 Development and site alteration shall not be permitted in:*

- a) significant wetlands in Ecoregions 5E, 6E and 7E1; and*
- b) significant coastal wetlands.*

There is no development proposed in the identified wetland on the subject property, the proposed lot creation has respect for this natural heritage feature and all construction will respect the required setbacks of the natural heritage feature. The definition of significant as defined in the PPS and relates to wetlands is described below.

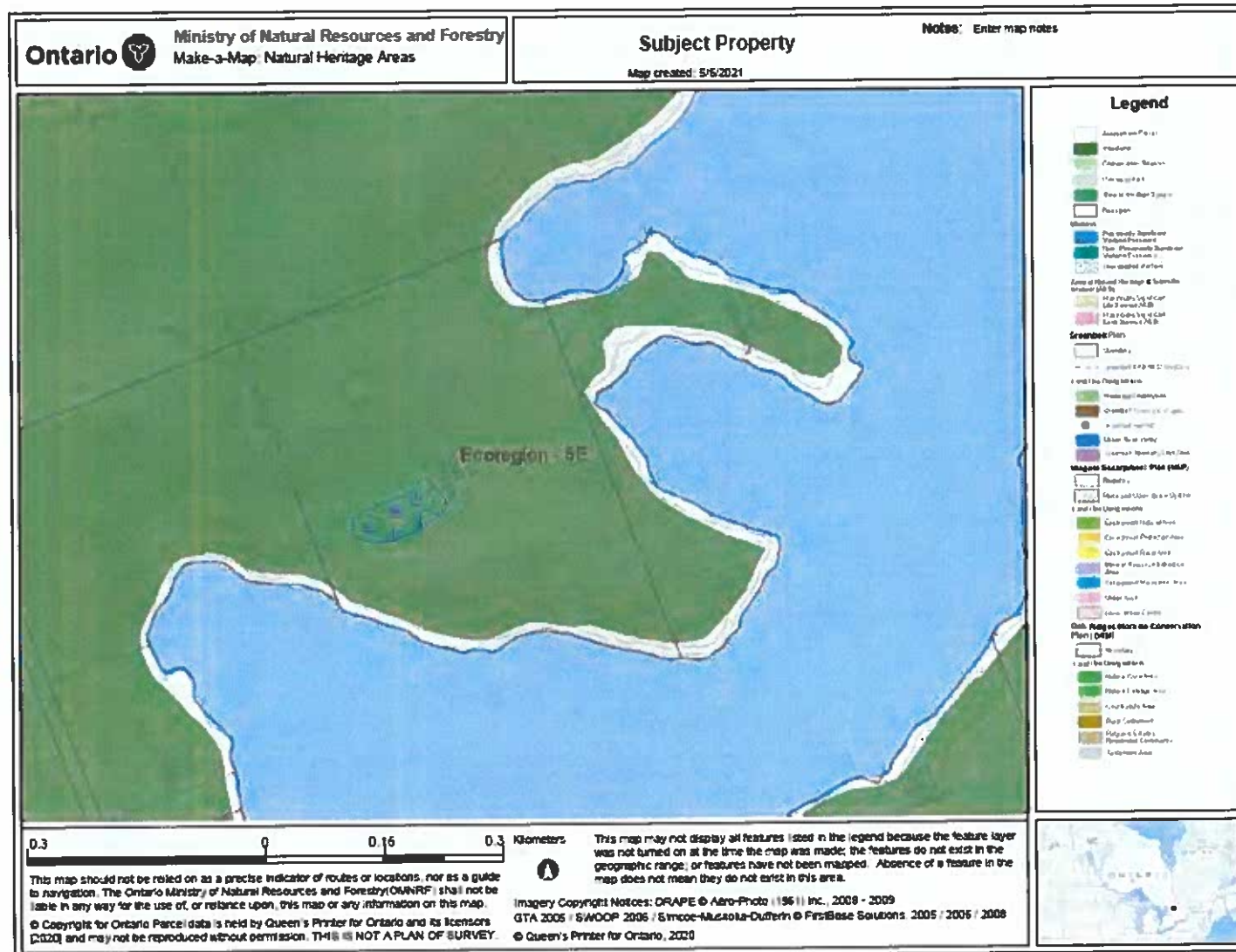
*Significant: means*

*a) in regard to wetlands, coastal wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time.*

The wetland on the subject property is identified as an “Unevaluated Wetland” and is not recognized to be Provincially Significant. There are also “Woodlands” identified on the subject property, to which section 2.1.5 states that Development and site alteration shall not be permitted in significant woodlands in “Ecoregions 6E and 7E” the subject property is located in Ecoregion 5E and therefore not deemed a significant woodland area.

Policy section 2.2 pertains to water and is particularly relevant as the proposed lots front onto Horn Lake. In policy 2.2.1 and most important to the proposed development is that the quality of water is to be protected, improved, or restored by minimizing potential negative impacts, evaluating and preparing for climate change, ensuring environmental lake capacity is considered. Future development on the proposed lots will be required to meet setback requirements As provided in the Magnetawan Official Plan and Zoning Bylaw while also maintaining the required vegetation buffer, protecting the quality of the shoreline. The proposed lots have sufficient development area to ensure all required setbacks are met.

Based on the above, it is the opinion of the firm that the proposed development does not offend any matters of Provincial interest and as such is consistent with the Provincial Policy Statement.



## **Municipality of Magnetawan Official Plan**

The subject lands are located within the shoreline designation of the Municipality of Magnetawan official plan 'Schedule A' Land Use, attached hereto in Schedule D. The parent lot holds two frontages on Horn Lake, where the retained land will maintain frontage on both locations, and the severed lot will have frontage on the south (Figure 1). Additionally recognized is the EP designation comprising a small portion of the property, being the area recognized as "other wetland" (Figure 2) in Schedule B. The Municipality of Magnetawan Official Plan was reviewed in its entirety, with the following policies being most relevant to the proposed development.

### *Section 4.4 Natural Heritage and Resource Management*

*New development or alterations shall have no negative impact on the natural features or ecological functions of significant habitat of endangered or threatened species, other significant wildlife habitat, fish habitat, a provincially significant wetland or other significant natural heritage feature or function. Where development is proposed within or adjacent to these areas, the approval authority shall require the submission of an Environmental Impact Assessment.*

As mentioned previously the wetland on the subject property is not identified as a "Provincially Significant Wetland" and therefore in this regard does not require an Environmental Impact Assessment. All development proposed on the resulting lots will maintain the required 50m setback.

The policy *Section 4.5 Wetlands* only pertains to the wetlands as recognized as significant and therefore is not applicable to the wetland on the subject property.

### *Section 4.10 Adjacent Lands*

*Adjacent lands are the lands adjacent to a natural heritage feature within which potential impacts of a development proposal must be considered. For the purposes of this Official Plan, adjacent lands are defined as all lands within:*

- *120 metres of the boundary of a Provincially Significant Wetland or unclassified wetland in excess of 0.8 ha; ·*
- *50 metres of the boundary of other wetlands; ·*
- *30 metres of any watercourse; ·*
- *50 metres from the boundary of a Provincially or Regionally Significant Area of Natural and Scientific Interest; ·*
- *120 metres from a significant habitat of an endangered or threatened species;*
- *120 metres from the boundary of a significant fish habitat area; and ·*
- *120 metres from the boundary of a significant wildlife habitat.*

The natural heritage feature identified on the subject lands is and "other wetlands". This section defined adjacent lands to be within 50 metres from the boundary of other wetlands.

The site plan sketch submitted in conjunction with this application depicts the 50m boundary from the edge of the wetland, as scaled to that which is shown on schedule B of the Official Plan. The subject application will ensure that no future development will occur within 50 m of the other wetland. A small portion of this lane is within the 50m boundary, however all other land remains in its natural state.

The importance of the cultural landscape is discussed in section 4.13 of the official plan, whereby this includes the natural and man-made features that define the character of the municipality. All proposed future development will respect the natural heritage, specifically as it relates to shoreline development and vegetation retention. The proposed lot sizes and frontages ensure that the shoreline characteristics will prevail over any built form proposed in the future.

Section 4.15 of the Official Plan pertains to servicing requirements for new development. The proposed lot creation has sufficient building area to ensure septic and water capacity for each lot. Considering the significant size the severed and retained lots, there is no concern for the ability to construct a septic system.

The subject lands are identified as “Shoreline” under Schedule A and are therefore subject to the policies in section 5.4 of the Official Plan.

#### *5.4.1 Permitted Uses*

*Permitted uses in areas designated Shoreline on Schedule ‘A’ shall include detached dwellings, commercial tourist resorts with associated commercial uses, lodges, motels, hotels, marinas, and recreational activities.*

The intended use of the proposed lot creation is for the development of single detached dwellings as permitted above.

#### *5.4.2 Development Standards*

*Unless otherwise specified, new lots should be no smaller than 1.0 ha (2.5 acres) in area with 90 metres (300 feet) of water frontage. Larger lots may be required in areas where environmental or physical constraints exist on the lands and on narrow channels (less than 120 metres (400 ft.)) or small water bodies less than 40 ha (100 acres), in deer wintering or in or adjacent to sensitive fish habitat. Lot lines should follow existing features and terrain and should be configured so that conflicts between abutting properties will be avoided.*

Both the severed and retained lot exceeds the required area and frontage for a new lot. There is no fish habitat identified on the shoreline of the subject lands.

*Horn Lake has been identified as a lake trout lake that is at capacity. New development including additional lot creation or redevelopment of existing developed lots that would result in more intensive use, shall generally not be permitted except as provided for in Section 4.3.*

The property fronts on Horn Lake, and the municipality designates this lake to be at capacity. However, the lot to the west of the property was recently severed to create 4 new lots, where the applicant provided a Lake Shore Capacity study prepared by Hutchinson environmental Sciences Ltd. This study concluded that Horn Lake is **not at capacity** and water quality and Lake Trout Habitat in Horn Lake appear to be healthy. Additionally, the study concluded that the Fish Habitat located on the shoreline of the property to the west of the subject lands is not critical or sensitive to development of docks. The study is attached hereto in Appendix II for reference.

In accordance with section 5.4.6 no back lot development is proposed.

#### *Section 7.1 Severances*

*Applications for land division through the consent process shall only be considered if the proposal is minor in nature, does not result in unnecessary expansion of the present level of municipal services, is in compliance with the Objectives and General Development policies of this Plan and the applicable Land Use policies for the designation in which the land is located.*

The proposed application is minor in nature, does not impact municipal services, and is in compliance with the application land use policies as related to the Shoreline designation.

##### *7.1.1 Criteria*

*Every severance application received by Council for the purpose of creating a new lot shall meet the following criteria:*

- a) a registered plan of subdivision is not necessary for the orderly development of the lands;*

We are of the professional opinion that a registered plan of subdivision is not necessary for the orderly development of the land to create one severed and one retained lot. The access to these lots will be by way Horn Lake water access, the adjacent lands and each lot will be serviced privately.

- b) the lot size and setback requirements will satisfy specific requirements of this Plan and meet the implementing zoning by-law requirements;*

The proposed lots meet the required area and frontage as described, and provide sufficient development envelopes for all future development to meet required lot standards.

- c) the proposed lot must front on a publicly maintained road or, within the Shoreline designation, between existing lots on an existing private road with a registered right-of-way to a municipally maintained road or be a condominium unit, which may be created on private roads having access to a municipal year round road;*

Similar to the lots approved on the adjacent property to the west, the proposed development will be accessed by way of Horn Lake, through water access and is further discussed below.



- d) lots for hunt camps, fishing camps, wilderness tourist camps or similar uses may be permitted on unmaintained municipal road allowances or on private right of ways to publicly maintained roads provided that the appropriate agreements are in place to ensure that the Municipality has no liability with respect to the use of these roads;*

These lots are to be used for the purposes of seasonal recreational shoreline development.

- e) the lot must have road access in a location where traffic hazards such as obstructions to sight lines, curves or grades are avoided;*

The lots do not have any traffic hazard concerns, as they will be accessed by water. The creation of one new lot and one retained, will not impact the traffic.

- f) the lot size, soil and drainage conditions must allow for an adequate building site and to allow for the provision of an adequate means of sewage disposal and water supply, which meets the requirements of the Building Code, the lot must have safe access and a building site that is outside of any flood plain or other hazard land;*

The lots have adequate building sites with the capacity to develop the shoreline with suitable sewage disposal and water supply meeting all building code requirements. There are no flood plains or hazard lands identified, and all setbacks from the unevaluated wetland will be met.

- g) notwithstanding subsection c), lots created for seasonal or recreational purposes may be permitted where the access to the lot is by a navigable waterbody provided that Council is satisfied that there are sufficient facilities for mainland parking and docking;*

The subject lot is proposed to be accessed by way of the navigable waterbody, Horn Lake. It has been established through correspondence with Birch Crest Resort that there are docking and parking facilities available to accommodate the severed and retained lots.

- h) any lot for permanent residential use shall be located on a year round maintained municipal road or Provincial highway;*

The purpose of creating these lots is for seasonal residential use, not permanent, and therefore do not require to be accessed from a year round maintained road.

- i) in the Rural designation, new lots created by consent shall be limited to the following:*
  - a. The Township will permit the creation of up to eight new lots per year. The new lots must comply with the regulations as set out in the implementing Zoning By-law*
  - b. Two lots per original hundred acre lot;*
  - c. one lot for each 50 acre parcel which existed as of the date of approval of this Plan; and*
  - d. infilling between existing residences within 300 metres of each other on the same side of a municipal road or Provincial highway.*

The subject lands are not located within the rural designation and therefore this policy section does not apply.

- i) the creation of any lot will not have the effect of preventing access to or land locking any other parcel of land.*

The creation of these lots does not prevent access to or land-lock any other parcels of land.

- j) any severance proposal on land adjacent to livestock operations shall meet the Minimum Distance Separation Formula I in accordance with the MDS Guidelines and shall demonstrate that the proposed water supply has not been contaminated from agricultural purposes.*

The proposed is not within any land uses that would trigger the MDS guidelines.

#### *7.2 Subdivisions and condominiums*

*7.2.1 Where three or more lots are to be created from a single parcel of land existing as of the date of adoption of this Plan, a plan of subdivision or vacant land condominium shall generally be required. Exceptions to this policy may be considered where there are no residual lands resulting from the development and there is no need to extend municipal services including roads.*

The proposed development does not have any residual lands resulting from the development and there is no need to extend municipal services. The access to the property will be addressed through establishing mainland docking and parking a Birch Crest Resort, located on the easterly shoreline of the Horn Lake. Therefore, it is not necessary for the proposed application to be processed through plan of subdivision, and is appropriate to proceed through the consent process. The proposal is to create one new lot and one retained, and therefore an application via the consent process is the most appropriate.

Overall, the proposed application does not offend any policies as described in the Municipality of Magnetawan Official Plan, and exceeds the lot area and sizes are required in the Shoreline designation. The “other” wetland identified is not deemed to be provincially significant and all future structures will maintain the required 50m setback. It is our professional opinion that the proposed lot configuration is consistent with and conforms to the general intent and purpose of the Municipality of Magnetawan Official Plan.

#### **Municipality of Magnetawan Zoning Bylaw No. 2001-26**

The subject property is Zoned Shoreline Residential with a small portion zoned EP, being consistent with the official plan designation in the location of the “Other” wetland as identified.

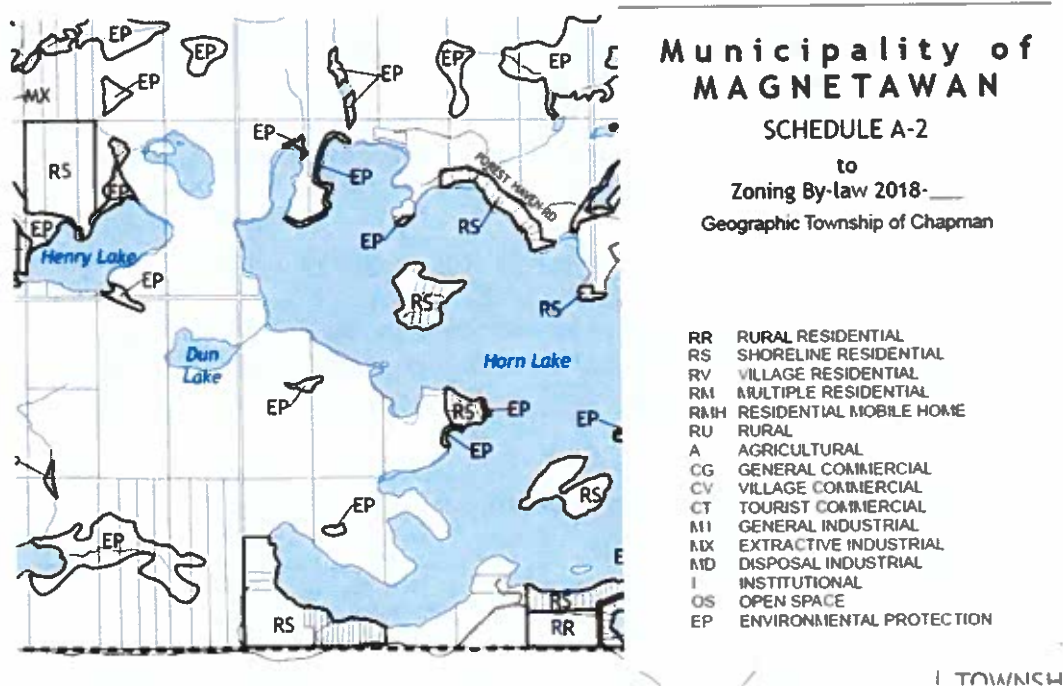


Figure 3 Municipality of Magnetawan Zoning Bylaw Schedule A

The regulations for a Shoreline Residential Zone (RS) are described in Section 4.2 of the Zoning Bylaw. The permitted uses include, detached dwellings, home occupation, and a bed a breakfast establishment. In accordance with the permitted uses, the intention of this severance is to create one lot for the purpose of sale and establishing a shoreline development on the retained lot.

Section 4.2.2 describes the lot regulations for the permitted uses on the land, which are as follows:

- i) *Minimum Lot Area - 1.0 ha*
- ii) *Minimum Lot Frontage - 90 m*
- iii) *Minimum Front Yard - 15 m*
- iv) *Minimum Interior Side Yard - 3.5 m*
- v) *Minimum Exterior Side Yard - 7.5 m*
- vi) *Minimum Rear Yard - 10.0 m*
- vii) *Maximum Lot Coverage - 15%*
- viii) *Maximum Building Height - 10.7 m*
- ix) *Minimum Ground Floor Area - 65.0 m<sup>2</sup>*
- x) *Minimum Natural Vegetation Area or Landscaped Open Space - 70% of front yard.*

The proposed severed lot will have a total area of 8.55 Ha with +/- 388.49 m of frontage on Horn Lake and the retained has an area of 12.09 Ha with +/- 105.05 m of frontage to the north and +/- 88.98 m of frontage to the south. Any future development on the subject lands will comply with

the above regulations. There is sufficient area provided on the proposed severed and retained lots to maintain the required setbacks, lot coverage and natural vegetation area.

Also relevant is the Environmental Protection Zone that is located on the subject lands. The relevant regulations are described in Section 4.16, whereby the permitted uses are, conservation, resource management activities and passive public parks.

#### *4.16.2 Regulations for Permitted Uses*

*No buildings or structures including accessory buildings or structures with the exception of pump houses and buildings and structures for flood and erosion control are permitted in the Environmental Protection (EP) Zone.*

The sketch provided in Appendix A of this report shows the approximate location of the wetland and the 50m setback as required in the Official Plan. The buildable area on both Lots 1 and 2 have been scaled and ensure that there is sufficient area to develop will still respecting the setbacks required. In saying that, all future development will be located outside the EP zone, within the building area provided.

In conclusion, all proposed lots comply with the lot area and frontages as required in the Shoreline Residential Zone, and provide sufficient building envelopes to ensure setback from the wetland and development outside the EP zone. The intention for the lot creation is to permit season residential dwellings as permitted in the zone, where all future development is to comply with the zoning provisions as outlined.

### **JUSTIFICATION**

In terms of justification for the proposed consent application we offer the following:

- The lots meet and exceed the area and frontages required in the zoning bylaw under the waterfront residential zone.
- The Unevaluated “Other” Wetland on the subject property is not deemed significant, and the setback requirements will be respected.
- The capacity of the lake was evaluated for a consent application on the adjacent lands, where it was concluded that the lake is not at capacity for development.
- The creation of one new lot is supported in the Official Plan, whereby an application for consent is deemed to be the appropriate planning process.
- Access will be by way of the navigable waterbody recognized as Horn Lake, as mainland docking and parking facilities are available at Birch Crest Resort.
- There will be no construction within 50m of the “Other Wetland”.

## **SUMMARY AND CONCLUSION**

Based on the above analysis, of the Planning Act, the Provincial Policy Statement, the Official Plan, and the Zoning By-law it is our opinion that the proposed application for consent to create one new lot and one retained conforms to the general intent of the Municipality of Magnetawan Official Plan, complies with the Zoning Bylaw and represents good planning. The “other wetland” identified on the subject lands will be protected through the setback requirement as outlined in the official plan.

This application does not offend policy or regulation at the Provincial or local level. It satisfies and fulfills all policy and regulatory requirements and will establish a means of access to the subject lands. The intention of creating these lots is for the enjoyment of a shoreline residential property in conformity of the Official Plan and Zoning bylaw. With regard to the policy analysis and justification provided, we respectfully request approval to create one new lot and one retained lot from the subject parent lot.

## **RESPECTFULLY SUBMITTED**

**MARIE POIRIER PLANNING AND ASSOCIATES INC**

### **PREPARED BY:**



Stephanie Sharp, B.E.S Planner for Marie Poirier Planning & Associates Inc.

### **APPROVED BY:**

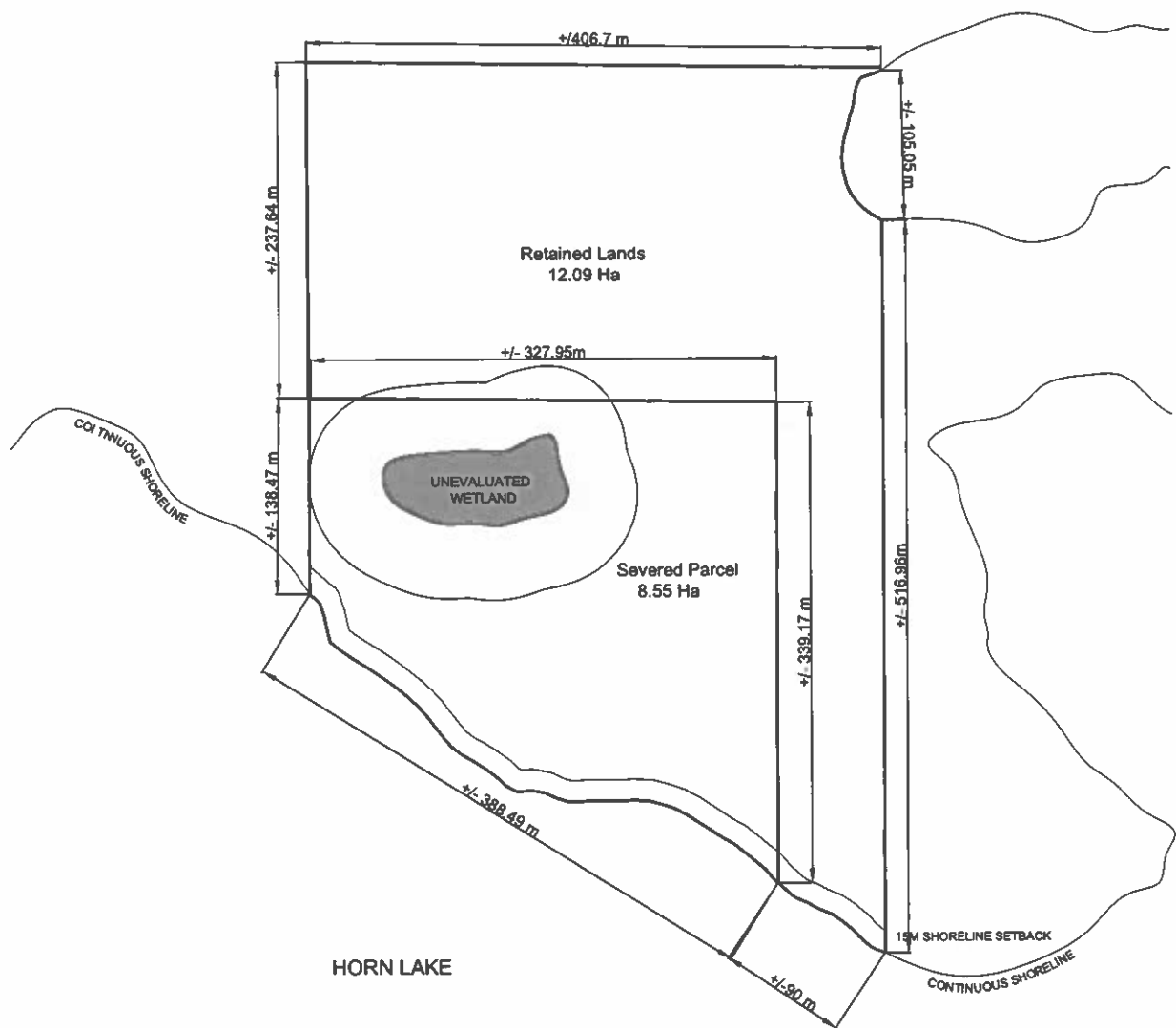


Marie Poirier, B.Sc., MCIP, RPP, Principa

## **LIST OF ATTACHMENTS**

- Schedule A – Sketch for Consent Purposes
- Schedule B – Lake Capacity Assessment, Hutchinson Environmental Sciences Ltd.
- Schedule C – Photos
- Schedule D – Official Plan Schedules

Schedule A: Sketch for Consent Purposes



50 wetland buffer



SKETCH FOR CONSENT

1:3000

|  |                        |                                       |   |
|--|------------------------|---------------------------------------|---|
| WIENS PROPERTY<br>MUNICIPALITY OF MAGNETAWAN | Client:<br>HENRY WIENS | Project:<br>WIENS CONSENT APPLICATION | Prepare By:<br> MARIE POIRIER PLANNING & ASSOCIATES INC. |
|--|------------------------|---------------------------------------|---|

Schedule B: Lake Capacity Assessement, Hutchinson Environmental  
Prepared for the neighbouring property & shared by the Municipality





# Hutchinson

Environmental Sciences Ltd.

Lakeshore Capacity and Fish  
Habitat Impact Assessment for  
Horn Lake

Prepared for: Mr. Chris Noll  
Job #: J170058

May 1, 2018



May 1, 2018

HESL Job #: J170058

Mr. Chris Noll  
125 Bermondsey Road  
Toronto, ON M4A 1X3

Dear Mr. Noll:

**Re: Lakeshore Capacity and Fish Habitat Impact Assessment for Horn Lake**

Hutchinson Environmental Sciences Ltd. was retained to complete a Lakeshore Capacity Assessment and Fish Habitat Impact Assessment as part of a proposed land severance application on Horn Lake, in the Municipality of Magnetawan, Ontario.

Horn Lake is not over capacity in terms of total phosphorus, recreational capacity or average Mean Volume-Weighted Hypolimnetic Dissolved Oxygen (MVWHDO) concentrations. Modelled total phosphorus (TP) results indicate that the model does not properly represent existing conditions and capacity remains for additional development in relation to the interim Provincial Water Quality Objective guidelines of 10 µg/L or to Background + 50% if a 72% sewage-related total phosphorus retention coefficient is applied to existing development. With sewage treatment using Waterloo Biofilter Systems with EC-P units, the proposed development of 4 lots is modelled to potentially increase TP by <0.01 µg/L and decrease MVWHDO by <0.01 mg/L, increases which are well below regulatory guidelines and are immeasurable through standard laboratory procedures.

Most of the fish habitat fronting the subject property is not critical or sensitive to development of docks. We identified a groundwater seepage area that drains into nursery habitat and potential spawning habitat for some residential species, so this area was afforded a 10m buffer from shoreline structures and development should take place outside of this area.

Sincerely,

per Hutchinson Environmental Sciences Ltd.

Brent Parsons, M.Sc.  
Senior Aquatic Scientist  
[brent.parsons@environmentalsciences.ca](mailto:brent.parsons@environmentalsciences.ca)

## Signatures

Report prepared by:



Brent Parsons, M.Sc.  
Senior Aquatic Scientist

Report reviewed by:



Neil Hutchinson, Ph.D.  
Principal Scientist



## Executive Summary

Hutchinson Environmental Sciences Ltd. (HESL) was retained to complete a Lakeshore Capacity Assessment and Fish Habitat Impact Assessment as part of a proposed land severance application on Horn Lake, in the Municipality of Magnetawan, Ontario. The subject property (Part of Lot 10, Concession 1) is located at the south end of the lake (Figure 1) and the development proposal is to sever the property to create four lots.

Horn Lake supports Lake Trout (*Salvelinus namaycush*), is listed as a natural Lake Trout lake by the Ontario Ministry of Natural Resources and Forestry (MNRF 2015) and is listed as at "capacity" in the Municipality of Magnetawan's Official Plan.

The Lakeshore Capacity Model was not able to predict TP concentrations to within 20% of the measured value and so does not accurately reflect existing conditions. MOE (2010) recommends use of the interim PWQO of 10 µg/L of TP as an upper limit to protect against algal blooms instead of "Background + 50%". In this case, the modelled values of 3.68 µg/L to 3.94 µg/L (depending on % of TP retention and inclusion of vacant lots of record) are well below 10 µg/L and Horn Lake is not considered over capacity for TP.

Although Horn Lake is well below the Interim PWQO of 10 µg/L we do not recommend that 10 µg/L serve as a management limit. Instead, we refined the model to bring the management goals closer in line to the preferred objective of Background + 50%, which corresponds to a lower and more protective TP concentration of 4.51 µg/L. We utilized a scientifically-defensible sewage-related TP retention coefficient of 72% in the model for existing development to better align the model with existing conditions instead of utilizing the 10 µg/L of TP guideline, and the results indicate that capacity does exist on Horn Lake for the 4 proposed lots following this methodology. With sewage treatment using Waterloo Biofilter Systems with EC-P units, the proposed development of 4 lots is modelled to potentially increase TP by <0.01 µg/L and decrease MVWHDO by <0.01 mg/L, increases which are well below regulatory guidelines and are immeasurable through standard laboratory procedures.

Most of the fish habitat fronting the subject property is not critical or sensitive to development of docks. We identified a groundwater seepage area that drains into a nursery habitat and potential spawning habitat for some residential species, so this area was afforded a 10m buffer from the development of shoreline structures. A number of mitigation measures were also recommended in Section 5.3 that will protect fish habitat and ensure that the development follows municipal and federal regulations related to fish habitat.



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## 1. Introduction

Hutchinson Environmental Sciences Ltd. (HESL) was retained to complete a Lakeshore Capacity Assessment and Fish Habitat Impact Assessment as part of a proposed land severance application on Horn Lake, in the Municipality of Magnetawan, Ontario. The subject property (Part of Lot 10, Concession 1) is located at the south end of the lake (Figure 1) and the development proposal is to sever the property to create four lots. The exact orientation of each lot has yet to be determined so the Fish Habitat Impact Assessment focused on identifying opportunities and constraints to shoreline development across the entire subject property.

Horn Lake supports Lake Trout (*Salvelinus namaycush*), and is listed as a natural Lake Trout lake by the Ontario Ministry of Natural Resources and Forestry ((MNR) 2015). Lake Trout have stringent habitat requirements including cold-water temperatures and high dissolved oxygen concentrations, and various policies have been adopted to protect this sensitive habitat. Waterfront development and the potential influx of sewage-related phosphorus to an adjacent waterbody has been identified as a stressor on Lake Trout habitat because increased phosphorus concentrations can lead to decreased dissolved oxygen concentrations.

Ontario's Lakeshore Capacity Model (MOE 2010) was developed to determine suitable development capacity on lakes through an assessment of phosphorus and the associated modelling procedure of Molot et al (1992) for dissolved oxygen concentrations, and in the case of Horn Lake, it has been determined that the lake is over capacity in terms of Provincial guidelines (Meridian Planning Consultants Inc. 2012). For recreational lakes on the Precambrian Shield, phosphorus and dissolved oxygen concentrations are the parameters of concern for water quality. The revised Provincial Water Quality Objective (PWQO) for inland lakes on the Precambrian Shield (MOE 2010) allows for a 50% increase in phosphorus concentration from development over levels that would occur in the absence of any development on the lake (i.e., "Background" + 50%) to a maximum concentration of 20 µg/L. The dissolved oxygen guideline for protection of lake trout habitat is 7 mg/L of Mean End-of-Summer Volume-Weighted Hypolimnetic Dissolved Oxygen (MVWHDO).

The Province of Ontario recommends the use of the Lakeshore Capacity Model to determine the interim PWQO for phosphorus and the amount of shoreline development that can occur to maintain phosphorus levels within the phosphorus threshold (MOE 2010). The LCM is a steady-state mass balance model that estimates hydrologic and phosphorus loading from natural (watershed runoff and atmospheric deposition) and human (septic systems and land disturbance) sources and links them together considering lake dynamics to predict total phosphorus concentrations in lakes. Dissolved oxygen is modelled on the basis of lake morphometry and total phosphorus concentrations using the techniques described in Molot et al. (1992) and Clark et al. (2002)

Fish habitat impact assessments are commonly completed in support of waterfront development applications to ensure that impacts to fish habitat are minimized to suitable levels in terms of relevant policies such as the federal Fisheries Act. Habitat is characterized, compared to habitat requirements of resident fish species, and suitable locations for the establishment of shoreline structures, such as boathouses and docks, are determined. Selection of appropriate locations and implementation of mitigation measures to minimize impacts typically results in regulatory approval.

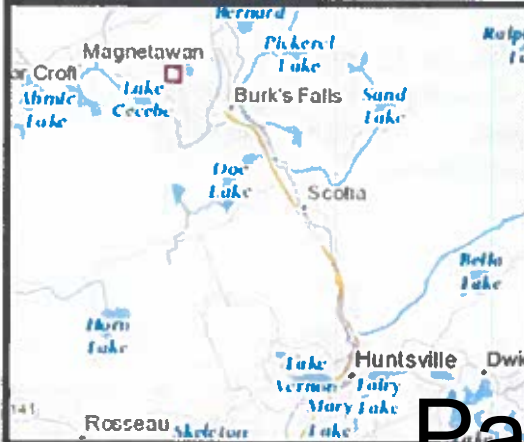
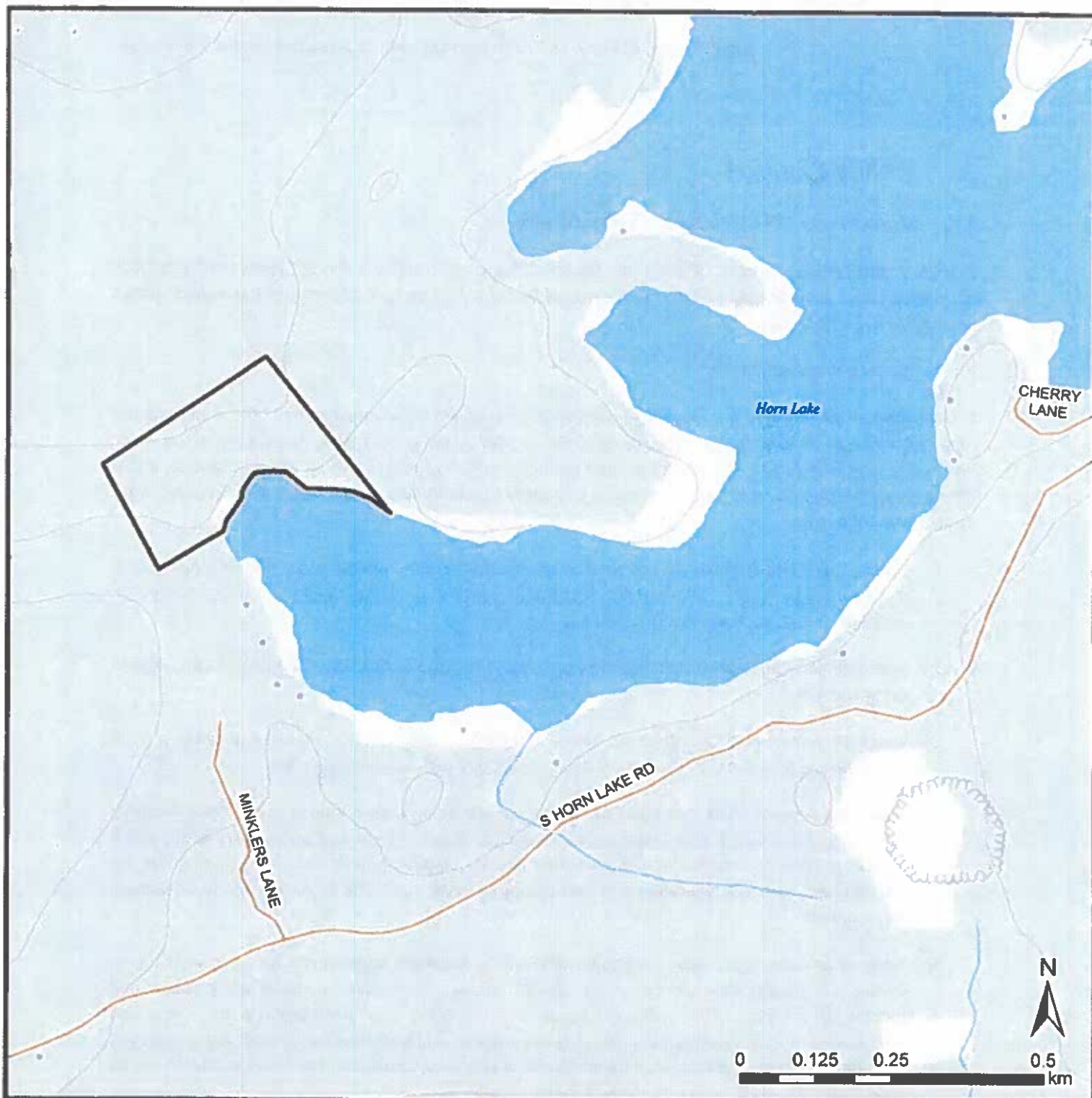


## **Lakeshore Capacity and Fish Habitat Impact Assessment for Horn Lake**

The following assessments were completed to verify whether or not Horn Lake is currently over threshold for additional development, determine suitable locations for the establishment of shoreline structures, and to identify mitigation measures that would minimize any associated impacts to acceptable levels as described by relevant policy.







### Legend

- Rivers
- Roads
- Subject Property
- Lakes

Project Lead: Brent Parsons  
 Prepared by: Kns Hadley  
 Data Source: HESL Ontario Land, ESRI  
 Coordinate System: NAD 1983 UTM Zone 17N

### Figure 1: Study Area

**Project:** Lakeshore Capacity and  
Fish Habitat Impact Assessment  
for Horn Lake

**Project #:** J170058



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## 2. Policy Context

### 2.1 Municipality of Magnetawan Official Plan

The Municipality of Magnetawan Official Plan (Meridian Planning Consultants Inc. 2012) contains a number of relevant policies which helped define the scope of this study. These policies include those listed under sections 4.3, 4.4 and 5.4.2.

#### 4.3 Surface Water Quality

Preservation of water quality is a significant consideration in reviewing any development proposal adjacent to a watercourse or lake. Septic systems shall be located at least 30 metres from a watercourse or waterbody, and in the case of lakes at or near capacity, including Horn Lake, lot creation and land use changes which would result in a more intensive use will not be permitted except under one of the following special circumstances:

- 1) to separate existing habitable dwellings, each of which is on a lot that is capable of supporting a class 4 sewage system, provided that the land use would not change and there would be not net increase in phosphorus loading to the lake;
- 2) where all new tile fields would be located such that they would drain into a drainage basin which is not at capacity;
- 3) where all new tile fields would be set back at least 300 metres from the shoreline of lakes, or such that drainage from the tile fields would flow at least 300 metres to the lake; and
- 4) where the proposed site can meet the additional site-specific soils criteria in the Lake Capacity Assessment Handbook and where certain municipal planning tools and agreements are in place such as a Development Permit System under the Planning Act, and/or site plan control under the Planning Act, and site alteration and tree-cutting by-laws under the Municipal Act to implement those criteria.
- 5) There is an additional criterion accepted by MOE for situations where there are deep soils native to the site (undisturbed and over 3m depth), meeting a specific chemical composition and hydrologic condition. This approach requires site-specific soils investigations by a qualified professional and, if meeting the criteria, would require long-term monitoring and use of planning tools that would ensure long-term maintenance of specified conditions. The MNR and MOE will be consulted if this criterion is considered for Horn Lake.

As a condition of development approval, a natural shoreline vegetation buffer shall be preserved within at least 20 metres of all watercourses and waterbodies wherever possible except for the removal of hazardous trees and a narrow area to allow a pathway to the shoreline. Council may require a wider buffer depending on site-specific conditions and the sensitivity of the adjacent natural heritage features.



Where development would result in a significant increase in storm water run-off, the Municipality shall require the proponent to complete storm water management works that will ensure that off-site surface water quality and quantity is not adversely impacted by the development. Direct outfalls to surface waters should be avoided and wherever possible developments shall utilize infiltration as a method for storm water management.

#### 4.4 Natural Heritage and Resource Management

New development or alterations shall have no negative impact on the natural features or ecological functions of significant habitat of endangered or threatened species, other significant wildlife habitat, fish habitat, a provincially significant wetland or other significant natural heritage feature or function.

##### 5.4.2 Development Standards

Horn Lake has been identified as a lake trout lake that is at capacity. New development including additional lot creation or redevelopment of existing developed lots that would result in more intensive use, shall generally not be permitted except as provided for in Section 4.3 (see above).

The at "capacity" status of Horn Lake in the Magnetawan OP was determined based on an old assessment of optimal Lake Trout habitat in the early 1990s (Sein, R. (MOECC) "Re: Horn Lake" Message to B. Parsons. January 15, 2018. Email). The approach has changed considerably over the last 30 years and is now based on a MVWHDO of 7 mg/L. MOECC has not, however, provided an updated assessment of capacity for Horn Lake on the basis of the newer MVWHDO criterion.

## 2.2 Fisheries Act

Regulation of fish habitat is carried out under the federal Fisheries Act enforced by Fisheries and Oceans Canada (DFO, Government of Canada, 2015). Section 35(1) of the Act states: "No person shall carry on any work, undertaking or activity that results in serious harm to fish that are part of a commercial, recreational or Aboriginal fishery, or to fish that support such a fishery." Furthermore the definition of "serious harm" is "the death of fish, or a permanent alteration to, or destruction of fish habitat", while fish habitat is defined as "spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes."

Fisheries and Oceans Canada now has a self-assessment process that includes criteria for no DFO review (i.e. if the required footprint of a dock or boat house is less than 20 m<sup>2</sup>) and measures to avoid causing harm, both of which are addressed later in the report.

## 3. Site Description

Horn Lake is a 472 ha lake located on the Precambrian Shield, approximately 10 km east of the Town of Magnetawan (Figure 1). It has a watershed area of 1922 ha, a mean depth of 11.3 m and a maximum depth of 34.7 m (MNR 2010). Shoreline development around the lake consists of 32 year-round residences, 1 resort, 1 mobile home park with 29 trailers, and 138 seasonal properties in both the Municipality of



Magnetawan and Ryerson Township. The subject property proposed development site is in the southwestern portion of the lake.

## 4. Lakeshore Capacity Assessment

### 4.1 Input Data

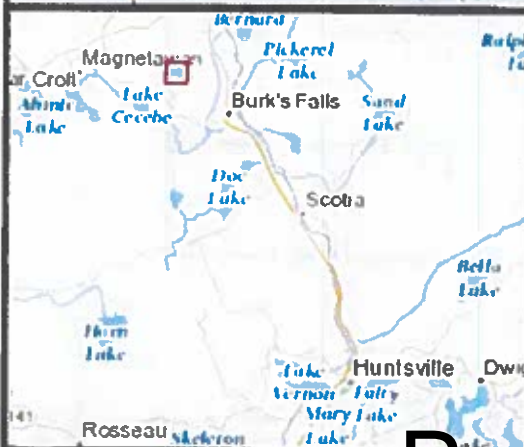
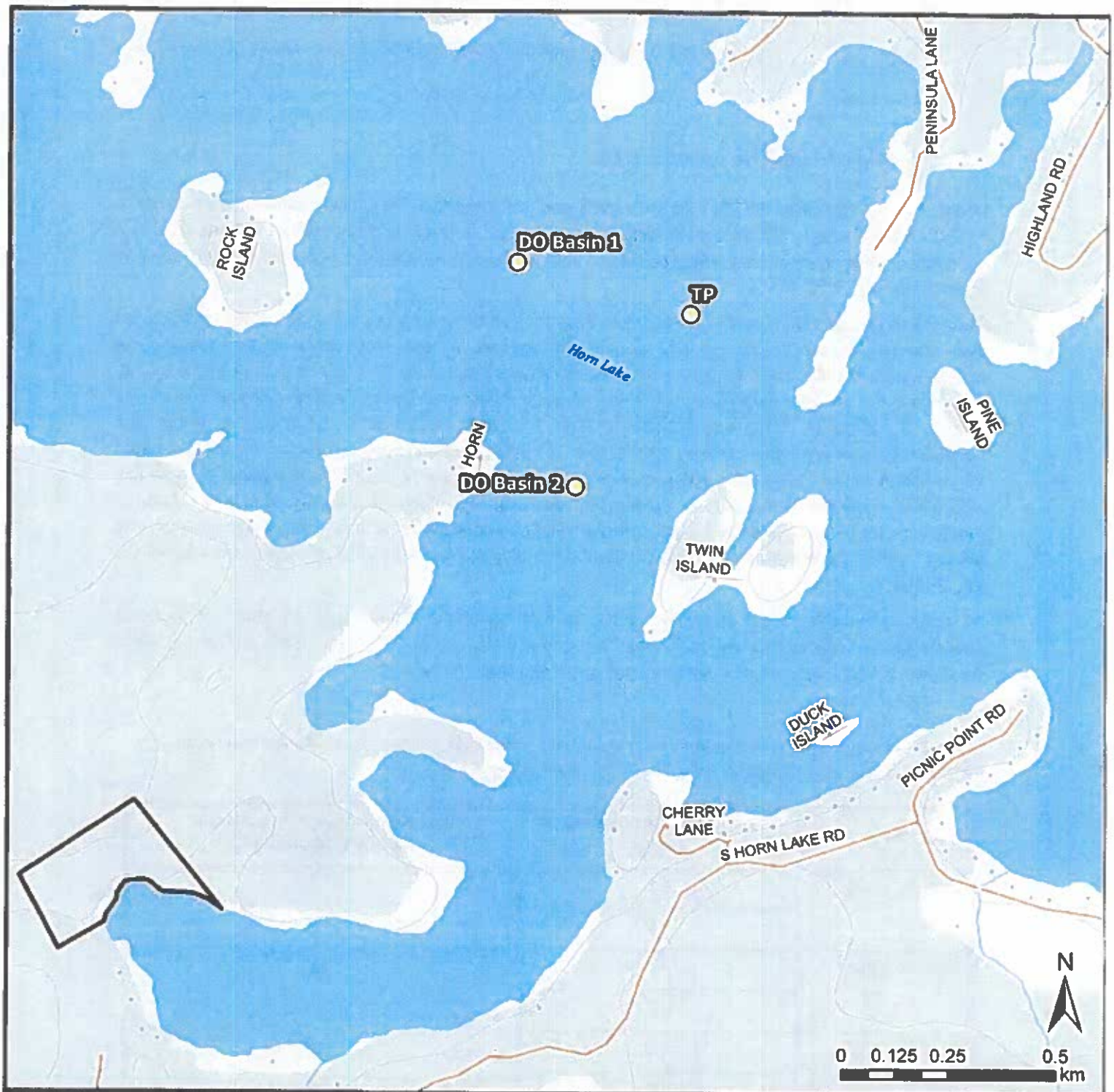
The Lakeshore Capacity Assessment used the assumptions and recommended coefficients and constants provided by the MOE (MOE 2010), and data gathered from assessment of satellite imagery, the MNR's Flow Assessment Tool and Lake Fact Sheet, the Ministry of Environment and Climate Change's (MOECC) Lake Partner Program and Runoff Lookup Database, and water quality sampling as listed in Table 1. Water quality sampling locations are presented on Figure 2. Sampling locations utilized by HESL staff overlapped those used by MNR during dissolved oxygen sampling and those used by the Lake Partner Program for sampling of total phosphorus.

**Table 1.** Information on the data used in the Lakeshore Capacity Assessment.

| Type of Data    | Inputs                     | Source   |
|-----------------|----------------------------|--|
| Physical        | Lake area and depth        | Lake Fact Sheet (MNR 2010)   |
|                 | Catchment and wetland area | Ontario Flow Assessment Tool (MNR 2017)                            |
| Development     | Lots and occupancies       | Municipality of Magnetawan, Ryerson Township and satellite imagery |
| Water chemistry | Total phosphorus           | Field sampling by HESL staff                                       |
|                 |                            | MOECC Lake Partner Program   |
|                 | Dissolved oxygen           | MNR  |
|                 |                            | Field sampling by HESL staff                                       |
| Hydrological    | Annual runoff              | MOECC Runoff Lookup Database                                       |







### Legend

- Rivers
- Roads
- Subject Property
- Lakes
- Sampling Locations

Project Lead: Brent Parsons  
 Prepared by: Kris Hadley  
 Data Source: HESL, Ontario Land, ESRI  
 Coordinate System: NAD 1983 UTM Zone 17N

### Figure 2: Water Sampling Locations

**Project:** Lakeshore Capacity and Fish Habitat Impact Assessment for Horn Lake

**Project #:** J170058



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## 4.2 Measured Total Phosphorus Data

Measured Total Phosphorus (TP) data were compared with modelled TP results to determine the ability of the Lakeshore Capacity Model to accurately estimate TP concentrations. The Province recommends that differences between measured and modelled results be less than 20% to confidently use the model to assess capacity (MOE 2010).

Phosphorus samples have been collected from a central part of Horn Lake since 1994 as part of MOECC's Lake Partner Program (Figure 2). Our assessment focused on data from 2003 onwards because of improvements in collection methodologies since that time such as field filtering and sampling directly into glass tubes that are later used during laboratory analysis (Clark et al. 2010). Total phosphorus sampling is often best completed during spring turnover when the water column is mixed to assess whole lake conditions for studies of lake capacity. Spring overturn phosphorus data were collected in Horn Lake from 2002 to 2016 following improved sampling methodology through the MOECC's Lake Partner program but 2002 data (average = 10.6 µg/L) was not included as it was more than 2.5 standard deviations outside of the mean value of 5 µg/L and the highest average value recorded since that time was 5.3 µg/L in 2007. The average spring overturn phosphorus concentration in Horn Lake between 2003 and 2016 was 4.62 +/- 0.7 µg/L (Table 2).

TP results were also plotted over time on Figure 3 to determine if any trends stand-out. Phosphorus concentrations declined between 2003 and 2016 ( $y = -0.0482x + 4.9797$ ;  $R^2 = 0.0872$ ), with a magnitude of change of 0.075 µg/L per year but the trend is not significant ( $p = 0.11$ ).

**Table 2.** Phosphorus measurements from Horn Lake 2003-2016 (all samples collected from station 2015 in mid lake, deep spot through MOECC's Lake Partner Program).

| Date         | Phosphorus Concentration (µg/L) | Average Annual Phosphorus Concentration (µg/L) |
|--------------|---------------------------------|--|
| May 10, 2003 | 4.2                             | 4.6  |
|              | 4.9                             |  |
| May 16, 2004 | 3.8                             | 3.9  |
|              | 3.9                             |  |
| May 10, 2005 | 4.9                             | 5.3  |
|              | 5.6                             |  |
| May 23, 2006 | 5.3                             | 5.0  |
|              | 4.6                             |  |
| May 13, 2007 | 5.8                             | 5.3  |
|              | 4.8                             |  |



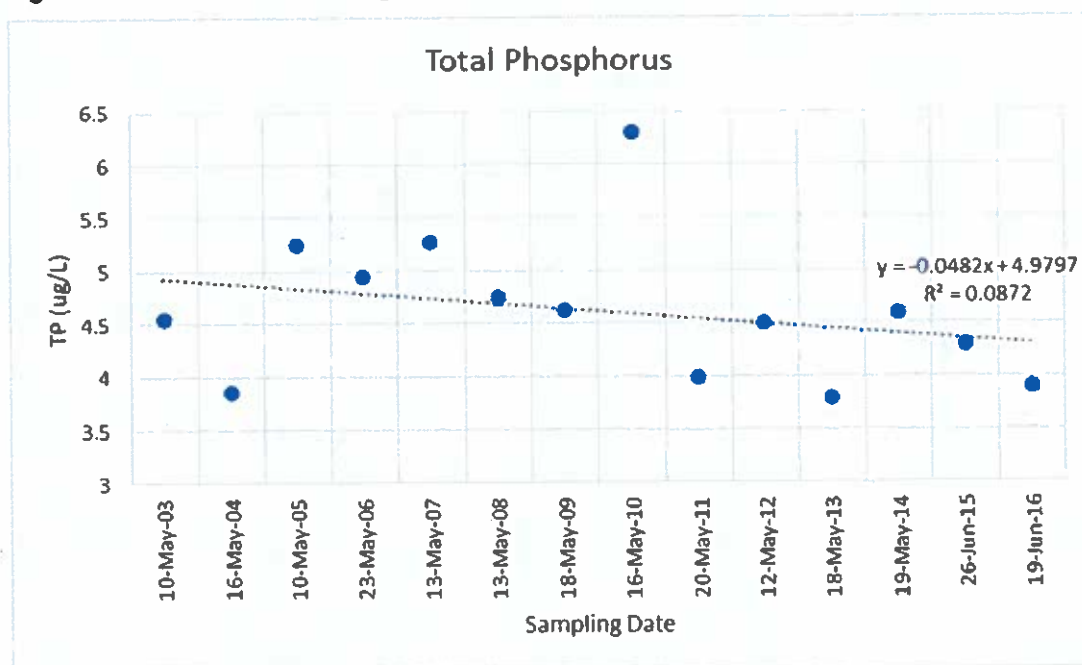
# Lakeshore Capacity and Fish Habitat Impact Assessment for Horn Lake

|               |     |      |
|---------------|-----|------|
| May 13, 2008  | 5.3 | 4.8  |
|               | 4.3 |      |
| May 18, 2009  | 4.5 | 4.6  |
|               | 4.7 |      |
| May 16, 2010  | 6.8 | 6.3  |
|               | 5.8 |      |
| May 20, 2011  | 4.0 | 4.0  |
|               | 4.0 |      |
| May 12, 2012  | 4.4 | 4.5  |
|               | 4.6 |      |
| May 18, 2013  | 3.8 | 3.8  |
|               | 3.8 |      |
| May 19, 2014  | 4.4 | 4.6  |
|               | 4.8 |      |
| June 26, 2015 | 4.0 | 4.3  |
|               | 4.6 |      |
| June 19, 2016 | 3.8 | 3.9  |
|               | 4.0 |      |
| Average       |     | 4.62 |





Figure 3. MOE Lake Partner Program Total Phosphorus Results Over Time



#### 4.3 Measured Mean Volume Weighted Hypolimnetic Dissolved Oxygen

Dissolved oxygen was measured by MNRF throughout the water column in Horn Lake in 1999, 2000, 2001, 2003, 2004, 2006, 2007, 2009 and 2013, and by HESL in 2017 in Basin 1 and 2 (Figure 2). We noted two issues with MNRF data after review.

- MOE (2010) policy dictates that sampling is completed between August 15 and September 15 to capture the time of year when oxygen stress in the hypolimnion is the greatest. It should be noted that data collected by MNRF was outside of this range in 2001, 2009 and 2013, which could potentially misrepresent long-term average conditions.
- The hypolimnion must be determined to calculate MVWHDO. The hypolimnion is the bottom section of a stratified lake and the upper boundary of the hypolimnion is determined based on a temperature gradient between two depth strata that is  $<1^{\circ}\text{C}/\text{m}$  (Wetzel 2001). MNRF routinely selected the bottom layer of the temperature gradient as the upper limit of the hypolimnion when in fact, the upper layer boundary of this temperature gradient should be used, so that the layer in which temperature first declines  $<1^{\circ}\text{C}$  is included in the hypolimnetic volume. We therefore corrected the MVWHDO values to account for inclusion of the entire hypolimnion.

Original and corrected MVWHDO are presented in Table 3, while dissolved oxygen/temperature profiles from HESL sampling on August 18, 2017 are presented in Figures 4 and 5. Corrected MVWHDO concentrations ranged from 6.43 mg/L to 9.61 mg/L, with the four lowest concentrations measured following September 15<sup>th</sup> (September 18, 2001 = 6.94 mg/L (Basin 1), 7.08 mg/L (Basin 2), September 17, 2009 = 6.71 mg/L (Basin 1), 6.43 (Basin 2)). MVWHDO concentrations were similar in Basin 1 (7.97 mg/L) and 2





## Lakeshore Capacity and Fish Habitat Impact Assessment for Horn Lake

(7.70 mg/L). HESL recorded higher MVWHDO (Basin 1 = 8.94 mg/L; Basin 2 = 8.98 mg/L) in 2017 and, as can be seen in Figures 4 and 5, dissolved oxygen remained >4 mg/L near bottom.

**Table 3. MVWHDO Results as part of MNRF and HESL Sampling**

| Source | Date               | Basin | MVWHDO (mg/L) |           |
|--------|--------------------|-------|---------------|-----------|
|        |                    |       | Original      | Corrected |
| MNRF   | August 31, 1999    | 1     | 7.79          | 9.07      |
|        | August 31, 2000    | 1     | 7.35          | 7.69      |
|        | August 31, 2000    | 2     | 7.40          | 7.66      |
|        | September 18, 2001 | 1     | 6.41          | 6.94      |
|        | September 18, 2001 | 2     | 6.72          | 7.08      |
|        | September 3, 2003  | 1     | 7.41          | 7.78      |
|        | September 3, 2003  | 2     | 7.63          | 8.00      |
|        | September 14, 2004 | 1     | 8.72          | 9.61      |
|        | September 14, 2004 | 2     | 8.05          | 8.36      |
|        | September 14, 2006 | 1     | 7.57          | 7.70      |
|        | September 14, 2006 | 2     | 7.36          | 7.58      |
|        | September 14, 2007 | 1     | 7.50          | 7.81      |
|        | September 14, 2007 | 2     | 8.32          | 8.68      |
|        | September 17, 2009 | 1     | 6.64          | 6.71      |
|        | September 17, 2009 | 2     | 6.37          | 6.43      |
|        | September 23, 2013 | 1     | 8.15          | 8.38      |
|        | September 23, 2013 | 2     | 7.78          | 7.83      |
| HESL   | August 18, 2017    | 1     | 8.94          |           |



## Lakeshore Capacity and Fish Habitat Impact Assessment for Horn Lake

|  |                 |   |      |      |
|--|-----------------|---|------|------|
|  | August 18, 2017 | 2 | 8.98 |      |
| Average (all years)  |                 |   | 7.48 | 7.84 |
| Average (data collected between August 15 <sup>th</sup> and September 15 <sup>th</sup> ) |                 |   | 7.73 | 8.18 |
| Average (Basin 1)  |                 |   | 7.50 | 7.97 |
| Average (Basin 2)  |                 |   | 7.45 | 7.70 |

**Figure 4.** Dissolved oxygen and water temperature profile at Basin 1.

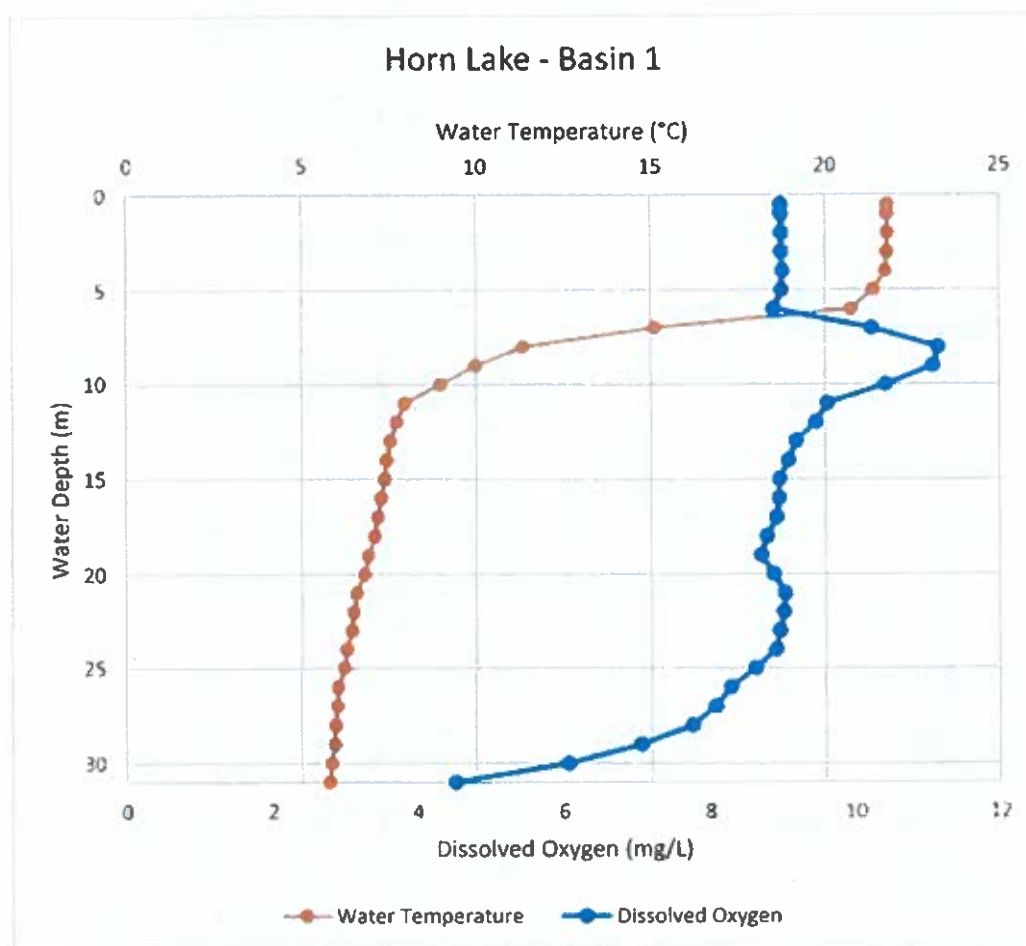
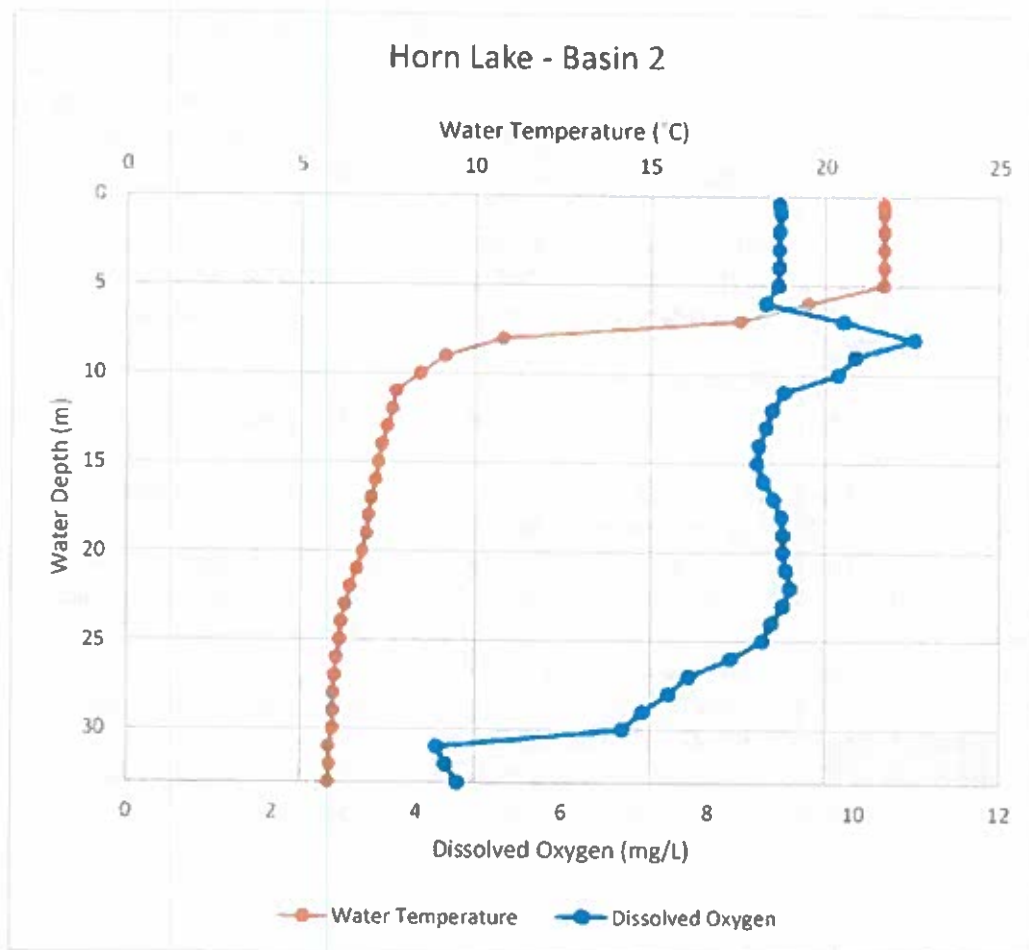


Figure 5. Dissolved oxygen and water temperature profile at Basin 2.



These analyses clearly show that Horn Lake is not at "capacity" in terms of oxygenated hypolimnetic Lake Trout habitat, as average MWWHDO concentrations collected by HESL and by MNRH exceeded 7 mg/L whether corrected or uncorrected.

## 4.4 Modelling Approach

Horn Lake was modelled using the Lakeshore Capacity Model following the Province's guidance in the Lakeshore Capacity Assessment Handbook (MOE 2010). Input parameters and calculation results used to model TP concentrations in Horn Lake are provided in Appendix A. Detailed methods and assumptions of the model are provided in MOE (2010). The following provides a description and brief rationale for the selection of various coefficients and assumptions used in the modelling of Horn Lake:

- The lake and catchment area of Horn Lake are 472 ha and 1922 ha, respectively.
- TP loading from land area in the Horn Lake watershed was determined using the following equation because % wetland in the catchment was greater than 3.5% and cleared or pastured land was less than 15%:
  - $TP \text{ (kg/yr)} = \text{catchment area (km}^2\text{)} * (0.47 * \% \text{ wetland area} + 3.82)$
- A TP loading rate of 0.167 kg/ha/yr was used to calculate TP loads to the surface of the lake from atmospheric deposition.
- Mean annual runoff value from 0.527 m/yr was determined from the runoff look up table provided by the MOECC and used to calculate water loads from the lake basin.
- TP loads from septic systems located within 300 m of the shoreline of the lake were calculated assuming a loading rate of 0.66 kg/capita/yr for each septic system. For existing conditions, a septic usage rate of 0.69 capita yrs/yr for seasonal residences was used.
- All lots included an overland runoff load of 0.04 kg of TP/lot/yr.
- For full build-out of the 4 proposed lots, TP loads were conservatively calculated assuming an extended seasonal usage rate of 1.27 capita years/yr<sup>1</sup>.
- A settling velocity of 12.4 m/yr was used to indicate that oxic conditions are present in the hypolimnion of Horn Lake in accordance with dissolved oxygen measurements.

## 4.5 Capacity Assessment

### 4.5.1 Total Phosphorus

#### 4.5.1.1 Existing Conditions

The modelled spring-overturn mean TP concentration under existing conditions was 5.73 µg/L; 24% above the measured value of 4.62 µg/L, indicating that the Lakeshore Capacity Model overestimates TP concentration and that the error exceeds the Provincial guidance of acceptable accuracy of +/- 20%. Provincial guidance (MOE 2010) recommends using the interim PWQO of 10 µg/L for TP as a water quality objective where the model is inaccurate.

*A high level of protection against aesthetic deterioration will be provided by a total phosphorus concentration for the ice-free period of 10 µg/L or less. This should apply to all lakes naturally below this value (MOE 2010).*

<sup>1</sup> Usage rates of existing lots were provided by the Municipality of Magnetawan and Ryerson Township. An extended seasonal usage rate for the proposed lots was applied as part of a conservative assessment.



This results in an additional 378 extended seasonal residences before ice-free TP concentrations are modelled to be greater than 10 µg/L. We therefore adjusted the Lakeshore Capacity Model inputs and assumptions to better reflect actual conditions to produce a better fit with measured values and allow use of the more conservative criterion. The model assumes that all sewage-related phosphorus is transported to the lake and it is most likely this assumption that caused the model to overestimate TP concentrations in Horn Lake.

Research over the past 20 years has consistently shown that septic system phosphorus is immobilized in Precambrian Shield soils. Mechanistic evidence (Stumm and Morgan, 1970; Jenkins et al., 1971; Isenbeck-Schroter et al., 1993) and direct observations made in septic systems (Willman et al., 1981; Zanini et al., 1997; Robertson et al., 1998; Robertson, 2003) all show strong adsorption of phosphate on charged soil surfaces and mineralization of phosphate with iron (Fe) and aluminum (Al) in soil. The mineralization reactions, in particular, appear to be favoured in acidic and mineral rich groundwater in Precambrian Shield settings (Robertson et al., 1998; Robertson, 2003), such that over 90% of septic phosphorus may be immobilized. The mineralization reactions appear to be permanent (Isenbeck-Schroter et al., 1993). Recent studies conclude that most septic phosphorus may be stable within 0.5 m – 1m of the tile drains in a septic field (Robertson et al., 1998, Robertson, 2003, Robertson 2012).

Trophic status modelling also supports the mechanistic and geochemical evidence. Dillon et al. (1994) reported that only 28% of the potential loading of phosphorus from septic systems around Harp Lake, Muskoka, could be accounted for in the measured phosphorus budget of the lake. The authors attributed the variance between measured and modelled estimates of phosphorus to retention of septic phosphorus in tills that were found in the catchment of Harp Lake, within the geological classifications of Ground Moraine over bedrock, Glaciolacustrine Delta and Outwash Plain (Mollard et al. 1980, Gartner Lee Ltd. 2005).

Hutchinson (2002) recommended that the TP contribution from sewage septic systems be reduced by 74%<sup>2</sup> for lakes with suitable soils in their catchments. Bedrock with undifferentiated igneous and metamorphic rock, exposed at surface or covered by a discontinuous, thin layer of drift is predominant in the Horn Lake catchment (Ontario Geological Survey 2000). These geological formations typically result in acidic soils that are known to retain TP, such as those noted by Robertson (2012) and Hutchinson (2002). We therefore applied a 72% retention coefficient to existing development to determine if this improved the model response.

The modelled spring-overturn ice-free mean TP concentration under existing conditions with 72% retention of sewage related TP was 4.28 µg/L; 7% different than the measured value of 4.62 µg/L, indicating that the Lakeshore Capacity Model does accurately model concentrations in Horn Lake within acceptable limits (i.e. 20%) when a science-based retention coefficient is implemented to account for attenuation of phosphorus from existing development by soils in the catchment (Table 4).

The Lakeshore Capacity Model includes an equation to determine spring overturn TP based on ice-free concentrations as follows:

<sup>2</sup> The Hutchinson (2002) citation represents an error – Dillon et al (1994) reported that 28% of septic phosphorus was accounted for in the lake budget (=72% retention) and not 26% (74% retention).



$$\text{Spring-overturn TP} = (\text{ice-free TP} - (-0.563))/0.992$$

The interim PWQO of Background + 50% to protect against nuisance algal blooms (Table 4; MOE (2010)) was calculated based on the modelled background ice-free mean TP concentration for Horn Lake (3.00 µg/L). The revised PWQO derived from background plus 50% was 4.51 µg/L. Modelled ice-free TP concentrations were 3.68 µg/L, indicating that Horn Lake is currently 0.83 µg/L under capacity in terms of the interim PWQO, or is currently at Background + 23%.

**Table 4.** Modelled and measured spring overturn TP concentrations for Horn Lake.

| Scenario  | TP         |
|---|------------|
| Modelled Background Total Phosphorus (µg/L) - Ice-Free Conditions | 3.00       |
| Revised PWQO of Background + 50% (µg/L) - Ice-Free Conditions     | 4.51       |
| Existing Modelled Total Phosphorus (µg/L) - Ice Free Conditions   | 3.68       |
| - Spring Overturn   | 4.28       |
| Existing Measured Total Phosphorus (µg/L) - Spring Overturn       | 4.62       |
| <i>% difference between modelled and measured:</i>                | <i>-7%</i> |

Horn Lake is currently under capacity for development in terms of TP following existing Provincial guidance. Previous modelling conducted in the early 1990s is what is reflected in the Magnetawan OP policies but this pre-dated the Province's recommended approach for both TP and MVWHO as described in the Lakeshore Capacity Handbook (Sein, R. (MOECC) Re: Horn Lake. January 15, 2018. Email) and so the previous assessment is no longer valid.

Although Horn Lake has additional capacity we have recommended a number of mitigation measures as described in Section 4.6 as precautionary measures since a) the LCM did not accurately predict existing conditions and b) to protect sensitive Lake Trout habitat. The assessment of Future Conditions in the following section includes implementation of one recommended, optional mitigation measure - septic systems designed to retain sewage-related TP, since the amount of retention helps inform future modelled TP and MVWHO concentrations.

#### 4.5.1.2 Future Conditions

Many sewage systems have been shown to mitigate phosphorus loads to lakes. These include: the use of phosphorus retaining "B" horizon soils rich in aluminum and iron in septic bed construction, the Ecoflo + DpEC Self-Cleaning Phosphorus Removal Unit, and the Waterloo Biofilter EC-P unit. MOECC have recognized the phosphorus removal capabilities of Waterloo Biofilter System and Ecoflo Biofilter and note that each system should be able to reliably and consistently reduce 88% of sewage related phosphorus before the effluent enters the leaching field (Castro 2015), with further retention likely in the leaching field. The use of phosphorus retaining "B" horizon soils is well documented in the works of Robertson et al. (1998)





## Lakeshore Capacity and Fish Habitat Impact Assessment for Horn Lake

and was tested as part of an OMB decision for Kushog Lake and shown to be effective (letter: Castro to Newhook, Oct. 29, 2013).

Altered TP concentrations in Horn Lake associated with the proposed development of 4 extended seasonal lots plus the vacant lots of record were assessed using the Lakeshore Capacity Model under three scenarios of varying TP retention: 0% TP retention, 72% TP retention (as described above) and 88% TP retention (via mitigation technologies) for the additional lots. The build-out of the 4-proposed extended seasonal residences resulted in ice-free TP concentrations ranging from 3.68 µg/L to 3.74 µg/L, depending on the level of TP retention (Table 5). These concentrations represent an increase of <0.01 µg/L to 0.08 µg/L from existing modelled concentrations. Build-out of the proposed 4 lots as well as the vacant lots of record resulted in TP concentrations of 3.75 µg/L to 3.94 µg/L or increases of 0.06 µg/L to 0.26 µg/L from modelled existing conditions. All future predicted concentrations are below the interim PWQO of 4.51 µg/L.

**Table 5.** Future modelled TP concentrations.

| Scenario  | TP (µg/L)    |               |               |
|---|--------------|---------------|---------------|
|   | 0% retention | 72% retention | 88% retention |
| With build-out of 4 additional extended seasonal residences (µg/L)  | 3.74         | 3.70          | 3.68          |
| With build-out of 4 additional extended seasonal residences and 16 vacant lots of record as extended seasonal residences (µg/L) | 3.94         | 3.76          | 3.75          |

### 4.5.1.3 TP Loads

Phosphorus loads under existing and build-out scenarios were calculated to be less than 26% over the background loads (Table 6) further supporting the conclusion that Horn Lake is under capacity for shoreline development in terms of phosphorus levels.

**Table 6.** Summary of TP loads to Horn Lake.

| Scenario   | Horn Lake |
|--|-----------|
| Background TP load (kg/yr)   | 204.3     |
| Existing TP load with 72% retention of sewage-related TP (kg/yr)   | 250.5     |
| <i>% Increase over Background:</i>   | 22.5%     |
| With build-out of 4 additional extended seasonal residences and 72% retention of sewage-related TP (kg/yr) | 251.6     |
| <i>% Increase over Background:</i>   | 23.1%     |



|   |       |
|---|-------|
| With build-out of 4 additional extended seasonal residences and 16 vacant lots of record as extended seasonal residences and 72% retention of sewage-related TP (kg/yr) | 256.0 |
| % Increase over Background:   | 25.3% |

#### 4.5.2 Dissolved Oxygen

MVWHDO can be predicted for individual lakes based on spring overturn TP concentrations following the methods of Molot et al. (1992) and Clark et al. (2002). MNR used contour volumes from two distinct basins when calculating MVWHDO. We utilized contour volumes from Basin 2 when predicting changes to MVWHDO concentrations since that basin is located closer to the subject property and the terrain indicates that drainage flows roughly towards that area.

Predicted MVWHDO concentrations ranged from 8.02 mg/L to 8.03 mg/L for build-out of the 4 proposed lots, representing a maximum decrease of 0.012 mg/L from the existing modelled concentration of 8.03 mg/L from Basin 2. Predicted MVWHDO concentrations ranged from 7.98 mg/L to 8.02 mg/L for build-out of the 4 proposed lots and 16 vacant lots of record, representing a maximum decrease of 0.055 mg/L from the existing modelled concentration.

Table 7. Modelled spring overturn TP and resulting MVWHDO concentrations.

| Scenario   | Spring Overturn TP (µg/L) |               |               | MVWHDO (mg/L) |               |               |
|--|---------------------------|---------------|---------------|---------------|---------------|---------------|
| Modelled existing conditions   | 4.28                      |               |               | 8.03          |               |               |
| TP Retention   | 0% Retention              | 74% Retention | 88% Retention | 0% Retention  | 74% Retention | 88% Retention |
| With build-out of 4 additional extended seasonal residences (kg/yr)  | 4.34                      | 4.30          | 4.28          | 8.02          | 8.03          | 8.03          |
| With build-out of 4 additional extended seasonal residences and 16 vacant lots of record as extended seasonal residences (kg/yr) | 4.54                      | 4.36          | 4.35          | 7.98          | 8.02          | 8.02          |





Modelled existing MVWHDO concentrations (8.03 mg/L) are higher than the majority of average measured values presented in Table 3 but the same magnitude of predicted change can be applied to measured MVWHDO concentrations in Basin 2. Full build-out of the 4 proposed lots and 16 vacant lots of record with 0% retention of septic-related TP resulted in a 0.04 mg/L change (8.02 mg/L → 7.98 mg/L) in modelled MVWHDO concentrations. The uncorrected measured MVWHDO concentration of 7.45 mg/L in Basin 2 would therefore be modelled to decrease to 7.41 mg/L under that conservative scenario; all other measured values would be even greater than the guidance value MVWHDO of 7 mg/L.

#### 4.5.3 Recreational Carrying Capacity

Recreational Carrying Capacity is another component of lake management that is used in some jurisdictions (i.e. Seguin Township) to manage development to control overcrowding. A development density of 1 lot/1.62 ha of lake surface area is used in Seguin Township as a "filter" for "crowding" or social density to reflect recreational use of lake surface areas, an approach which was upheld in an OMB decision of December 22, 2016. This filter equates to a Recreational Carrying Capacity of 291 lots for Horn Lake which is much higher than the 222 seasonal, permanent, resort units, mobile trailer lots and vacant lots of record (Section 3). The proposed addition of 4 lots development would therefore not result in over-crowding based on this metric.

#### 4.6 Mitigation Measures

Horn Lake is not at capacity but a variety of mitigation measures should still be utilized during waterfront development to minimize short and long-term impacts associated with water quality as a precautionary measure since the LCM did not accurately predict existing conditions and to protect sensitive Lake Trout habitat. Mitigation measures #1 - #3 are already required through the Municipality of Magnetawan Official Plan and we recommend two additional approaches.

1. Septic systems shall be located at least 30 metres from a watercourse or waterbody.
2. As a condition of development approval, a natural shoreline vegetation buffer shall be preserved within at least 20 metres of all watercourses and waterbodies wherever possible except for the removal of hazardous trees and a narrow area to allow a pathway to the shoreline.
3. Where development would result in a significant increase in storm water run-off, the Municipality shall require the proponent to complete storm water management works that will ensure that off-site surface water quality and quantity is not adversely impacted by the development. Direct outfalls to surface waters should be avoided and wherever possible developments shall utilize infiltration as a method for storm water management.
  - o We recommend discharging of roof leaders, use of soak away pits and other measures to promote infiltration. Other specific design options for consideration include: grassed and vegetated swales, filter strips, roof leaders and French drains which have all proven to be effective at mitigating impacts associated with stormwater.
4. We recommend implementation of an Erosion and Sediment Control plan during construction, which should (CISEC Canada 2012):



- Utilize a multi-barrier approach;
- Retain existing vegetation;
- Minimize land disturbance area;
- Slow down and retain runoff to promote settling;
- Divert runoff from problem areas;
- Minimize slope length and gradient of disturbed areas;
- Maintain overland sheet flows and avoid concentrate flows; and
- Store/stockpile soil away from watercourses, drainage features, and tops of steep slopes.

5. Utilize Waterloo Biofilter Systems with EC-P units to minimize sewage related-TP.

Additional information regarding waterfront development Best Management Practices can be found in "Protect Your Waterfront Investment" (Muskoka Watershed Council; Appendix B).

#### 4.7 Discussion

MNRF has a criterion of 7 mg/L of MVWHDO for the protection of Lake Trout habitat. The Province recommends that generally there will be no new development within 300 metres of Lake Trout lakes where MVWHDO has been measured to be at or below 7 mg/L. This recommendation also applies to lakes where modelling has determined that development would reduce MVWDHO to 7 mg/L or less. Although MVWDO concentrations less than 7 mg/L were recorded on September 18, 2001 and September 17, 2009, both of those dates lie outside of the MOECC-determined sampling window of August 15<sup>th</sup> to September 15<sup>th</sup>. Average MVWHDO concentrations were greater than 7 mg/L in both basins and the focus should be on the long-term average values because of issues related to inter-annual variability, including equipment and user error, in accordance with MOE (2010):

*"When attempting to characterize lakes in this manner, it is preferable to use average profiles which are derived from several years of data to offset the effects of inter-annual variation. This approach will allow the description of average conditions in a lake's hypolimnion at the end of summer and compare between-lake differences under similar conditions."*

The Lakeshore Capacity Model was not able to predict TP concentrations to within 20% of the measured value and so does not accurately reflect existing conditions. MOE (2010) recommends use of the interim PWQO of 10 µg/L of TP as an upper limit to protect against algal blooms instead of "Background + 50%". In this case, the modelled values of 3.68 µg/L to 3.94 µg/L (depending on % of TP retention and inclusion of vacant lots of record) are well below 10 µg/L and Horn Lake is not considered over capacity for TP.

Although Horn Lake is well below the Interim PWQO of 10 µg/L we do not recommend that 10 µg/L serve as a management limit. Instead, we refined the model to bring the management goals closer in line to the



preferred objective of Background + 50%. We utilized a scientifically-defensible sewage-related TP retention coefficient of 72% in the model for existing development to better align the model with existing conditions instead of utilizing the 10 µg/L of TP guideline, and the results indicate that capacity does exist on Horn Lake for the 4 proposed lots following this methodology. The proposed development of the 4 lots is modelled to increase TP by <0.01 µg/L and decrease MVWHDO by <0.01 mg/L with implementation of Waterloo Biofilter Systems with a EC-P units, both of which result in concentrations well below regulatory guidelines and are immeasurable through standard laboratory procedures. Mitigation measures listed in 4.6 further ensure that impacts to water quality will be minimized to acceptable levels in accordance with relevant municipal and provincial policy.

## 5. Fish Habitat Impact Assessment

MNRF fish habitat mapping did not indicate Type 1 habitat fronting the subject property but a Fish Habitat Impact Assessment (FHIA) was completed because such mapping is not always accurate as it was based on air photo interpretation. Documentation and an understanding of site-specific conditions allowed for the development of recommendations that will ensure shoreline development will adhere to policies outlined in the Municipality of Magnetawan Official Plan and the Fisheries Act.

Fish habitat was characterized in the littoral environment and compared to the habitat requirements of various resident fish species to classify the environment in terms of functionality (e.g. spawning) and resiliency per MNRF guidelines. The assessment was completed based on the proposed development of docks, the characterization of fish habitat features and functions, and the incorporation of a number of short and long-term mitigation measures.

The assessment of the subject properties' littoral and riparian environments was completed through a review of background material and a field investigation undertaken on August 18, 2017.

### 5.1 Background Review

A fish species list for Horn Lake and MNRF fish habitat mapping were reviewed to determine the perceived habitat value of the nearshore environment of the study area (MNR 2010).

#### 5.1.1 Fish Habitat Mapping

The MNRF has developed three categories or habitat types to standardize the assessment of fish habitat (MNR 1994). Below is a summary of the characteristics of each habitat type and its sensitivities.

##### Type 1 Habitat

Habitats are rare or highly sensitive to the potential impacts of development or limit fish productivity either directly or indirectly in a specified water body or portion of a water body. Where these habitats are limiting, productivity would be expected to diminish if they are harmed.



**Type 2 Habitat**

Habitats that are moderately sensitive to the potential impacts of development and although important to fish populations, do not limit the productivity of fish either directly or indirectly. These habitats are usually abundant and another habitat component is the limiting factor in fish production.

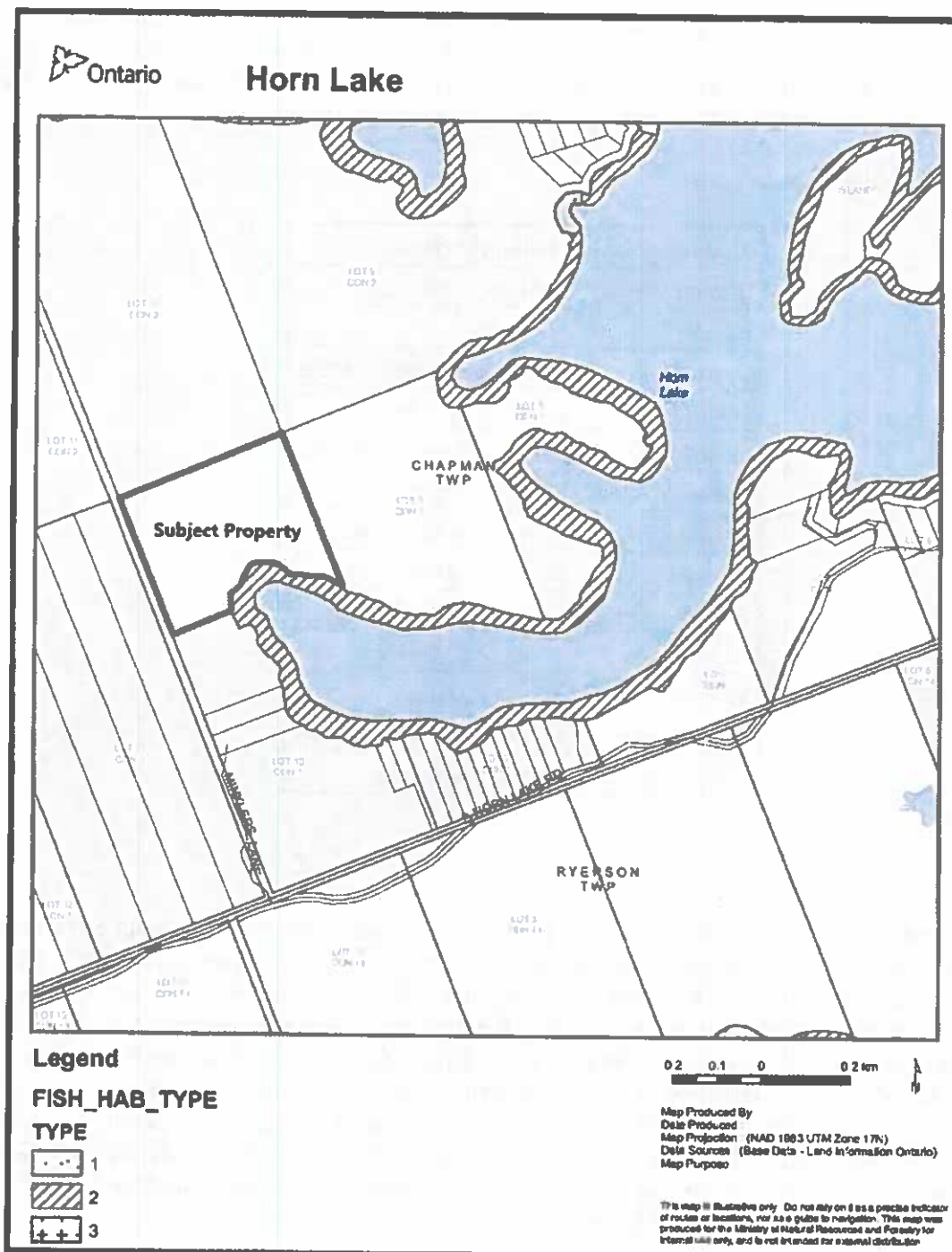
**Type 3 Habitat**

Habitats that are marginal or highly degraded, and currently do not contribute directly to fish productivity, based on fish community management objectives. Type 3 habitats can often be improved significantly, thereby providing a net gain of productive capacity.

Fish habitat classified in front of the subject property was entirely Type 2 (Figure 6).



Figure 6. MNR Fish Habitat Mapping





## 5.1.2 Fish Species List

MNRF has recorded 13 fish species in Horn Lake, including the following game fish species: Lake Trout, Smallmouth Bass (*Micropterus dolomieu*), Walleye (*Sander vitreus*), Yellow Perch (*Perca flavescens*), Rainbow Trout (*Oncorhynchus mykiss*), and Brook Trout (*Salvelinus fontinalis*; Table 8). The lake was stocked for Lake Trout and Brook Trout between 1945 and 2000 (MNR 2010).

**Table 8.** Fish species in Horn Lake.

| Common Name     | Scientific Name                |
|-----------------|--------------------------------|
| Brown Bullhead  | <i>Ameiurus nebulosus</i>      |
| Burbot          | <i>Lota lota</i>               |
| Creek Chub      | <i>Semotilus atromaculatus</i> |
| Lake Trout      | <i>Salvelinus namaycush</i>    |
| Lake Whitefish  | <i>Coregonus clupeaformis</i>  |
| Rainbow Smelt   | <i>Osmerus mordax</i>          |
| Rainbow Trout   | <i>Oncorhynchus mykiss</i>     |
| Rock Bass       | <i>Ambloplites rupestris</i>   |
| Smallmouth Bass | <i>Micropterus dolomieu</i>    |
| Brook Trout     | <i>Salvelinus fontinalis</i>   |
| Walleye         | <i>Sander vitreus</i>          |
| White Sucker    | <i>Catostomus commersonii</i>  |
| Yellow Perch    | <i>Perca flavescens</i>        |

## 5.2 Existing Conditions

The nearshore environment fronting the subject property was relatively heterogeneous but can be best broken into three study areas with similar aquatic habitat features for descriptive purposes (Figure 7). Study Area A stretches from the western boundary of the subject property, approximately 110 m to the northeast before transitioning into Study Area B (Photograph 1). Riparian slopes were approximately 10% throughout Study Area A. In-water slopes were also relatively steep, ranging from 2:1 (2 m water depth 1 m offshore) to 3:1. Woody debris was abundant in the littoral environment, aquatic vegetation was sparse, and substrates were dominated by periphyton-covered large cobbles and boulders. Riparian vegetation includes mixed forest which overhung most of the nearshore environment, and the understory consisted of Sweet Gale (*Myrica gale*), Blue Flag Iris (*Iris versicolor*), Bracken Fern (*Pteridium aquilinum*), Sensitive Fern (*Onoclea sensibilis*), and Grass (*Poaceae spp.*).

Study Area B was a more depository area with shallower 4:1 in-water slopes and a variety of substrates, including: organic debris, sand, periphyton-covered boulders and some gravel. Patches of the following aquatic vegetation species were noted in the area: Pipewort (*Eriocaulon aquaticum*), Broad Leaf Arrowhead



(*Sagittaria latifolia*), and Pondweed (*Potamogeton spp.*, Figure 6). Woody debris was also abundant in the study area. A small, seepage area was observed in the middle of the study area and cold-water temperatures indicated that it was of groundwater origin. The riparian environment in Study Area B contained similar vegetation as Study Area A and similar slopes, apart from a flatter transition from the shore.

Study Area C encompassed the eastern half of the subject property. The area contained steep in-water slopes (2:1), lots of woody debris, and sparse accumulations of Milfoil (*Myriophyllum spp.*) and Pipewort. Periphyton-covered large cobbles, boulders and exposed bedrock were dominant throughout the littoral environment. The riparian environment was similar to Study Area 1 in terms of vegetation and slope.







### Legend

- Study Areas
- //// Mixed Substrates
- Groundwater Seepage
- ..... Aquatic Vegetation
- Subject Property
- Cobbles/Boulders
- Lakes

Project Lead: Brent Parsons  
 Prepared by: Kris Hadley  
 Data Source: HESL, Ontario Land, ESRI  
 Coordinate System: NAD 1983 UTM Zone 17N

### Figure 7: Fish Habitat Features

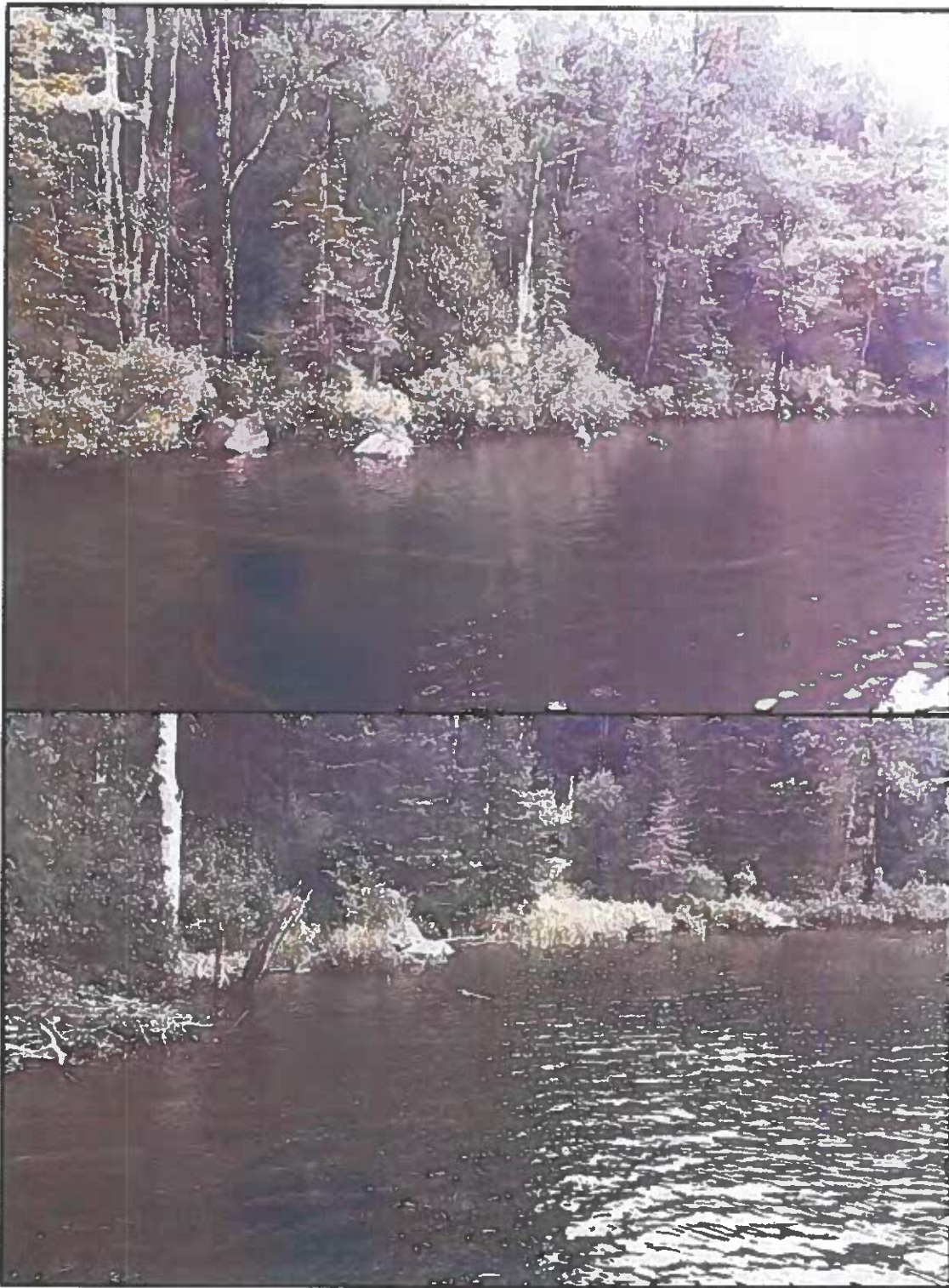
**Project:** Lakeshore Capacity and  
Fish Habitat Impact Assessment  
for Horn Lake

**Project #:** J170058



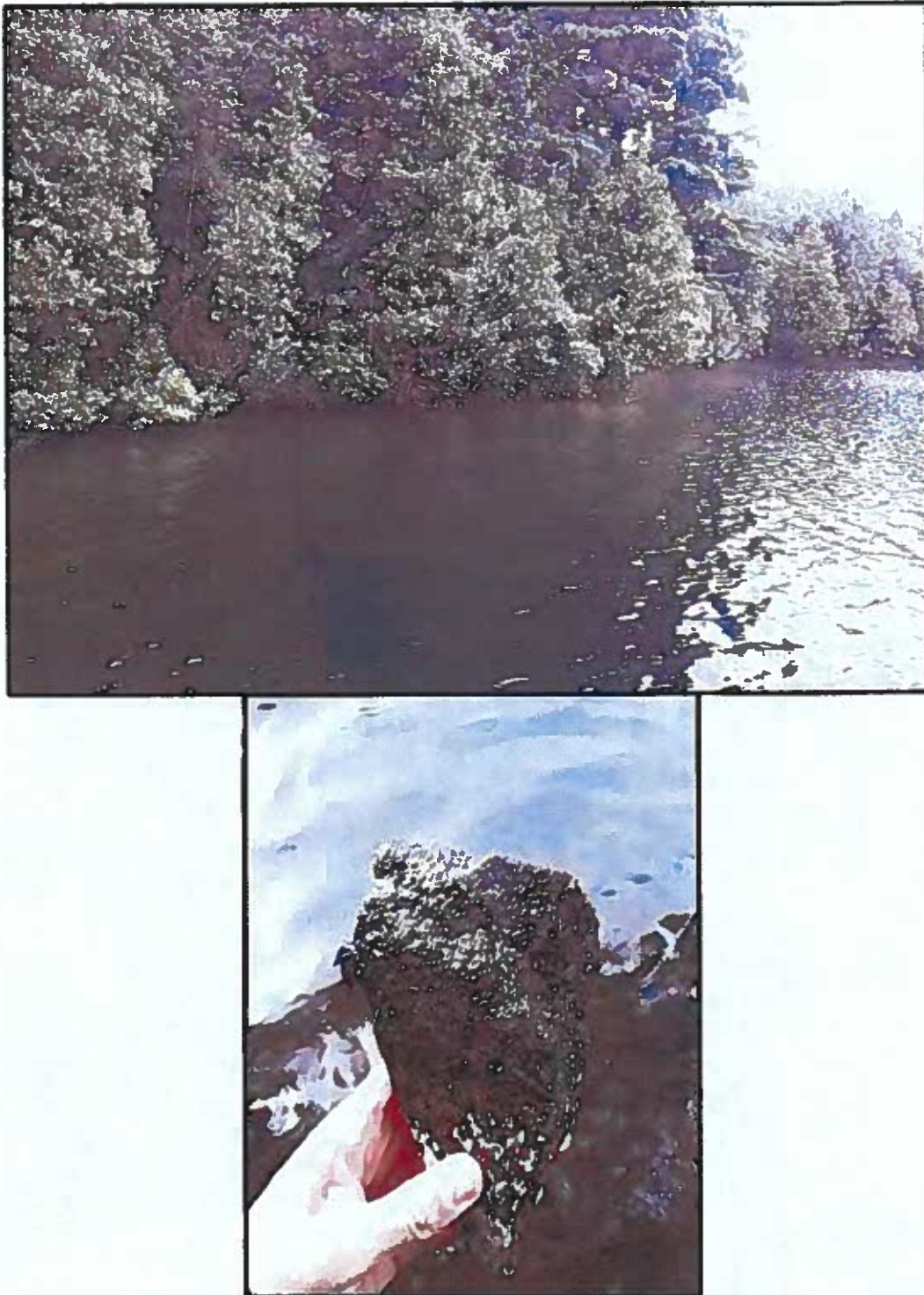
**Hutchinson**  
Environmental Sciences Ltd.





**Photographs 1 and 2.** A view of the nearshore environment fronting the western portion of the subject property, highlighting Study Area A (above) and Study Area B (below).





**Photographs 3 and 4.** A view of the heterogeneous shoreline fronting the eastern portion of the subject property (above), and periphyton covered rocks (below), which were abundant throughout the littoral environment.





### 5.2.1 Assessment of Fish Habitat

The assessment of fish habitat was completed by comparing site-specific features to the requirements of resident fish species so that critical habitats such as nursery or spawning habitats could be defined. Study Area B contains mixed substrates and vegetation that could provide spawning opportunities for Rock Bass, Smallmouth Bass, Yellow Perch and Brook Trout. The area also provides nursery habitat for various species because of cover provided by aquatic vegetation and woody debris, and the presence of the groundwater seepage area which provides a continuous influx of oxygen and nutrients to the area.

Study Areas A and C provide potential spawning opportunities for Lake Whitefish but the areas are not suitable for Lake Trout spawning. Lake Trout typically seek out clean, wave-swept cobble substrates where ample dissolved oxygen allows their eggs to develop in the interstitial spaces between the cobble (Fitzsimons 1994). Ubiquitous periphyton on the angular cobble and boulders has the potential to impact dissolved oxygen concentrations through photosynthesis, respiration and decomposition, and the location of the subject property on the western side of Horn Lake within a secluded embayment, limits the wave action (as seen by the accumulation of woody debris).

**Table 9. Resident Fish Species that could use the Study Areas for Spawning Purposes.**

| Species         | Tolerance <sup>1</sup> | Spawning Habitat                          | Study Area |
|-----------------|------------------------|---|------------|
| Lake Whitefish  | Intolerant             | Rocky shoals, boulders, rubble and cobble | A and C    |
| Rock Bass       | Intermediate           | Rocky or vegetated shallows of lakes      | B          |
| Smallmouth Bass | Intermediate           | Rocky and sandy areas or lakes            | B          |
| Yellow Perch    | Intermediate           | Rooted vegetation, sand or gravel         | B          |
| Brook Trout     | Intolerant             | Groundwater upwellings, rocky substrates  | B          |

*Note : <sup>1</sup>Tolerances from Eakins (2015).*

The majority of the littoral environment represents Type 2 habitat as it does not limit the productivity of resident fish species and is not sensitive to impacts generally associated with the development of docks. The groundwater seepage area and adjacent accumulation of macrophytes and woody debris represents a unique combination of fish habitat features in the study area, is appropriately classified as Type 1 habitat, and should be avoided to protect nursery habitat and spawning habitat for select resident fish species.

### 5.3 Mitigation Measures

The incorporation of appropriate mitigation measures will minimize impacts to fish habitat to acceptable levels in accordance with policies in the Fisheries Act and the Municipality of Magnetawan Official Plan.



The majority of the following mitigation recommendations were gathered from the "Measures to Avoid Causing Harm to Fish and Fish Habitat" (Fisheries and Oceans Canada 2015) and should be implemented:

- Avoid construction of shoreline structures on or within 10m of the groundwater seepage area identified on Figure 6. A 10 m buffer is sufficient to protect the functionality of the seepage area from adjacent development of docks or boardwalks since 10 m is a suitable base buffer width for water quality, screening of human disturbance and core habitat protection (Beacon Environmental Ltd. 2012).
- Implement a timing window of March 15<sup>th</sup> to July 15<sup>th</sup> and October 15<sup>th</sup> to May 31<sup>st</sup> to protect spring and fall spawning species, that is dock construction should be completed outside of that timing window (July 16<sup>th</sup> to October 14<sup>th</sup>).
- Utilize a dock design that has a small footprint on the lakebed such as a floating, cantilever or a pole supported dock. If a larger footprint is used (i.e. cribs) then the cribs should be constructed in an open- faced manner and filled with large rocks to provide accessible crevices for fish and other small organisms. Cribs should be spaced (2 m) and located at least 2 m from the high-water mark to allow nearshore water to circulate.
- Develop and implement an Erosion and Sediment Control Plan for the site that minimizes risk of sedimentation of the waterbody during all phases of the project. For dock construction this includes:
  - Installation of effective erosion and sediment control measures before starting work to prevent sediment from entering the water body.
- Clearing of riparian vegetation should be kept to a minimum.
- Minimize the removal of natural woody debris, rocks, sand or other materials from the banks, the shoreline or the bed of the waterbody below the ordinary high water mark. If material is removed from the waterbody, set it aside and return it to the original location once construction activities are completed.
- Immediately stabilize shoreline or banks disturbed by any activity associated with the project to prevent erosion and/or sedimentation, preferably through re-vegetation with native species suitable for the site.
- Restore bed and banks of the waterbody to their original contour and gradient; if the original gradient cannot be restored due to instability, a stable gradient that does not obstruct fish passage should be restored.
- If replacement rock reinforcement/armouring is required to stabilize eroding or exposed areas, then ensure that appropriately-sized, clean rock is used; and that rock is installed at a similar slope to maintain a uniform bank/shoreline and natural stream/shoreline alignment.
- Remove all construction materials from site upon project completion.



- Ensure that all in-water activities, or associated in-water structures, do not interfere with fish passage, constrict the channel width, or reduce flows.

## 5.4 Discussion

The impact assessment was guided by the Fisheries Act and relevant Municipality of Magnetawan Official Plan policies, and completed based on the sensitivity of the fish habitat and implementation of various mitigation measures. In terms of the Fisheries Act, if a dock is constructed with a footprint of less than 20m<sup>2</sup> on the lake bed, no review is required by Fisheries and Oceans Canada, but if a footprint is larger than 20m<sup>2</sup> it is necessary to complete a self-assessment using information that is provided in this report.

Incorporation of the mitigation measures listed in Section 5.3 will provide assurance that fish habitat will be protected during the construction of docks on the subject property and the project will be in compliance with the Fisheries Act due to the self-assessment process described here-in.

The FHIA also addresses all requirements of an Environmental Impact Assessment as defined by the Municipality of Magnetawan Official Plan by ensuring that new developments shall have no negative impact on fish habitat (Policy 4.4).

## 6. Conclusions

### 6.1 Lakeshore Capacity Assessment

Horn Lake is not over capacity in terms of total phosphorus, recreational capacity or average MVWHDO concentrations. Modelled TP results indicate that the model does not properly represent existing conditions and capacity remains for additional development in relation to the interim PWQO guidelines of 10 µg/L or to Background + 50% if a 72% sewage-related TP retention coefficient is applied to existing development. Additionally, McIntyre (2006) noted that Lake Trout abundance slightly improved between 1998 and 2005, TP declined between 2003 and 2016, and there have been no algal blooms reported to the North Bay Parry Sound District Health Unit (Environmental Health Program, personal communication, January 4, 2017), so water quality and Lake Trout habitat appear healthy in Horn Lake.

The proposed development of the 4 lots is modelled to increase TP by <0.01 µg/L and decrease MVWHDO by <0.01 mg/L with implementation of Waterloo Biofilter Systems with EC-P units, both of which remain well below regulatory guidelines and are immeasurable through standard laboratory or field procedures. Mitigation measures listed in 4.6 further ensure that impacts to water quality will be minimized to acceptable levels in accordance with relevant municipal and provincial policy.

### 6.2 Fish Habitat Impact Assessment

Most of the fish habitat fronting the subject property is not critical or sensitive to development of docks. We identified a groundwater seepage area that drains into a nursery habitat and potential spawning habitat for some residential species, so this area was afforded a 10 m buffer and development should take place outside of this area. A number of mitigation measures were also recommended in Section 5.3 that will



protect fish habitat and ensure that the development follows municipal and federal regulations related to fish habitat.

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## Appendix A. Lakeshore Capacity Model



## Lakeshore Capacity Model

## Horn Lake

|  |               |                                |   |        |          |
|--|---------------|--------------------------------|---|--------|----------|
| <b>Anthropogenic Supply</b>                        |               |                                | <b>Sedimentation</b>                                  |        |          |
| <b>Shoreline Development Type</b>                  | <b>Number</b> | <b>Usage (capita years/yr)</b> | Is the lake anoxic?                                   | n      |          |
| Permanent  | 32            | 2.56                           | Settling velocity (v)                                 | 12.4   | m/yr     |
| Extended Seasonal                                  |               | 1.27                           | In lake retention (Rp)                                | 0.82   |          |
| Seasonal   | 138           | 0.69                           | <b>Monitoring Data</b>                                |        |          |
| Resort   | 7             | 1.18                           | Years of spring TP data                               | 17     |          |
| Trailer Parks                                      | 29            | 0.69                           | Average Measured TPso                                 | 4.62   | µg/L     |
| Youth Camps  | 0             | 0.125                          | Measured vs. Predicted TPso                           | -7.4   | %        |
| Campgrounds/Tent trailers/RV parks                 | 0             | 0.37                           | Is the model applicable?                              | y      |          |
| Vacant Lots of Record                              | 16            | 1.27                           | Over or under predicted?                              | under  |          |
|  |               | 206                            | <b>Modeling Results</b>                               |        |          |
| Retention by soil (Rs) (0-1)                       | 0.72          |                                | TPlake  | 3.68   | µg/L     |
| <b>Catchment</b>                                   |               |                                | TPout   | 3.52   | µg/L     |
| <b>Upstream Lakes</b>                              |               |                                | TPso  | 4.28   | µg/L     |
| Lake Area (Ao)                                     | 471.6         | ha                             | TPfuture  | 3.68   | µg/L     |
| Catchment Area (Ad)                                | 1922.3        | ha                             | <b>Phosphorus Thresholds</b>                          |        |          |
| Wetland  | 5.8           | %                              | TPbk  | 3.00   | µg/L     |
| Cleared  | 0.0           | %                              | TPbk+40   | 4.21   | µg/L     |
| <b>Hydrological Flow</b>                           |               |                                | TPbk+50   | 4.51   | µg/L     |
| Mean annual runoff                                 | 0.527         | m/yr                           | TPbk+60   | 4.81   | µg/L     |
| Lake outflow discharge (Q)                         | 2.67          | m3/yr                          | *if TPbk+40% < TPlake < TPbk+60% cell is orange       |        |          |
| Areal water loading rate (qs)                      |               | m/yr                           | *if TPlake > TPbk+60% cell is red                     |        |          |
| Inflow 1   |               | m3/yr                          | <b>No. of allowable residences to reach capacity:</b> |        |          |
| Inflow 2   |               | m3/yr                          | # Permanent OR  | 32     |          |
| Inflow 3   |               | m3/yr                          | # Extended seasonal OR                                | 64     |          |
| <b>Natural Loading</b>                             |               |                                | # Seasonal cottages OR                                | 116    |          |
| Atmospheric Load                                   | 78.79         | 250.46                         | <b>Loads</b>  |        |          |
| Runoff Load  | 125.47        | kg/yr                          | Natural Load w/no development                         | 204.26 | kg/yr    |
| <b>Upstream Loading</b>                            |               |                                | Background + 50% Load                                 | 306.39 | kg/yr    |
| Background Upstream Load 1                         |               | kg/yr                          | Current Load  | 250.46 | kg/yr    |
| Background Upstream Load 2                         |               | kg/yr                          | Future Load   | 250.46 | kg/yr    |
| Background Upstream Load 3                         |               | kg/yr                          | <b>Outflow Loads</b>                                  |        |          |
| Current Total Upstream Load 1                      |               | kg/yr                          | Background Outflow Load                               | 36.24  | kg/yr    |
| Current Total Upstream Load 2                      |               | kg/yr                          | Current Outflow Load                                  | 44.43  | kg/yr    |
| Current Total Upstream Load 3                      |               | kg/yr                          | Future Outflow Load                                   | 44.43  | kg/yr    |
| Future Upstream Load 1                             |               | kg/yr                          | <b>Anthropogenic Loading</b>                          |        |          |
| Future Upstream Load 2                             |               | kg/yr                          | Current Anthropogenic Load                            | 46.20  | kg/yr    |
| Future Upstream Load 3                             |               | kg/yr                          | Future Anthropogenic Load                             | 46.20  | kg/yr    |
| <b>Anthropogenic Loading</b>                       |               |                                | <b>Areal Load Rate</b>                                |        |          |
| Current Anthropogenic Load                         | 46.20         | kg/yr                          | Current Total Areal Loading Rate (L <sub>T</sub> )    | 53.09  | mg/m2/yr |
| Future Anthropogenic Load                          | 46.20         | kg/yr                          | Future Total Areal Loading Rate (L <sub>FT</sub> )    | 53.09  | mg/m2/yr |
| <b>Areal Load Rate</b>                             |               |                                |   |        |          |
| Current Total Areal Loading Rate (L <sub>T</sub> ) | 53.09         | mg/m2/yr                       |   |        |          |
| Future Total Areal Loading Rate (L <sub>FT</sub> ) | 53.09         | mg/m2/yr                       |   |        |          |

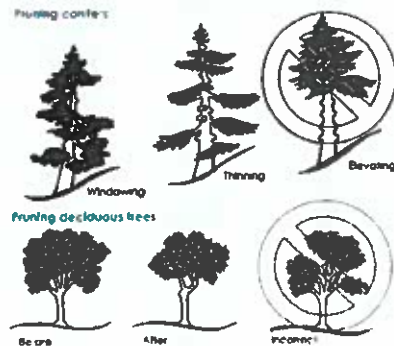
## Appendix B. Protect Your Waterfront Investment, Muskoka Watershed Council, Best Practices Series



## Your shoreline insurance policy

Before you cut down trees or remove understory vegetation, think about how it will affect your investment.

- 1) **PLAN FOR NATURAL SUCCESSION** - young plants tend to be more resilient and will grow into your future trees so leave a healthy mix of young and old trees.
- 2) **PLAN YOUR VIEWS** - with proper pruning, you can obtain good views of the water while maintaining your shoreline buffer and your privacy. Improper pruning can weaken trees. If you are in any doubt, hire a tree specialist to prune and protect your investment.



- 3) **PROTECT YOUR SOIL** - native grasses and groundcover can be established in less shaded or more active areas to further enhance your buffer zone, reduce runoff and immobilize pollutants.
- 4) **INVEST IN YOUR PROPERTY** - manures, compost and fertilizers, should only be applied carefully or by qualified individuals and used only as a last resort to maintain optimum plant health.

Without a buffer zone, nutrients and toxic chemicals can be carried into your lake and contribute to water quality issues such as algae blooms. This decrease in water quality can reduce the value of your property by as much as 8.5%!

## Where to find more information

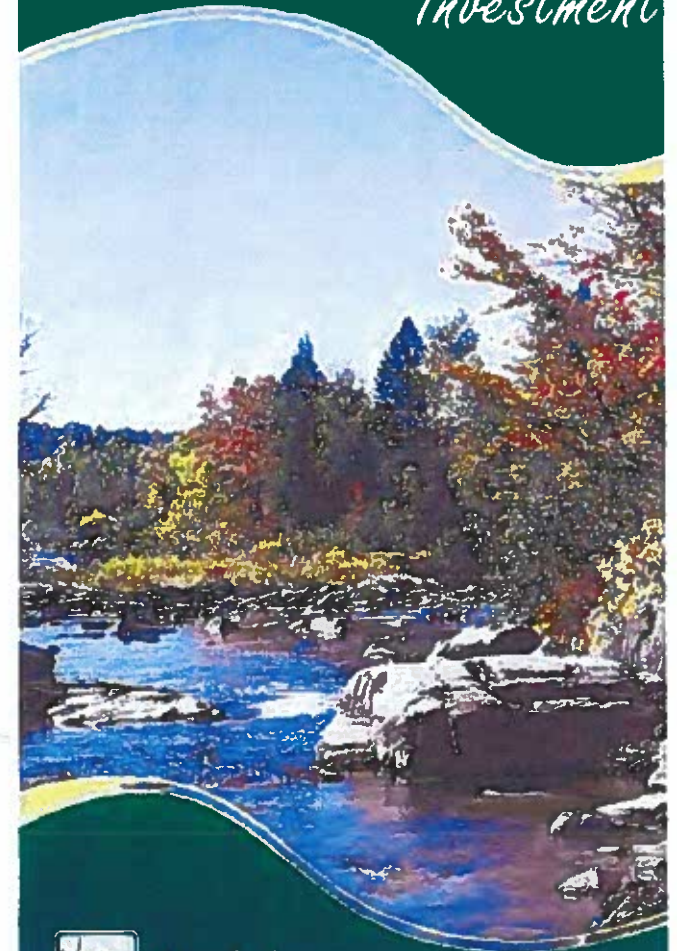
- ♦ Muskoka Watershed Council  
[www.muskokaheritage.org/mwc](http://www.muskokaheritage.org/mwc)
- ♦ District Municipality of Muskoka  
[www.muskoka.on.ca](http://www.muskoka.on.ca)
- ♦ Parry Sound-Muskoka Stewardship Network  
[www.ontariostewardship.org/councils/parrysound-muskoka](http://www.ontariostewardship.org/councils/parrysound-muskoka)
- ♦ Muskoka Water Web  
[www.muskokawaterweb.ca](http://www.muskokawaterweb.ca)
- ♦ Ontario Professional Forester's Association  
[www.opfa.ca](http://www.opfa.ca)
- ♦ Ontario Ministry of Agriculture and Food  
[www.omafra.gov.on.ca](http://www.omafra.gov.on.ca)
- ♦ Ontario Ministry of Environment  
[www.ene.gov.on.ca/environment/](http://www.ene.gov.on.ca/environment/)
- ♦ Ontario Ministry of Natural Resources  
[www.mnr.gov.on.ca](http://www.mnr.gov.on.ca)
- ♦ *On the Living Edge: Your Handbook for Waterfront Living* published by the Living By Water Project. Available from the Muskoka Heritage Foundation at (705) 645-7393.

**Muskoka Watershed Council**  
11-B Taylor Road, Box 482  
Bracebridge, ON P1L 1T8

Phone: (705) 645-7393 Fax: (705) 645-7888  
Email: [watershed@muskokaheritage.org](mailto:watershed@muskokaheritage.org)

Brought to you by:

## Protect your Waterfront Investment



**Muskoka**  
WATERSHED COUNCIL

*Best Practices Series*

## Help your investment grow!

**Reduced water clarity can result in an 8.5% decrease in your property value!**

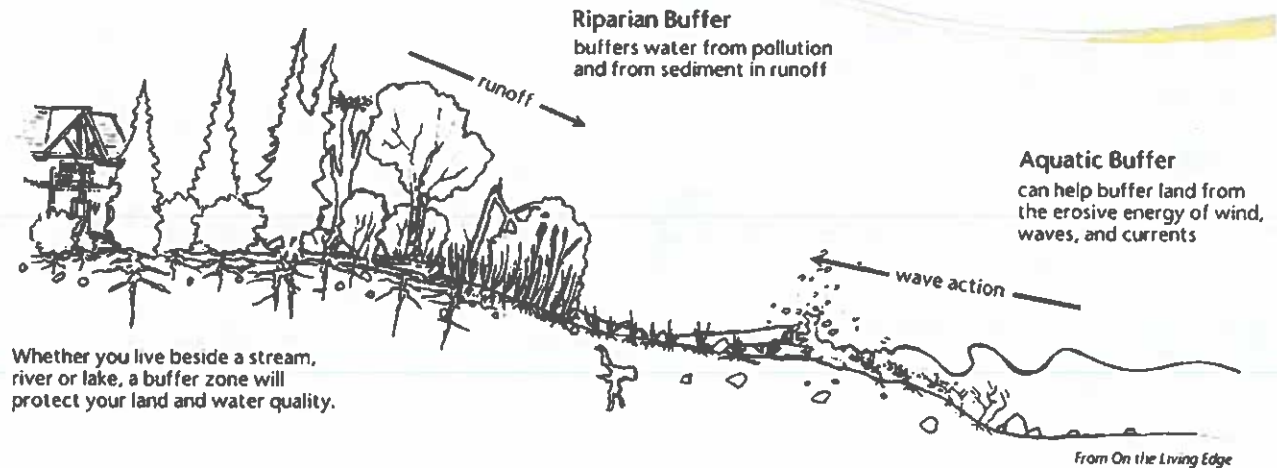
Studies demonstrate that property values decrease as water quality declines. The single most important thing you can do to protect the value of your waterfront investment is to maintain the water quality in your lake.

The natural vegetation on your property, especially that located along your shoreline, is an excellent and low cost way to maintain the quality of your water and protect your land from erosion. Think of the natural vegetation on your property as a free shoreline insurance policy.

## Protect your investment

- Maintain or re-establish a shoreline buffer using species native to Muskoka.
- Get to know your property. Look at the vegetation on your property and make note of what species are present and in what numbers.
- Inspect the shoreline buffer area in all four seasons and take notes to compare one season to the next. Certified foresters, horticulturalists, and/or arborists can help you in this process.
- Use this information to gauge the health of your shoreline and plan accordingly.
- Have many different native plant species on your property with varied ages. By doing so, you can account for any unforeseen disturbances, such as wind or ice storms, and/or environmental changes that may occur in the future.

## Your buffer zone



Your buffer zone is an area of natural vegetation, including fallen trees, branches and washed up logs, and natural rocks or pebbles, that runs along the length of your shoreline. It includes the areas upland of the high water mark (your riparian buffer) as well as the area below the high water mark, right down into the water (your aquatic buffer).

Ideally, a buffer zone contains vegetation that would normally grow in Muskoka. These native species might include trees, shrubs, wildflowers, grasses and native aquatic plants.

When a shoreline is cleared, the buffer area has the potential to become an erosion zone. Alterations to shorelines can also result in:

- silted up spawning beds
- pollution from runoff
- increased flooding

Your buffer zone is in a constant state of change.

Dead, dying, diseased, and dangerous material can be removed in order to improve the health, safety and aesthetics of your property.

**Common shoreline species in Muskoka:**  
**TREES:** White cedar, White pine, Hemlock  
**SHRUBS:** Red-osier dogwood, Meadowsweet  
**WILDFLOWERS:** Cardinal flower, Blue flag iris  
**AQUATIC PLANTS:** Pickerelweed, Coontail

Whether you are planning a major construction project or just maintaining what you have, it is important to:

- **MINIMIZE** the types and amount of traffic your buffer area receives. Simple foot traffic can drive oxygen out of the soil and allow for water runoff.
- **MAINTAIN** natural forest floor coverings and keep natural areas as large as possible.
- **INCORPORATE** a woodchip-style mulch approximately 2-4" thick in high traffic areas to condense traffic flow and minimize damage.
- **LEAVE** some dead or dying material on your property, if it isn't a hazard, to enhance wildlife habitat.
- **CHECK** with local authorities before removing vegetation from your property so you don't contravene any laws.

**Schedule C: Photos**



Photos













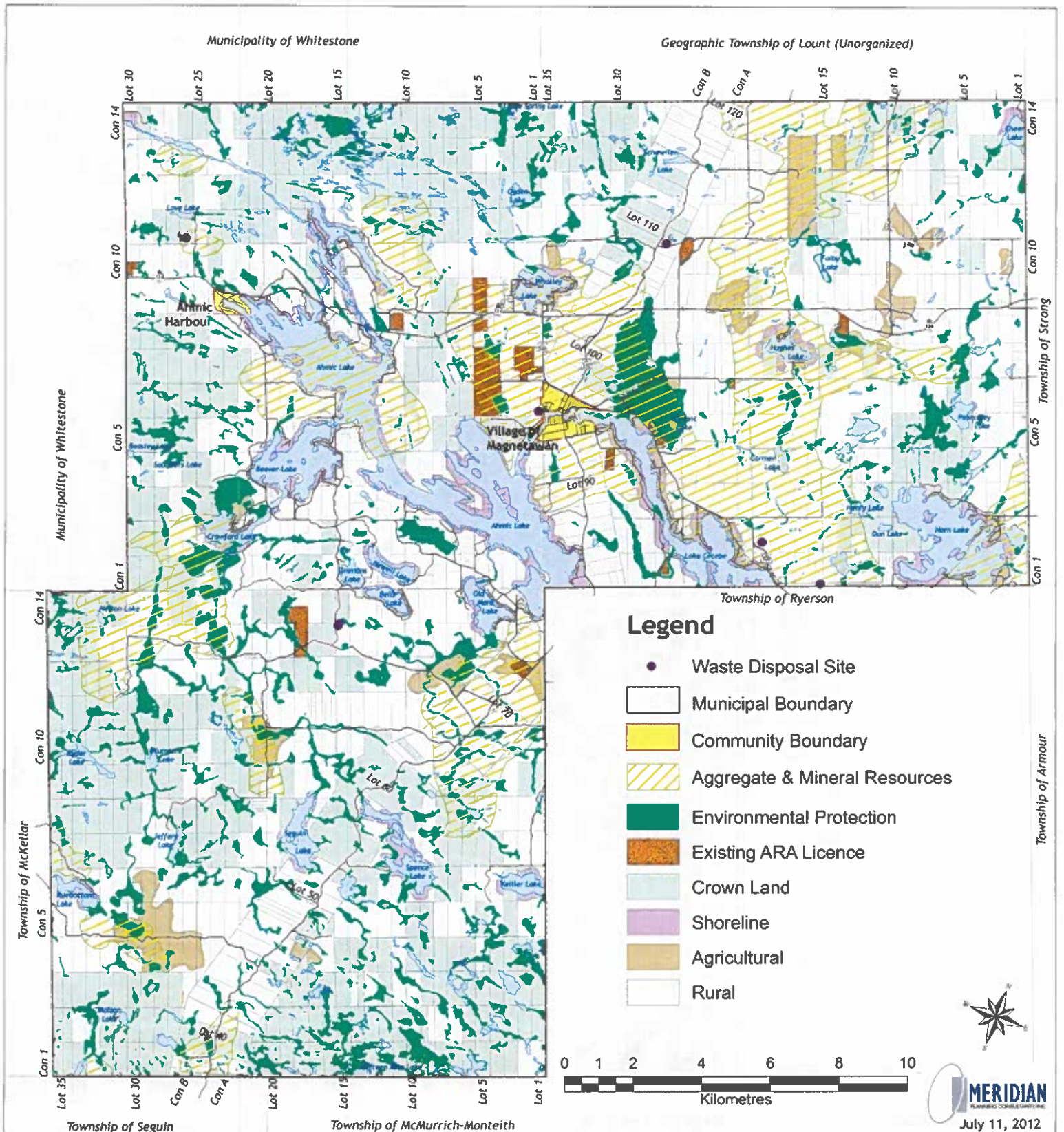


**Schedule D: Official Plan Schedule**



# Municipality of Magnetawan

## Official Plan SCHEDULE A Land Use



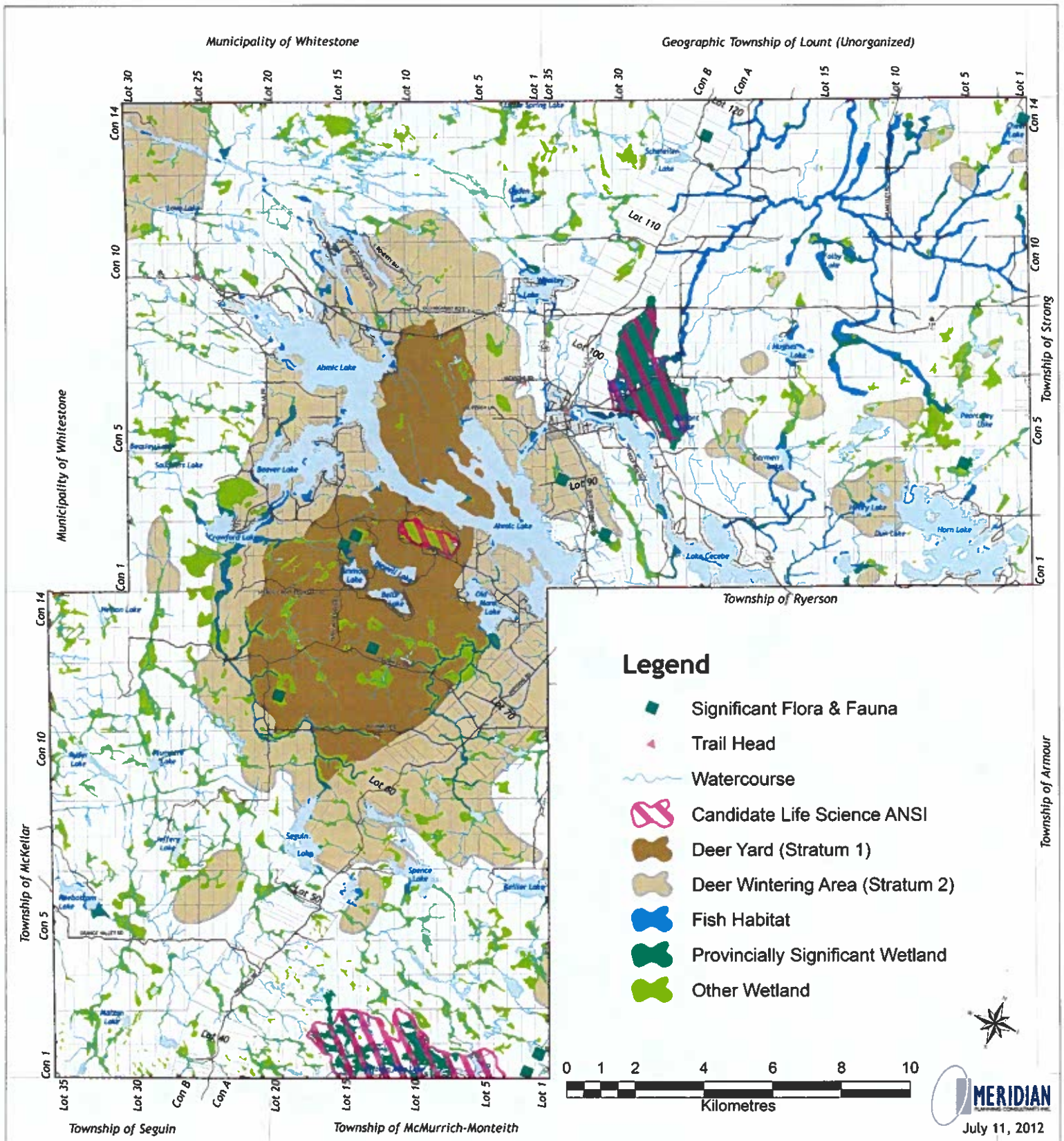


# Municipality of Magnetawan

## Official Plan

### SCHEDULE B

### Environmental Features





# Attachment 2



**M A R I E P O I R I E R P L A N N I N G  
& A S S O C I A T E S I N C .**

---

Marie E. Poirier, B.Sc., MCIP, RPP  
44-A King William Street, Huntsville, ON P1H 1G3  
Phone: 705-789-9860 E-mail: [marie@mpplanning.com](mailto:marie@mpplanning.com)

March 8, 2023

Municipality of Magnetawan  
PO Box 70  
4304 Highway 520  
Magnetawan, ON POA 1P0

**Attention: Erica Kellogg  
Acting Deputy Clerk  
Planning & Development**

Dear Ms Kellogg:

**RE: Application for Consent (Wiens)  
Part Lot 9 Concession 1, Township of Magnetawan  
Horn Lake  
Update to Application and Planning Justification Report**

---

As result of your review of the above referenced application and supporting documentation, we were asked to provide additional and updated information to address conformity with the Official Plan. In that regard we offer the following.

**Conformity Respecting “At Capacity” Lakes Policy**

The Magnetewan Official Plan designates Horn Lake as being “at capacity” for additional lot creation. It has always been our position based on the Lake Capacity study that was completed by Hutchison and accepted by the Township for the adjoining property that this Lake in fact is NOT at capacity. In support of our position we engaged Riverstone Environmental another well reputed firm to review the data and provide us with an opinion is the regard. We asked

Riverstone to look at a worst case scenario base on the creation of four lots adjacent to the subject property, when in fact the Wiens application is for only one (1) new lot.

Riverstone has determined in agreement with Hutchison, that Horn Lake is NOT at capacity and that the creation of one new lot is appropriate. Specifically, they conclude:

*The proposed consent application for the Wiens property, can be evaluated through the results of the Hutchinson capacity assessment for the neighbouring property, where new four (4) lots were proposed. The capacity model calculations showed that Horn Lake is not at capacity, when compared to a more stringent capacity threshold (background + 50%). The addition of four (4) new lots will change total phosphorus or dissolved oxygen concentrations in such a small amount that it will not be measurable. Similarly, the addition of One (1) new lot as proposed for the Wiens property, will not have any impact on water quality and will not extend Horn Lake beyond capacity as noted by the model calculations of Hutchinson. As a result, the application for consent can be considered by the Township.*

The complete Riverstone report is attached to this correspondence.

On that basis we opine that that the application conforms with the Official Plan as Horn Lake is not an “at capacity” lake.

#### **Conformity Respecting “Water Access” Policies**

The applicant has secured through pre-payment, mainland docking, parking and garbage removal at Birch Crest Resort. Verification has been sent to you and your planning consultants under separate cover. Therefore, “conformity with the Official Plan policies for “water access” only lots has been achieved.

#### **Official Plan Designation and Zoning By-law Zone**

Recent correspondence from your consultants on your behalf asked us to confirm the Official Plan Land Use Designation and Zone for the subject property. We remain committed to our position that the Official Plan designation is “Shoreline”.

With respect to the Zone as per the Zoning By-law, there does not appear to be a zone category abbreviation directly on top of the subject property as per the Schedule. On that basis we considered the property for the purpose of the application to be zoned RR as this is the abbreviation assigned to the surrounding properties. Should you interpret the subject property to be in the R or any other zone please advise, If this is the case, we would suggest that a re-zoning be a condition of approval of the consent.

I trust you now have sufficient supporting opinion and technical material to process the application and we respectfully request that the application be brought forward to the next available Planning Board meeting. Thank you.

Yours truly,  
MARIE POIRIER PLANNING & ASSOCIATES INC



Marie E. Poirier B.Sc. MCIP RPP

# Attachment **3**



# Hutchinson

---

Environmental Sciences Ltd.

**Lakeshore Capacity and Fish  
Habitat Impact Assessment for  
Horn Lake**

Prepared for: Mr. Chris Noll  
Job #: J170058

May 1, 2018



May 1, 2018

HESL Job #: J170058

Mr. Chris Noll  
125 Bermondsey Road  
Toronto, ON M4A 1X3

Dear Mr. Noll:

**Re: Lakeshore Capacity and Fish Habitat Impact Assessment for Horn Lake**

Hutchinson Environmental Sciences Ltd. was retained to complete a Lakeshore Capacity Assessment and Fish Habitat Impact Assessment as part of a proposed land severance application on Horn Lake, in the Municipality of Magnetawan, Ontario.

Horn Lake is not over capacity in terms of total phosphorus, recreational capacity or average Mean Volume-Weighted Hypolimnetic Dissolved Oxygen (MVWHDO) concentrations. Modelled total phosphorus (TP) results indicate that the model does not properly represent existing conditions and capacity remains for additional development in relation to the interim Provincial Water Quality Objective guidelines of 10 µg/L or to Background + 50% if a 72% sewage-related total phosphorus retention coefficient is applied to existing development. With sewage treatment using Waterloo Biofilter Systems with EC-P units, the proposed development of 4 lots is modelled to potentially increase TP by <0.01 µg/L and decrease MVWHDO by <0.01 mg/L, increases which are well below regulatory guidelines and are immeasurable through standard laboratory procedures.

Most of the fish habitat fronting the subject property is not critical or sensitive to development of docks. We identified a groundwater seepage area that drains into nursery habitat and potential spawning habitat for some residential species, so this area was afforded a 10m buffer from shoreline structures and development should take place outside of this area.

Sincerely,

per Hutchinson Environmental Sciences Ltd.

Brent Parsons, M.Sc.  
Senior Aquatic Scientist  
[brent.parsons@environmentalsciences.ca](mailto:brent.parsons@environmentalsciences.ca)



## Signatures

Report prepared by:



Brent Parsons, M.Sc.  
Senior Aquatic Scientist

Report reviewed by:



Neil Hutchinson, Ph.D.  
Principal Scientist



## Executive Summary

Hutchinson Environmental Sciences Ltd. (HESL) was retained to complete a Lakeshore Capacity Assessment and Fish Habitat Impact Assessment as part of a proposed land severance application on Horn Lake, in the Municipality of Magnetawan, Ontario. The subject property (Part of Lot 10, Concession 1) is located at the south end of the lake (Figure 1) and the development proposal is to sever the property to create four lots.

Horn Lake supports Lake Trout (*Salvelinus namaycush*), is listed as a natural Lake Trout lake by the Ontario Ministry of Natural Resources and Forestry (MNR 2015) and is listed as at “capacity” in the Municipality of Magnetawan’s Official Plan.

The Lakeshore Capacity Model was not able to predict TP concentrations to within 20% of the measured value and so does not accurately reflect existing conditions. MOE (2010) recommends use of the interim PWQO of 10 µg/L of TP as an upper limit to protect against algal blooms instead of “Background + 50%”. In this case, the modelled values of 3.68 µg/L to 3.94 µg/L (depending on % of TP retention and inclusion of vacant lots of record) are well below 10 µg/L and Horn Lake is not considered over capacity for TP.

Although Horn Lake is well below the Interim PWQO of 10 µg/L we do not recommend that 10 µg/L serve as a management limit. Instead, we refined the model to bring the management goals closer in line to the preferred objective of Background + 50%, which corresponds to a lower and more protective TP concentration of 4.51 µg/L. We utilized a scientifically-defensible sewage-related TP retention coefficient of 72% in the model for existing development to better align the model with existing conditions instead of utilizing the 10 µg/L of TP guideline, and the results indicate that capacity does exist on Horn Lake for the 4 proposed lots following this methodology. With sewage treatment using Waterloo Biofilter Systems with EC-P units, the proposed development of 4 lots is modelled to potentially increase TP by <0.01 µg/L and decrease MVWHDO by <0.01 mg/L, increases which are well below regulatory guidelines and are immeasurable through standard laboratory procedures.

Most of the fish habitat fronting the subject property is not critical or sensitive to development of docks. We identified a groundwater seepage area that drains into a nursery habitat and potential spawning habitat for some residential species, so this area was afforded a 10m buffer from the development of shoreline structures. A number of mitigation measures were also recommended in Section 5.3 that will protect fish habitat and ensure that the development follows municipal and federal regulations related to fish habitat.



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## 1. Introduction

Hutchinson Environmental Sciences Ltd. (HESL) was retained to complete a Lakeshore Capacity Assessment and Fish Habitat Impact Assessment as part of a proposed land severance application on Horn Lake, in the Municipality of Magnetawan, Ontario. The subject property (Part of Lot 10, Concession 1) is located at the south end of the lake (Figure 1) and the development proposal is to sever the property to create four lots. The exact orientation of each lot has yet to be determined so the Fish Habitat Impact Assessment focused on identifying opportunities and constraints to shoreline development across the entire subject property.

Horn Lake supports Lake Trout (*Salvelinus namaycush*), and is listed as a natural Lake Trout lake by the Ontario Ministry of Natural Resources and Forestry ((MNR) 2015). Lake Trout have stringent habitat requirements including cold-water temperatures and high dissolved oxygen concentrations, and various policies have been adopted to protect this sensitive habitat. Waterfront development and the potential influx of sewage-related phosphorus to an adjacent waterbody has been identified as a stressor on Lake Trout habitat because increased phosphorus concentrations can lead to decreased dissolved oxygen concentrations.

Ontario's Lakeshore Capacity Model (MOE 2010) was developed to determine suitable development capacity on lakes through an assessment of phosphorus and the associated modelling procedure of Molot et al (1992) for dissolved oxygen concentrations, and in the case of Horn Lake, it has been determined that the lake is over capacity in terms of Provincial guidelines (Meridian Planning Consultants Inc. 2012). For recreational lakes on the Precambrian Shield, phosphorus and dissolved oxygen concentrations are the parameters of concern for water quality. The revised Provincial Water Quality Objective (PWQO) for inland lakes on the Precambrian Shield (MOE 2010) allows for a 50% increase in phosphorus concentration from development over levels that would occur in the absence of any development on the lake (i.e., "Background" + 50%) to a maximum concentration of 20 µg/L. The dissolved oxygen guideline for protection of lake trout habitat is 7 mg/L of Mean End-of-Summer Volume-Weighted Hypolimnetic Dissolved Oxygen (MWHDO).

The Province of Ontario recommends the use of the Lakeshore Capacity Model to determine the interim PWQO for phosphorus and the amount of shoreline development that can occur to maintain phosphorus levels within the phosphorus threshold (MOE 2010). The LCM is a steady-state mass balance model that estimates hydrologic and phosphorus loading from natural (watershed runoff and atmospheric deposition) and human (septic systems and land disturbance) sources and links them together considering lake dynamics to predict total phosphorus concentrations in lakes. Dissolved oxygen is modelled on the basis of lake morphometry and total phosphorus concentrations using the techniques described in Molot et al. (1992) and Clark et al. (2002)

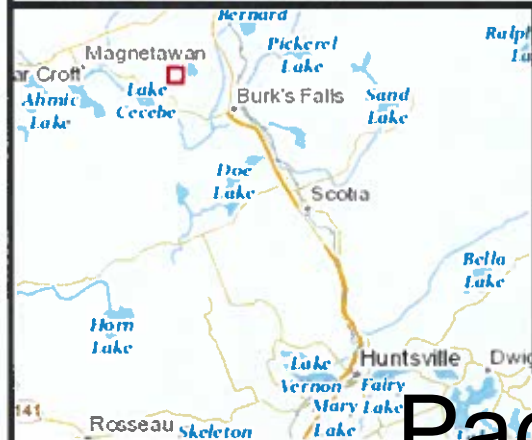
Fish habitat impact assessments are commonly completed in support of waterfront development applications to ensure that impacts to fish habitat are minimized to suitable levels in terms of relevant policies such as the federal Fisheries Act. Habitat is characterized, compared to habitat requirements of resident fish species, and suitable locations for the establishment of shoreline structures, such as boathouses and docks, are determined. Selection of appropriate locations and implementation of mitigation measures to minimize impacts typically results in regulatory approval.



## **Lakeshore Capacity and Fish Habitat Impact Assessment for Horn Lake**

The following assessments were completed to verify whether or not Horn Lake is currently over threshold for additional development, determine suitable locations for the establishment of shoreline structures, and to identify mitigation measures that would minimize any associated impacts to acceptable levels as described by relevant policy.





### Legend

- Rivers
- Roads
- Subject Property
- Lakes

Project Lead: Brent Parsons  
 Prepared by: Kris Hadley  
 Data Source: HESL, Ontario Land, ESRI  
 Coordinate System: NAD 1983 UTM Zone 17N

### Figure 1: Study Area

**Project:** Lakeshore Capacity and  
Fish Habitat Impact Assessment  
for Horn Lake

**Project #:** J170058



**Hutchinson**  
Environmental Sciences Ltd.



## 2. Policy Context

### 2.1 Municipality of Magnetawan Official Plan

The Municipality of Magnetawan Official Plan (Meridian Planning Consultants Inc. 2012) contains a number of relevant policies which helped define the scope of this study. These policies include those listed under sections 4.3, 4.4 and 5.4.2.

#### 4.3 Surface Water Quality

Preservation of water quality is a significant consideration in reviewing any development proposal adjacent to a watercourse or lake. Septic systems shall be located at least 30 metres from a watercourse or waterbody, and in the case of lakes at or near capacity, including Horn Lake, lot creation and land use changes which would result in a more intensive use will not be permitted except under one of the following special circumstances:

- 1) to separate existing habitable dwellings, each of which is on a lot that is capable of supporting a class 4 sewage system, provided that the land use would not change and there would be not net increase in phosphorus loading to the lake;
- 2) where all new tile fields would be located such that they would drain into a drainage basin which is not at capacity;
- 3) where all new tile fields would be set back at least 300 metres from the shoreline of lakes, or such that drainage from the tile fields would flow at least 300 metres to the lake; and
- 4) where the proposed site can meet the additional site-specific soils criteria in the Lake Capacity Assessment Handbook and where certain municipal planning tools and agreements are in place such as a Development Permit System under the Planning Act, and/or site plan control under the Planning Act, and site alteration and tree-cutting by-laws under the Municipal Act to implement those criteria.
- 5) There is an additional criterion accepted by MOE for situations where there are deep soils native to the site (undisturbed and over 3m depth), meeting a specific chemical composition and hydrologic condition. This approach requires site-specific soils investigations by a qualified professional and, if meeting the criteria, would require long-term monitoring and use of planning tools that would ensure long-term maintenance of specified conditions. The MNR and MOE will be consulted if this criterion is considered for Horn Lake.

As a condition of development approval, a natural shoreline vegetation buffer shall be preserved within at least 20 metres of all watercourses and waterbodies wherever possible except for the removal of hazardous trees and a narrow area to allow a pathway to the shoreline. Council may require a wider buffer depending on site-specific conditions and the sensitivity of the adjacent natural heritage features.



Where development would result in a significant increase in storm water run-off, the Municipality shall require the proponent to complete storm water management works that will ensure that off-site surface water quality and quantity is not adversely impacted by the development. Direct outfalls to surface waters should be avoided and wherever possible developments shall utilize infiltration as a method for storm water management.

#### 4.4 Natural Heritage and Resource Management

New development or alterations shall have no negative impact on the natural features or ecological functions of significant habitat of endangered or threatened species, other significant wildlife habitat, fish habitat, a provincially significant wetland or other significant natural heritage feature or function.

##### 5.4.2 Development Standards

Horn Lake has been identified as a lake trout lake that is at capacity. New development including additional lot creation or redevelopment of existing developed lots that would result in more intensive use, shall generally not be permitted except as provided for in Section 4.3 (see above).

The at "capacity" status of Horn Lake in the Magnetawan OP was determined based on an old assessment of optimal Lake Trout habitat in the early 1990s (Sein, R. (MOECC) "Re: Horn Lake" Message to B. Parsons. January 15, 2018. Email). The approach has changed considerably over the last 30 years and is now based on a MVWHDO of 7 mg/L. MOECC has not, however, provided an updated assessment of capacity for Horn Lake on the basis of the newer MVWHDO criterion.

## 2.2 Fisheries Act

Regulation of fish habitat is carried out under the federal Fisheries Act enforced by Fisheries and Oceans Canada (DFO, Government of Canada, 2015). Section 35(1) of the Act states: "No person shall carry on any work, undertaking or activity that results in serious harm to fish that are part of a commercial, recreational or Aboriginal fishery, or to fish that support such a fishery." Furthermore the definition of "serious harm" is "the death of fish, or a permanent alteration to, or destruction of fish habitat", while fish habitat is defined as "spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes."

Fisheries and Oceans Canada now has a self-assessment process that includes criteria for no DFO review (i.e. if the required footprint of a dock or boat house is less than 20 m<sup>2</sup>) and measures to avoid causing harm, both of which are addressed later in the report.

## 3. Site Description

Horn Lake is a 472 ha lake located on the Precambrian Shield, approximately 10 km east of the Town of Magnetawan (Figure 1). It has a watershed area of 1922 ha, a mean depth of 11.3 m and a maximum depth of 34.7 m (MNR 2010). Shoreline development around the lake consists of 32 year-round residences, 1 resort, 1 mobile home park with 29 trailers, and 138 seasonal properties in both the Municipality of



Magnetawan and Ryerson Township. The subject property proposed development site is in the southwestern portion of the lake.

## 4. Lakeshore Capacity Assessment

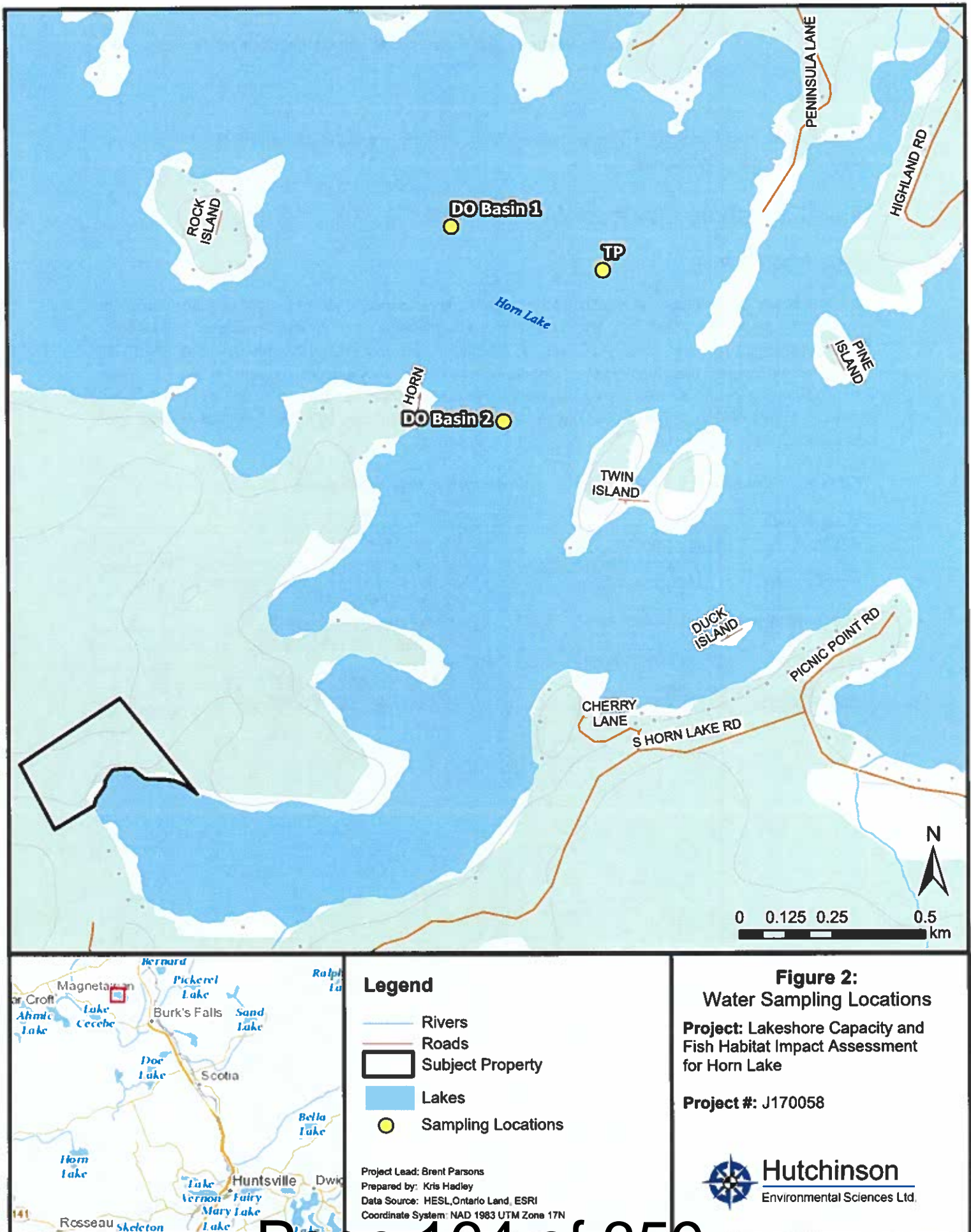
### 4.1 Input Data

The Lakeshore Capacity Assessment used the assumptions and recommended coefficients and constants provided by the MOE (MOE 2010), and data gathered from assessment of satellite imagery, the MNRF's Flow Assessment Tool and Lake Fact Sheet, the Ministry of Environment and Climate Change's (MOECC) Lake Partner Program and Runoff Lookup Database, and water quality sampling as listed in Table 1. Water quality sampling locations are presented on Figure 2. Sampling locations utilized by HESL staff overlapped those used by MNRF during dissolved oxygen sampling and those used by the Lake Partner Program for sampling of total phosphorus.

**Table 1.** Information on the data used in the Lakeshore Capacity Assessment.

| Type of Data    | Inputs                     | Source   |
|-----------------|----------------------------|--|
| Physical        | Lake area and depth        | Lake Fact Sheet (MNR 2010)   |
|                 | Catchment and wetland area | Ontario Flow Assessment Tool (MNRF 2017)                           |
| Development     | Lots and occupancies       | Municipality of Magnetawan, Ryerson Township and satellite imagery |
| Water chemistry | Total phosphorus           | Field sampling by HESL staff                                       |
|                 |                            | MOECC Lake Partner Program   |
|                 | Dissolved oxygen           | MNRF   |
|                 |                            | Field sampling by HESL staff                                       |
| Hydrological    | Annual runoff              | MOECC Runoff Lookup Database                                       |







## 4.2 Measured Total Phosphorus Data

Measured Total Phosphorus (TP) data were compared with modelled TP results to determine the ability of the Lakeshore Capacity Model to accurately estimate TP concentrations. The Province recommends that differences between measured and modelled results be less than 20% to confidently use the model to assess capacity (MOE 2010).

Phosphorus samples have been collected from a central part of Horn Lake since 1994 as part of MOECC's Lake Partner Program (Figure 2). Our assessment focused on data from 2003 onwards because of improvements in collection methodologies since that time such as field filtering and sampling directly into glass tubes that are later used during laboratory analysis (Clark et al. 2010). Total phosphorus sampling is often best completed during spring turnover when the water column is mixed to assess whole lake conditions for studies of lake capacity. Spring overturn phosphorus data were collected in Horn Lake from 2002 to 2016 following improved sampling methodology through the MOECC's Lake Partner program but 2002 data (average = 10.6 µg/L) was not included as it was more than 2.5 standard deviations outside of the mean value of 5 µg/L and the highest average value recorded since that time was 5.3 µg/L in 2007. The average spring overturn phosphorus concentration in Horn Lake between 2003 and 2016 was 4.62 +/- 0.7 µg/L (Table 2).

TP results were also plotted over time on Figure 3 to determine if any trends stand-out. Phosphorus concentrations declined between 2003 and 2016 ( $y = -0.0482x + 4.9797$ ;  $R^2 = 0.0872$ ), with a magnitude of change of 0.075 µg/L per year but the trend is not significant ( $p = 0.11$ ).

**Table 2.** Phosphorus measurements from Horn Lake 2003-2016 (all samples collected from station 2015 in mid lake, deep spot through MOECC's Lake Partner Program).

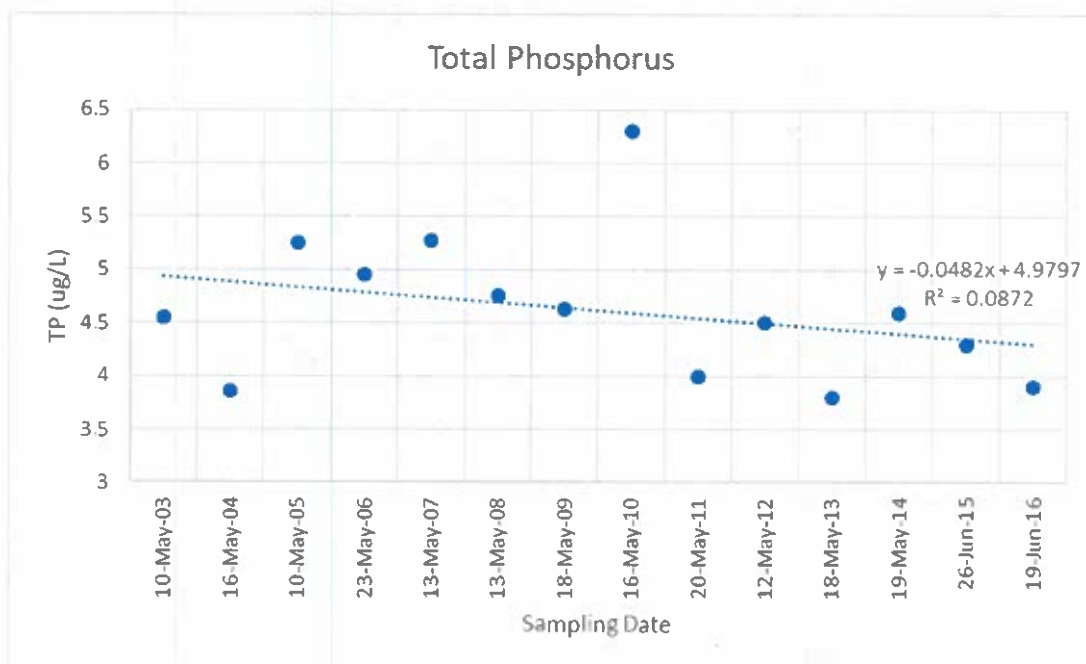
| Date         | Phosphorus Concentration (µg/L) | Average Annual Phosphorus Concentration (µg/L) |
|--------------|---------------------------------|--|
| May 10, 2003 | 4.2                             | 4.6  |
|              | 4.9                             |  |
| May 16, 2004 | 3.8                             | 3.9  |
|              | 3.9                             |  |
| May 10, 2005 | 4.9                             | 5.3  |
|              | 5.6                             |  |
| May 23, 2006 | 5.3                             | 5.0  |
|              | 4.6                             |  |
| May 13, 2007 | 5.8                             | 5.3  |
|              | 4.8                             |  |



## Lakeshore Capacity and Fish Habitat Impact Assessment for Horn Lake

|               |     |      |
|---------------|-----|------|
| May 13, 2008  | 5.3 | 4.8  |
|               | 4.3 |      |
| May 18, 2009  | 4.5 | 4.6  |
|               | 4.7 |      |
| May 16, 2010  | 6.8 | 6.3  |
|               | 5.8 |      |
| May 20, 2011  | 4.0 | 4.0  |
|               | 4.0 |      |
| May 12, 2012  | 4.4 | 4.5  |
|               | 4.6 |      |
| May 18, 2013  | 3.8 | 3.8  |
|               | 3.8 |      |
| May 19, 2014  | 4.4 | 4.6  |
|               | 4.8 |      |
| June 26, 2015 | 4.0 | 4.3  |
|               | 4.6 |      |
| June 19, 2016 | 3.8 | 3.9  |
|               | 4.0 |      |
| Average       |     | 4.62 |



**Figure 3. MOE Lake Partner Program Total Phosphorus Results Over Time**

#### 4.3 Measured Mean Volume Weighted Hypolimnetic Dissolved Oxygen

Dissolved oxygen was measured by MNRF throughout the water column in Horn Lake in 1999, 2000, 2001, 2003, 2004, 2006, 2007, 2009 and 2013, and by HESL in 2017 in Basin 1 and 2 (Figure 2). We noted two issues with MNRF data after review.

- MOE (2010) policy dictates that sampling is completed between August 15 and September 15 to capture the time of year when oxygen stress in the hypolimnion is the greatest. It should be noted that data collected by MNRF was outside of this range in 2001, 2009 and 2013, which could potentially misrepresent long-term average conditions.
- The hypolimnion must be determined to calculate MVWHDO. The hypolimnion is the bottom section of a stratified lake and the upper boundary of the hypolimnion is determined based on a temperature gradient between two depth strata that is  $<1^{\circ}\text{C}/\text{m}$  (Wetzel 2001). MNRF routinely selected the bottom layer of the temperature gradient as the upper limit of the hypolimnion when in fact, the upper layer boundary of this temperature gradient should be used, so that the layer in which temperature first declines  $<1^{\circ}\text{C}$  is included in the hypolimnetic volume. We therefore corrected the MVWHDO values to account for inclusion of the entire hypolimnion.

Original and corrected MVWHDO are presented in Table 3, while dissolved oxygen/temperature profiles from HESL sampling on August 18, 2017 are presented in Figures 4 and 5. Corrected MVWHDO concentrations ranged from 6.43 mg/L to 9.61 mg/L, with the four lowest concentrations measured following September 15<sup>th</sup> (September 18, 2001 = 6.94 mg/L (Basin 1), 7.08 mg/L (Basin 2), September 17, 2009 = 6.71 mg/L (Basin 1), 6.43 (Basin 2)). MVWHDO concentrations were similar in Basin 1 (7.97 mg/L) and 2





(7.70 mg/L). HESL recorded higher MVWHDO (Basin 1 = 8.94 mg/L; Basin 2 = 8.98 mg/L) in 2017 and, as can be seen in Figures 4 and 5, dissolved oxygen remained >4 mg/L near bottom.

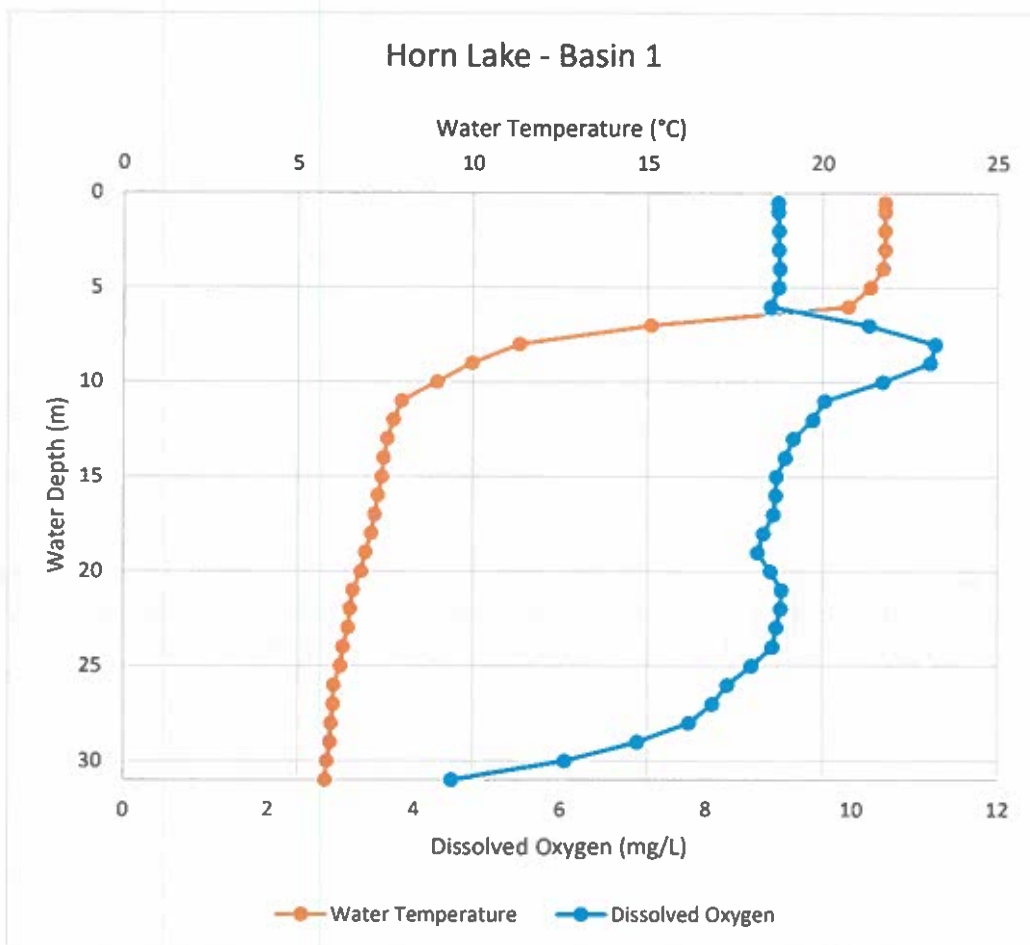
**Table 3.** MVWHDO Results as part of MNRF and HESL Sampling

| Source | Date               | Basin | MVWHDO (mg/L) |           |
|--------|--------------------|-------|---------------|-----------|
|        |                    |       | Original      | Corrected |
| MNRF   | August 31, 1999    | 1     | 7.79          | 9.07      |
|        | August 31, 2000    | 1     | 7.35          | 7.69      |
|        | August 31, 2000    | 2     | 7.40          | 7.66      |
|        | September 18, 2001 | 1     | 6.41          | 6.94      |
|        | September 18, 2001 | 2     | 6.72          | 7.08      |
|        | September 3, 2003  | 1     | 7.41          | 7.78      |
|        | September 3, 2003  | 2     | 7.63          | 8.00      |
|        | September 14, 2004 | 1     | 8.72          | 9.61      |
|        | September 14, 2004 | 2     | 8.05          | 8.36      |
|        | September 14, 2006 | 1     | 7.57          | 7.70      |
|        | September 14, 2006 | 2     | 7.36          | 7.58      |
|        | September 14, 2007 | 1     | 7.50          | 7.81      |
|        | September 14, 2007 | 2     | 8.32          | 8.68      |
|        | September 17, 2009 | 1     | 6.64          | 6.71      |
|        | September 17, 2009 | 2     | 6.37          | 6.43      |
|        | September 23, 2013 | 1     | 8.15          | 8.38      |
|        | September 23, 2013 | 2     | 7.78          | 7.83      |
| HESL   | August 18, 2017    | 1     | 8.94          |           |

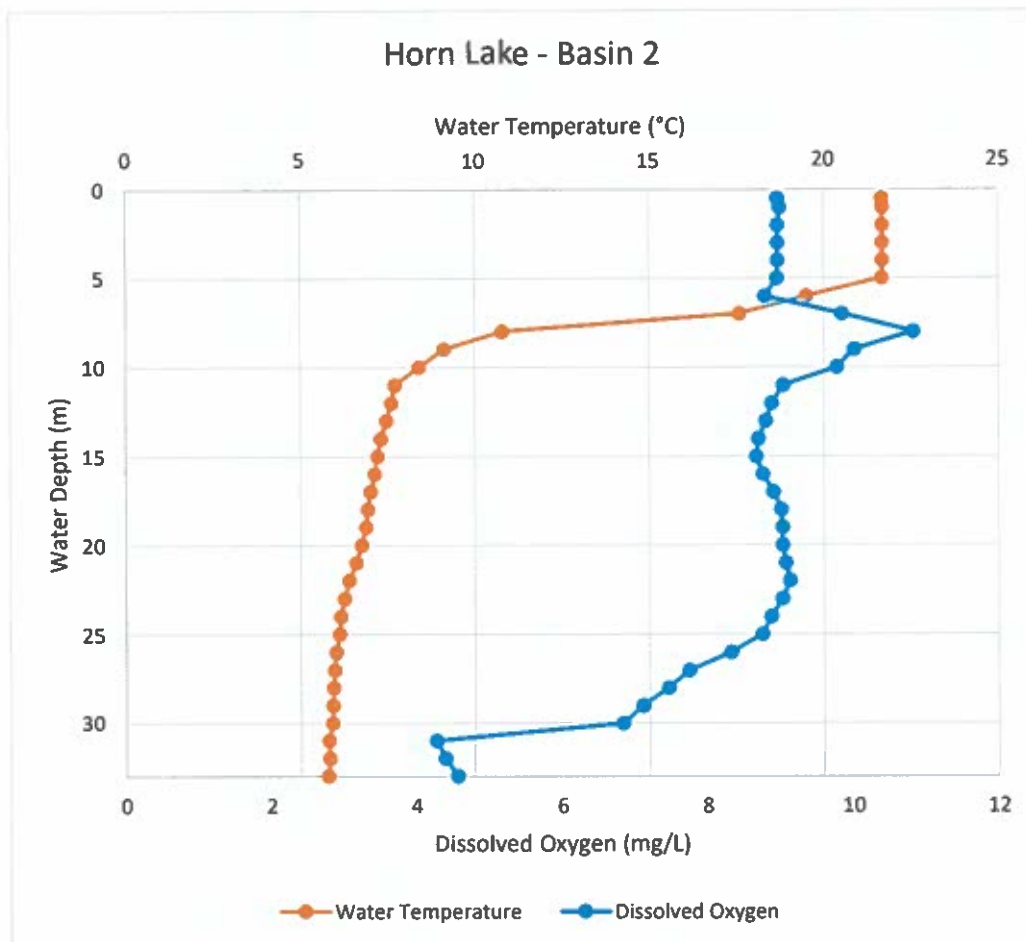


|  |                 |   |      |      |
|--|-----------------|---|------|------|
|  | August 18, 2017 | 2 | 8.98 |      |
| Average (all years)  |                 |   | 7.48 | 7.84 |
| Average (data collected between August 15 <sup>th</sup> and September 15 <sup>th</sup> ) |                 |   | 7.73 | 8.18 |
| Average (Basin 1)  |                 |   | 7.50 | 7.97 |
| Average (Basin 2)  |                 |   | 7.45 | 7.70 |

**Figure 4.** Dissolved oxygen and water temperature profile at Basin 1.



**Figure 5.** Dissolved oxygen and water temperature profile at Basin 2.



These analyses clearly show that Horn Lake is not at “capacity” in terms of oxygenated hypolimnetic Lake Trout habitat, as average MVWHDO concentrations collected by HESL and by MNRFB exceeded 7 mg/L whether corrected or uncorrected.



#### 4.4 Modelling Approach

Horn Lake was modelled using the Lakeshore Capacity Model following the Province's guidance in the Lakeshore Capacity Assessment Handbook (MOE 2010). Input parameters and calculation results used to model TP concentrations in Horn Lake are provided in Appendix A. Detailed methods and assumptions of the model are provided in MOE (2010). The following provides a description and brief rationale for the selection of various coefficients and assumptions used in the modelling of Horn Lake:

- The lake and catchment area of Horn Lake are 472 ha and 1922 ha, respectively.
- TP loading from land area in the Horn Lake watershed was determined using the following equation because % wetland in the catchment was greater than 3.5% and cleared or pastured land was less than 15%:
  - $TP \text{ (kg/yr)} = \text{catchment area (km}^2\text{)} * (0.47 * \% \text{ wetland area} + 3.82)$
- A TP loading rate of 0.167 kg/ha/yr was used to calculate TP loads to the surface of the lake from atmospheric deposition.
- Mean annual runoff value from 0.527 m/yr was determined from the runoff look up table provided by the MOECC and used to calculate water loads from the lake basin.
- TP loads from septic systems located within 300 m of the shoreline of the lake were calculated assuming a loading rate of 0.66 kg/capita/yr for each septic system. For existing conditions, a septic usage rate of 0.69 capita yrs/yr for seasonal residences was used.
- All lots included an overland runoff load of 0.04 kg of TP/lot/yr.
- For full build-out of the 4 proposed lots, TP loads were conservatively calculated assuming an extended seasonal usage rate of 1.27 capita years/yr<sup>1</sup>.
- A settling velocity of 12.4 m/yr was used to indicate that oxic conditions are present in the hypolimnion of Horn Lake in accordance with dissolved oxygen measurements.

#### 4.5 Capacity Assessment

##### 4.5.1 Total Phosphorus

##### 4.5.1.1 Existing Conditions

The modelled spring-overturn mean TP concentration under existing conditions was 5.73 µg/L; 24% above the measured value of 4.62 µg/L, indicating that the Lakeshore Capacity Model overestimates TP concentration and that the error exceeds the Provincial guidance of acceptable accuracy of +/- 20%. Provincial guidance (MOE 2010) recommends using the interim PWQO of 10 µg/L for TP as a water quality objective where the model is inaccurate.

*A high level of protection against aesthetic deterioration will be provided by a total phosphorus concentration for the ice-free period of 10 µg/L or less. This should apply to all lakes naturally below this value (MOE 2010).*

<sup>1</sup> Usage rates of existing lots were provided by the Municipality of Magnetawan and Ryerson Township. An extended seasonal usage rate for the proposed lots was applied as part of a conservative assessment.



This results in an additional 378 extended seasonal residences before ice-free TP concentrations are modelled to be greater than 10 µg/L. We therefore adjusted the Lakeshore Capacity Model inputs and assumptions to better reflect actual conditions to produce a better fit with measured values and allow use of the more conservative criterion. The model assumes that all sewage-related phosphorus is transported to the lake and it is most likely this assumption that caused the model to overestimate TP concentrations in Horn Lake.

Research over the past 20 years has consistently shown that septic system phosphorus is immobilized in PreCambrian Shield soils. Mechanistic evidence (Stumm and Morgan, 1970; Jenkins et al., 1971; Isenbeck-Schroter et al., 1993) and direct observations made in septic systems (Willman et al., 1981; Zanini et al., 1997; Robertson et al., 1998; Robertson, 2003) all show strong adsorption of phosphate on charged soil surfaces and mineralization of phosphate with iron (Fe) and aluminum (Al) in soil. The mineralization reactions, in particular, appear to be favoured in acidic and mineral rich groundwater in Precambrian Shield settings (Robertson et al., 1998; Robertson, 2003), such that over 90% of septic phosphorus may be immobilized. The mineralization reactions appear to be permanent (Isenbeck-Schroter et al., 1993). Recent studies conclude that most septic phosphorus may be stable within 0.5 m – 1m of the tile drains in a septic field (Robertson et al., 1998, Robertson, 2003, Robertson 2012).

Trophic status modelling also supports the mechanistic and geochemical evidence. Dillon et al. (1994) reported that only 28% of the potential loading of phosphorus from septic systems around Harp Lake, Muskoka, could be accounted for in the measured phosphorus budget of the lake. The authors attributed the variance between measured and modelled estimates of phosphorus to retention of septic phosphorus in tills that were found in the catchment of Harp Lake, within the geological classifications of Ground Moraine over bedrock, Glaciolacustrine Delta and Outwash Plain (Mollard et al. 1980, Gartner Lee Ltd. 2005).

Hutchinson (2002) recommended that the TP contribution from sewage septic systems be reduced by 74%<sup>2</sup> for lakes with suitable soils in their catchments. Bedrock with undifferentiated igneous and metamorphic rock, exposed at surface or covered by a discontinuous, thin layer of drift is predominant in the Horn Lake catchment (Ontario Geological Survey 2000). These geological formations typically result in acidic soils that are known to retain TP, such as those noted by Robertson (2012) and Hutchinson (2002). We therefore applied a 72% retention coefficient to existing development to determine if this improved the model response.

The modelled spring-overturn ice-free mean TP concentration under existing conditions with 72% retention of sewage related TP was 4.28 µg/L; 7% different than the measured value of 4.62 µg/L, indicating that the Lakeshore Capacity Model does accurately model concentrations in Horn Lake within acceptable limits (i.e. 20%) when a science-based retention coefficient is implemented to account for attenuation of phosphorus from existing development by soils in the catchment (Table 4).

The Lakeshore Capacity Model includes an equation to determine spring overturn TP based on ice-free concentrations as follows:

<sup>2</sup> The Hutchinson (2002) citation represents an error – Dillon et al (1994) reported that 28% of septic phosphorus was accounted for in the lake budget (=72% retention) and not 26% (74% retention).



$$\text{Spring-overturn TP} = (\text{ice-free TP} - (-0.563))/0.992$$

The interim PWQO of Background + 50% to protect against nuisance algal blooms (Table 4; MOE (2010)) was calculated based on the modelled background ice-free mean TP concentration for Horn Lake (3.00 µg/L). The revised PWQO derived from background plus 50% was 4.51 µg/L. Modelled ice-free TP concentrations were 3.68 µg/L, indicating that Horn Lake is currently 0.83 µg/L under capacity in terms of the interim PWQO, or is currently at Background + 23%.

**Table 4.** Modelled and measured spring overturn TP concentrations for Horn Lake.

| Scenario  | TP         |
|---|------------|
| Modelled Background Total Phosphorus (µg/L) - Ice-Free Conditions | 3.00       |
| Revised PWQO of Background + 50% (µg/L) - Ice-Free Conditions     | 4.51       |
| Existing Modelled Total Phosphorus (µg/L) - Ice Free Conditions   | 3.68       |
| - Spring Overturn   | 4.28       |
| Existing Measured Total Phosphorus (µg/L) - Spring Overturn       | 4.62       |
| <i>% difference between modelled and measured:</i>                | <i>-7%</i> |

Horn Lake is currently under capacity for development in terms of TP following existing Provincial guidance. Previous modelling conducted in the early 1990s is what is reflected in the Magnetawan OP policies but this pre-dated the Province's recommended approach for both TP and MVWHDO as described in the Lakeshore Capacity Handbook (Sein, R. (MOECC) Re: Horn Lake. January 15, 2018. Email) and so the previous assessment is no longer valid.

Although Horn Lake has additional capacity we have recommended a number of mitigation measures as described in Section 4.6 as precautionary measures since a) the LCM did not accurately predict existing conditions and b) to protect sensitive Lake Trout habitat. The assessment of Future Conditions in the following section includes implementation of one recommended, optional mitigation measure - septic systems designed to retain sewage-related TP, since the amount of retention helps inform future modelled TP and MVWHDO concentrations.

#### 4.5.1.2 Future Conditions

Many sewage systems have been shown to mitigate phosphorus loads to lakes. These include: the use of phosphorus retaining "B" horizon soils rich in aluminum and iron in septic bed construction, the Ecoflo + DpEC Self-Cleaning Phosphorus Removal Unit, and the Waterloo Biofilter EC-P unit. MOECC have recognized the phosphorus removal capabilities of Waterloo Biofilter System and Ecoflo Biofilter and note that each system should be able to reliably and consistently reduce 88% of sewage related phosphorus before the effluent enters the leaching field (Castro 2015), with further retention likely in the leaching field. The use of phosphorus retaining "B" horizon soils is well documented in the works of Robertson et al. (1998)





## Lakeshore Capacity and Fish Habitat Impact Assessment for Horn Lake

and was tested as part of an OMB decision for Kushog Lake and shown to be effective (letter: Castro to Newhook, Oct. 29. 2013).

Altered TP concentrations in Horn Lake associated with the proposed development of 4 extended seasonal lots plus the vacant lots of record were assessed using the Lakeshore Capacity Model under three scenarios of varying TP retention: 0% TP retention, 72% TP retention (as described above) and 88% TP retention (via mitigation technologies) for the additional lots. The build-out of the 4-proposed extended seasonal residences resulted in ice-free TP concentrations ranging from 3.68 µg/L to 3.74 µg/L, depending on the level of TP retention (Table 5). These concentrations represent an increase of <0.01 µg/L to 0.08 µg/L from existing modelled concentrations. Build-out of the proposed 4 lots as well as the vacant lots of record resulted in TP concentrations of 3.75 µg/L to 3.94 µg/L or increases of 0.06 µg/L to 0.26 µg/L from modelled existing conditions. All future predicted concentrations are below the interim PWQO of 4.51 µg/L.

**Table 5.** Future modelled TP concentrations.

| Scenario  | TP (µg/L)    |               |               |
|---|--------------|---------------|---------------|
|   | 0% retention | 72% retention | 88% retention |
| With build-out of 4 additional extended seasonal residences (µg/L)  | 3.74         | 3.70          | 3.68          |
| With build-out of 4 additional extended seasonal residences and 16 vacant lots of record as extended seasonal residences (µg/L) | 3.94         | 3.76          | 3.75          |

### 4.5.1.3 TP Loads

Phosphorus loads under existing and build-out scenarios were calculated to be less than 26% over the background loads (Table 6) further supporting the conclusion that Horn Lake is under capacity for shoreline development in terms of phosphorus levels.

**Table 6.** Summary of TP loads to Horn Lake.

| Scenario   | Horn Lake    |
|--|--------------|
| Background TP load (kg/yr)   | 204.3        |
| Existing TP load with 72% retention of sewage-related TP (kg/yr)   | 250.5        |
| <i>% Increase over Background:</i>   | <i>22.5%</i> |
| With build-out of 4 additional extended seasonal residences and 72% retention of sewage-related TP (kg/yr) | 251.6        |
| <i>% Increase over Background:</i>   | <i>23.1%</i> |





|   |       |
|---|-------|
| With build-out of 4 additional extended seasonal residences and 16 vacant lots of record as extended seasonal residences and 72% retention of sewage-related TP (kg/yr) | 256.0 |
| <i>% Increase over Background:</i>  | 25.3% |

#### 4.5.2 Dissolved Oxygen

MVWHDO can be predicted for individual lakes based on spring overturn TP concentrations following the methods of Molot et al. (1992) and Clark et al. (2002). MNR used contour volumes from two distinct basins when calculating MVWHDO. We utilized contour volumes from Basin 2 when predicting changes to MVWHDO concentrations since that basin is located closer to the subject property and the terrain indicates that drainage flows roughly towards that area.

Predicted MVWHDO concentrations ranged from 8.02 mg/L to 8.03 mg/L for build-out of the 4 proposed lots, representing a maximum decrease of 0.012 mg/L from the existing modelled concentration of 8.03 mg/L from Basin 2. Predicted MVWHDO concentrations ranged from 7.98 mg/L to 8.02 mg/L for build-out of the 4 proposed lots and 16 vacant lots of record, representing a maximum decrease of 0.055 mg/L from the existing modelled concentration.

**Table 7. Modelled spring overturn TP and resulting MVWHDO concentrations.**

| Scenario   | Spring Overturn TP (µg/L) |               |               | MVWHDO (mg/L) |               |               |
|--|---------------------------|---------------|---------------|---------------|---------------|---------------|
| Modelled existing conditions   | 4.28                      |               |               | 8.03          |               |               |
| TP Retention   | 0% Retention              | 74% Retention | 88% Retention | 0% Retention  | 74% Retention | 88% Retention |
| With build-out of 4 additional extended seasonal residences (kg/yr)  | 4.34                      | 4.30          | 4.28          | 8.02          | 8.03          | 8.03          |
| With build-out of 4 additional extended seasonal residences and 16 vacant lots of record as extended seasonal residences (kg/yr) | 4.54                      | 4.36          | 4.35          | 7.98          | 8.02          | 8.02          |



Modelled existing MVWHDO concentrations (8.03 mg/L) are higher than the majority of average measured values presented in Table 3 but the same magnitude of predicted change can be applied to measured MVWHDO concentrations in Basin 2. Full build-out of the 4 proposed lots and 16 vacant lots of record with 0% retention of septic-related TP resulted in a 0.04 mg/L change (8.02 mg/L → 7.98 mg/L) in modelled MVWHDO concentrations. The uncorrected measured MVWHDO concentration of 7.45 mg/L in Basin 2 would therefore be modelled to decrease to 7.41 mg/L under that conservative scenario; all other measured values would be even greater than the guidance value MVWHDO of 7 mg/L.

### 4.5.3 Recreational Carrying Capacity

Recreational Carrying Capacity is another component of lake management that is used in some jurisdictions (i.e. Seguin Township) to manage development to control overcrowding. A development density of 1 lot/1.62 ha of lake surface area is used in Seguin Township as a “filter” for “crowding” or social density to reflect recreational use of lake surface areas, an approach which was upheld in an OMB decision of December 22, 2016. This filter equates to a Recreational Carrying Capacity of 291 lots for Horn Lake which is much higher than the 222 seasonal, permanent, resort units, mobile trailer lots and vacant lots of record (Section 3). The proposed addition of 4 lots development would therefore not result in over-crowding based on this metric.

## 4.6 Mitigation Measures

Horn Lake is not at capacity but a variety of mitigation measures should still be utilized during waterfront development to minimize short and long-term impacts associated with water quality as a precautionary measure since the LCM did not accurately predict existing conditions and to protect sensitive Lake Trout habitat. Mitigation measures #1 - #3 are already required through the Municipality of Magnetawan Official Plan and we recommend two additional approaches.

1. Septic systems shall be located at least 30 metres from a watercourse or waterbody.
2. As a condition of development approval, a natural shoreline vegetation buffer shall be preserved within at least 20 metres of all watercourses and waterbodies wherever possible except for the removal of hazardous trees and a narrow area to allow a pathway to the shoreline.
3. Where development would result in a significant increase in storm water run-off, the Municipality shall require the proponent to complete storm water management works that will ensure that off-site surface water quality and quantity is not adversely impacted by the development. Direct outfalls to surface waters should be avoided and wherever possible developments shall utilize infiltration as a method for storm water management.
  - o We recommend discharging of roof leaders, use of soak away pits and other measures to promote infiltration. Other specific design options for consideration include: grassed and vegetated swales, filter strips, roof leaders and French drains which have all proven to be effective at mitigating impacts associated with stormwater.
4. We recommend implementation of an Erosion and Sediment Control plan during construction, which should (CISEC Canada 2012):



- Utilize a multi-barrier approach;
- Retain existing vegetation;
- Minimize land disturbance area;
- Slow down and retain runoff to promote settling;
- Divert runoff from problem areas;
- Minimize slope length and gradient of disturbed areas;
- Maintain overland sheet flows and avoid concentrate flows; and
- Store/stockpile soil away from watercourses, drainage features, and tops of steep slopes.

5. Utilize Waterloo Biofilter Systems with EC-P units to minimize sewage related-TP.

Additional information regarding waterfront development Best Management Practices can be found in "Protect Your Waterfront Investment" (Muskoka Watershed Council; Appendix B).

#### 4.7 Discussion

MNR has a criterion of 7 mg/L of MVWHDO for the protection of Lake Trout habitat. The Province recommends that generally there will be no new development within 300 metres of Lake Trout lakes where MVWHDO has been measured to be at or below 7 mg/L. This recommendation also applies to lakes where modelling has determined that development would reduce MVWDHO to 7 mg/L or less. Although MVWDO concentrations less than 7 mg/L were recorded on September 18, 2001 and September 17, 2009, both of those dates lie outside of the MOECC-determined sampling window of August 15<sup>th</sup> to September 15<sup>th</sup>. Average MVWHDO concentrations were greater than 7 mg/L in both basins and the focus should be on the long-term average values because of issues related to inter-annual variability, including equipment and user error, in accordance with MOE (2010):

*"When attempting to characterize lakes in this manner, it is preferable to use average profiles which are derived from several years of data to offset the effects of inter-annual variation. This approach will allow the description of average conditions in a lake's hypolimnion at the end of summer and compare between-lake differences under similar conditions."*

The Lakeshore Capacity Model was not able to predict TP concentrations to within 20% of the measured value and so does not accurately reflect existing conditions. MOE (2010) recommends use of the interim PWQO of 10 µg/L of TP as an upper limit to protect against algal blooms instead of "Background + 50%". In this case, the modelled values of 3.68 µg/L to 3.94 µg/L (depending on % of TP retention and inclusion of vacant lots of record) are well below 10 µg/L and Horn Lake is not considered over capacity for TP.

Although Horn Lake is well below the Interim PWQO of 10 µg/L we do not recommend that 10 µg/L serve as a management limit. Instead, we refined the model to bring the management goals closer in line to the



preferred objective of Background + 50%. We utilized a scientifically-defensible sewage-related TP retention coefficient of 72% in the model for existing development to better align the model with existing conditions instead of utilizing the 10 µg/L of TP guideline, and the results indicate that capacity does exist on Horn Lake for the 4 proposed lots following this methodology. The proposed development of the 4 lots is modelled to increase TP by <0.01 µg/L and decrease MVWHDO by <0.01 mg/L with implementation of Waterloo Biofilter Systems with a EC-P units, both of which result in concentrations well below regulatory guidelines and are immeasurable through standard laboratory procedures. Mitigation measures listed in 4.6 further ensure that impacts to water quality will be minimized to acceptable levels in accordance with relevant municipal and provincial policy.

## 5. Fish Habitat Impact Assessment

MNRF fish habitat mapping did not indicate Type 1 habitat fronting the subject property but a Fish Habitat Impact Assessment (FHIA) was completed because such mapping is not always accurate as it was based on air photo interpretation. Documentation and an understanding of site-specific conditions allowed for the development of recommendations that will ensure shoreline development will adhere to policies outlined in the Municipality of Magnetawan Official Plan and the Fisheries Act.

Fish habitat was characterized in the littoral environment and compared to the habitat requirements of various resident fish species to classify the environment in terms of functionality (e.g. spawning) and resiliency per MNRF guidelines. The assessment was completed based on the proposed development of docks, the characterization of fish habitat features and functions, and the incorporation of a number of short and long-term mitigation measures.

The assessment of the subject properties' littoral and riparian environments was completed through a review of background material and a field investigation undertaken on August 18, 2017.

### 5.1 Background Review

A fish species list for Horn Lake and MNRF fish habitat mapping were reviewed to determine the perceived habitat value of the nearshore environment of the study area (MNR 2010).

#### 5.1.1 Fish Habitat Mapping

The MNRF has developed three categories or habitat types to standardize the assessment of fish habitat (MNR 1994). Below is a summary of the characteristics of each habitat type and its sensitivities.

#### **Type 1 Habitat**

Habitats are rare or highly sensitive to the potential impacts of development or limit fish productivity either directly or indirectly in a specified water body or portion of a water body. Where these habitats are limiting, productivity would be expected to diminish if they are harmed.



**Type 2 Habitat**

Habitats that are moderately sensitive to the potential impacts of development and although important to fish populations, do not limit the productivity of fish either directly or indirectly. These habitats are usually abundant and another habitat component is the limiting factor in fish production.

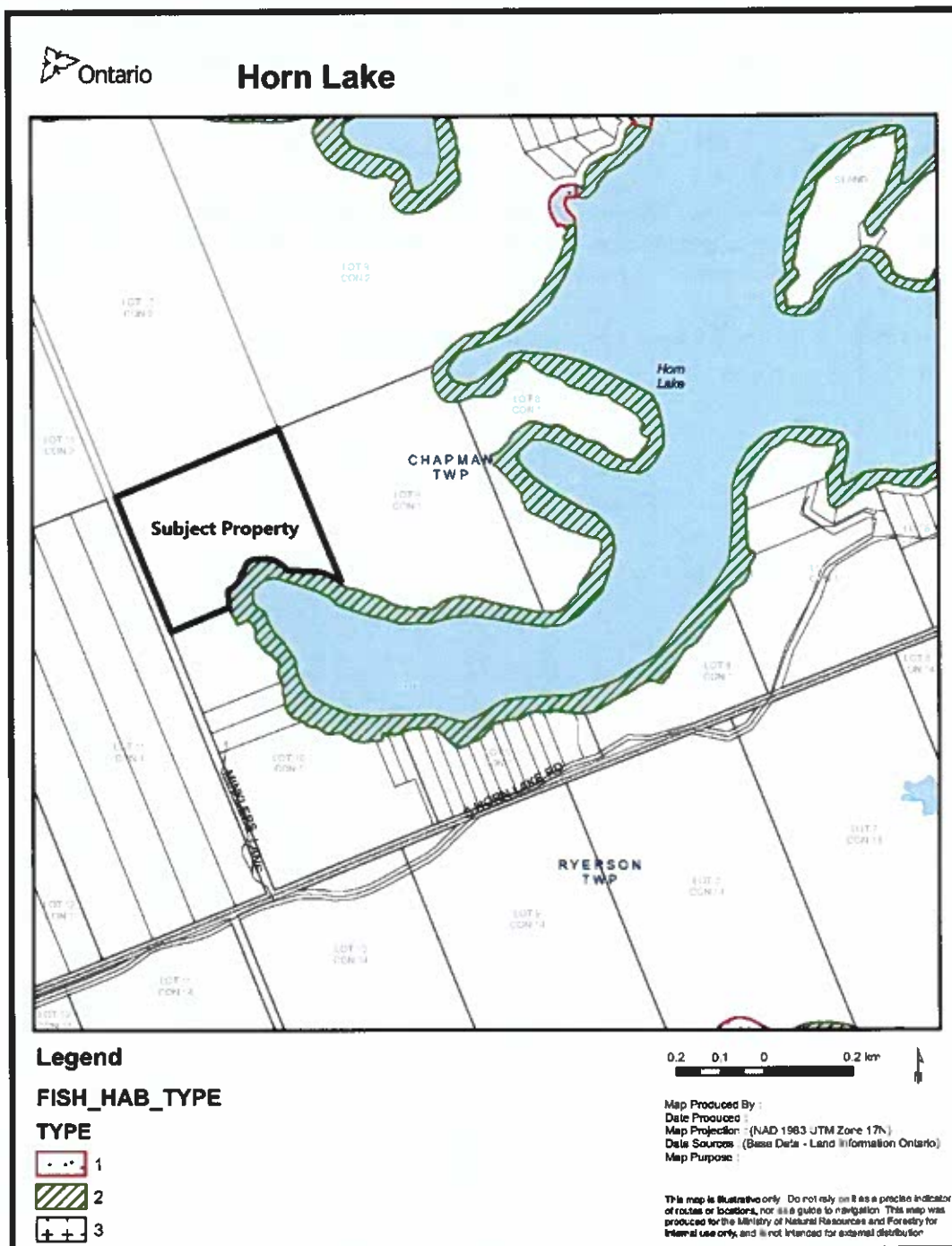
**Type 3 Habitat**

Habitats that are marginal or highly degraded, and currently do not contribute directly to fish productivity, based on fish community management objectives. Type 3 habitats can often be improved significantly, thereby providing a net gain of productive capacity.

Fish habitat classified in front of the subject property was entirely Type 2 (Figure 6).



Figure 6. MNR Fish Habitat Mapping





### 5.1.2 Fish Species List

MNRF has recorded 13 fish species in Horn Lake, including the following game fish species: Lake Trout, Smallmouth Bass (*Micropterus dolomieu*), Walleye (*Sander vitreus*), Yellow Perch (*Perca flavescens*), Rainbow Trout (*Oncorhynchus mykiss*), and Brook Trout (*Salvelinus fontinalis*; Table 8). The lake was stocked for Lake Trout and Brook Trout between 1945 and 2000 (MNR 2010).

**Table 8.** Fish species in Horn Lake.

| Common Name     | Scientific Name                |
|-----------------|--------------------------------|
| Brown Bullhead  | <i>Ameiurus nebulosus</i>      |
| Burbot          | <i>Lota lota</i>               |
| Creek Chub      | <i>Semotilus atromaculatus</i> |
| Lake Trout      | <i>Salvelinus namaycush</i>    |
| Lake Whitefish  | <i>Coregonus clupeaformis</i>  |
| Rainbow Smelt   | <i>Osmerus mordax</i>          |
| Rainbow Trout   | <i>Oncorhynchus mykiss</i>     |
| Rock Bass       | <i>Ambloplites rupestris</i>   |
| Smallmouth Bass | <i>Micropterus dolomieu</i>    |
| Brook Trout     | <i>Salvelinus fontinalis</i>   |
| Walleye         | <i>Sander vitreus</i>          |
| White Sucker    | <i>Catostomus commersonii</i>  |
| Yellow Perch    | <i>Perca flavescens</i>        |

## 5.2 Existing Conditions

The nearshore environment fronting the subject property was relatively heterogeneous but can be best broken into three study areas with similar aquatic habitat features for descriptive purposes (Figure 7). Study Area A stretches from the western boundary of the subject property, approximately 110 m to the northeast before transitioning into Study Area B (Photograph 1). Riparian slopes were approximately 10% throughout Study Area A. In-water slopes were also relatively steep, ranging from 2:1 (2 m water depth 1 m offshore) to 3:1. Woody debris was abundant in the littoral environment, aquatic vegetation was sparse, and substrates were dominated by periphyton-covered large cobbles and boulders. Riparian vegetation includes mixed forest which overhung most of the nearshore environment, and the understory consisted of Sweet Gale (*Myrica gale*), Blue Flag Iris (*Iris versicolor*), Bracken Fern (*Pteridium aquilinum*), Sensitive Fern (*Onoclea sensibilis*), and Grass (*Poaceae spp.*).

Study Area B was a more depository area with shallower 4:1 in-water slopes and a variety of substrates, including: organic debris, sand, periphyton-covered boulders and some gravel. Patches of the following aquatic vegetation species were noted in the area: Pipewort (*Eriocaulon aquaticum*), Broad Leaf Arrowhead

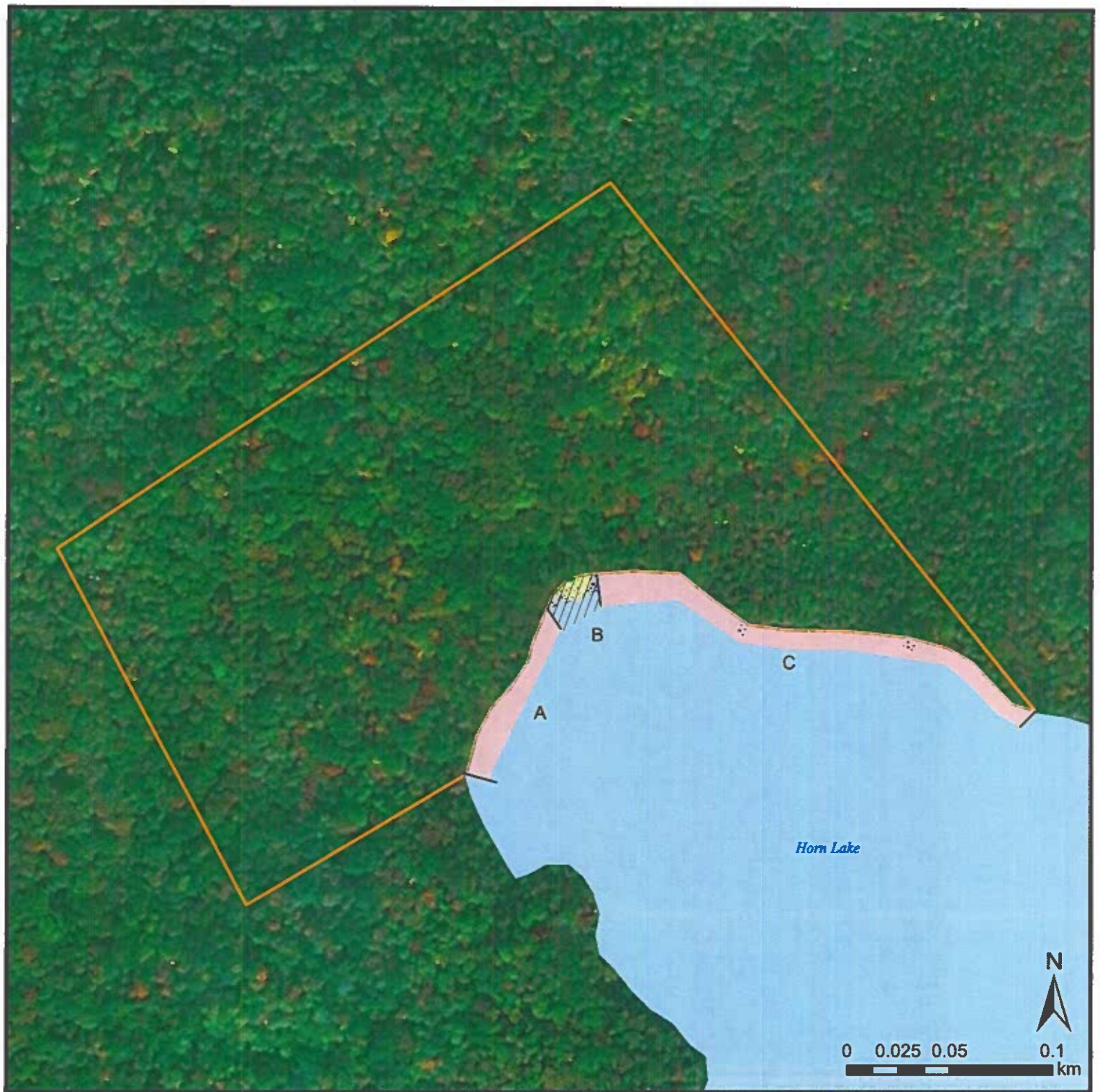




(*Sagittaria latifolia*), and Pondweed (*Potamogeton spp.*, Figure 6). Woody debris was also abundant in the study area. A small, seepage area was observed in the middle of the study area and cold-water temperatures indicated that it was of groundwater origin. The riparian environment in Study Area B contained similar vegetation as Study Area A and similar slopes, apart from a flatter transition from the shore.

Study Area C encompassed the eastern half of the subject property. The area contained steep in-water slopes (2:1), lots of woody debris, and sparse accumulations of Milfoil (*Myriophyllum spp.*) and Pipewort. Periphyton-covered large cobbles, boulders and exposed bedrock were dominant throughout the littoral environment. The riparian environment was similar to Study Area 1 in terms of vegetation and slope.





### Legend

- Study Areas
- //// Mixed Substrates
- Groundwater Seepage
- Aquatic Vegetation
- Subject Property
- Cobbles/Boulders
- Lakes

Project Lead: Brent Parsons  
 Prepared by: Kris Hadley  
 Data Source: HES, Ontario Land, ESRI  
 Map Projection: NAD 1983 UTM Zone 18N

**Figure 7:**  
 Fish Habitat Features

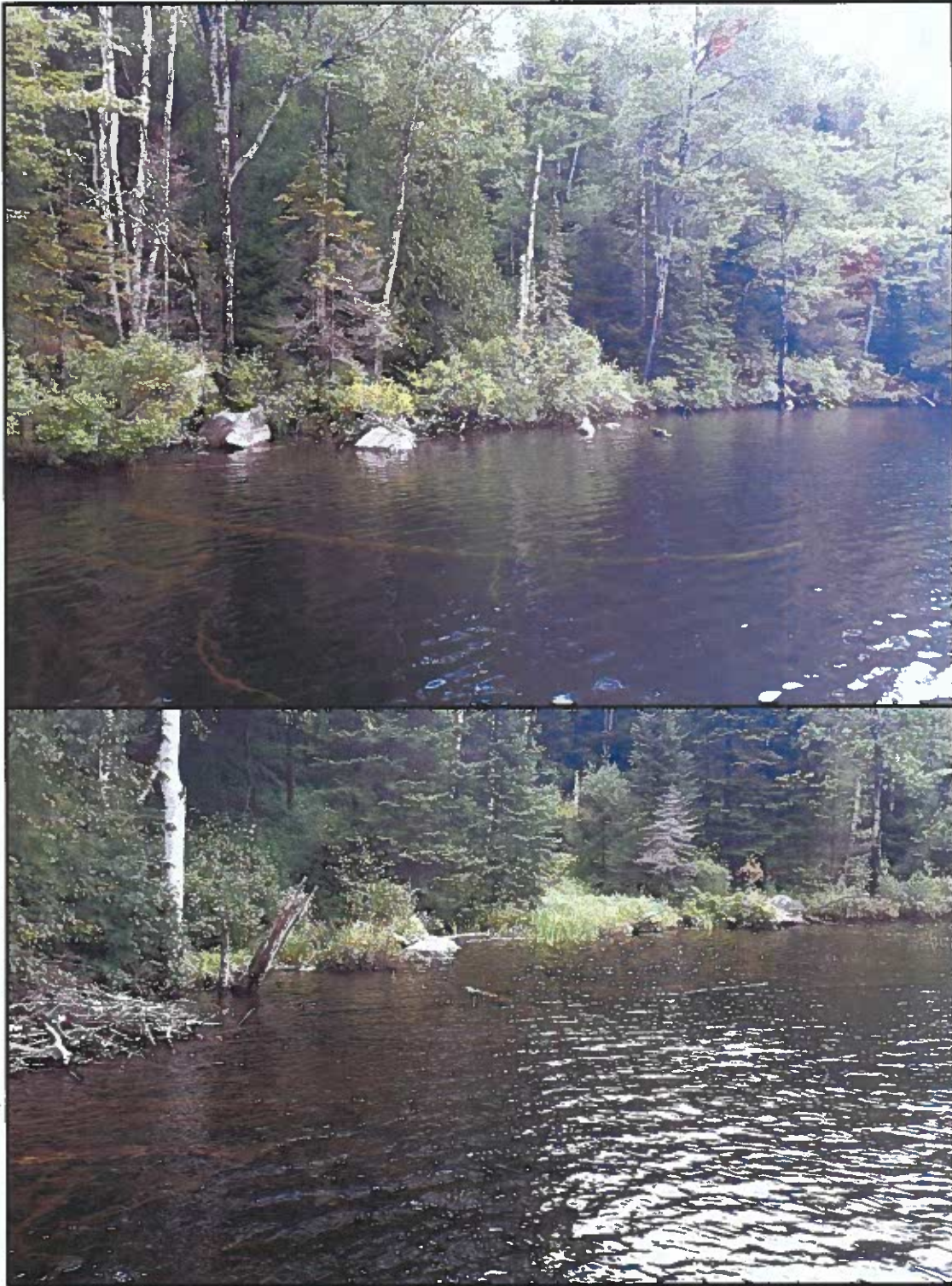
**Project:** Lakeshore Capacity and  
 Fish Habitat Impact Assessment  
 for Horn Lake

**Project #:** J170058



**Hutchinson**  
 Environmental Sciences Ltd.





**Photographs 1 and 2.** A view of the nearshore environment fronting the western portion of the subject property, highlighting Study Area A (above) and Study Area B (below).







**Photographs 3 and 4.** A view of the heterogeneous shoreline fronting the eastern portion of the subject property (above), and periphyton covered rocks (below), which were abundant throughout the littoral environment.



### 5.2.1 Assessment of Fish Habitat

The assessment of fish habitat was completed by comparing site-specific features to the requirements of resident fish species so that critical habitats such as nursery or spawning habitats could be defined. Study Area B contains mixed substrates and vegetation that could provide spawning opportunities for Rock Bass, Smallmouth Bass, Yellow Perch and Brook Trout. The area also provides nursery habitat for various species because of cover provided by aquatic vegetation and woody debris, and the presence of the groundwater seepage area which provides a continuous influx of oxygen and nutrients to the area.

Study Areas A and C provide potential spawning opportunities for Lake Whitefish but the areas are not suitable for Lake Trout spawning. Lake Trout typically seek out clean, wave-swept cobble substrates where ample dissolved oxygen allows their eggs to develop in the interstitial spaces between the cobble (Fitzsimons 1994). Ubiquitous periphyton on the angular cobble and boulders has the potential to impact dissolved oxygen concentrations through photosynthesis, respiration and decomposition, and the location of the subject property on the western side of Horn Lake within a secluded embayment, limits the wave action (as seen by the accumulation of woody debris).

**Table 9.** Resident Fish Species that could use the Study Areas for Spawning Purposes.

| Species         | Tolerance <sup>1</sup> | Spawning Habitat                          | Study Area |
|-----------------|------------------------|---|------------|
| Lake Whitefish  | Intolerant             | Rocky shoals, boulders, rubble and cobble | A and C    |
| Rock Bass       | Intermediate           | Rocky or vegetated shallows of lakes      | B          |
| Smallmouth Bass | Intermediate           | Rocky and sandy areas or lakes            | B          |
| Yellow Perch    | Intermediate           | Rooted vegetation, sand or gravel         | B          |
| Brook Trout     | Intolerant             | Groundwater upwellings, rocky substrates  | B          |

Note : <sup>1</sup>Tolerances from Eakins (2015).

The majority of the littoral environment represents Type 2 habitat as it does not limit the productivity of resident fish species and is not sensitive to impacts generally associated with the development of docks. The groundwater seepage area and adjacent accumulation of macrophytes and woody debris represents a unique combination of fish habitat features in the study area, is appropriately classified as Type 1 habitat, and should be avoided to protect nursery habitat and spawning habitat for select resident fish species.

### 5.3 Mitigation Measures

The incorporation of appropriate mitigation measures will minimize impacts to fish habitat to acceptable levels in accordance with policies in the Fisheries Act and the Municipality of Magnetawan Official Plan.



The majority of the following mitigation recommendations were gathered from the "Measures to Avoid Causing Harm to Fish and Fish Habitat" (Fisheries and Oceans Canada 2015) and should be implemented:

- Avoid construction of shoreline structures on or within 10m of the groundwater seepage area identified on Figure 6. A 10 m buffer is sufficient to protect the functionality of the seepage area from adjacent development of docks or boardwalks since 10 m is a suitable base buffer width for water quality, screening of human disturbance and core habitat protection (Beacon Environmental Ltd. 2012).
- Implement a timing window of March 15<sup>th</sup> to July 15<sup>th</sup> and October 15<sup>th</sup> to May 31<sup>st</sup> to protect spring and fall spawning species, that is dock construction should be completed outside of that timing window (July 16<sup>th</sup> to October 14<sup>th</sup>).
- Utilize a dock design that has a small footprint on the lakebed such as a floating, cantilever or a pole supported dock. If a larger footprint is used (i.e. cribs) then the cribs should be constructed in an open- faced manner and filled with large rocks to provide accessible crevices for fish and other small organisms. Cribs should be spaced (2 m) and located at least 2 m from the high-water mark to allow nearshore water to circulate.
- Develop and implement an Erosion and Sediment Control Plan for the site that minimizes risk of sedimentation of the waterbody during all phases of the project. For dock construction this includes:
  - Installation of effective erosion and sediment control measures before starting work to prevent sediment from entering the water body.
- Clearing of riparian vegetation should be kept to a minimum.
- Minimize the removal of natural woody debris, rocks, sand or other materials from the banks, the shoreline or the bed of the waterbody below the ordinary high water mark. If material is removed from the waterbody, set it aside and return it to the original location once construction activities are completed.
- Immediately stabilize shoreline or banks disturbed by any activity associated with the project to prevent erosion and/or sedimentation, preferably through re-vegetation with native species suitable for the site.
- Restore bed and banks of the waterbody to their original contour and gradient; if the original gradient cannot be restored due to instability, a stable gradient that does not obstruct fish passage should be restored.
- If replacement rock reinforcement/armouring is required to stabilize eroding or exposed areas, then ensure that appropriately-sized, clean rock is used; and that rock is installed at a similar slope to maintain a uniform bank/shoreline and natural stream/shoreline alignment.
- Remove all construction materials from site upon project completion.



- Ensure that all in-water activities, or associated in-water structures, do not interfere with fish passage, constrict the channel width, or reduce flows.

## 5.4 Discussion

The impact assessment was guided by the Fisheries Act and relevant Municipality of Magnetawan Official Plan policies, and completed based on the sensitivity of the fish habitat and implementation of various mitigation measures. In terms of the Fisheries Act, if a dock is constructed with a footprint of less than 20m<sup>2</sup> on the lake bed, no review is required by Fisheries and Oceans Canada, but if a footprint is larger than 20m<sup>2</sup> it is necessary to complete a self-assessment using information that is provided in this report.

Incorporation of the mitigation measures listed in Section 5.3 will provide assurance that fish habitat will be protected during the construction of docks on the subject property and the project will be in compliance with the Fisheries Act due to the self-assessment process described here-in.

The FHIA also addresses all requirements of an Environmental Impact Assessment as defined by the Municipality of Magnetawan Official Plan by ensuring that new developments shall have no negative impact on fish habitat (Policy 4.4).

## 6. Conclusions

### 6.1 Lakeshore Capacity Assessment

Horn Lake is not over capacity in terms of total phosphorus, recreational capacity or average MVWHDO concentrations. Modelled TP results indicate that the model does not properly represent existing conditions and capacity remains for additional development in relation to the interim PWQO guidelines of 10 µg/L or to Background + 50% if a 72% sewage-related TP retention coefficient is applied to existing development. Additionally, McIntyre (2006) noted that Lake Trout abundance slightly improved between 1998 and 2005, TP declined between 2003 and 2016, and there have been no algal blooms reported to the North Bay Parry Sound District Health Unit (Environmental Health Program, personal communication, January 4, 2017), so water quality and Lake Trout habitat appear healthy in Horn Lake.

The proposed development of the 4 lots is modelled to increase TP by <0.01 µg/L and decrease MVWHDO by <0.01 mg/L with implementation of Waterloo Biofilter Systems with EC-P units, both of which remain well below regulatory guidelines and are immeasurable through standard laboratory or field procedures. Mitigation measures listed in 4.6 further ensure that impacts to water quality will be minimized to acceptable levels in accordance with relevant municipal and provincial policy.

### 6.2 Fish Habitat Impact Assessment

Most of the fish habitat fronting the subject property is not critical or sensitive to development of docks. We identified a groundwater seepage area that drains into a nursery habitat and potential spawning habitat for some residential species, so this area was afforded a 10 m buffer and development should take place outside of this area. A number of mitigation measures were also recommended in Section 5.3 that will





protect fish habitat and ensure that the development follows municipal and federal regulations related to fish habitat.

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## Lakeshore Capacity and Fish Habitat Impact Assessment for Horn Lake

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## Appendix A. Lakeshore Capacity Model



## Lakeshore Capacity Model

## Horn Lake

|                                       |               |                                |   |        |       |
|---------------------------------------|---------------|--------------------------------|---|--------|-------|
| <b>Anthropogenic Supply</b>           |               |                                | <b>Sedimentation</b>                                  |        |       |
| <b>Shoreline Development Type</b>     | <b>Number</b> | <b>Usage (capita years/yr)</b> | Is the lake anoxic?                                   | n      |       |
| Permanent                             | 32            | 2.56                           | Settling velocity (v)                                 | 12.4   | m/yr  |
| Extended Seasonal                     |               | 1.27                           | in lake retention (Rp)                                | 0.82   |       |
| Seasonal                              | 138           | 0.69                           |   |        |       |
| Resort                                | 7             | 1.18                           |   |        |       |
| Trailer Parks                         | 29            | 0.69                           |   |        |       |
| Youth Camps                           | 0             | 0.125                          |   |        |       |
| Campgrounds/Tent trailers/RV parks    | 0             | 0.37                           |   |        |       |
| Vacant Lots of Record                 | 16            | 1.27                           |   |        |       |
|                                       |               | 206                            |   |        |       |
| Retention by soil (Rs) (0-1)          | 0.72          |                                |   |        |       |
| <b>Catchment</b>                      |               |                                | <b>Monitoring Data</b>                                |        |       |
|                                       |               | <b>Upstream Lakes</b>          | Years of spring TP data                               | 17     |       |
| Lake Area (Ao)                        | 471.8         | ha                             | Average Measured TPso                                 | 4.62   | µg/L  |
| Catchment Area (Ad)                   | 1922.3        | ha                             | Measured vs. Predicted TPso                           | -7.4   | %     |
| Wetland                               | 5.8           | %                              | Is the model applicable?                              | y      |       |
| Cleared                               | 0.0           | %                              | Over or under predicted?                              | under  |       |
| <b>Hydrological Flow</b>              |               |                                | <b>Modeling Results</b>                               |        |       |
| Mean annual runoff                    | 0.527         | m/yr                           | TPlake  | 3.68   | µg/L  |
| Lake outflow discharge (Q)            | 142.3         | m3/yr                          | TPout   | 3.52   | µg/L  |
| Areal water loading rate (qs)         | 2.67          | m/yr                           | TPso  | 4.28   | µg/L  |
| Inflow 1                              |               | m3/yr                          | TPfuture  | 3.68   | µg/L  |
| Inflow 2                              |               | m3/yr                          |   |        |       |
| Inflow 3                              |               | m3/yr                          |   |        |       |
| <b>Natural Loading</b>                |               |                                | <b>Phosphorus Thresholds</b>                          |        |       |
| Atmospheric Load                      | 78.79         | 250.46                         | TPbk  | 3.00   | µg/L  |
| Runoff Load                           | 125.47        | kg/yr                          | TPbk+40   | 4.21   | µg/L  |
| <b>Upstream Loading</b>               |               |                                | TPbk+50   | 4.51   | µg/L  |
| Background Upstream Load 1            |               | kg/yr                          | TPbk+60   | 4.81   | µg/L  |
| Background Upstream Load 2            |               | kg/yr                          | *if TPbk+40% < TPlake < TPbk+60% cell is orange       |        |       |
| Background Upstream Load 3            |               | kg/yr                          | *if TPlake > TPbk+60% cell is red                     |        |       |
| Current Total Upstream Load 1         |               | kg/yr                          | <b>No. of allowable residences to reach capacity:</b> |        |       |
| Current Total Upstream Load 2         |               | kg/yr                          | # Permanent OR  | 32     |       |
| Current Total Upstream Load 3         |               | kg/yr                          | # Extended seasonal OR                                | 64     |       |
| Future Upstream Load 1                |               | kg/yr                          | # Seasonal cottages OR                                | 116    |       |
| Future Upstream Load 2                |               | kg/yr                          |   |        |       |
| Future Upstream Load 3                |               | kg/yr                          |   |        |       |
| <b>Anthropogenic Loading</b>          |               |                                | <b>Loads</b>  |        |       |
| Current Anthropogenic Load            | 46.20         | kg/yr                          | Natural Load w/no development                         | 204.26 | kg/yr |
| Future Anthropogenic Load             | 46.20         | kg/yr                          | Background + 50% Load                                 | 306.39 | kg/yr |
| <b>Areal Load Rate</b>                |               |                                | Current Load  | 250.46 | kg/yr |
| Current Total Areal Loading Rate (Lr) | 53.09         | mg/m2/yr                       | Future Load   | 250.46 | kg/yr |
| Future Total Areal Loading Rate (LrT) | 53.09         | mg/m2/yr                       |   |        |       |
|                                       |               |                                | <b>Outflow Loads</b>                                  |        |       |
|                                       |               |                                | Background Outflow Load                               | 36.24  | kg/yr |
|                                       |               |                                | Current Outflow Load                                  | 44.43  | kg/yr |
|                                       |               |                                | Future Outflow Load                                   | 44.43  | kg/yr |

## Appendix B. Protect Your Waterfront Investment, Muskoka Watershed Council, Best Practices Series

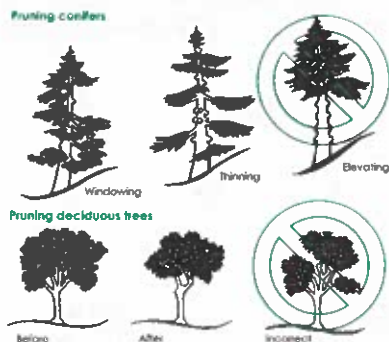




## Your shoreline insurance policy

Before you cut down trees or remove understory vegetation, think about how it will affect your investment.

- 1) **PLAN FOR NATURAL SUCCESSION** - young plants tend to be more resilient and will grow into your future trees so leave a healthy mix of young and old trees.
- 2) **PLAN YOUR VIEWS** - with proper pruning, you can obtain good views of the water while maintaining your shoreline buffer and your privacy. Improper pruning can weaken trees. If you are in any doubt, hire a tree specialist to prune and protect your investment.



- 3) **PROTECT YOUR SOIL** - native grasses and groundcover can be established in less shaded or more active areas to further enhance your buffer zone, reduce runoff and immobilize pollutants.
- 4) **INVEST IN YOUR PROPERTY** - manures, compost and fertilizers, should only be applied carefully or by qualified individuals and used only as a last resort to maintain optimum plant health.

Without a buffer zone, nutrients and toxic chemicals can be carried into your lake and contribute to water quality issues such as algae blooms. This decrease in water quality can reduce the value of your property by as much as 8.5%!

## Where to find more information

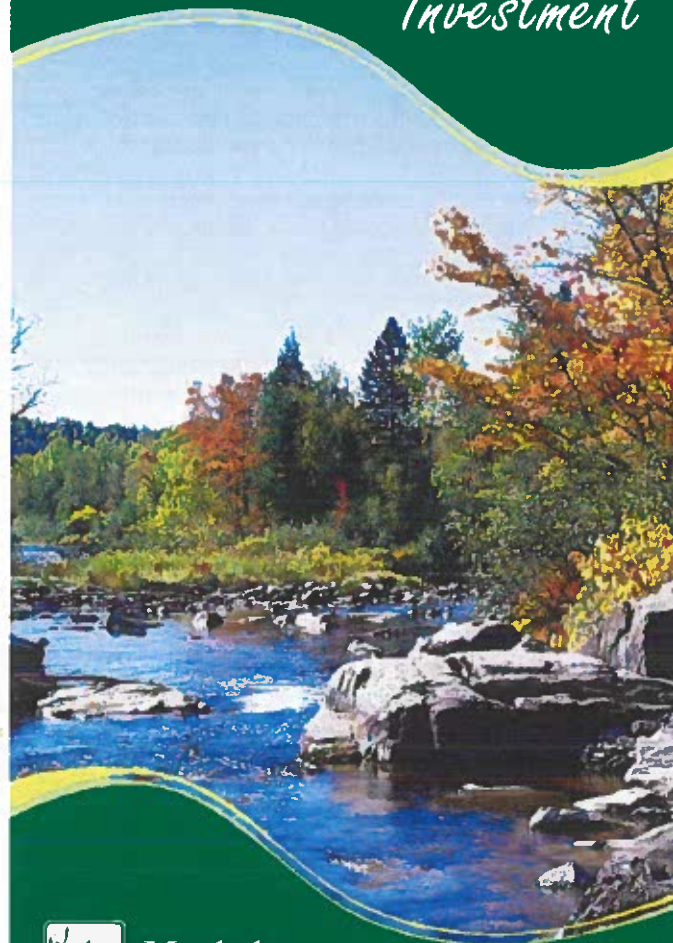
- ♦ Muskoka Watershed Council  
[www.muskokaheritage.org/mwc](http://www.muskokaheritage.org/mwc)
- ♦ District Municipality of Muskoka  
[www.muskoka.on.ca](http://www.muskoka.on.ca)
- ♦ Parry Sound-Muskoka Stewardship Network  
[www.ontariostewardship.org/councils/parrysound-muskoka](http://www.ontariostewardship.org/councils/parrysound-muskoka)
- ♦ Muskoka Water Web  
[www.muskokawaterweb.ca](http://www.muskokawaterweb.ca)
- ♦ Ontario Professional Forester's Association  
[www.opfa.ca](http://www.opfa.ca)
- ♦ Ontario Ministry of Agriculture and Food  
[www.omafra.gov.on.ca](http://www.omafra.gov.on.ca)
- ♦ Ontario Ministry of Environment  
[www.ene.gov.on.ca/environment](http://www.ene.gov.on.ca/environment)
- ♦ Ontario Ministry of Natural Resources  
[www.mnr.gov.on.ca](http://www.mnr.gov.on.ca)
- ♦ On the Living Edge: Your Handbook for Waterfront Living published by the Living By Water Project. Available from the Muskoka Heritage Foundation at (705) 645-7393.

Muskoka Watershed Council  
11-B Taylor Road, Box 482  
Bracebridge, ON P1L 1T8

Phone: (705) 645-7393 Fax: (705) 645-7888  
Email: [watershed@muskokaheritage.org](mailto:watershed@muskokaheritage.org)

Brought to you by:

## Protect your Waterfront Investment



Muskoka  
WATERSHED COUNCIL

Best Practices Series

## Help your investment grow!

**Reduced water clarity can result in an 8.5% decrease in your property value!**

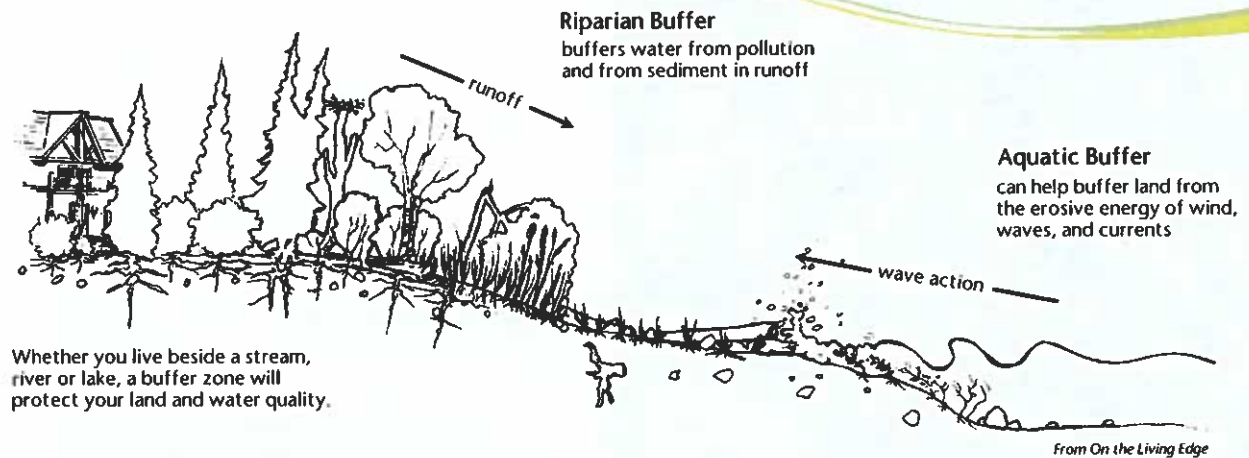
Studies demonstrate that property values decrease as water quality declines. The single most important thing you can do to protect the value of your waterfront investment is to maintain the water quality in your lake.

The natural vegetation on your property, especially that located along your shoreline, is an excellent and low cost way to maintain the quality of your water and protect your land from erosion. Think of the natural vegetation on your property as a free shoreline insurance policy.

## Protect your investment

- ♦ Maintain or re-establish a shoreline buffer using species native to Muskoka.
- ♦ Get to know your property. Look at the vegetation on your property and make note of what species are present and in what numbers.
- ♦ Inspect the shoreline buffer area in all four seasons and take notes to compare one season to the next. Certified foresters, horticulturalists, and/or arborists can help you in this process.
- ♦ Use this information to gauge the health of your shoreline and plan accordingly.
- ♦ Have many different native plant species on your property with varied ages. By doing so, you can account for any unforeseen disturbances, such as wind or ice storms, and/or environmental changes that may occur in the future.

## Your buffer zone



Whether you live beside a stream, river or lake, a buffer zone will protect your land and water quality.

Your buffer zone is an area of natural vegetation, including fallen trees, branches and washed up logs, and natural rocks or pebbles, that runs along the length of your shoreline. It includes the areas upland of the high water mark (your riparian buffer) as well as the area below the high water mark, right down into the water (your aquatic buffer).

Ideally, a buffer zone contains vegetation that would normally grow in Muskoka. These native species might include trees, shrubs, wildflowers, grasses and native aquatic plants.

When a shoreline is cleared, the buffer area has the potential to become an erosion zone. Alterations to shorelines can also result in:

- ♦ silted up spawning beds
- ♦ pollution from runoff
- ♦ increased flooding

Your buffer zone is in a constant state of change.

Dead, dying, diseased, and dangerous material can be removed in order to improve the health, safety and aesthetics of your property.

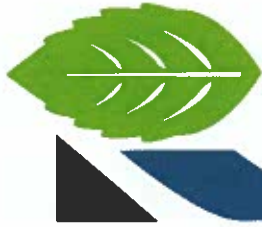
### Common shoreline species in Muskoka:

**TREES:** White cedar, White pine, Hemlock  
**SHRUBS:** Red-osier dogwood, Meadowsweet  
**WILDFLOWERS:** Cardinal flower, Blue flag iris  
**AQUATIC PLANTS:** Pickerelweed, Coontail

Whether you are planning a major construction project or just maintaining what you have, it is important to:

- ♦ **MINIMIZE** the types and amount of traffic your buffer area receives. Simple foot traffic can drive oxygen out of the soil and allow for water runoff.
- ♦ **MAINTAIN** natural forest floor coverings and keep natural areas as large as possible.
- ♦ **INCORPORATE** a woodchip-style mulch approximately 2-4" thick in high traffic areas to condense traffic flow and minimize damage.
- ♦ **LEAVE** some dead or dying material on your property, if it isn't a hazard, to enhance wildlife habitat.
- ♦ **CHECK** with local authorities before removing vegetation from your property so you don't contravene any laws.

# Attachment 4



# RIVERSTONE

ENVIRONMENTAL SOLUTIONS INC.

November 3, 2022  
RS#222-245

Henry Wiens  
c/o Marie Poirier  
Marie Poirier Planning Associates Ltd.  
44A King William Street  
Huntsville ON  
P1H 1G3

Via email: [marie@mpplanning.com](mailto:marie@mpplanning.com)

**SUBJECT: Lake Capacity Review - Wiens Property, Horn Lake Municipality of Magnetawan**

Dear Marie:

Based on our recent discussions, RiverStone Environmental Solutions Inc. (hereafter RiverStone), has completed a review of lake capacity implications for the Wiens consent application on Horn Lake. The Wiens property is legally described as part of Lot 10, Concession 1 (**Figure 1**), in the Municipality of Magnetawan (hereafter 'subject property'), with a focus on reviewing a potential severance application as it relates to the capacity for further development, including lot creation, on Horn Lake.

## **Lake Capacity – Dissolved Oxygen/Total Phosphorus**

The subject property is located on the southwest shoreline of Horn Lake, which is a cold-water Lake Trout lake. A lake can be classified by the province as "at capacity" based on low dissolved oxygen concentrations or high total phosphorus concentrations.

Lake Trout (*Salvelinus namaycush*) are a sensitive cold water fish species that require high levels of dissolved oxygen in order to maintain healthy populations. The province has established a threshold of 7 mg/L of dissolved oxygen (mean volume-weighted hypolimnetic dissolved oxygen, MVWHDO) which allows Lake Trout to complete all life functions effectively. If during monitoring a lake is found to have less than 7 mg/L, the lake is deemed to be at capacity, and lot creation will not be approved, except under very specific circumstances outlined in the Lakeshore Capacity Assessment Handbook (MNRF 2014).

Elevated concentrations of Total Phosphorus are also a determinant of lake capacity. The Provincial threshold is based on the background concentration within a lake. This is calculated using the Provincial Lake Capacity model. The threshold is based on the background concentration of phosphorus prior to development, plus an additional 50%. If a lake is modeled using its current development level to be above 50% over background, then the lake would be deemed to be at capacity for further development, unless under specific circumstances.

## **Lake Capacity Assessment**



Horn Lake has not been deemed to be at capacity for either dissolved oxygen or total phosphorus, because the lake had never been assessed through the Provincial Lake Capacity Model.

In May of 2018 Hutchinson Environmental Sciences Ltd. (hereafter Hutchinson) completed a Lake Capacity and Fish Habitat Assessment for Horn Lake, related to a development proposal for the property immediately to the west of the Wiens Property. Hutchinson determined that the Lakeshore Capacity Model was not able to accurately predict Total Phosphorus (TP) concentrations to within 20% of the measured value, which indicates that the Lakeshore Capacity Model does not accurately reflect existing conditions in Horn Lake. As dictated by the Ministry of Environment, Conservation and Parks (MECP), in cases where the model does not work, the interim PWQO of 10 µg/L is intended to be used as a measure of capacity for Horn Lake. It was further recommended that the municipality use the Background + 50% threshold as a more conservative management objective. For Horn Lake, the Background + 50% concentration was calculated by Hutchinson to be 4.51 µg/L.

#### **Application of Lake Capacity to Current Application**


The results of the Hutchinson study showed that the expected Total Phosphorus concentration in Horn Lake is between 3.68 µg/L and 3.94 µg/L (depending on values used in the model calculations). Hutchinson then used the model to predict how total phosphorus and dissolved oxygen concentrations would change if the proposal of four (4) additional lots were to be approved. The results suggest that the total phosphorus concentration would increase by <0.01 µg/L and the dissolved oxygen concentration would be reduced by <0.01 µg/L. When compared to the guideline of 10 µg/L from the Province for total phosphorus, or the recommended threshold of 4.51 µg/L (background + 50%), Horn Lake can accept the additional development without approaching capacity.

The results of the Hutchinson study for the adjacent property apply to the Wiens property as well. The modeled total phosphorus and dissolved oxygen concentrations expected following development of the four (4) new adjacent lots do not place the lake near capacity. If we assume that no other lots have been created on Horn Lake Since that time, and we conservatively assume that the additional lot being proposed for the Wiens Property changes the total phosphorus and dissolved oxygen concentrations as predicted for the adjacent four (4) lots, the lake will remain well under capacity and there should be no measurable changes in water quality as noted in the Hutchinson report.

#### **Summary**

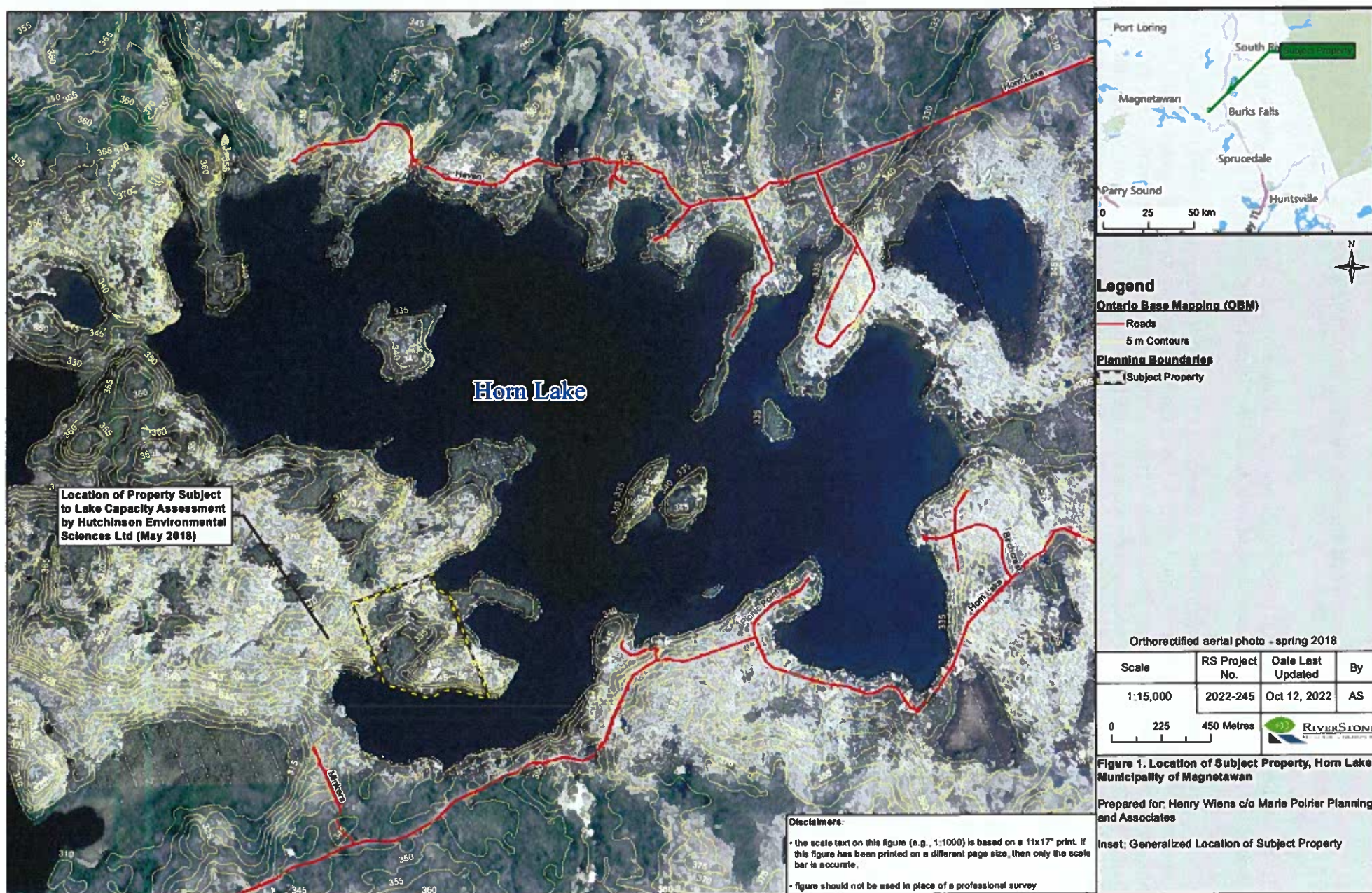
The proposed consent application for the Wiens property, can be evaluated through the results of the Hutchinson capacity assessment for the neighbouring property, where new four (4) lots were proposed. The capacity model calculations showed that Horn Lake is not at capacity, when compared to a more stringent capacity threshold (background + 50%). The addition of four (4) new lots will change total phosphorus or dissolved oxygen concentrations in such a small amount that it will not be measurable. Similarly, the addition of One (1) new lot as proposed for the Wiens property, will not have any impact on water quality and will not extend Horn Lake beyond capacity as noted by the model calculations of Hutchinson. As a result, the application for consent can be considered by the Township.

**RiverStone Environmental Solutions Inc.**

  
Al Shaw, M.Sc.  
Senior Ecologist / Principal

  
Terin Robinson, M.Sc.,  
Aquatic Ecologist







# Attachment **5**

**From:** [Marie Poirier](#)  
**To:** [Jonathan Pauk: ekellogg@magnetawan.com](#) >> Erica Kellogg  
**Cc:** [marie@mpplanning.com](#)  
**Subject:** Consent Application Wiens Horn Lake  
**Date:** March-07-23 1:39:25 PM

---

Hello everyone

Here is the receipt for the water access

Marie

----- Forwarded Message -----

**Subject:**Fwd:  
**Date:**Tue, 22 Nov 2022 12:29:29 -0500  
**From:**Henry Wiens <[wienshenry111@gmail.com](mailto:wienshenry111@gmail.com)>  
**To:**Marie Poirier <[marie@mpplanning.com](mailto:marie@mpplanning.com)>

----- Forwarded message -----

**From:** Beverley Stewart <[485@birchcrestresort.com](mailto:485@birchcrestresort.com)>  
**Date:** Tue, 22 Nov 2022 at 11:08  
**Subject:** Re:  
**To:** Henry Wiens <[wienshenry111@gmail.com](mailto:wienshenry111@gmail.com)>

This email is to confirm the payment for services at birch Crest Resort for parking ,docking for one boat and valet garbage services for the next 12 months. The fee of [REDACTED] has been applied to your Visa card as requested. Look forward to meeting you in the spring .  
Thanks Dave & Bev Stewart

On Thu, Nov 17, 2022 at 6:43 PM Henry Wiens <[wienshenry111@gmail.com](mailto:wienshenry111@gmail.com)> wrote:

|            |   |
|------------|---|
| To:        | Stephanie Sharp – Marie Poirer Planning & Associates Inc.   |
| From:      | Jamie Robinson, Partner<br>Jonathan Pauk, Planner   |
| Date:      | March 21, 2022  |
| MHBC File: | 12153CD   |
| Subject:   | Notice of Incomplete Application - Part Lot 9 Concession 1, Chapman Part 1,<br>42R10938, Municipality of Magnetawan |

This memorandum has been prepared in response to the Consent Application submitted to the Municipality of Magnetawan for the subject property located at Part Lot 9 Concession 1, Chapman Part 1, 42R10938 PCL 23503.

The Municipality of Magnetawan is in receipt of the proposed consent application to facilitate the creation of one new shoreline residential lot. The application that has been submitted is incomplete. The application does not include the information required by the Municipality's Official Plan.

In support of the application, the Applicant has submitted a Lake Capacity Assessment prepared for another property and consent application on Horn Lake. In accordance with the policies of the Official Plan, a Lake Capacity Assessment that specifically considers the proposed development is required as part of a complete application.

We also recommend that additional justification be provided regarding Section 4.3 and Section 5.4.2 of the Official Plan.

If the lots are to be proposed as water access, confirmation shall be provided as part of the submission to indicate what mainland boat docking and parking is to be provided for the proposed lots, in accordance with 7.1.1 (g) of the Official Plan

Policy 5.4.2 of the Municipality's Official Plan requires lot lines to follow existing features and terrain and should be configured so that conflicts between abutting properties will be avoided. It is requested

that additional planning justification be provided for how the proposed lot configuration conforms to this policy.

We look forward to discussing these requirements with you and receiving a complete application to address the matters identified herein. Should you have any questions please do not hesitate to contact us.



# RIVERSTONE

ENVIRONMENTAL SOLUTIONS INC.

November 3, 2022  
RS#222-245

Henry Wiens  
c/o Marie Poirier  
Marie Poirier Planning Associates Ltd.  
44A King William Street  
Huntsville ON  
P1H 1G3

Via email: [marie@mpplanning.com](mailto:marie@mpplanning.com)

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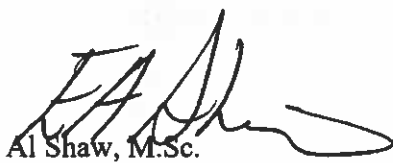
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#### **Summary**

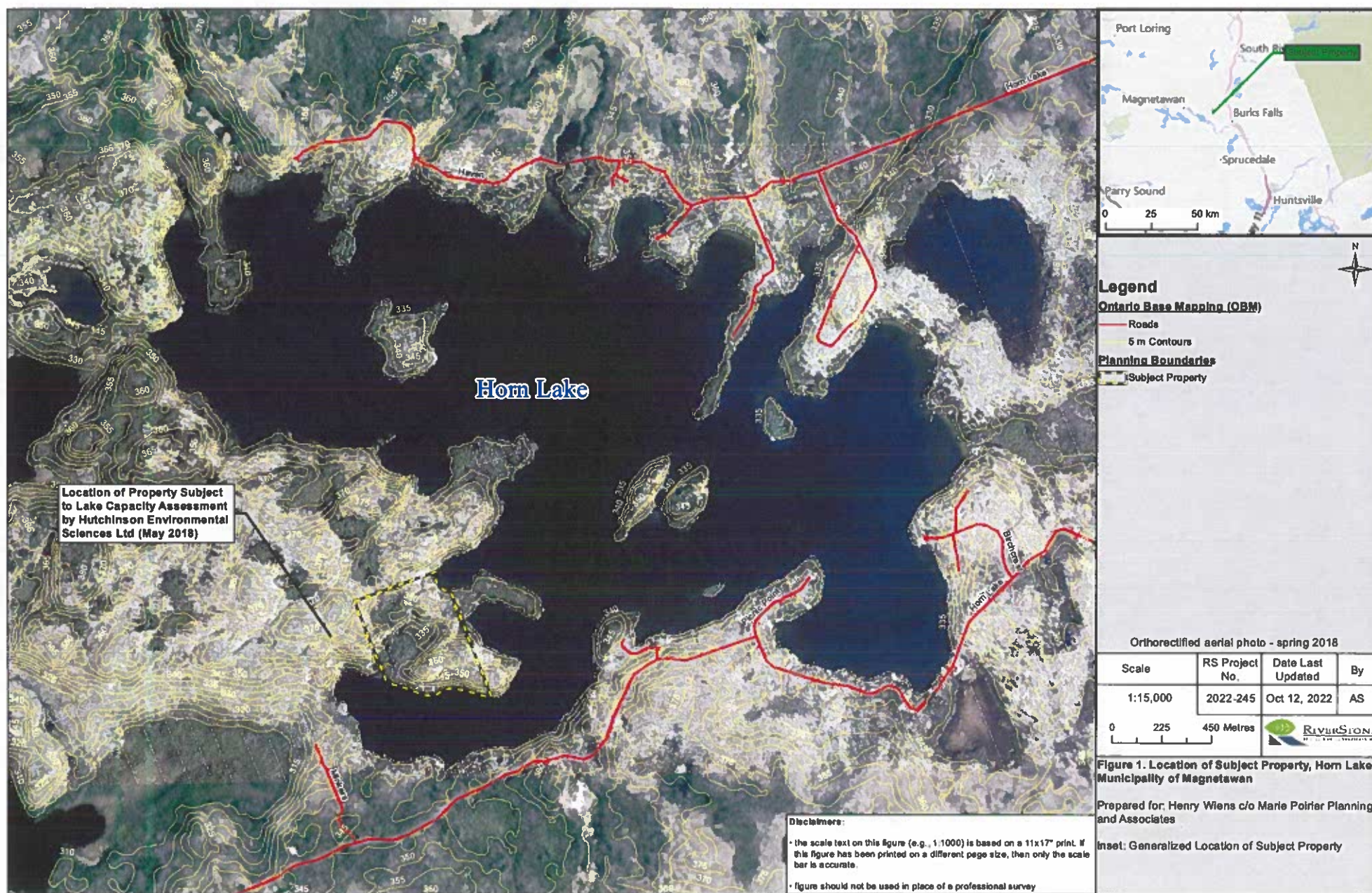
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**RiverStone Environmental Solutions Inc.**

  
Al Shaw, M.Sc.  
Senior Ecologist / Principal

  
Terin Robinson, M.Sc.,  
Aquatic Ecologist





**APPLICATION FOR CONSENT**  
**Under Section 53 of the Planning Act**

**FILE #B.....**

**Note to Applicants:** This application form is to be used if the **CENTRAL ALMAGUIN PLANNING BOARD** is the consent granting authority. In this form the term "subject" land means the land to be severed and the land to be retained.

**Completeness of the Application**

The information in this form that **must** be provided by the applicant is indicated by **black arrows** on the left side of the section numbers. This information is prescribed in the Schedule to Ontario Regulation 197/96 made under the **Planning Act**. The mandatory information must be provided with the appropriate fee. If the mandatory information and fee are not provided, the CAPB will return the application or refuse to further consider the application until the information and fee have been provided.

The application form also sets out other information that will assist the CAPB and others in their planning evaluation of the consent application. To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

- The applicable fee is \$675 per lot created, per Lot Addition or per Right of Way – effective January 1, 2017
- 10 copies of the completed application form and 10 copies of the sketch are required by the CAPB. The copies may be used to consult with other ministries or agencies that may have an interest in the application.
- Please remember to include your property roll number

**Measurements are to be in metric units.**  
1 ft = .3048 meters; 1 acre = 0.404686 hectare

**For Help**

To help you understand the consent process and information needed to make a planning decision on the application, refer to the Guide.

You can also call:  
Susan L. Arnold, Secretary - Treasurer  
Central Almaguin Planning Board  
63 Marie St, P. O. Box 310  
South River, On POA 1X0 705 386 - 2573  
e-mail: centralalmaguinplan@hotmail.com  
Web Page for forms: www.strongtownship.com  
Office hours: Wednesdays - 9:00 a.m. to 2:00 p.m.

**Submission of the Application**

- One application form is required for each parcel to be severed.
- A complete application form **MUST** include a council resolution from the organized municipality stating the pre-consult requirements have been met to its satisfaction and be accompanied by a list of conditions the municipality requires.

**→ Please Print and Complete Appropriate Box(es)**

**1. Application Information – MUNICIPAL TAX – ROLL #**

|  |  |                        |  |
|--|--|------------------------|--|
| <b>→ 1.1 Name of Owner(s). An owner's authorization is required in Section 11.1, if the applicant is not the owner.</b>  |  |                        |  |
| Name of Owner(s)<br>1671258 Ontario Inc.   |  | Home Telephone No.     | Business Telephone No.                 |
| Address<br>3 Else St. St. Catharines ON  |  | Postal Code<br>L2N 2B7 |  |
| <b>1.2 Agent/Applicant: Name of the person who is to be contacted about the application, if different than the owner.<br/>(This may be a person or firm acting on behalf of the owner.) e-mail -</b> |  |                        |  |
| Name of Contact Person/Agent<br>Marie Poiner Planning & Associates Inc. Stephanie Sharp  |  | Home Telephone No.     | Business Telephone No.<br>705-789-9860 |
| Address<br>44A King William St Huntsville, ON  |  | Postal Code<br>P1H 1G3 | Fax No.                                |

**2. Location of the Subject Land (Complete applicable boxes in 2.1)**

|  |   |                                |                                |
|--|---|--------------------------------|--------------------------------|
| <b>→ 2.1 District</b>  | Local Municipality/Unorganized Township<br>Magnetawan | Former Municipality<br>Chapman | Section or Mining Location No. |
| Concession Number(s)<br>1  | Lot Number(s)   | Registered Plan No.            | Lot(s)/Block(s)                |
| Reference Plan No.<br>42R10938   | Part Number(s)<br>Part Lot 9                          | Municipal Address              | Parcel Number<br>23503         |
| <b>→ 2.2 Are there any easements or restrictive covenants affecting the subject land?<br/>X No Yes If Yes, describe the easement or covenant and its effect.</b> |   |                                |                                |
| No   |   |                                |                                |

### 3. Purpose of this Application

3.1 type and purpose of proposed transaction (check appropriate box)

|                   |                                     |                              |                                      |               |
|-------------------|-------------------------------------|------------------------------|--------------------------------------|---------------|
| Transfer<br>Other | Creation of a new lot<br>X A charge | Addition to a lot<br>A lease | An easement<br>A correction of title | Other purpose |
|-------------------|-------------------------------------|------------------------------|--------------------------------------|---------------|

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged  
N/A

3.3 If a lot addition, identify the lands to which the parcel will be added.  
N/A

### 4. Description of Subject Land and Servicing Information (Complete each subsection.)

|     |   |  |                                     |   |
|-----|---|--|-------------------------------------|---|
| 4.1 | Description   | Frontage (m.)  | Severed +/- 388.49 m                | Retained +/- 105.05 and 88.98 m             |
|     |   | Depth (m.)   | +/- 340 m                           | +/- 406 m                                   |
|     |   | Area (ha.)   | +/- 8.55 Ha                         | +/- 12.09 Ha                                |
| 4.2 | Use of Property   | Existing Use(s)  | Vacant                              | Vacant                                      |
|     |   | Proposed Use(s)  | Shoreline Residential               | Shoreline Residential                       |
| 4.3 | Buildings or Structures   | Existing (Date of Construction)  | N/A                                 | N/A   |
|     |   | Proposed   | N/A                                 | N/A   |
| 4.4 | Access (check appropriate space)  | Provincial Highway   |                                     |   |
|     |   | Municipal road, maintained all year  |                                     |   |
|     |   | Municipal road, seasonally maintained  |                                     |   |
|     |   | Other public road (e.g. LRB)   |                                     |   |
|     |   | Right of way   | Water Access Via Birch Crest Resort | Propose water access via Birch crest resort |
|     |   | Water Access (if so, describe below)   |                                     |   |
|     |   | Describe in section 9.1, the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road. +/- 2 km By Boat. Nearest rd is Birch Crest Rd. |                                     |   |
| 4.5 | Water Supply  | Publicly owned and operated piped water system   |                                     |   |
|     |   | Privately owned and operated individual well   |                                     |   |
|     |   | Privately owned and operated communal well   |                                     |   |
|     |   | Lake or other water body   | Yes                                 | Yes   |
|     |   | Other means  |                                     |   |
| 4.6 | Sewage Disposal (Check appropriate space)   | Publicly owned and operated sanitary sewage system   |                                     |   |
|     |   | Privately owned and operated individual septic tank <sup>1</sup>   | Yes                                 | Yes   |
|     |   | Privately owned and operated communal septic system  |                                     |   |
|     |   | Privy  |                                     |   |
|     |   | Other means  |                                     |   |
|     |   | (1) A certificate of approval from the North Bay Mattawa Conservation Authority submitted with this application will facilitate the review.  |                                     |   |
| 4.7 | Other Services Check if the service is available  | Electricity  | Yes                                 | Yes   |
|     |   | School Bussing   |                                     |   |
|     |   | Garbage Collection   |                                     |   |
| 4.8 | If access to the subject land is by private road, or right of way was indicated in section 4.4., indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year.<br>Please letter attached with agreement between the neighbouring property owners. |  |                                     |   |



## 5. Land Use

5.1 What is the existing official plan designation(s), if any, of the subject land?  
Shoreline

5.2 What is the zoning, if any, of the subject land? If the subject land is covered by a Minister's zoning order, what is the regulation number?  
Shoreline Residential, portion EP

5.3 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

| Use or Feature  | On the Subject Land   | Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance) |
|---|-----------------------|---|
| <input type="checkbox"/> An agricultural operation including livestock facility or stockyard      | N/A                   | N/A   |
| <input type="checkbox"/> A landfill   | N/A                   | N/A   |
| <input type="checkbox"/> A sewage treatment plant or waste stabilization plant                    | N/A                   | N/A   |
| <input type="checkbox"/> A provincially significant wetland (Class 1, 2 or 3 wetland)             | N/A – "other wetland" | N/A – "Other Wetland"   |
| <input type="checkbox"/> A provincially significant wetland within 120 metres of the subject land | No                    | No  |
| <input type="checkbox"/> Flood plain  | N/A                   | N/A   |
| <input type="checkbox"/> A rehabilitated mine site  | N/A                   | N/A   |
| <input type="checkbox"/> A non-operating mine site within 1 kilometre of the subject land         | N/A                   | N/A   |
| <input type="checkbox"/> An active mine site  | N/A                   | N/A   |
| <input type="checkbox"/> An industrial or commercial use, and specify the use(s)                  | N/A                   | N/A   |
| <input type="checkbox"/> An active railway line   | N/A                   | N/A   |
| <input type="checkbox"/> A municipal or federal airport   | N/A                   | N/A   |
| <input type="checkbox"/> Utility corridors  | N/A                   | N/A   |

## 6. History of the Subject Land

6.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?  
☐ No ☐ Yes ☐ Unknown If Yes and if Known, provide the Ministry's application file number and the decision made on the application.  
No

6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.  
Not a resubmission.

6.3 Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?  
☐ No ☐ Yes If Yes, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.  
No.

## 7. Current Applications

7.1 Is the subject land currently the subject of a proposed official plan or official plan amendment that has been submitted to the Minister for approval?  
☐ No ☐ Yes ☐ Unknown If Yes and if Known, specify the Ministry file number and status of the application.  
No.

7.2 Is the subject land the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, consent or approval of a plan of subdivision?  
☐ No ☐ Yes ☐ Unknown If Yes, and if Known, specify the appropriate file number and status of the application.  
No.

**8. Sketch (Use the attached Sketch Sheet) To help you prepare the sketch, refer to the attached Sample Sketch.**

➤ The application shall be accompanied by a sketch showing the following:

- ☐ the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained
- ☐ the boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land the distance between the subject land and the nearest township lot line or landmark, such as a railway crossing or bridge
- ☐ the location of all land previously severed from the parcel originally acquired by the current owner of the subject land
- ☐ the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks
- ☐ the existing use(s) on adjacent lands
- ☐ the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way
- ☐ if access to the subject land is by water only, the location of the parking and boat docking facilities to be used
- ☐ the location and nature of any easement affecting the subject land

**9. Other Information**

Is there any other information that you think may be useful to the CAPB or other agencies in reviewing this application? If so, explain below or attach on a separate page.

Please find the planning justification report attached.

**10. Affidavit or Sworn Declaration**

➤ I, Stephanie Sharp of the Town of Huntsville

in the    District of Muskoka    make oath and say (or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application is true.

Sworn (or declared) before me

at the    Town of Huntsville   

in the    District of Muskoka   

this   9   day of   February   2022



Commissioner of Oaths



Applicant

Eva Maria Kerzel, a Commissioner, etc.,  
Province of Ontario,  
for Marie Poirier Planning & Associates Inc.  
Expires December 19, 2022

## 11. Authorizations

- 11.1 If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed

### Authorization of Owner for Agent to Make the Application

Please find authorization form attached \_\_\_\_\_, am the owner of the land that is the subject of this application for a consent and I authorize \_\_\_\_\_ to make this application on my behalf

Date

Signature of Owner

- 11.2 If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below

### Authorization of Owner for Agent to Provide Personal Information

I, \_\_\_\_\_, am the owner of the land that is the subject of this application for a consent and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize \_\_\_\_\_ as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

Date

Signature of Owner

## 12. Consent of the Owner

- > Complete the consent of the owner concerning personal information set out below.

### Consent of the Owner to the Use and Disclosure of Personal Information

I, \_\_\_\_\_ Henry Wiens \_\_\_\_\_, am the owner of the land that is the subject of this consent application and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

Date

Signature of Owner

The CAPB will assign a File Number for complete applications and this should be used in all communications.

**Applicant's Checklist:** Have you remembered to attach:

- ☐ 10 copies of the completed application form?
- ☐ 10 copies of the sketch?
- ☐ 1 copies of the North Bay Mattawa Conservation Authority comments regarding Septic system
- ☐ The required fee payable to the Central Almaguin Planning Board

Forward to:

CENTRAL ALMAGUIN PLANNING BOARD, P.O. Box 310, South River, ON POA 1X0





## REPORT TO COUNCIL

|                  |  |
|------------------|--|
| To:              | Mayor and Council                                      |
| From:            | Erica Kellogg, Deputy Clerk - Planning and Development |
| Date of Meeting: | June 21 <sup>st</sup> , 2023                           |
| Report Title:    | Columbarium Update                                     |

**Recommendation:** THAT Council receives and approves this report for information and directs Staff purchase a 32 niche columbarium moving forward with the Chapman Memorial Sanctuary.

### **Background:**

A Staff Report presented to Council September 2021 outlined costs to purchase and install a 72-niche columbarium in the newly created Chapman Memorial Sanctuary. Council approved the 2022 budget to purchase the columbarium (see attached) for a total of \$31,680 and approved a total of \$40,000 for the purchase and installment of the columbarium.

As Staff have worked on the columbarium project, it has come to light the price quoted in 2021 no longer reflects current pricing and a 72-niche columbarium can not be purchased at the quoted price.

### **Evaluation:**

Staff has learned that in order to purchase the approved 72-niche columbarium additional funds will be required in excess of approximately \$16,386 a break down of the fees is included in this report. These additional funds do not include freight, installment and/or HST. Staff has also learned that although the 72-niche columbarium can be ordered in 2023 there is a 10-month lead time and installation will not take place until 2024. In an effort to remain within the current budget and acquire the approved columbarium size, Council could opt to purchase a less expensive 72-niche columbarium, a break down of the less expensive unit is included in this report. Either direction the columbarium will not be installed until 2024 and cost recovery will not begin until late 2024 or 2025.

### Approved 72 Niche Columbarium

Canadian Mahogany with Arctic Grey Doors \$37,026

Domed Roof \$7,500

Pre-drilled for Door Plaques – no charge

6 fluted panels \$3,240

Dry Ice \$300

**Total = \$48,066 + freight (estimated \$5000) and HST and installation**



Approved Unit 72 niche Canadian Mahogany  
with Arctic grey doors fluted panels

### 72 Niche Columbarium

Morning Rose or Pine Green for the main colour – savings of \$3,360

Flat roof – save \$7,500

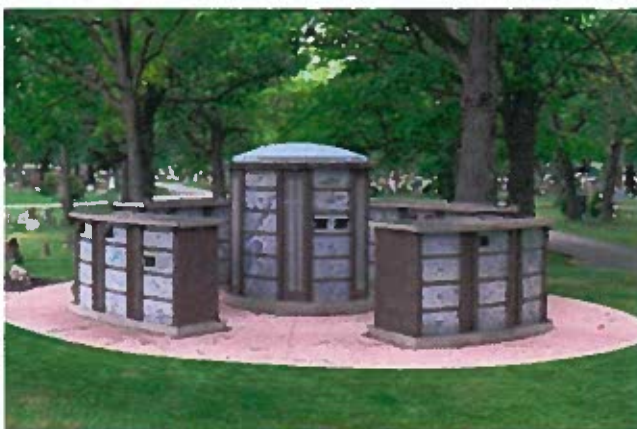
Leave panels blank or pre-drilled for memory walls – savings of \$540/panel or \$3,240 for all 6

**Total = \$33,966 + freight (estimated \$5000) and HST and installation**



Lessor Unit, Morning Rose, flat  
roof blank walls

Alternatively, in an effort to stay within the approved budget Council can purchase a smaller unit; unit sizes include 32, 48 and 64 niche columbarium, a price break down is provided below. If Council chose to move forward with a smaller unit, the total number of approved interments (72) could still be achieved since in future years additional columbarium units could be installed. For example, the image showing a grouping of columbarium's would allow for future columbarium's to be installed provided appropriate planning accommodates additional units. Staff has included in this report a breakdown on various price points for columbarium of various sizes, all smaller units have a lead time of six months.



4 - 24 niche units



32 niche, Artic Grey with  
Morning Rose doors

## Price Breakdown

| Unit      | 2023 Pricing *plus freight          |   | Accessories                |                           |            |                       |         |                   |
|-----------|-------------------------------------|---|----------------------------|---------------------------|------------|-----------------------|---------|-------------------|
|           | Morning Rose or Pine Green Exterior | Canadian Mahogany or Arctic Grey Exterior | Black Doors (incl. spares) | Fluted Panels (per panel) | Domed Roof | Stainless Steel Inner | Ossuary | Dry Ice* Required |
| 32 Niche  | \$ 12,320                           | \$ 13,552                                 | \$ 1,800                   | \$ -                      | \$ -       | \$ 960                | \$ -    | \$ -              |
| 48 Niche  | \$ 18,480                           | \$ 20,328                                 | \$ 2,600                   | \$ -                      | \$ -       | \$ 1,440              | \$ -    | \$ -              |
| 48 Curved | \$ 20,064                           | \$ 22,070                                 | \$ 2,600                   | \$ -                      | \$ -       | \$ 1,440              | \$ -    | \$ -              |
| 64 Niche  | \$ 26,752                           | \$ 29,427                                 | \$ 3,400                   | \$ -                      | \$ -       | \$ 1,920              | \$ -    | \$ -              |
| 72 Round  | \$ 33,660                           | \$ 37,026                                 | \$ 3,900                   | \$ 540                    | \$ 7,500   | \$ 2,160              | \$ 200  | Yes               |
| 80 Niche  | \$ 33,440                           | \$ 36,784                                 | \$ 4,300                   | \$ -                      | \$ -       | \$ 2,400              | \$ -    | \$ -              |
| 84 Niche  | \$ 35,112                           | \$ 38,623                                 | \$ 4,500                   | \$ 540                    | -          | \$ 2,520              | \$ 200  | \$ -              |

32 Niche = \$16,312

48 Niche = \$24,368

48 curved = \$26,110

64 niche = \$34,747

(prices do not include freight, crane rentals, foundation or HST)

As Council is evaluating options, Staff would like to recommend Council consider including stainless steel inner niche doors for each of the niche. These inserts are a lockable door that without the key, would prevent any person from damaging the outer stone door and desecrating a burial place, prices above include the steel inner doors. Recently, a cemetery columbarium in Bracebridge was vandalised, where delinquents smashed the outer stone niche doors. If the columbarium did not have the inner stainless-steel doors, one can only imagine the potential devastation. Included in this report is an image of the vandalism that indicated the outer stone door being damaged along with the inner steel door remaining in place.



### Financial Implications:

Should Council opt to remain statues quo, the 72-nich unit could be ordered in 2023 with funds included in the 2023 budget and the balance can be paid when delivery takes place in 2024, provided the required funds are included in the 2024 budget.

Opting to stay within the approved 2022 budget, Council could opt to purchase a smaller unit, and Staff could begin to work towards foundation preparations this summer with the hopes of an install taking place either in the fall of 2023 or early spring 2024. Installation will be both weather dependent and availability dependent.

The current fees and charges schedule lists niche costs at \$600.00 per niche. In order to recoup just the cost for the approved 72-niche columbarium, not including installation, freight and more, niches fees will need to be increased to a total of \$667 per niche.

Opting for a smaller columbarium, for example a 48 curved columbarium at \$26,110, with each niche selling at the prescribed \$600 fee will result in \$28,800 in cost recovery, again absent additional fees.

**Conclusion:**

The Staff Report present in 2021 regarding the Chapman Memorial Sanctuary and Columbarium project was well received by Council. With an increase in cremations and decrease in full burials, the addition of a columbarium within the Chapman Cemetery supported. Once the Sanctuary is completed, the community will enjoy and utilize the Cemetery for interments for generations to come.

Respectfully Submitted,



Erica Kellogg,

Deputy Clerk – Planning and Development

**Laura Brandt**

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**Subject:** FW: Letters of Support for Primary Care Funding  
**Attachments:** Guidelines for Support Letters - Primary Care Funding.docx  
**Importance:** High

**From:** Admin Assistant  
**Sent:** Monday, June 12, 2023 8:51 AM  
**To:** Delynne Patterson <[delynne.patterson@ryersontownship.ca](mailto:delynne.patterson@ryersontownship.ca)>; Judy Kosowan <[clerk@ryersontownship.ca](mailto:clerk@ryersontownship.ca)>; Councillor Vicky Roeder-Martin <[vroeder-martin@mcmurrichmonteith.com](mailto:vroeder-martin@mcmurrichmonteith.com)>; [mailto:clerk@mcmurrichmonteith.com](mailto:mailto:clerk@mcmurrichmonteith.com)>; brad kneller ([bradkneller@live.com](mailto:bradkneller@live.com)) <[bradkneller@live.com](mailto:bradkneller@live.com)>; Municipality of Magnetawan <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>; [mayorcherylphilip@gmail.com](mailto:mayorcherylphilip@gmail.com); [cherylphilip@gmail.com](mailto:cherylphilip@gmail.com); Cindy Filmore <[cindy.filmore@townofkearney.ca](mailto:cindy.filmore@townofkearney.ca)>  
**Cc:** Councillor Rod Ward <[rward@armourtownship.ca](mailto:rward@armourtownship.ca)>  
**Subject:** FW: Letters of Support for Primary Care Funding  
**Importance:** High

Good day everyone,  
Dr. Sarah McKinnon has asked that I reach out today to see if your letters of support are ready to go. **The deadline for their proposal is this Friday June 16<sup>th</sup> so at the very latest they require it by Thursday.** Below in the initial correspondence are the email addresses for you to send your letter to. If you can provide an update that would be appreciated.  
Thank you,  
Camille Barr  
Secretary for the Almaguin Highlands Health Council

**From:** Admin Assistant  
**Sent:** Thursday, May 11, 2023 2:09 PM  
**To:** Councillor Rod Ward <[rward@armourtownship.ca](mailto:rward@armourtownship.ca)>; Burk's Falls Mayor <[mayor@burksfalls.ca](mailto:mayor@burksfalls.ca)>; [cherylphilip@gmail.com](mailto:cherylphilip@gmail.com); [mayorcherylphilip@gmail.com](mailto:mayorcherylphilip@gmail.com); Councillor Vicky Roeder-Martin <[vroeder-martin@mcmurrichmonteith.com](mailto:vroeder-martin@mcmurrichmonteith.com)>; [ironholm@strongtownship.com](mailto:ironholm@strongtownship.com); [tombryson@townshipofjoly.com](mailto:tombryson@townshipofjoly.com); Fraser Williamson <[fwilliamson@sundridge.ca](mailto:fwilliamson@sundridge.ca)>; Norm Hofstetter ([norm.hofstetter@townshipofperry.ca](mailto:norm.hofstetter@townshipofperry.ca)) <[norm.hofstetter@townshipofperry.ca](mailto:norm.hofstetter@townshipofperry.ca)>; Margaret Ann MacPhail <[margaretann.macphail@townshipofperry.ca](mailto:margaretann.macphail@townshipofperry.ca)>; Delynne Patterson <[delynne.patterson@ryersontownship.ca](mailto:delynne.patterson@ryersontownship.ca)>; brad kneller ([bradkneller@live.com](mailto:bradkneller@live.com)) <[bradkneller@live.com](mailto:bradkneller@live.com)>  
**Cc:** 'Courtney Metcalf' <[edo@explorealmaguin.ca](mailto:edo@explorealmaguin.ca)>  
**Subject:** Letters of Support for Primary Care Funding

Good day AHH Council members,  
As per our last two meetings, Dr Sarah MacKinnon (SDMC) and Shelly van den Heuvel (BFFHT) shared that the provincial government has requested expressions of interest (EOI) for any primary care organizations looking for additional funding to increase their ability to serve patients and take on unattached patients. These expressions of interest need to be submitted by June 16.

The Burk's Falls Family Health Team (BFFHT) and the Sundridge & District Medical Centre (SDMC) would like to request the support of the AHHC and all of the individual municipalities.

They plan to request the following services:



**Services for SDMC:**

Phase 1: RN, NP, Mental Health Therapist

Phase 2: Administrative Assistant, Team Office Manager, funding for OTN set up

**Services for BFFHT:**

Phase 1: NP

Phase 2: Mental Health Therapist, Reception/Medical Secretary

**Shared services for BFFHT & SDMC:**

Phase 2: Social worker/clinic navigator, Physiotherapist

**They would appreciate letters of support from the AHHC and all supporting municipalities.**

A draft template for your resolution is attached. Please tweak it to ensure it tells a local story so that all letters are individualized. They suggest the following talking points for letters of support:

- Lack of access to health care
- Aging population
- Poor access to housing
- Food insecurity
- No public transportation
- Patient experiences from the community
- Dispersed geography
- Increase in number of single parent/lone parent families
- Lack of social networks
- Lack of community activities that are readily available in urban centres (recreation, etc.)
- Winter weather driving constraints
- Poor internet access creating access barriers

Please work to complete your letter asap, sharing with your Clerks and getting them to your Council tables. The expression of interest is due **JUNE 16** so Shelley and Dr. MacKinnon need the letters prior to this.

Letters can be addressed 'To Whom It May Concern' and sent to [dr.mackinnon.smc@gmail.com](mailto:dr.mackinnon.smc@gmail.com) and [shellyvandenheuvel@gmail.com](mailto:shellyvandenheuvel@gmail.com)

Thank you in advance to your Councils,

**Camille Barr**

Senior Administrative Assistant

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Village of Burk's Falls; 172 Ontario Street, Box 160 Burk's Falls ON; 705-382-3138; [www.burksfalls.net](http://www.burksfalls.net)



Guidelines for letters from individual municipalities regarding support for the Burk's Falls Family Health Team and the Sundridge and District Medical Centre in their submissions for primary care funding...

Please use portions of the information below and add a short story or anecdote RELATED DIRECTLY TO YOUR MUNICIPALITY to provide more context around the need for primary care...it's ok if the letters are similar in nature from all municipalities, but we don't want it to look like a bunch of copies of the exact same information...

*To whom it may concern...*

*[some background from the original AHHC business plan – cut and paste as required]*

The [your township here] is located in a region of the Parry Sound District known as the Almaguin Highlands. Stretching up the corridor of Highway 11 from north of the Town of Huntsville to south of the City of North Bay, the area is made up of 2400 square kilometres consisting of a number of municipalities, small towns, and villages. The region consists of hundreds of lakes, and its economy is driven by tourism and various seasonal activities. The population is made up of approximately 14,000 full-time residents, but this population doubles in the peak summertime months as seasonal residents move in.

The sheer geographic size of the region, together with a dispersed population, creates challenges with respect to the provision of services, including maintenance of roads and bridges, access to schools, maintenance of fire services, and access to timely healthcare. For basic amenities such as road maintenance, waste management, fire services, libraries, community centres, etc., the region relies on smaller regional or municipal governments, often teaming with other local municipalities in service delivery. For services provided at the provincial level (most notably, education and healthcare), pressure to contain costs has often meant that services are more focused in larger centres. The Almaguin Highlands area contains no town or village with a population larger than 1,000. There are no major healthcare facilities (i.e. hospitals) in the region, with the closest being Huntsville to the south, North Bay to the north, and Parry Sound to the west (typically a 45-60 minute travel time for most residents to the closest hospital, walk-in clinic or emergency room).

The region has a history of working closely with our healthcare providers (i.e. physician groups) and with our partners to the south, north and west to secure appropriate levels of care for our region. However, we face many challenges and we need to secure more healthcare services directly in the Almaguin Highlands. Our challenges include:

- Aging population – virtually all of our population increase since 2016 has been driven by the 65+ age group;
- Lack of any public transportation, exacerbated by poor driving conditions due to severe winter conditions;
- Continued long-term wait lists for primary care access;
- Median / average household incomes below provincial average;
- Slow development of high-speed internet infrastructure, further limiting other healthcare options such as virtual care.


Additional challenges are added with the major shifts in population base throughout the year. Pressure on services increases significantly between the months of May and September when seasonal residents move into the area. Although this has no impact on areas such as education and schools, there is significant impact to services such as healthcare delivery.

The [Municipality of...] fully supports the Burk's Falls Family Health Team and the Sundridge and District Medical Centre, in cooperation with the Almaguin Highlands Health Council, in their application for additional Primary Care funding.

Regards....

[Council of Municipality...]

DRAFT

|   |   |
|---|---|
|  <p><b>Municipality of<br/>Magnetawan</b></p> | <h2>REPORT TO COUNCIL</h2>              |
| To:   | Mayor and Council                       |
| From:   | Public Works Superintendent             |
| Date of Meeting:  | June 21, 2023                           |
| Report Title:   | Magnetawan Watershed Land Trust Parking |

**Recommendation:** THAT Council receives and approves this report as presented and accepts the recommendation of the Public Works Superintendent regarding the unsuitability of providing parking on the unopened road allowance at 5/6 Sideroad; and that the Magnetawan Watershed Land Trust, if they cannot provide parking to their trail head to Old Man's Creek, to secure other private lands that would be suitable for parking and/ or relocate the entrance to the trail.

**Background:** There has been requests from the Magnetawan Watershed Land Trust to provide Parking spaces along the Ahmic Lake Rd by the Old Man's Trail. This was determined by the Municipality to be unsafe and "No Parking Signs "were installed to discourage the Public from parking along the road and walking to get onto the trail. The Municipality had offered to install a small parking area on the Magnetawan Watershed Land Trust property using local material from ditching followed by a donation of gravel. The Land Trust claims they are not permitted to have any type of parking on the donated property and on March 23, 2023 requested Council to consider the Unopened Road Allowance at the 5/6<sup>th</sup> Side Road and possibly the North/East corner Right of Way.

**Evaluation:** The location at the 5/6<sup>th</sup> Side Road Unopened Road Allowance is between two steep hills on winding bends and the sight lines are unacceptable. To create adequate sight lines, Staff would need to cut back the forest substantially to the West and to construct the Parking Area major tree and brush clearing would also be required. As well it is estimated that there would be a need of fill and gravel to bring the elevation up so as not to have drainage issues. Further, the parking area would be approximately 100 metres (328 feet) to the trail head which requires pedestrians to be crossing a potentially hazardous intersection. Adequate signage, which should include a 4 way stop and a pedestrian crosswalk with the signal lights. Yearly maintenance as well as 'clean up' of refuse of the parking lot would rest with the Municipality. Another consideration, it is not in the Municipality's best interest to encourage groups of hikers to utilize this area, particularly because of the characteristics (gravel, small shoulders) of the road and the sight lines. And as the Municipality is creating the parking area, all liability for potential injury, will be borne by the Municipality, which is not recommended by our legal counsel. Other conservancy groups, such as the Bruce Trail, a charitable organization which provides Canada's longest marked footpath, provides parking lots for many of its trailheads. The onus should be on the Magnetawan Watershed Land Trust to confer with its directors to include the purchase of lands for creation of parking areas for their properties being advertised on their website for the public to access.

**Financial Implications:** The estimated cost to the Municipality to create a parking lot on our unopened Road Allowance for the Magnetawan Watershed Land Trust, is between \$14,000 to \$20,000 given the Staff, Equipment, Supplies, and time to complete the project not including yearly maintenance.

**Conclusion:** The Public Works Superintendent recommends that the 5/6<sup>th</sup> Unopened Road allowance not be used as a Parking Area for Old Man's Trail. It is recommended that the Magnetawan Watershed Land Trust, if they cannot provide parking on the trail head to Old Man's Creek, which the Municipality offered to build free of charge, that the Land Trust secure other private lands that would be suitable for parking and/ or relocate the entrance to the trail.

Respectfully Submitted,

Scott Edwards  
Public Works Superintendent



## REPORT TO COUNCIL

|                  |  |
|------------------|--|
| To:              | Mayor and Council  |
| From:            | Laura Brandt, Deputy Clerk – Recreation & Communication  |
| Date of Meeting: | June 21, 2023  |
| Report Title:    | Outcome Public Art Call for Submissions Ahmic Harbour Community Centre and Magnetawan Fire Station 2 |

**Recommendation:** That Council receives and approves this report as presented and directs Staff to award the public art call for submissions Ahmic Harbour Community Centre and Magnetawan Fire Station 2 mural to Nomi Drory and Crave Fluidity in the amount of \$8,140.

**Background:** In 2021, Staff applied to the Rural Economic Development Program (RED) Intake for their Beautification of Magnetawan Project and was successful in its application. The application includes monies for public art projects to be allocated in 2021 to a maximum grant of 30% of the cost or \$3,000. In 2021 a Public Call for Art Submissions was circulated to local art clubs as well as on the municipal website and social media platforms. Council awarded the project in 2021 to Nomi Drory. Nomi painted a mural on the cement barrier wall behind the Magnetawan Heritage Museum Centre.

Due to the success of the 2021 art installation, Staff also applied to the Rural Economic Development Program (RED) Intake #2 and was successful in its application. The application includes monies for public art projects to be allocated in 2022, 2023 and 2024 to a maximum of 30% of the cost or \$3,000 per year. In 2022 a Public Call for Submissions for a Destination Mural was circulated to local art clubs, municipal website, and social media platforms. Council awarded the project in 2022 to Kristyn Watterworth. Kristyn Watterworth painted a destination mural located on the back of the Heritage Museum Centre. The murals have been well received by residents and garnished media attention.

The beautification of Magnetawan public art projects will revive our public spaces and will be a positive cost-effective way to create lasting enhancement, which will lead to the attraction, retention and/or expansion of businesses as more international and domestic visitors are attracted to our Municipality.

Additionally, through the establishment of a Public Art Collection, the Municipality intends to enhance Magnetawan's visual appeal and vibrancy of our public spaces as well as honor, preserve and encourage Magnetawan's cultural heritage and artistic diversity while providing an opportunity to recognize local and regional artists.

Mural tourism uses street art or mural art to enhance the look and cultural vibrancy of an area. It provides residents and tourists with a unique opportunity to take part in tourism that is cool, colorful, and beneficial to a destination's social and economic status.

## Evaluation 2023 Ahmic Harbour Community Centre and Magnetawan Fire Station 2 Mural:

Staff evaluated the submissions with the following criteria:

|   |                   |
|---|-------------------|
| <b>Artist Portfolio</b> <ul style="list-style-type: none"><li>• Quality of the Bidder's past works of art and suitability to this project</li></ul>   | <b>25 points</b>  |
| <b>Proposed Plan for Works of Art</b> <ul style="list-style-type: none"><li>• Demonstration that the needs of the Municipality of Magnetawan are understood and will be met.</li><li>• Compatibility with goals and scope of public art policy.</li><li>• Artistic merit and quality of the proposed works of art.</li><li>• Suitability to public display under the specified conditions.</li><li>• Ethical and legal suitability, including any risk to public health and safety.</li><li>• Meets the timeline.</li></ul> | <b>50 points</b>  |
| <b>Project Cost</b> <ul style="list-style-type: none"><li>• Project Cost is within the identified budget</li><li>• Detailed description of the cost of the work(s)</li><li>• Financial implications of installation, maintenance, storage, etc.</li></ul>   | <b>25 points</b>  |
| <b>Maximum Points Available</b>   | <b>100 points</b> |

Staff are pleased to inform Council that two applications were received for the most recent call for submissions.

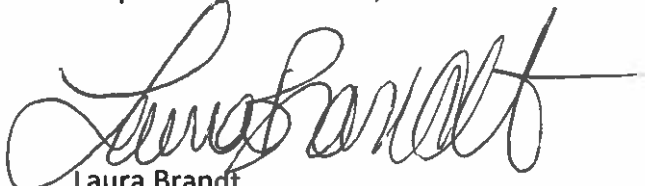
| <b>Artist</b>                 | <b>Score</b> |
|-------------------------------|--------------|
| Nomi Drory and Crave Fluidity | 1            |
| Megan Oldhues                 | 2            |

**Financial Implications:** \$8,000 was allocated in the 2023 Budget for this project. As well 30% of the cost is eligible for grant funding up to a maximum of \$3,000.

**Conclusion:** Nomi Drory and Crave Fluidity (Dan Oz) are a mother-son duo working creatively together to create murals and public art. Nomi Drory is a visual artist with a background in architecture and experience in a variety of different medias. Nomi is an accomplished artist participating in dozens of group shows in commercial and public galleries in Toronto and New York and her work is part of the University of Toronto's Art Collection. Crave Fluidity is a multidisciplinary artist painting large scale murals in Mexico and Canada.

Staff recommends awarding the public art call for submissions Ahmic Harbour Community Centre and Magnetawan Fire Station 2 to Nomi Drory and Crave Fluidity. Their proposal included murals on three walls on the building, detailed historical information to be included in the mural, an estimated completion date of the end of August.

Respectfully Submitted,



Laura Brandt  
Deputy Clerk



**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN**

**BY-LAW No. 2023-**

**BEING A BY-LAW FOR PROHIBITING OR REGULATING THE OBSTRUCTING,  
ENCUMBERING, INJURING OR FOULING OF HIGHWAYS OR BRIDGES**

**WHEREAS** *The Municipal Act, R.S.O., 2001* Section 10 (1) Authorizes Broad authority, to single-tier municipalities so that they may provide any service or thing that the Municipality considers necessary or desirable for the public. 2006, c. 32, Sched. A, s. 8;

**AND WHEREAS** *The Municipal Act, 2001, S.O. c. 25, Section 10(6)* authorizes the Council of a Municipality to pass By-laws respecting health, safety, and well-being of persons;

**AND WHEREAS** *The Municipal Act, 2001, S.O. c.25, Section 391(1)* authorizes the Council of a Municipality to impose fee and charges for services provided;

**AND WHEREAS** *The Municipal Act, 2001, S.O. c.25, Section 434.1 (1)* authorizes the Council of a Municipality without limiting sections 9, 10 and 11, that a Municipality may require a person, subject to such conditions as the Municipality considers appropriate, to pay an administrative penalty if the Municipality is satisfied that the person has failed to comply with a By-law of the Municipality passed under this Act. 2017, c. 10, Sched. 1, s. 75.

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of Magnetawan enacts as follows:

**SHORT TITLE:** This By-law may be cited as "The Roads Fouling By-Law".

**1. DEFINITIONS:**

- 1.1 **"Bridge"** means a public bridge and includes a bridge forming part of a highway or on, over or across which a highway passes.
- 1.2 **"By-law Enforcement Officer"** includes any person so designated by Council to administer and enforce this By-Law.
- 1.3 **"Council"** shall mean the Council of the Corporation of the Municipality of Magnetawan.
- 1.4 **"Chief Building Officer"** includes any person so designated by Council and having the authority to issue building permits.
- 1.5 **"Highway"** means a common and public highway within or forming a boundary of the Municipality and includes a street and a bridge forming part of a highway or on, over or across which a highway passes, this shall include undeveloped or unused road allowances.

- 1.6 **"Municipality"** shall mean the Corporation of the Municipality of Magnetawan.
- 1.7 **"Occupant"** means any person(s) over the age of eighteen (18) who is a tenant or lessee, or otherwise in lawful possession of a parcel of real property capable of being legally described in a deed or transfer who shall constitute the occupant or occupants of that real property.
- 1.8 **"Owner"** means any of the following: A person who is shown as one of the registered owners of real property in the records of the Land Registry or Land Titles Office or a person who is shown as the assessed owner of real property on a current assessment roll for the Municipality or a person who, for the time being, is managing or receiving rent of the land or premises, whether on his own account or as an agent or trustee for any other person.
- 1.9 **"Public Highway"** except in so far as they have been stopped up according to law, includes all allowances for roads made by the Crown surveyor, all highways laid out or established under the authority of any statute, all roads on which public money has been spent for opening them or on which labour has been usually performed, all roads passing through Indigenous lands, all roads dedicated by the owner of the land to public use, and all alterations and deviations or and all bridges over any such allowance for roads.
- 1.10 **"Running at large"** means unattended by a competent person.
- 1.11 **"Sewage"** includes drainage, storm water, residential, commercial, and industrial waste.

## **2. DAMAGES**

- 2.1 A owner and/or occupant of land or anyone acting on behalf of a owner and/or occupant of land shall not permit the crossing of curbing's, sidewalks or paved boulevards by vehicles delivering materials to or removing materials from abutting land. On which a dwelling may or may not be erected.
- 2.2 The Chief Building Officer upon issuing a building permit may require the applicant to pay a deposit to the Municipality.
- 2.3 This money held on deposit shall be used to meet the cost of repairing any damage to the sidewalk, curbing, or paved boulevard, or to any water service box or other service therein caused by the crossing thereof by such vehicles.
- 2.4 The owner and/or occupant of the land shall take all necessary steps to prevent building material, waste, or soil from being spilled or tracked onto a highway by

vehicles going to or coming from the land, during the course of the erection, alteration, repair, or demolition.

2.5 In addition to any penalty otherwise provided by law, the owner and/or occupant shall be responsible to the Municipality for the cost of removing such building material, waste, or soil. Such cost may be deducted from the deposit if applicable.

2.6 If the cost of the repair exceeds the deposit the owner and/or the occupant shall be liable to pay excess cost to the Municipality on demand and the Municipality will pursue any other collection mechanisms available to the Municipality pursuant to the Regulations or at law which may include deeming the outstanding amount to be unpaid taxes and adding this outstanding amount to the tax roll and collecting it in the same manner as Municipal Taxes.

### **3. ENCROACHMENT**

3.1 Subject to any written agreement with the Municipality to the contrary the owner or occupant of land shall remove any doorsteps, porches or other erections or things projecting into or over any highway or bridge.

3.2 In addition to any penalty otherwise provided by law, the owner and/or occupant shall be responsible to the Municipality for the cost of removing any doorsteps, porches or other erections or things projecting into or over any highway or bridge.

### **4. OBSTRUCTION**

4.1 No person shall build or maintain a fence on any highway or place or deposit firewood or any other thing calculated to obstruct it or to obstruct or interfere with public travel on it, on any highway or bridge.

4.2 Any person who has built, maintained, placed, or deposited any such thing calculated to obstruct any highway or bridge or interfere with public travel on it, on any highway or bridge, shall be required to remove such thing.

4.3 Any person who stops up a public highway without doing so according to law is guilty of an offence.

4.4 In addition to any penalty otherwise provided by law, the person who has placed any thing on a highway calculated to obstruct it or to obstruct or interfere with public travel on it, on any highway or bridge, shall be responsible to the Municipality for the cost of removing such things.

## **5. WASTE AND DEBRIS**

- 5.1 No person shall throw, place, or deposit any dirt, filth, glass, handbills, paper or other rubbish or the carcass of any animal, on any highway or bridge.
- 5.2 Any person using a public highway for the purpose of dumping or disposing of residential wastes, commercial wastes and industrial wastes is guilty of an offence.

## **6. CULVERTS DITCHES**

- 6.1 No person shall obstruct any culvert or ditch upon a highway.
- 6.2 Any person responsible for using culverts or ditches upon a highway for any sewage other than natural surface drainage or surface storm water from the immediate area is guilty of an offence.
- 6.3 Any person using culverts or ditches upon a highway for dumping residential wastes, commercial wastes and industrial wastes is guilty of an offence.
- 6.4 In addition to any penalty otherwise provided by law, the person who has dumped commercial wastes and industrial wastes on a highway, or in the culverts or ditches upon a highway shall be responsible to the Municipality for the cost of removing such commercial and industrial wastes.

## **7. LIVESTOCK AND ANIMALS**

- 7.1 No owner or person in charge of cattle, horses, livestock, or other animal shall permit such animals to run at large or trespass upon a highway or bridge.
- 7.2 No owner or person in charge of cattle, horses, livestock, or other animal shall fail to remove excrement from a highway or a bridge.
- 7.3 No owner or person in charge of cattle, horses, livestock or other animal or animals shall permit such animal or animals to trespass upon private property.
- 7.4 All of the provisions of the *Pounds Act, R. S. O. 1990, c.P.17*, shall apply to the Corporation of the Municipality of Magnetawan.

## **8. PENALTIES**

8.1 Every person and/or owner and/or occupant who contravenes and/or directs another person(s) to contravene and/or permits another person the doing of any act which contravenes any of the provisions of this By-law is guilty of an offence and may be subject to:

- fees, fines, penalties, and/or charges under the Administrative Monetary Penalties By-law and/or
- fees or charges as per the current Fees and Charges By-law and/or
- upon conviction is liable to a fine, to a maximum of \$5,000 (five thousand dollars) for each offence exclusive of the costs, as prescribed by the *Provincial Offences Act, R.S.O. 1990, c.P. 33*, as amended.

And further, in addition to any other remedy and to any other penalty the person convicted may also be prohibited from continuing or repeating the offence in accordance with the provisions of section 442 of the *Municipal Act*.

8.2 Fees, fines, penalties, and/or charges are as Schedule "A" attached for 2023 and are to be incorporated into the current Fees and Charges By-law. Any changes to Schedule "A" will be made during the annual updating of the Fees and Charges By-law and will be contained therein.

## **9. ENFORCEMENT**

9.1 That this By-law shall come into force and effect on the date of passing.

9.2 Nothing herein shall be deemed to limit the ability of the Ontario Provincial Police to enforce this By-law at any time.

9.3 The enforcement of the By-law is assigned to any By-law Enforcement Officer for the Municipality of Magnetawan.

## **10. REPEAL**

10.1 That By-law 2000-29 and previously conflicting Bylaws are hereby repealed.

## **11. SEVERABILITY**

11.1 All sections of this By-law shall be deemed to be separate and independent and the invalidity of any section or provision thereof shall not affect the remaining sections.

Read a FIRST, SECOND, and THIRD time and finally PASSED this \_\_ day of \_\_\_\_\_ 2023

**THE CORPORATION OF THE  
MUNICIPALITY OF MAGNETAWAN**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
CAO/Clerk

DRAFT





## **SCHEDULE "A"**

### **TO BY-LAW 2023-**

| <b>Item</b> | <b>Short Word Form Wording</b>   | <b>Provision<br/>Creating/Defining Offence</b> | <b>Set Fine</b> |
|-------------|--|--|-----------------|
| 1           | Crossing of curbing, sidewalks, or paved boulevards – delivery vehicles without a building permit. | 2.1  | \$500           |
| 2           | Building material, waste or soil spilled or tracked onto highway                                   | 2.3  | \$300           |
| 3           | Failure to remove any doorsteps, porches or other erections or things projecting into or over      | 3.1  | \$500           |
| 4           | Obstruct or interfere with public travel   | 4.1, 4.2, 4.3                                  | \$500           |
| 5           | Throw, place, deposit rubbish or animal carcass  | 5.1, 5.2                                       | \$500           |
| 6           | Obstruct culvert or ditch  | 6.1  | \$300           |
| 7           | Dumping of sewage in culvert or ditch  | 6.2  | \$500           |
| 8           | Dumping residential, commercial, and/or industrial waste in culvert or ditch                       | 6.3  | \$300           |
| 9           | Cattle, horses, livestock, or other animal to run at large or trespass                             | 7.1, 7.3                                       | \$500           |
| 10          | Failure to remove excrement  | 7.2  | \$500           |

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN**

**BY-LAW NO. 2000-29**

**BEING A BY-LAW FOR PROHIBITING OR REGULATING THE OBSTRUCTING, ENCUMBERING, INJURING OR FOULING OF HIGHWAYS OR BRIDGES IN ACCORDANCE WITH SECTION 314, OF THE MUNICIPAL ACT, R. S. O. 1990, C.m.45;**

**WHEREAS** Section 314 (1 TO 3) OF THE MUNICIPAL ACT, R. S. O. 1990, c.M45 as amended, permits municipalities to pass by-laws for prohibiting or regulating the obstructing, encumbering, injuring or fouling of highways or bridges;

**WHEREAS** SECTION 210 (4) OF THE MUNICIPAL ACT, R. S. O. 1990, c.M45 as amended permits municipalities to pass by-laws to regulate the being at large of animals other than dogs upon any defined highways therein;

**WHEREAS** SECTION 1 OF THE POUNDS ACT, R. S. O. 1990, c. p.17 as amended permits municipalities to pass by-laws in addition to and inclusive of all of the provisions of the Pounds Act applying to the Corporation of the Municipality of Magnetawan;

**AND WHEREAS** it is deemed expedient that such a by-law be passed.

**NOW THEREFORE THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN HEREBY ENACTS AS FOLLOWS:**

**SHORT TITLE:** This By-law may be cited as "The Highways and Bridges by-law".

**1. DEFINITIONS:**

- a) "bridge" means a public bridge, and includes a bridge forming part of a highway or on, over or across which a highway passes;
- b) "by-law enforcement officer" includes any person so designated by Council to administer and enforce this by-law;
- c) "chief building officer" includes any person so designated by Council and having the authority to issue building permits
- d) "Council" shall mean the Council of the Corporation of the Municipality of Magnetawan;
- e) "highway" means a common and public highway within or forming a boundary of the Municipality, and includes a street and a bridge forming part of a highway or on, over or across which a highway passes;
- f) "municipality" shall mean the Corporation of the Municipality of Magnetawan;
- g) "public highway" except in so far as they have been stopped up according to law, includes all allowances for roads made by the Crown surveyor, all highways laid out or established under the authority of any statute, all roads on which public money has been spent for opening them or on which labour has been usually performed, all roads passing through Indian lands, all roads dedicated by the owner of the land to public use, and all alterations and deviations or and all bridges over any such allowance for roads.
- h) "running at large" means unattended by a competent person;
- i) "sewage" includes drainage, storm water, residential wastes, commercial wastes and industrial wastes;

- 2) a) A landowner, occupier of land or anyone acting on behalf of a landowner or occupier of land shall not permit the crossing of curbs, sidewalks or paved boulevards by vehicles delivering materials to or removing materials from abutting land on which any building is being erected, altered, repaired or demolished without obtaining a building permit certifying to the approval of plans of buildings to be erected, altered, repaired or demolished thereon.

- b) The Chief Building Officer upon issuing a building permit may require the applicant to pay a deposit to the municipality as prescribed in Section 314(2) of the Municipal Act, R.S.O. 1990, c.M45 as amended but this shall not limit the Chief Building Officer's discretion as to maximum deposit.
  - c) This money held on deposit shall be used to meet the cost of repairing any damage to the sidewalk, curbing, or paved boulevard, or to any water service box or other service therein caused by the crossing thereof by such vehicles.
  - d) The owner or occupier of the land shall take all necessary steps to prevent building material, waste or soil from being spilled or tracked onto a highway by vehicles going to or coming from the land during the course of the erection, alteration, repair or demolition.
  - e) In addition to any penalty otherwise provided by law, the landowner or occupier shall be responsible to the municipality for the cost of removing such building material, waste or soil, and such cost may be deducted from the deposit.
  - f) If the cost of the repair exceeds the deposit the landowner and the occupier shall be liable to pay excess cost to the municipality on demand.
3. a) Subject to any written agreement with the municipality to the contrary the owner or occupier of land shall remove any doorsteps, porches or other erections or things projecting into or over any highway or bridge.
- b) In addition to any penalty otherwise provided by law, the owner or occupier shall be responsible to the municipality for the cost of removing any doorsteps, porches or other erections or things projecting into or over any highway or bridge.
4. a) No person shall build or maintain a fence on any highway or place or deposit firewood or any other thing calculated to obstruct it or to obstruct or interfere with public travel on it, on any highway or bridge.
- b) Any person who has built, maintained, placed or deposited any such thing calculated to obstruct any highway or bridge or interfere with public travel on it, on any highway or bridge, shall be required to remove such thing.
- c) Any person who stops up a public highway without doing so according to law is guilty of an offence.
- d) In addition to any penalty otherwise provided by law, the person who has placed any thing on a highway calculated to obstruct it or to obstruct or interfere with public travel on it, on any highway or bridge, shall be responsible to the municipality for the cost of removing such things.
5. a) No person shall throw, place or deposit any dirt, filth, glass, handbills, paper or other rubbish or the carcass of any animal, on any highway or bridge.
- b) Any person using a public highway for the purpose of dumping or disposing of residential wastes, commercial wastes and industrial wastes is guilty of an offence.
6. a) No person shall obstruct any culvert or ditch upon a highway.
- b) Any person responsible for using culverts or ditches upon a highway for any sewage other than natural surface drainage or storm water from the immediate area is guilty of an offence.
- c) Any person using culverts or ditches upon a highway for dumping residential wastes, commercial wastes and industrial wastes is guilty of an offence.
- d) In addition to any penalty otherwise provided by law, the person who has dumped commercial wastes and industrial wastes on a highway, or in the culverts or ditches upon a highway shall be responsible to the municipality for the cost of removing such commercial and industrial wastes.
7. a) No owner or person in charge of cattle, horses, livestock or other animal shall permit such

animals to run at large or trespass upon a highway or bridge.

- b) No owner or person in charge of cattle, horses, livestock or other animal or animals shall permit such animal or animals to trespass upon private property
- c) All of the provisions of the Pounds Act, R. S. O. 1990, c.P.17, shall apply to the Corporation of the Municipality of Magnetawan.

8. Penalty

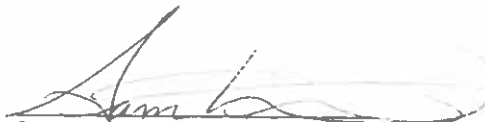
Any person who contravenes any provisions of this by-law or any part thereof shall be guilty of an offence and upon conviction be liable to a fine not to exceed the maximum provided under the Provincial Offences Act, exclusive of all costs, and every such fine shall be recoverable under the Provincial Offences Act.

9. Severability

That all sections of this by-law shall be deemed to be separate and independent and the validity of any section or provision thereof shall not effect the remaining sections.

This By-law shall take effect upon being passed.

INTRODUCED AND READ A FIRST, SECOND AND A THIRD TIME, AND FINALLY PASSED  
THIS 27TH DAY OF SEPTEMBER, 2000.

  
SAM DUNNETT, REEVE

  
BRENDA FRASER, CLERK ADMINISTRATOR

# THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

## BY-LAW NO. 2023 -

### BEING A BY-LAW TO ESTABLISH A SYSTEM OF ADMINISTRATIVE MONETARY PENALTIES FOR NON-COMPLIANCE WITH BY-LAWS FOR THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

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**WHEREAS** pursuant to sections 8, 9, and 10 of the *Municipal Act, 2001*, as amended, a municipality has the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under this or any other Act.

**AND WHEREAS** section 434.1 (1) of the *Municipal Act, S.O. 2001, c.25*, as amended, without limiting Sections 9, 10, and 11, a Municipality may require a person, subject to such conditions as the Municipality considers appropriate, to pay an administrative penalty if the Municipality is satisfied that the person has failed to comply with a By-law of the Municipality passed under this Act. 2017, c. 10, Sched. 1, s. 75;

**AND WHEREAS** section 434.1 of the *Municipal Act, S.O. 2001, c.25*, as amended, without limiting sections 9, 10, and 11 a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under this Act 2017, c 10, Sched. 1, s. 75.

**AND WHEREAS** section 434.2 of the *Municipal Act, S.O. 2001, c.25*, as amended provides that an Administrative Monetary Penalty imposed by the Municipality on a person constitutes a debt of the person to the Municipality;

**AND WHEREAS** section 15.4.1 (1) of the *Building Code Act, 1992 S.O. 1992, c.23*, as amended authorizes a Municipality to pass a By-law that may require a person, to pay an administrative penalty if the Municipality is satisfied that the person has failed to comply with, a By-law of the Municipality passed under section 15.1 of the *Building Code Act, 1992*, as amended, or an order of an Officer made under subsection 15.2 (2) or 15.3 or the *Building Code Act, 1992*, as amended;

**AND WHEREAS** section 102.1(1) of the *Municipal Act, S.O. 2001, c.25*, as amended, provides that a Municipality may require a person to pay an Administrative Penalty if the Municipality is satisfied that the person failed to comply with any By-Laws respecting the parking, standing or stopping of vehicles;

**AND WHEREAS** pursuant to section 391 of the *Municipal Act, S.O. 2001, c.25*, as amended a Municipality may impose fees or charges on persons for services provided or done by or on behalf of it;

**AND WHEREAS** the Province adopted the "Administrative Penalties" regulation, O.Reg 333/07, pursuant to section 429 (4) of the *Municipal Act, 2001*, as amended provides that a Municipality may establish a system of fines for offences under a By-law of the Municipality passed under this Act. 2006, c. 32, Sched. A, s. 184;

**AND WHEREAS** Sections 23.1, 23.2, 23.3, and 23.5 of the *Municipal Act, 2001* authorizes the Municipality to delegate its administrative and hearing powers;

**AND WHEREAS** pursuant to Section 425 of the Municipal Act, 2001, as amended, a Municipality may pass By-laws providing a person who contravenes a By-law of the Municipality passed under this Act is guilty of an offence;

**AND WHEREAS** the Council of the Corporation of Magnetawan deems it desirable and necessary to implement an Administrative Monetary Penalty System (AMPS) including penalties and fees to enforce and seek compliance with By-laws or portions of By-laws through the AMPS;

**NOW THEREFORE BE IT ENACTED BY THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN AS FOLLOWS:**

**1.0 THAT** this By-law be cited as "The AMPS By-law"

## **2.0 DEFINITIONS**

**Administrative Penalty (AMP)** means a financial penalty, commonly referred under an Administrative Monetary Penalty System (AMPS), authorized under Section 434.1 (1) of *the Municipal Act, 2001, S.O. 2001, c. 25*, issued to person, owner, agent, or licensee who has contravened or failed to comply with any provision of a Municipal By-law.

**Administrative Monetary Penalty System (AMPS)** means the program that the Municipality has implemented to encourage compliance with Designated By-laws and provide accountability, which includes financial penalties, administrative fees, review for penalties received, and policies and procedures administered by the Municipality.

**Agent** means a Person duly appointed by an Owner or the Municipality to act on their behalf.

**Designated By-Law** means any By-law, or part or provision of a By-law, that has been enacted by the Corporation of the Municipality of Magnetawan.

**Effective Date** means the date on which service of a Penalty Notice is deemed to be effective in accordance with Section 4 of this document.

**Hearing Officer** means a person who is the paralegal for the Municipality and is appointed as a Hearing Officer who, upon request, will administer appeals from the screening decision on an Administrative Monetary Penalty in accordance with the provisions of this by-law.

**Owner** means the registered Owner of the land and also includes a trustee acting on behalf of the registered Owner, the state of a registered Owner and a Person with a leasehold interest in the land.

**Penalty Notice** means a notice as described by this By-law.

**Person** means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors, or other legal representatives of a Person to whom the context can apply, according to law.

**Screening Officer** means a person who is the CAO/Clerk for the Municipality and is appointed as a Screening Officer who upon request of a person who has been issued an Administrative Penalty, will determine if the Administrative Penalty is correct on its face and determine if the Administrative Penalty was issued in accordance with this or any other by-law.



### **3.0 PROCEDURAL REQUIREMENTS**

- (a) The individual issuing a penalty notice in respect of the contravention of a By-law is not permitted to accept payment in respect of the penalty.
- (b) A person who receives a penalty notice shall be given the right to request a review of the Administrative Penalty by a Screening Officer appointed by the Municipality for that purpose.
- (c) A person who receives notice of the decision of the Screening Officer shall, in such circumstances as may be specified in the Administrative Penalty By-law, be given the right to a review of the Screening Officer's decision by a Hearing Officer appointed by the Municipality for that purpose.
- (d) The Hearing Officer shall not make a determination with respect to a review of the Screening Officer's decision unless he or she has given the person who requested the review an opportunity to be heard.
- (e) The appointment of the Hearing Officer shall be consistent with the conflict of interest guidelines and the Hearing Officer shall conduct hearings in an impartial manner.
- (f) Neither a Screening Officer nor a Hearing Officer has jurisdiction to consider questions relating to the validity of a statute, regulation or By-law or the constitutional applicability or operability of any statute, regulation, or By-law.
- (g) The *Statutory Powers Procedure Act* applies to a review by a Hearing Officer.
- (h) Fees imposed for the purpose of this By-law shall be set out in the current Fees and Charges By-law, as amended from time to time.

### **4.0 SERVICE OF DOCUMENTS**

- (a) The Municipality may serve any document under this By-law, including but not limited to a penalty notice, within thirty (30) days of becoming aware of an alleged offence of a Designated By-law, by one (1) or more of the following;
  - i. personally, to the person named on the notice;
  - ii. by leaving or posting the document at the person's last known address;
  - iii. by facsimile transmission (fax);
  - iv. electronic transmission (email)
  - v. registered or regular mail addressed to the person to whom the document is to be given as the person's last known address included in the property tax file and is deemed to be delivered five (5) days after date of mailing.
- (b) When a Penalty Notice is served under section 4.1, the date of issuance and effective date shall be one in the same.

### **5.0 ADMINISTRATIVE PENALTY NOTICES**

- (a) Every person who contravenes any of the provisions of this By-law and every director of a corporation who concurs in such contravention by the corporation is guilty of an offence and may be subject to an Administrative Penalty as an offence and conviction liable to a fine in keeping with the provisions of the *Provincial Offences Act*.

- (b) An Officer who finds that a person has contravened any provision of this By-law may issue a penalty notice addressed to that person.
- (c) An Officer may issue an Administrative Penalty to the person, owner, agent, or licensee found in contravention of any provisions of this By-law.
- (d) Any person who contravenes any provision of this By-law shall, upon issuance of a penalty notice pursuant to Section 5(a), be liable to pay to the Municipality an Administrative Penalty in the amount as noted on the Penalty Notice, as approved in the current Fees and Charges By-law, as amended from time to time for the Municipality.
- (e) The penalty notice shall be given to the person to whom or to which it is addressed as soon as it reasonably practicable and shall include the following information:
  - i. particulars of the contravention, including to which property it applies;
  - ii. the date of the contravention;
  - iii. the By-law that was contravened;
  - iv. the amount of the Administrative Penalty;
  - v. date that the payment is due;
  - vi. a statement advising that an Administrative Penalty will constitute a debt to the Municipality if not paid.
- (f) A person who has been issued a penalty notice shall pay the Administrative Penalty within fifteen (15) days from the date the notice was issued.
- (g) A person who receives an Administrative Penalty may request the Administrative Penalty be reviewed by the Screening Officer.
- (h) A person who receives a ruling by a Screening Officer and is not satisfied with the ruling may request within fifteen (15) days of the Screening Officer decision to have the Administrative Penalty reviewed by a Hearings Officer.
- (i) The ruling by the Hearings Officer is considered final.
- (j) An Administrative Penalty that is deemed to be confirmed constitutes a debt to the Municipality and may be added to the tax roll of the property on which the offence occurred.

#### **6.0 REVIEW BY SCREENING OFFICER**

- (a) A person who has been issued an Administrative Monetary Penalty, may request within fifteen (15) days of the Administrative Monetary Penalty being issued for the purpose that the Administrative Penalty be reviewed by a Screening Officer.
- (b) If a person fails to attend at the date, time and place scheduled in accordance with subsection 5(a):
  - i. they are deemed to have waived their right to appeal;
  - ii. the Screening Officers decision is affirmed;
  - iii. the Administrative Penalty is payable no later than;
    - a. the date as determined by the Screening Officer;

- b. thirty (30) days after the date of the Screening Officer's decision, whichever date is later;
- (c) The Screening Officer may request such information from a person as the Screening Officer considers relevant to a request to review.
- (d) After considering a request for review, a Screening Officer may decide to:
  - i. affirm the Administrative Penalty;
  - ii. cancel, reduce, or extend the time for payment of the Administrative Penalty, where the Screening Officer is satisfied that doing so would maintain the general intent and purpose of the Designated By-law and that:
    - a. there is reason to doubt the alleged contravention of a Designated By-law;
    - b. the person took all reasonable steps to prevent the contravention; or
    - c. the cancellation or extension of time for payment is necessary to relieve undue financial hardship.
- (e) The Screening Officer shall inform a person of their decision at the conclusion of a review.
- (f) Where a person fails to attend a review in accordance with 6.1:
  - i. they are deemed to have waived their right to request a review;
  - ii. the Administrative Penalty is payable no later than;  
the date schedule; or
  - iii. thirty (30) days after the penalty notice's Effective Date, whichever date is later.
- (g) The Screening Officer shall conduct hearing in an impartial manner

## **7.0 ADMINISTRATION**

- (a) The CAO/Clerk, or any individual designated by the Municipality shall administer this By-law and establish any additional policies and procedures necessary to implement this By-law and may amend such policies and procedures from time to time as they deem necessary, without amendment to this By-law.
- (b) The CAO/Clerk, their designate, or anyone designated by the Municipality shall prescribe all forms and notices, including the Penalty Notice, necessary to implement this By-law and may amend such forms and notices from time to time as they deem necessary, without amendment to this By-Law.
- (c) The CAO/Clerk, their designate, or anyone designated by the Municipality shall establish and approve any additional policies, procedures, or By-laws for the appointment of Screening Officer(s) and Hearing Officer(s) for the purposes of the administration of this By-law, its Designated By-laws, or portions thereof.
- (d) An Officer may issue an Administrative Penalty to a person, owner, corporation, agent, or their representative found in contravention of any provision of a Designated By-law.

- (e) An Administrative Penalty shall be issued according to section 4 of this By-law and shall include the following information;
- i. date of the violation;
  - ii. date of the Administration Penalty being issued;
  - iii. particulars of the contravention, including to which premises it applies;
  - iv. amount of the Administrative Penalty;
  - v. payment options;
  - vi. timelines for payment of the Administrative Penalty;
  - vii. timelines for appeal of the Administrative Penalty;
  - viii. statement advising that Administrative Penalties constitute a debt to the Municipality.
- (f) An Administrative Penalty is deemed late on the sixteenth (16<sup>th</sup>) day after the Effective Date and shall be subject to fees referred to in this By-law, and found in the current Fees and Charges By-law, as amended from time to time.
- (g) A person who has been issued an Administrative Penalty shall pay the Administrative Penalty within fifteen (15) days from the Effective Date.
- (h) An Administrative Penalty is deemed to be confirmed on the thirty-first (31<sup>st</sup>) day after the Effective Date and is not subject to any further appeal to the Municipality.
- (i) An Administrative Penalty, including any Administrative Fee(s), that is confirmed in respect of which the time for payment has been extended, remaining unpaid after the date when it is due and payable, constitutes a debt to the Municipality owed by the Person.
- (j) Pursuant to Section 434.2 of the *Municipal Act*, where an Administrative Penalty, including any Administrative Fee(s) remain unpaid after the final date on which it is payable as specified in the Penalty Notice, the Administrative Penalty, including any Administrative Fee(s) shall be deemed to be unpaid taxes and the outstanding amount shall be added to the tax roll and collected in the same manner as municipal taxes.
- (k) Where a person makes payments to the Municipality of any Administrative Penalty, Administrative Fee(s) or Late Payment Fee(s), by negotiable instrument, for which there are insufficient funds available in the account on which the instrument is drawn, the person shall pay to the Municipality the NSF Fee set out in the current Fees and Charges By-Law, as amended from time to time.
- (l) Where an Administrative Penalty is cancelled by a Screening Officer or Hearing Officer, any Administrative Fee(s) are also cancelled.

- i. Any time limit that would otherwise expire is extended to the next day if the expiry date occurs on a Holiday/Statutory holiday or a day on which the Municipal Officers are not open for business.

## **10.0 PENALTIES**

- (a) Every person who contravenes a By-law enacted by the Corporation of the Municipality of Magnetawan may be subject to one of the following;
  - ii. Administrative Penalty, as permitted under Section 434.1 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended;
  - iii. Set fines as permitted under the *Provincial Offences Act*; and/or
  - iv. Fees or additional charges, which may be amended from time to time.
- (b) Every person, owner, director of a corporation, or who concurs in such contravention by the corporation, is guilty of an offence and may be subject to an Administrative Penalty or set fine.
- (c) Every person who contravenes any provision of a By-law enacted by the Corporation of the Municipality of Magnetawan is guilty of an offence pursuant to the provisions of the *Provincial Offences Act, R.S.O. 1190, Chapter P.33*, as amended, and upon conviction, a person is liable to a fine of not more than \$5,000, exclusive of costs.
- (d) Every person, other than a company who contravenes any provision of a By-law enacted by the Corporation of the Municipality of Magnetawan, and ever director of a corporation who knowingly concurs in such contravention by the Corporation, is guilty of an offence and on conviction liable to a fine not exceeding \$25,000 for a first offence and \$50,000 for any subsequent offence.
- (e) Where a corporation is convicted of an offence under a By-law enacted by the Corporation of the Municipality of Magnetawan, the maximum penalty is \$50,000 for a first offence and \$100,000 for any subsequent offence.
- (f) Where a person has been convicted for an offence under a By-law enacted by the Corporation of the Municipality of Magnetawan by a court of competent jurisdiction, the court may in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any Act or thing by the person convicted directed toward the continuation or repetition of the offence.
- (g) Each day an offence occurs is considered a new offence.

## **11.0 COLLECTION OF UNPAID FINES**

If the fine remains unpaid after the final date specified in the notice, the fine is deemed to be unpaid pursuant to section 434(2) of the Municipal Act and may be added to the Owner's tax roll and collected in the same manner as property taxes.

#### **12.0 SEVERABILITY**

Should any provision, or any part of a provision, of this By-Law to be declared invalid, or to be of no force and effect, by a court of competent jurisdiction, it is the intent of the Council that such provision, or any part of a provision, shall be severed from this By-Law, and every other provision of this By-Law shall be applied and enforced in accordance with its terms to the extent possible according to law.

#### **13.0 EFFECTIVE DATE**

This By-Law shall come into force and effect upon the date of passing.

**READ A FIRST, SECOND, AND THIRD TIME**, passed, signed and the Seal of the Corporation affixed hereto, this \_\_\_\_th day of \_\_\_\_\_, 2023.

**THE CORPORATION OF THE  
MUNICIPALITY OF MAGNETAWAN**

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Mayor

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CAO/Clerk



**Central Almaguin Planning Board**

**MINUTES**

**Wednesday, April 5, 2023**

**At the Village of South River Municipal Office located at  
63 Marie Street, South River (705-386-2573)**

**Board Meeting Minutes for April 5, 2023 – 5:30 p.m.**

**Attending:**

|                   |                                   |             |                        |
|-------------------|-----------------------------------|-------------|------------------------|
| <b>Vice Chair</b> | Magnetawan Member Sam Dunnett     | South River | Member Jim Coleman     |
| <b>Machar</b>     | Member Lynda Carleton             | Strong      | Member Jeff McLaren    |
| <b>Chair</b>      | Provincial Member John MacLachlan | Joly        | Member Chris Nicholson |
| <b>Sundridge</b>  | Member Jim MacLachlan             |             |                        |

**Secretary-Treasurer: Christine Hickey**

1. The Chair called the meeting to order at 5:32 p.m.
2. Declaration of Pecuniary Interests

Member Sam Dunnett declared a Pecuniary Interest to Item 7.2 B018/21 Magnetawan Re: Revision to Decision for lot frontage, depth and area. The reason for the declaration is that the property is owned by Mr. Dunnett.

3. Minutes of the March 1, 2023, meeting

**Res #1 Sam Dunnett-Jim MacLachlan**

BE IT RESOLVED THAT this Board does hereby adopt the minutes of Wednesday, March 1, 2023; as written.

**CARRIED**

4. Payment of April Accounts:

**Res #2 Jeff McLaren-Chris Nicholson**

BE IT RESOLVED THAT this Board does hereby approve payment of the April Accounts:

Ch# 536 - Village of South River – Rent for April 2023 - \$341.92

Ch# 537 - Christine Hickey – Wages (March 1 – March 29 – 27 hours)

Ch# 538 – Village of South River – Office Supplies - \$203.81

Online CRA Payments for March (\$116.24)

**CARRIED**

5. Decisions on the following Files

B002/23 Lount – Part Lot 134, Concession A

The Chair confirmed that no additional comments were received and if there were any questions or comments from those attending electronically. No further comments on the application were received.

**Res #3 Jim Coleman-Lynda Carleton**

Be it resolved that this Board does hereby approve File B002/23 Lount

That this approval applies to create one (1) lot which will have:

121.9m (+/-) Frontage on Nipissing Road with a Depth of 670.9m (+/-) and an area of 8.17 ha (+/-). Retained lot will be an area of 18.7ha (+/-)

The subject lands are located at Concession A, Lot 134, Township of Lount, District of Parry Sound.

The Board requires that all conditions of draft approval from the Central Almaguin Planning Board must be met before the deeds can be stamped and final approval given.

**CARRIED**

**B027/22 Strong – Part Lot 4, Concession 1**

Staff confirmed the comments received from the Township of Armour have been resolved, with no further justification analysis required under Section 3.7 e of the Township of Armour Official Plan. It was confirmed that no additional comments were received since the Public Meeting held on December 21, 2022

**Res #4 Jeff McLaren-Sam Dunnett**

BE IT RESOLVED THAT this Board does hereby approve File B027/22 Strong

THAT this approval applies to create one (1) lot which will have:

100 m (+/-) Frontage on South Horn Lake Road with a Depth of 402m (+/-) and an area of 10.0 ha (+/-), Retained lot will be an area of 10.0 ha (+/-).

The subject lands are located at Con 1, Part Lot 4, Township of Strong, District of Parry Sound.

The Board requires that all conditions of draft approval from the Central Almaguin Planning Board and the Township of Strong must be met before the deeds can be stamped and final approval given.

**CARRIED**

**6. New Files - None**

**7. Follow-up/New Items**

**7.1 B027/21 Laurier (Update)**

Re: Application Update – Access to Proposed Lots

Staff provided an update to advise that although the MNRF does not have any concerns with providing access over crown land for the proposed lots, there is a small portion adjacent to the crown land and the subject property that appears to be an unopened road allowance. The Local Roads Board has confirmed that they do not have the authority to grant deeded access and the Ministry has advised that the applicant contact the Planning Board. For further clarification on this matter, it is suggested that the applicant discuss with their lawyer on obtaining access to the subject lands.

7.2 B018/21 Magnetawan

Re: Revision to Decision for lot frontage, depth and area

**Res #5 Jeff McLaren-Jim Coleman**

BE IT RESOLVED that the Central Almaguin Planning Board does hereby approve minor amendment to Consent Decision B018/21 Magnetawan to increase the straightline water frontage to 140.3m (+/-) from 105m, irregular depth to 226.1m (+/-) from 172m and 2.25 ha (+/-) from 1.0 ha.

**CARRIED**

7.3 Special Case Business Funding – 2022/2023 Approval

Re: Central Ontario Ortho-Photography Data & CGIS System – Unorganized Townships

**Res #6 Jim Coleman-Jim MacLachlan**

BE IT RESOLVED THAT the Central Almaguin Planning Board receive the letter dated March 1, 2023 from the Ministry of Municipal Affairs and Housing regarding the provision of \$7,111.00 of funding to obtain Central Ontario Ortho-Photography data and the installation of Canada Geographic Installation System (CGIS) for the unincorporated portion of the Central Almaguin Planning Area;

AND THAT the Central Almaguin Planning Board authorize the Chair and Secretary-Treasurer to execute the applicable funding agreement.

**CARRIED**

7.4 Special Case Business Funding – 2021/2022

Re: Website Design & Development – Final Report to Ministry (Board Approval)

**Res #7 Jeff McLaren-Lynda Carleton**

BE IT RESOLVED THAT the Central Almaguin Planning Board reviewed the Financial Report for the 2022-2023 Special Case Business Funding - Design and Development of website dated April 5, 2023 to the Ministry of Municipal Affairs and Housing.

AND FURTHER THAT the Central Almaguin Planning authorize the Chair and Secretary-Treasurer to sign the Financial Report and submit all required documents to the Ministry.

**CARRIED**

7.5 2022 Audit (Update)

Re: Update on Fees associated with 2022 Audit

**Res #8 Jim MacLachlan-Chris Nicholson**

BE IT RESOLVED THAT the Central Almaguin Planning Board authorize the Secretary-Treasurer to proceed with the 2022 Financial Audit quote from Pahapill & Associates Professional Corporation at a cost of \$2000 plus HST. **CARRIED**

8. Correspondence

8.1 Ministry of Natural Resources and Forestry

Re: Parry Sound District French Severn Forest – MNRF Digital Mail List

9. Adjournment

**Res #9 Chris Nicholson-Jim Coleman**

BE IT RESOLVED THAT this Board does hereby adjourn until Wednesday, May 3, 2023 or at the call of the Chair. **CARRIED**

## **Magnetawan Public Library**

### **LIBRARY BOARD MEETING MINUTES**

|               |  |
|---------------|--|
| DATE AND TIME | Tuesday, April 25 2023, 7:00pm   |
| LOCATION      | Magnetawan Public Library  |
| ATTENDEES     | Julie Ferris, Lorinda Makoviczki, Mary Bishop, Sheila Smith, Angela Dunnett, Barb Stewart, Jon Hind, Elinor Raaflaub |
| REGRETS       | Michael Fleming  |
| CALL TO ORDER | 7:03pm   |

#### **DECLARATION OF CONFLICT OF INTEREST**

2023-02

#### **APPROVAL OF AGENDA**

2023-03 Moved: Angela Dunnett

Carried Seconded: Julie Ferris

Be it resolved that the Agenda for this meeting be approved as amended.

#### **APPROVAL OF LAST MEETING MINUTES**

2023-04 Moved: Sheila Smith

Carried Seconded: Mary Bishop

Be it resolved that the last meeting minutes be approved.

#### **2023-05 - NEW BUSINESS**

##### **Budget Update**

2023-5.1 – We discussed the YTD budget provided by Natalie.

##### **Library events past & upcoming**

2023-5.2 – Lorinda presented the board with the workshops that have taken place during the last month as well as what is to come in May and June.

#### **2023-06 - BUSINESS ARISING**

#### **2023-07 - CHAIR REPORT**

**2023-08 – LIBRARIAN REPORT**

8.1 –

**2023-09 - ANNOUNCEMENTS AND INQUIRIES BY A BOARD MEMBER**

**2023-10 - UNFINISHED/ONGOING BUSINESS**

10.1 – Heritage Day, we decided to not go ahead with it this year. We will make room in the library to display Gayl Robertson's binders of information.

10.2 – MacMillan's fundraiser was a great success.

10.3 – Lorinda, Julie and Mary will get together to revise the policies

10.4 – Newsletter; Lorinda will continue to make a monthly newsletter. We will email it to patrons, post on social media and put articles in the GNA and Almaguin News, but we will not send out with Canada Post again as it is too expensive with postage and printing.

10.5 – We will not have storage, as the only available is in an outside trailer. We have 2 umbrella donations, and Steve will drill the holes in the picnic tables for us.

10.6 – Fundraising – possible murder mystery night with help from the Highland players. 50/50 draw. Raffles.

**2023-11 - QUESTION PERIOD FOR THE GENERAL PUBLIC**

**2023-12 - CLOSED SESSION**

**Next meeting will be held at 7:00 pm on May 30, 2023 @ Magnetawan Public Library**

**ADJOURNMENT**

2023-13 Moved: Julie Ferris

Carried Seconded: Elinor Raaflaub

Be it resolved that the meeting adjourned at 8:28pm







**705-382-2900**  
**[www.almaguin-health.org](http://www.almaguin-health.org)**

**Minutes:** June 1, 2023, 11:00 am via Zoom and in the Village of Burk's Falls Council Chambers

**Present:** Rod Ward (Chair), Delynne Patterson, Margaret Ann MacPhail, Brad Kneller, Chris Hope, Tom Bryson, Fraser Williamson (Vice Chair), Vicky Roeder-Martin, Camille Barr (Secretary)

**Regrets:** Norm Hofstetter, Jim Ronholm

**Guests:** Shelly Van den Heuvel (BFFHT), Isabel Pereira, Tammy Wylie (Village of Burk's Falls)

Called to order at 11:00 am by Chair R. Ward

1. 2023-16 Moved by B. Kneller - Seconded by T. Bryson

**THEREFORE BE IT RESOLVED THAT** the Almaguin Highlands Health Council adopt the minutes from the regular meeting of May 4, 2023 as circulated. Carried.

2. **DECLARATION OF PECUNIARY OF INTEREST:** None

3. **DELEGATIONS:** None

4. **RESOLUTIONS PASSED:**

2023-17 Moved by M. MacPhail - Seconded by V. Roeder-Martin

**THEREFORE BE IT RESOLVED THAT** the Almaguin Highlands Health Council appoint Fraser Williamson to the Palliative Care Task Force with the MAOHT effective immediately. Carried.

5. **ITEMS FOR DISCUSSION:** None

**a) Progress Report**

R. Ward reviewed the June Progress Report with Council. The report will be shared with the draft minutes. Additions included candidate for Patient Family Caregiver task force, letters of support for primary care expansion, Local Share update, and discussions initiated with MAHC re: satellite hospital services in Almaguin.

**b) Other Business**

Palliative Care Task Force- M. MacPhail shared that Dr. Harold has been involved with the Task Force for some time now. She says the group has done much work over the past 20 years and hopes to see the plans created over the years implemented. In home palliative care is a necessary service. The group continues to look for real life

experiences to learn and provide good supports. F. Williamson will attend the next Task Force meeting as a representative of the AHH Council.

Patient Family Caregiver Steering Partner Advisory Committee-

I. Pereira has put forward her name to join the Patient Family Caregiver Steering Partner Advisory Committee with the MAOHT.

Primary Care Expansion Letters of Support-

S. Van den Heuvel, Executive Director of the Burk's Falls Family Health Team reiterated the importance of receiving letters of support from member municipalities to go along with the expression of interest for expansion of primary care service. She shared they are on track with the submission and coordinating with other Health Teams also asking developing submissions to prevent being disjointed.

Please submit your letters of support the Dr. MacKinnon and S. Van den Heuvel asap. Thank you to all who already have.

Long-Term Plan for the Health Centre in Burk's Falls-

C. Hope asked that if there are questions related to the long-term plan for the Health Centre, these are to be directed back to the Village of Burk's Falls cc'ing C. Barr on the email.

MAOHT Presentation-

The Health Council would like the MAOHT to present to the group on the various committees established. Secretary will reach out to Greg or Marsha and aim to book them for the September meeting.

MAHC Services-

R. Ward shared that discussions are occurring regarding what services MAHC could move to the Almaguin area. He said that if we are providing funds, services need to be available here. As an example, what other services does the hospital provide that could move this way? C. Harrison and R. Ward have had some discussion with the bottom line being the need for more services.

R. Ward shared that Gravenhurst is putting together a health hub and MAHC feels it makes sense to have a similar model in the North. Gravenhurst will offer services for unattached patients and after hours care. He notes there is a balance as it implicates the FHT and the Health Centre. R. Ward says we must be involved if the discussions become serious. He notes Gravenhurst would manage the South and potentially Almaguin could manage the North. There is funding. The conversations are ongoing.

There was discussion about the service offered by MAHC in the Almaguin Highlands Health Centre. These are Diabetes Services, Lab, Cardio and EKG, X-Ray, and Post Operative Physiotherapy.

R. Ward shared that health care is the number one employer in the area and the timing is right to have these conversations.

Local Share-

R. Ward updated Council that at this stage 3.4 million has loosely been raised in commitments with 700,000 of this allocated for the Almaguin Highlands. Conversations will occur every year at budget time for municipal councils and as budgets are finalized, adjustments may be required. Overall, the commitments there.

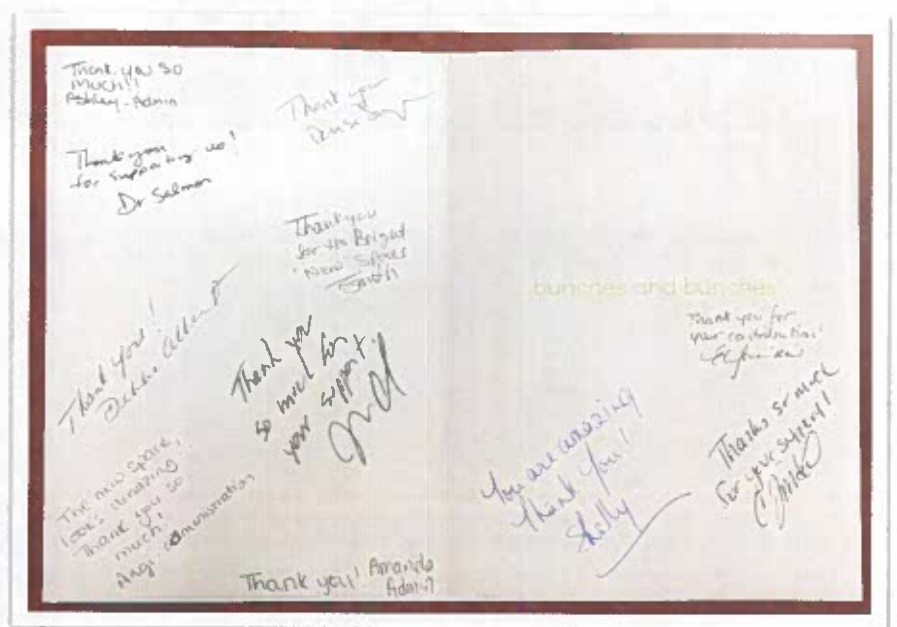
2023- 18 Moved by C. Hope - Seconded by J. Ronholm

**THEREFORE, BE IT RESOLVED THAT** the Almaguin Highlands Health Council adjourn at 11:00 am to meet again on June 1, 2023, at 10:00 am. Carried.

Location will be the Village of Sundridge Council Chambers

\* 12:00pm AHH Council took a tour of the Burk's Falls Family Health Team's newly renovated space. This space includes a new OTN room, a mental health suite, clinical space, ED office, a procedure room as well reception and a small waiting area. A special thank you to all the municipalities who contributed to these renovations was shared.

Please see photos attached of the space including a card for municipal contributors. Congratulations to the BFFHT.









# AHH Council – Key Areas of Focus & Progress- June 2023

This summary provides the information related to the key areas of Focus and Progress as outlined in June 2019 for the Almaguin Highlands Health Council...



## Ontario Health Team Partnership

Document and communicate the specific healthcare needs of the entire Almaguin Highlands in order to create our vision of people-centred care within our own community. Establish partnership with OHT (or OHT's) which aligns with and supports our vision.



## High-Speed Internet Throughout Almaguin Highlands

Ensure that high-speed internet, a key component in the future of healthcare delivery, is available to every resident of the Almaguin Highlands. The goal is to help level the playing field and ensure our residents can access existing and future digital healthcare options.



## Attract & Retain Healthcare Professionals

Ensure excellent healthcare to our region through continuous efforts to both attract new professionals and retain the ones we have. The goal is to build an exceptional team of healthcare professionals, working together across the region.



## Coordinate Healthcare Services to Serve Entire Region

Advocate for new and expanded healthcare services and help influence decisions which protect our region. Continually partner with our healthcare providers in support of the specific healthcare needs of our community.

**Progress:** Items in red and bolded below are new this month...



- AHHC participation in MAOHT Collaboration Steering Committee, Digital Working Group, Health Human Resources Working Group and Home and Community Care Working Group (on-going); **Joined Palliative Care Task Force (May 2023)**
- **Forwarded resident candidate to join the Patient Family Caregiver task force – May 2023**



- Additional high-speed announcements for Almaguin Highlands confirmed – April 2023



- **BFFHT renovations well underway**
- **Initiated letters of support from across the region for additional Primary Care funding – BFFHT and Sundridge Medical Team**
- MAOHT "recruitment funding" complete



- **Forecast MAHC Local Share raised by AHHC municipalities as of 1-Jun-2023 - \$3,344,000**
- **AHHC continues with "local share" committee (MAHC, foundations, municipalities) – next meeting June 12, 2023**
- **Talks initiated with MAHC regarding "satellite" hospital services in the Almaguin Highlands**

**The Corporation of the City of Cambridge**  
**Corporate Services Department**  
**Clerk's Division**  
**The City of Cambridge**  
**50 Dickson Street, P.O. Box 669**  
**Cambridge ON N1R 5W8**  
**Tel: (519) 740-4680 ext. 4585**  
[mantond@cambridge.ca](mailto:mantond@cambridge.ca)

May 10, 2023

**Re: Highway Traffic Act Amendments**

Dear Ms. Mulroney,

At the Council Meeting of May 9, 2023, the Council of the Corporation of the City of Cambridge passed the following Motion:

**WHEREAS** speeding on our roads is a major concern in our community,

**AND WHEREAS** speeding can occur in all areas of our community,

**AND WHEREAS** barriers and delays to enforcement pose a danger to our community,

**AND WHEREAS** our municipality has limited resources to implement speed mitigation road design and re-design,

**AND WHEREAS** our local police service has limited resources to undertake speed enforcement,

**AND WHEREAS** s.205.1 of the Highway Traffic Act (HTA) provides that Automated Speed Enforcement systems (ASE) may only be placed in designated community safety zones and school safety zones,

**THEREFORE BE IT RESOLVED THAT**, the City of Cambridge request that the Ontario Government amend s.205.1 of the HTA to permit municipalities to locate an ASE system permanently or temporarily on any roadway under the jurisdiction of municipalities and as determined by municipalities and not be restricted to only community safety zones and school safety zones;

**AND THAT** a copy of this resolution be forwarded to the Ontario Minister of Transportation, the Ontario Minister of Municipal Affairs and Housing, local area MPPs, the Association of Municipalities of Ontario (AMO) and all Ontario Municipalities.



Should you have any questions related to the approved resolution, please contact me.

Yours Truly,



Danielle Manton  
City Clerk

Cc: (via email)  
Steve Clark, Ontario Minister of Municipal Affairs and Housing  
Local Area MPPs  
Association of Municipalities of Ontario (AMO)  
All Ontario Municipalities

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**FOR IMMEDIATE RELEASE****May 26, 2023****Lakeland Investing \$3M to Install 40 EV Chargers**

**Huntsville, Ontario:** Lakeland Holding's innovation subsidiary Lakeland Solutions is installing 40 Electric Vehicle (EV) charging stations in sites throughout its shareholder municipalities of Bracebridge, Parry Sound, Huntsville, Burk's Falls, Sundridge and Magnetawan. This \$3M investment over the next two years includes \$1.15M funding provided to Lakeland through the Government of Canada's [Zero Emissions Vehicle Infrastructure Program](#).

"The goal of this EV installation program is to install and maintain the most reliable and fastest network of electrical vehicle charging stations under our *LAKELAND TAKE CHARGE* marketing banner," stated Vince Kulchycki, Chief Operating Officer of Lakeland Holding Ltd.

Huntsville Mayor Nancy Alcock expressed her enthusiasm for the new program: "Town of Huntsville is actively working towards promoting development patterns that assist in the effort to reduce greenhouse gas emissions. As a proud partner in the *LAKELAND TAKE CHARGE* program, we will provide our residents and visitors with concrete actions to reduce climate change. This is a great step in a concerted effort to protect our environment through infrastructure and urban planning."

The *LAKELAND TAKE CHARGE* program will allow Lakeland to be at the forefront of the electrical vehicle revolution with a long-term vision to be the primary EV charging provider for the Parry Sound/Muskoka area. Three different levels of chargers will be installed in municipal high traffic areas where drivers can charge quickly and be on their way or enjoy local entertainment, attend sporting events, have dinner or go shopping during longer charging events. Muskoka/Parry Sound is an ideal location for charging stations that can help address range anxiety for those spending time in the area or just passing through.

"The Town of Bracebridge is committed to environmental stewardship and fostering a healthy, vibrant community. We are pleased to work with Lakeland Solutions to see the installation of electric vehicle charging stations at three locations around Bracebridge providing the necessary tools to help support our efforts in reducing greenhouse gas emissions and our environmental footprint on a local level. Introducing these stations in community-centric spaces makes them more accessible to those that need them and provides current and future residents, visitors and businesses the amenities they need, while also driving awareness and change," said Rick Maloney, Mayor of the Town of Bracebridge.

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"We're making electric vehicles more affordable and charging more accessible where Canadians live, work and play," said the Honourable Jonathan Wilkinson, Minister of Natural Resources. "Investing in more EV chargers, like the over 3,500 new ones we announced this week across Ontario, will put more Canadians in the driver's seat on the road to a net-zero future and help achieve our climate goals."

"There is a clear trend of major vehicle manufacturers shifting to electric vehicles. By installing and maintaining a network of *TAKE CHARGE* stations, Lakeland will be at the forefront of providing state-of-the-art EV charging to our municipal shareholder communities as the first step to expanding *LAKELAND TAKE CHARGE* throughout Parry Sound/Muskoka in the future," added Chris Litschko, Chief Executive Officer of Lakeland Holding Ltd.

**-END-**

**For further information, contact:**  
**Vince Kulchycki, Chief Operations Officer**  
Lakeland Holding Ltd.  
888-282-7711 ext. 513  
[vkulchycki@lakelandholding.com](mailto:vkulchycki@lakelandholding.com)

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### **About Lakeland Holding Ltd.**

Lakeland Solutions is the innovation department within Lakeland who commissioned Canada's first seamlessly grid connected microgrid in Parry Sound as part of their net-zero efforts. Lakeland Holding Ltd. is wholly owned by the municipalities of Bracebridge, Parry Sound, Huntsville, Burk's Falls, Sundridge and Magnetawan. Subsidiaries include Lakeland Power with 14,300 electrical distribution customers, Lakeland (Bracebridge) Generation with 12 generation facilities totaling 17.6 megawatts, Lakeland Networks having 600 kilometers of fibre optics feeding 8,000 customers with internet, TV, and phone.



*With support from the Federal Program-ZEVIP  
Zero Emissions Vehicle Incentive Program*



Natural Resources Canada    Ressources naturelles Canada

**Laura Brandt**

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**From:** OPP MPB Financial Services Unit (OPP) <OPP.MPB.Financial.Services.Unit@opp.ca>  
**Sent:** June 2, 2023 12:54 PM  
**To:** Laura Brandt; Stephanie Lewin  
**Subject:** Magnetawan M - January to March 2023 Detachment Revenues

Good afternoon,

Revenues collected for worked performed by detachment staff is credited to municipalities quarterly throughout the year, approximately two months after the end of the quarter.

We are pleased to advise January to March 2023 revenue credits have been sent to Ontario Shared Services (OSS) for processing and should be issued within the week. Your municipality will be receiving a credit memo in the amount of \$631.52.

The breakdown of the January to March revenue credit is as follows:

Security Checks = \$574  
Reports = \$0  
Fingerprints = \$57.52  
Other = \$0

We have been advised by OSS a call to 1-877-535-0554 is required to apply the credit to an outstanding invoice.

Should you have any questions please email [OPP.MPB.Financial.Services.Unit@opp.ca](mailto:OPP.MPB.Financial.Services.Unit@opp.ca).

Respectfully,

MPB Financial Services Unit

June 2, 2023

SENT ELECTRONICALLY

**MEMO from the Acting Medical Officer of Health: New Emergency Management Contact**

To: Municipal Clerks and CEMCs

The Health Unit has restructured its organizational chart with respect to emergency management, and Robert A-Muhong, Program Manager of Environmental Health, has assumed the role of Community Emergency Management Liaison for the North Bay Parry Sound District Health Unit. As such, Robert is your new point of contact for emergency management matters.

**CONTACT INFORMATION:**

Robert A-Muhong, Program Manager, Environmental Health / Community Emergency Management Liaison

Email: [robert.a-muhong@healthunit.ca](mailto:robert.a-muhong@healthunit.ca)

Phone: 705-474-1400 x5320

Environmental Health Regular Hours Contact: 705-474-1400 x5400

After-hours Emergency Contact: 705-474-1400 x0 (answering service relays message for on-call response)

As part of this new role, Robert has started to review existing municipal Emergency Management Plans and will contact you in the near future to attend upcoming meetings.

Thank you for your continued efforts related to emergency management planning.

Sincerely yours,



Carol Zimbalatti, M.D., CCFP, MPH

Acting Medical Officer of Health/Executive Officer

/sm



**Laura Brandt**

---

**From:** FONOM Office/ Bureau de FONOM <fonom.info@gmail.com>  
**Sent:** June 11, 2023 12:29 PM  
**Subject:** SAVE THE DATE - 2024 FONOM Conference

Good Morning      Please share with Council and Senior Management Team

## ***The 2024 Annual FONOM Conference***

**will be held in Greater Sudbury, Ontario**

**at the Holiday Inn and Suites (1696 Regent Street) (705-522-3000)**

### **May 14th - May 16th, 2024**

**We will host over 250 delegates, which included Northern Ontario municipal politicians, senior municipal, provincial ministers, and government staff. Participating in the conference is an excellent opportunity for vendors, suppliers, and professionals to reach out to local decision-makers and show their support for Northern Ontario.**

Thanks  
Mac

Talk soon, Mac

Mac Bain  
Executive Director  
The Federation of Northern Ontario Municipalities  
615 Hardy Street North Bay, ON, P1B 8S2  
Ph. 705-498-9510

**Thank you to the 2023 Conference Sponsors held in Parry Sound**



# Boat Launch Education

July 3rd 9:00 am-3:00 pm  
Magnetawan Locks Boat Launch

Come out and learn the importance of "Clean, Drain, Dry" and how to protect our lakes and waterways from invasive aquatic species!

Be a water steward!

Clean Boats, Clean Lakes!

Aquatic Invasive Species are extremely harmful to lakes and water bodies—Stop the spread!

**CLEAN + DRAIN + DRY**



**CLEAN + DRAIN + DRY  
YOUR BOAT**



**ATTENTION**

Invasive species  
impact our waters



Once you leave the water...

**CLEAN**

planes, animals  
and mud from  
boat and gear

**DRAIN**

all water from  
boat and gear  
onto land

**DRY**

all parts of your  
boat and gear  
completely



Report Zebra or Quagga mussel sightings to the  
R.A.P.P. Hotline 1-877-952-7277  
For more information  
CleanDrainDry.ca







### Special Thanks to ...

The Green-Hone family, The Rainey Family, Me to You Publications, Mr&Mrs.Cutajar, Mr. Chris Ducharme, Ms.Crozier's Gr.9 Intro to Technology class, Ms.Sarah Cook, Brandi Hughes and Evan Hughes Excavating, Michael Landriault and Dawson Watkinson, Susan McLeod, North Bay Canadian Tire, our patient Custodial Team, the Admin, Staff and Students of Almaguin Highlands Secondary School, and the Families and Alumni of Tartan Theatre.

We also give a shout out to hot glue guns, packing tape, stranger's blue boxes and duct tape.

**We must give a heartfelt thank you to our AHSS community –** from local Lions Clubs from each of our municipalities, local Book Clubs, Auxiliary Royal Legions groups, businesses from the most northern to southern tips of our school zone, and the Parents, Friends and Family who have given us donations of silent auction items, baking and monetary contributions – our club would not be possible without you. Each year, our teachers try to provide an extra-curricular opportunity for as many Drama students as possible – we are inclusive and accept all members of our school ... which sometimes mean we have a large group of students who have the opportunity to travel and take part in Festivals across the province. Travel and accommodations are expensive and feeding teenagers is shockingly expensive – and we truly appreciate all that you have given to us to make these opportunities possible for all. Thank you – truly.

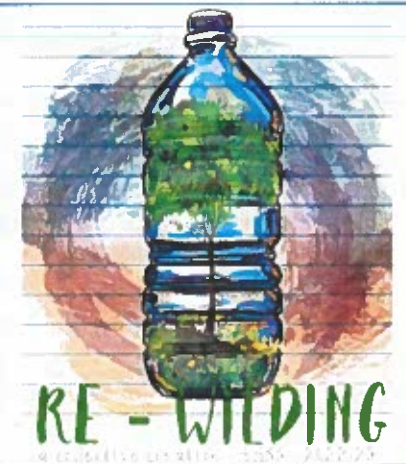


# A Night of Celebration

**MAY 5<sup>th</sup> 2023 7pm**

Thank you for joining us this evening – as we celebrate the recent accomplishments of our Drama Club, Tartan Theatre.

Tonight, celebrate the hard work of our young artists, while helping us with our next adventure – at the National Theatre School All-Ontario Showcase in Toronto.



## WHEN THE FAT LADY SINGS

Tartan  
Theatre  
2023



We will share both of our award winning plays – with a 20 minute Intermission between the two.

We encourage you to bid on our Silent Auction and grab some treats from our Bake Sale or school store – all profits will go towards our Toronto trip.

# RE-WILDING

A Collective Creation developed by AHSS Gr.11/12 Drama Class

## The Cast

|              |  |
|--------------|--|
| Mr. Grant    | Eric Andrews   |
| Jesse Grant  | Nate Darasch   |
| Rowan        | Evie Hicks   |
| News Anchors | Laura Borden De Armas, Anika Cavanagh, Makayla Howells, Kuria Shimizu, Miho Yabuno |
| Oliver       | Saskia Theiling  |
| Oliver's Mom | Natalie Ready  |
| Lily         | Ruthie Armstrong   |
| Fern         | Makayla Howells  |
| Clowns       | Thomas Bowyer, Sam Collett, Cameron Graham   |

## The Ensemble

Keaton Brown, Evan Collings, Becca Coombs, Mason Jantzi, JJ Leeder, Abby Nelson, Emma-Lee Nelson, Hailey Ord, Eva Pauls, Hayden Smith, Morgan Sutherland, Keeleigh Thornborrow, Paige Wentzell

## The Crew

|                     |  |
|---------------------|--|
| Director            | Ms. Allison Green  |
| Staff Advisor       | Ms. Marissa Young  |
| Stage Manager       | Natalia Vahl   |
| Lighting Designer   | Damen Graham   |
| Assistant Lighting  | Tristen Lescard Couette  |
| Music Composition   | Anika Cavanagh, Sam Collett, Cameron Graham, Evie Hicks, Makayla Howells   |
| Sound Operator      | Neil Schenker  |
| Prop & Puppet Build | Cameron Graham, Makayla Howells, Olivia Kendall, Abby Nelson, Emma-Lee Nelson, Natalie Ready, Natalie Sugg, Sarah Sugg, Natalia Vahl |
| Running Crew        | Paxton Brown, Addisyn Coles, Olivia Kendall, Natalie Ready, Aidyn Robins, Katie Talbot, Tea Thornborrow                              |

**Our Collective Creation:** Our senior drama class began developing scenes, images and dialogue from the Joni Mitchell lyric "They took all the trees put 'em in a tree museum and they charged the people a dollar an' a half just to

see 'em". Our process veered toward a not-so-distant future where plastic waste threatens our oceans, the environment and the health and well-being of our planet. We wanted our play to have a scope of international impact, while still focusing on the human fears, greed and hope that we see and feel in 2023.

All of the plastic you see in our play (approximately 300 cubic feet) will be recycled through the North Bay Recycling Centre - though impossible to visualize, the Pacific Ocean Garbage "Patch" is 17 billion times larger. Plastics do not decompose.

*Joni Mitchell is a proud member of SOCAN.*

*AHSS holds a current SOCAN license with royalties paid through 2024.*

**THERE WILL BE A 20 MINUTE INTERMISSION** – Please support our Fundraising ventures.

# WHEN THE FAT LADY SINGS

By Allison Green

## The Cast

|        |   |
|--------|---|
| SMALL  | Becca Coombs  |
| MEDIUM | Eva Pauls   |
| LARGE  | Morgan Sutherland   |
| CHORUS | Ella Fagan, Emma-Lee Nelson, Hayley Ord, Keeleigh Thornborrow |

## Production

|                    |  |
|--------------------|--|
| Director           | Stephanie Rainey   |
| Staff Advisors     | Ms. Allison Green, Ms. Marissa Young                       |
| Stage Manager      | Natalie Ready  |
| Running Crew       | Paxton Brown, Tea Thornborrow                              |
| Lighting Operation | Tristen Lescard Couette, Damen Graham                      |
| Sound Operator     | Natalia Vahl   |
| Mannequins         | Paxton Brown, Damen Graham, Natalie Ready, Tea Thornborrow |

**The Script** - Through monologues, scenes and choral work, teenage girls deal with society's image of beauty while discovering, on their own, what it means to be confident and self-assured. This script was first produced in 2008, and though some statistics were updated for this current rendition – sadly, over 15 years, the issues illustrated in this play have not changed.

*"God Bless America" composed by Irving Berlin is made available after royalty payment to Boy Scouts and Girl Scouts of America, as per his request of his estate.*



**Ministry for  
Seniors  
and Accessibility**

**Ministère des Services  
aux aînés et de  
l'Accessibilité**



Minister  
College Park  
777 Bay Street  
5<sup>th</sup> Floor  
Toronto ON M7A 1S5

Ministre  
College Park  
777, rue Bay  
5<sup>e</sup> étage  
Toronto ON M7A 1S5

May 19, 2023

The Municipality of Magnetawan  
4304 Highway 520  
Magnetawan ON P0A 1P0

Dear Laura Brandt

Re: Seniors Community Grant Program 2023-24

Transfer Payment Ontario (TPON) Case #: 2023-02-1-1957940359

Congratulations, I am pleased to inform you that your application to the 2023-24 Seniors Community Grant Program has been approved for up to **\$25,000** in funding, pending finalization of an agreement between your organization and the Province of Ontario. The funding will be subject to the terms and conditions in that agreement.

Ministry staff will be in touch with you soon to provide you with details about your approved funding.

At this time, please do not publicly disclose any information regarding your funding until you have received confirmation from Ministry staff that you are able to do so. If you wish to make a public media announcement related to this funding, please advise ministry staff and await confirmation that you are able to do so.

We hope to be able to announce this exciting project in June as part of Ontario's Seniors Month celebrations.

I am truly inspired by your organization's values, dedication and support of seniors and accessibility in Ontario, and I wish you much success with your project.

Sincerely,

Hon. Raymond Cho  
Minister for Seniors and Accessibility

Exercise Classes \$ 10,400  
Four times a week

Dinner and Workshop \$ 7,500  
Presenter Series.  
ie Elder Abuse, Falls, Alzheimers  
info.

Dinner + Event Series Intergenerational  
(Paint night craft night) \$ 7,100

from July 1st 2023

to  
March 31  
2024

NOHFC File No: 7510207

May 30, 2023

Laura Brandt  
Deputy Clerk  
The Corporation of the Municipality of Magnetawan  
4304 Highway 520, PO Box 70  
Magnetawan ON P0A 1P0

Ahmic Lake Dock Replacement  
2024

Dear Laura Brandt:

This is further to your application requesting funding from the Northern Ontario Heritage Fund Corporation (NOHFC) under the Community Enhancement Program - Rural Enhancement stream toward the *Ahmic Lake Dock Improvement* project. Please quote the above file number in future correspondence.

The NOHFC has determined that your project is potentially eligible and will proceed for further review and evaluation. Please note that although your application is proceeding, it does not mean that it will be approved for funding. The NOHFC's programs are non-entitlement, discretionary programs and not all projects meeting the program eligibility criteria will be approved.

You will be required to submit a more detailed proposal for your project, including supporting documentation, within 60 days from the receipt of this letter. To assist you, your application has been assigned to Theo Noel de Tilly, Sudbury/North Bay Area Team Manager with the Ministry of Northern Development - Regional Economic Development Branch. Within five (5) business days of this letter, a Northern Development Advisor on their team will be assigned to support you in the development of your detailed project proposal. In the interim, you can reach Theo Noel de Tilly at 705-561-7815 or [Theo.NoeldeTilly@ontario.ca](mailto:Theo.NoeldeTilly@ontario.ca) should you have any questions.

Sincerely,



Jane Karhi  
Manager, Program Services



**Municipality of  
Magnetawan**

P.O. Box 70, 4304 Hwy 520  
Magnetawan, ON  
P0A 1P0

Lead Contact: Scott Edwards  
Public Works Superintendent  
P.O. Box 70, 4304 Hwy 520  
Magnetawan, ON  
P0A 1P0

Email: [publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)

**Request for Tender**

***Project Name: "2023-02 - Replacement of the Orange  
Valley Road Bridge"***

**Date of issue: Wednesday, June 7, 2023**

**Tender Submission Deadline: Tuesday, June 27, 2023, by 3:00 p.m.**

Request for Tender 2023-02  
Replacement of the Orange Valley Road Bridge  
Closing Tuesday, June 27, 2023 at 3:00 P.M. local time  
Page 1 of 38

## **Request for Tender Table of Contents**

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## 1. Project Work Title

"RFT 2023-02 Replacement of the Orange Valley Road Bridge"

## 2. Introduction

The Municipality of Magnetawan is inviting Tenders for the Orange Valley Road Bridge Replacement.

This Request for Tender document (and any other applicable attachments or addenda) is available in PDF format through the Municipality of Magnetawan's website at [www.magnetawan.com](http://www.magnetawan.com)

Any information contained in the Request for Tender that is changed by the Bidder (except for filling in the blanks) will be grounds for disqualification.

Magnetawan's Procurement By-law is available for review at the Municipal Office or on the website.

## 3. Schedule of Events

The Request for Tender (RFT) process will be governed according to the following schedule. Although every attempt will be made to meet all dates, the Municipality reserves the right to modify any or all dates at its sole discretion.

|                         |   |   |
|-------------------------|---|---|
| Release of Tender       | - | Wednesday, June 7, 2023   |
| Deadline for Questions  | - | Friday, June 23, 2023 at 12 noon                                      |
| Deadline for Submission | - | Tuesday, June 27, 2023 at 3:00 P.M. local time                        |
| Notification of Award   | - | Thursday, July 13, 2023<br>(May change, subject to budget compliance) |

## 4. "RFT 2023-02 Replacement of the Orange Valley Road Bridge"

### Scope

The Municipality of Magnetawan hereinafter called the "Municipality" invite Tender Submissions from qualified/certified Contractor/Firm(s) interested in "RFT 2023-02 Replacement of the Orange Valley Road Bridge".

This Contract shall be governed in accordance with *OPSS.MUNI.100 (Nov. 2019)* except as modified herein, and by specific clauses in the subsequent contractual agreement between the Municipality and the successful contractor/firm. The following terms of reference and deliverables outline the scope of the project and the Contractor/Firm shall:

Traffic management, remove existing structure, including steel superstructure, timber deck, timber abutments, piers, and abutment footings, construct new precast concrete abutments founded in steel Bolt-A-Bin footings on suitable substrate, supply and install a new 21.34m (70') Modular Bridge, complete with timber decking system, install steel beam guide rail on structure and approaches, re-grade approaches, and associated works.

**See Schedule “A” for additional information**

**Contact and Review**

All questions or inquiries must be made in writing or email to the Lead Contact named below by the specified date and time:

*Scott Edwards  
Public Works Superintendent PO  
Box 70, 4304 Hwy 520  
Magnetawan, ON  
P0A 1P0  
[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)*

**IMPORTANT:** A Bidder may be disqualified if they make inquiries, between the Tender issue date and the notification of the Award, in a manner other than that described in this RFT or to anyone involved in the process who is not the Lead Contact, including but not limited to the members of Council. This is to ensure that each Bidder receives the same information, and that no Bidder receives unfair treatment during the RFT process.

Bidders shall carefully review this RFT. If questions concerning clarification of the contents of this document arise, the questions must be made in writing and received by the Lead Contact to allow time for the issuance of any necessary addenda. Protests based on any omission or error or on the content of the RFT will be disallowed if these perceived faults have not been brought to the attention of the Lead Contact.

In submitting an RFT, the Bidder acknowledges that they have read, completely understand, and accept the terms and conditions of the RFT in full. The Municipality of Magnetawan is not responsible for any misunderstanding of the RFT.

**5. Tender Submission Process**

**Date and Location for Receiving Tender Submissions**

Tenders shall be submitted in the form and format specified in Schedule “A” and shall include the completed Tender Form included as Schedule “B” at the end of this document. A designated signing officer authorized to bind the Bidder to the provisions of their Tender must sign the Tender Form.

All hard copy Tenders must be signed, sealed, the envelope marked with the Bidder’s name and the Project Name, and received by: The Municipality of Magnetawan, P.O. Box 70, 4304 Hwy 520, Magnetawan, ON P0A 1P0.

Electronic submissions will be accepted in response to this RFT. Electronic submissions will not be reviewed until the Tender opening date. Electronic submissions in PDF format will be received by: Laura Brandt [lbrandt@magnetawan.com](mailto:lbrandt@magnetawan.com).



Faxed submissions will not be accepted.

**Project Name: RFT 2023-02 REPLACEMENT OF THE ORANGE VALLEY ROAD BRIDGE**

**Tenders must be received no later than Tuesday June 27, 2023 by 3:00 p.m.**

Tenders must not be restricted by a statement added to the Tender Form or by a covering letter, or by alterations to the Tender Form supplied unless otherwise provided in the RFT.

The onus unequivocally remains with the Bidder to ensure that the Municipality of Magnetawan receives Tenders delivered by the Tender Submission Deadline, in accordance with the submission process described in this section. Tenders received after the Tender Submission Deadline will not be considered.

**6. Submission of Offer**

The tender submission shall be submitted clearly identifying the document(s) as "RFT 2023-02 Replacement of the Orange Valley Road Bridge" and on the attached "Tender Submission Form".

For the Municipality of Magnetawan to evaluate Tenders fairly and completely, Bidders shall provide all information requested in the format set out in the RFT. Failure to provide all required information as detailed in this section may result in the Bidder being disqualified or scoring poorly in the evaluation.

Each Proponent shall submit one (1) set of their Tender, containing the following items:

|  |  |
|--|--|
| • An indication of the Proponent's understanding of the project scope and requirements, including how the specific required services shall be met.   |  |
| • List of equipment type including description to be used in project,<br>• Critical Path Schedule  |  |
| • An overview of the Company submitting the tender, along with an overview of any sub-contractors which will be taking part in the work on behalf of the Proponent, and their legal/contractual relationship to the Proponent. |  |
| • An overview of the Proponent's experience and expertise, as well as the expertise of any sub-contractors that will be involved as part of the Proponent's team.  |  |
| • A Completed Tender package including signatures.   |  |
| • Tender Addendums signed by Proponent for acknowledgement.  |  |
| • All necessary sureties, bid bond, etc.   |  |

The contractor/firm understands that by signing the tender submission forms and by offering submission to this request for tender that they agree to all terms and conditions as they appear in the Request for Tender, and that they confirm the following:

- The contractor/firm has carefully examined the specifications and Request for Tender forms
- That the contractor/firm has provided all information as requested in Schedule 'A' (attached).
- That the contractor/firm understands and accepts the said conditions and specifications, and for the prices set forth in their tender submission, hereby offers to furnish all labour, equipment, materials, and remove and dispose of related waste except as otherwise specified in the Request for Tender documents, to complete the work in strict accordance with said conditions and specifications.

6.1 The tender submission shall include as a minimum:

- All information and documentation as set out in Schedule 'A' (attached)
- Schedule 'B' completed in full (attached)
- A certified cheque, bank draft, irrevocable letter of credit, money order and where appropriate, a bid bond issued by an approved guarantee company properly licensed in the Province of Ontario, on bond forms acceptable to the Municipality, shall be submitted as deposit. Cheques and bid bonds shall be made payable to the Municipality of Magnetawan, for deposit purposes. The proceeds of this security shall, upon acceptance of the tender, constitute a deposit which shall be forfeited to the Municipality, if the successful contractor/firm fails to execute the contract with the Municipality.

For those projects using the OPSS based tender documents the value of the Bid Bond required as specified below will be consistent with the OPSS:

| Total Acquisition Cost | Minimum Deposit Required |
|------------------------|--------------------------|
| All Contracts          | 10% of the Bid           |

Tender deposits or bid bonds shall be returned by mail to all contractor/firm(s) except the "successful contractor/firm" and the runner up, immediately following award of tender. For the successful contractor/firm and the runner up, these documents shall be held until the successful contractor/firm executes the contract with the Municipality. If the successful contractor/firm fails to execute the contract then the tender deposit or bid bond shall be forfeited. The successful contractor/firm's tender deposit shall be held until successful completion of the project.

6.2 The Municipality of Magnetawan will notify the Contractor/Firm of award on or before date specified in Section 3 "Schedule of Events" (may change, subject to budget compliance).

6.3 All questions related to the Request for Tender shall be in writing and submitted to Scott Edwards, Public Works Superintendent at [publicworks@magnetawan.com](mailto:publicworks@magnetawan.com) All questions and responses shall be sent to and shared with all Contractor/firm(s).

## 7. Contract

The successful contractor/firm will be required to enter into a formal Contract with the Municipality. The complete "RFT 2023-02 Replacement of the Orange Valley Road Bridge" Request for Tender document and the contractor/firm(s) total dollar amount of the tender submission will form part of the Contract. The Municipality will prepare the Contract for execution by both parties. The Municipality will not accept a Contract document prepared by the contractor/firm or a third party.

The successful contractor/firm must submit the following to the Municipality within ten (10) days of the Contract award:

- A fully executed contract in triplicate;
- **If the submission amount (HST excluded) is over \$100,000.00, the contractor/firm shall provide the following security to replace the tender deposit or bid bond:**
  - a. A Performance Bond in the amount of one hundred percent (100%) of the contract to guarantee the performance of the contract; and
  - b. A Labour and Material Bond in the amount of one hundred percent (100%) to guarantee the payment for labour and materials to be supplied in connection with the contract.
  - c. Bonds shall remain in force throughout the two year warranty period.
- Insurance:  
The successful contractor/firm at the contractor/firm's expense, shall furnish the Municipality with a "Certificate(s) of Insurance" of a liability insurance policy covering public liability and property damage for no less than the minimum amounts stated below to the satisfaction of the Municipality, naming **The Municipality of Magnetawan** and **D.M. Wills Associates Ltd.** as additional insured and keep in force and to supply prior to the Contract commencement date and for the entire Contract period.

The standard insurance minimums are as follows:

- \$2 million – general liability policy.
- \$2 million - automobile liability policy.
- \$5 million – general liability and automobile liability policies – for contract work done for most public works and environmental services department projects which have specific high risk activities such as shoring or blasting.
- \$2 million – professional errors and omissions liability (if applicable).
- Not more than \$2 million annual aggregate.

The policy must contain:

- a. A "Cross Liability" clause or endorsement.
- b. An endorsement to the effect that the policy or policies will not be altered, cancelled, or allowed to lapse without thirty (30) days prior written notice to the Municipality.
- c. All loading and transportation equipment owned, leased, or used by the contractor/firm to carry out the work must be included in an Automobile Liability Insurance package provided by the contractor/firm and filed with the Municipality prior to commencement of the work, with a limit of five million dollars (\$5,000,000.00) inclusive per occurrence or claim for bodily injury, death and damage to property.

- d. Contractor/Firm's liability insurance policy shall not contain any exclusions of liability for damage, etc. to property, building or land arising from:
  - The removal or weakening of support of any property, building or land whether such support be natural or otherwise;
  - The use of explosives for blasting; and/or
  - The vibration from pile driving or caisson work, provided that the minimum coverage for any such loss or damage shall be five million dollars (\$5,000,000.00).
- The successful contractor/firm shall have Worker's Safety and Insurance Board (W.S.I.B.) coverage for the type of work to be performed and shall provide the Municipality with a "Clearance Certificate" furnished by W.S.I.B. in advance of undertaking any of the work required by the contract and additional clearance certificates to cover the duration of the contract. The clearance certificate provided by W.S.I.B. certifies that the contractor/firm is in good standing with W.S.I.B., and confirms that their account is active and up to date.
- The successful contractor/firm must provide proof of Fall Arrest Certification.
- Where the contract involves work within the traveled portion of a roadway, an acknowledgement of its understanding of the Ontario Traffic Manual and agreement to abide by that manual prior to performing any work within the roadway.
- Contractor/Firm shall provide a copy of their Health and Safety Policy to the Municipality prior to the contract commencement date.
- Evidence of compliance with any other legislation by which the trade or activity is governed is to be provided.

Failure to execute the contract and to file all documentation, as required herein, within the specified time period shall be just cause for the cancellation of the contract.

The Municipality shall then have the right to award the contract to any other contractor/firm or re-issue the Request for Tender.

- **Warranty:**  
All contracted work to be completed shall be warranted for not less than a two (2) full years period following the completion of all projects within the contract. The contractor/firm shall make good in a permanent manner, satisfactory to the Public Works Superintendent or designate, any and all defects or deficiencies in the work both during construction and aforementioned warranty period. The contractor/firm shall commence repairs on any work identified as defective under this clause within forty-eight (48) hours of receipt of notice from the Municipality.

## **8. Acceptance or Rejection of Tender Submissions**

As part of the evaluation process, the Municipality of Magnetawan may contact one or more Bidders to clarify or obtain more information about their Tender or to request the Bidder to exhibit or otherwise demonstrate the information contained therein. The purpose of these discussions will

be to ensure full understanding of the requirements of the RFT. Discussions will be limited to specific sections of the RFT identified by the evaluation committee. The Lead Contact will only hold discussions with Bidders who have submitted a Tender deemed to be reasonably acceptable for Award.

The Municipality of Magnetawan may make an award based on the tenders received without further discussion with the Bidders. Therefore, each initial offer should contain the Bidder's best terms/information, including all required documentation as listed in this RFT. The evaluation committee will recommend Award to Council for the Bidder achieving the specifications required and the lowest price.

The successful Bidder shall be notified of the Award in writing to the e-mail address given on the Tender Form, and/or may be contacted verbally by the Lead Contact.

The Municipality reserves the right to accept or reject any or all tender submissions, for any reason whatsoever, including if considered best for the interest of the Municipality.

Lowest of any tender submission may not necessarily be accepted.

The Municipality reserves the right to cancel the tender request at any time up to the award of the Contract.

The Municipality reserves the right to enter into negotiations with qualified contractor/firm(s) (contractor/firm(s) that have demonstrated they are capable of carrying out the project successfully) that submitted a tender submission, in order to achieve budget compliance (see Schedule "A and B" for details).

The Municipality reserves the right to issue an amended Request for Tender to the qualified contractor/firm(s) that submitted a tender submission.

## **9. Confidentiality**

Any information provided to the Bidder by the Municipality of Magnetawan before, during or after the project is completed shall be treated as confidential and shall not be used or communicated by the Bidder or any third party in any way unless otherwise identified or permitted by the Municipality of Magnetawan. The information, reports, documentation, plans, etc. that are produced by the successful Bidder in response to this project shall become the exclusive property of the Municipality of Magnetawan. However, intellectual property, such as specific tools, templates, processes, etc. that the Bidder provides as part of the deliverables remains the property of the Bidder.

The tender submission must not be restricted by any statement, covering letter or alteration by the contractor/firm in respect of confidential or proprietary information. The Municipality shall treat all tender submissions as confidential. The Municipality shall comply with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), and its retention by-laws pursuant to the Municipal Act, in respect of all tender submission documents.

All public reports approved by the Municipal Council will become public information. Such public

reports will not include actual tender submission documents but shall refer to the documents and include the total amount of tender submission.

Any personal information required in the Tender is received under the authority of the Municipality of Magnetawan. This information shall be an integral component of the submission. All written Tender received by the Municipality of Magnetawan become a public record. Once a Tender is accepted by the Municipality of Magnetawan and the contract has been awarded, all information contained in the Tender may be available to the public, including personal information. Questions about the collection of personal information and the *Municipal Freedom of Information and Protection of Privacy Act, 1989, R.S.O. 1990*, as amended may be directed to the Lead Contact.

## **10. Errors and Omissions**

The Municipality shall not be held liable for any errors or omissions in any part of this Request for Tender. While the Municipality has used considerable effort to ensure an accurate representation of information in this Request for Tender, the information contained within is supplied solely as a guideline for the contractor/firm(s). The information is not guaranteed or warranted to be accurate by the Municipality, nor is it necessarily comprehensive or exhaustive. It is the responsibility of the contractor/firm(s) to check that the information provided is correct and ensure they have all information required to submit an accurate submission with any changes necessary.

## **11. Legislative and Licensing Requirements**

All contractor/firm(s) and tender submissions must comply with any law, including all legislation and regulations, which may be applicable to the services provided subsequent to the Request for Tender.

The successful contractor/firm shall, as a condition of the Contract, be required to comply with the applicable laws of the Province of Ontario and Canada, including but not limited to the:

*Construction Act*

*Occupational Health and Safety Act*

*Ontario Human Rights Code*

*Pay Equity Act*

& any and all other legislation as laid out in the attached schedules

The contractor/firm shall work in compliance with all health and safety regulations to include, but not be limited to, the utilization of proper protective clothing, equipment, and ensure that all equipment is kept up to safe operating standards at all times. The contractor/firm acknowledges its obligations under the *Occupational Health and Safety Act*, and the Municipality's safety policy.

Any agreement that results from this Request for Tender will be subject to the laws of the Province of Ontario and Canada.

All Procurement activities on behalf of the Municipality of Magnetawan shall be undertaken in compliance with Section 13 of the *Ontarians with Disabilities Act*, 2001 S.O. 2001, Chap. 32, and



the *Accessibility for Ontarians with Disabilities Act*, 2005 and all related regulations requiring regard to accessibility for persons with disabilities to the Goods or Services.

All contractor/firm(s) are required to acknowledge their obligations under the *Accessibility for Ontarians with Disabilities Act*, 2005, (AODA) and its regulations and evidence of compliance satisfactory to the Authorized Person in his or her sole discretion, prior to the commencement of a project. The addition of this clause is required for compliance with the AODA, 2005.

## 12. Protection of Public and Traffic

- a. All traffic control procedures and devices shall conform to the requirements of the following references:
  - i. The Ministry of Transportation – “Traffic Control Manual for Roadway Operations”
  - ii. The Ministry of Transportation – “Ontario Traffic Manual “ – Book 7
- b. **The Contractor shall keep the Public Works Superintendent, School Boards, Post Office, Fire Department, Police Department and Ambulance Service notified of all construction operations affecting the closure.**
- c. **The Contractor shall maintain access for residents and businesses at all times during construction.** All property entrances are to be maintained for use after the normal work day. Any disruptions during the day should be kept to a minimum, reinstating the entrance as early as possible.
- d. Materials and equipment shall not be stored within 4.0m of the traveled portion of the roadway. In addition, the contractor/firm shall, at his own expense, remove any equipment or material which the Public Works Superintendent and/or designate constitutes a traffic hazard.
- e. The contractor/firm shall install warning signs indicating fresh surface treatment, or similar wording acceptable to the Public Works Superintendent and/or designate, at the project limits and any intersection throughout the project and speed reduction warning signs of forty (40) km/hr, and such signs shall remain in place for a minimum of 14 days after completion of the work, or longer if directed by the Public Works Superintendent and/or designate.

## 13. Utility Locates

The contractor/firm is advised that there may be utilities within the contract limits and the contractor/firm will be required to work within the limits of these utilities. Any damage that occurs is to be repaired at the contractor/firm's own expense. The contractor/firm is responsible for familiarizing himself with the site and all utility placements.

The contractor/firm shall contact the utility companies to establish the exact location, type and configuration of utilities. The contractor/firm shall exercise the necessary care in construction operations and to take such other precautions as are necessary to safeguard the utilities from damage. The contractor/firm shall follow the utility companies' protocol for work around their infrastructure where applicable.

The contractor/firm must satisfy himself of the locations of all such services and items of public and private property which may be disturbed by his work, and the cost of locating, protecting and temporarily supporting such facilities shall be included in the unit prices tendered. There shall be no extra payment to the contractor/firm for this work.

#### **14. Incurred Costs**

The Municipality shall not be responsible for any liabilities, costs, expenses, loss or damage incurred, sustained, or suffered by any contractor/firm prior or subsequent to or by reason of the acceptance or non-acceptance by the Municipality of any tender submission, or by reason of any delay in the acceptance of a tender submission.

The Municipality shall not be held liable for any portion of any agreement that contractor/firm(s) have entered into with subcontractors and/or suppliers in relation to this request for tender or subsequent contract. The contractor/firm(s) shall be liable for any and all supervision, adherence to legislation, terms and conditions of the Request for Tender, terms and conditions of Contract, payments, and litigation arising from their arrangement with a subcontractor or supplier.

When/if damage is caused to Municipal or private property and/or equipment, by the contractor/firm it is the responsibility of the contractor/firm to notify the appropriate Municipal authority immediately of the damage so that it can be inspected. The contractor/firm shall then be responsible to repair (or make arrangements for repair) the damage as specified by the appropriate Municipal authority and within a timely manner, so as not to cause interruptions of Municipal services. All costs associated with repair will be the responsibility of the contractor/firm.

#### **15. Terms of Payment**

Payment will be made in response to invoices itemized in accordance with the contract. Invoices shall be based on work/deliverables delivered as described in the scope of the project. The completed project must meet the minimum requirements/specifications and be inspected by the Public Works Superintendent or designate and completed to the Municipality's satisfaction. The contractor/firm shall provide detailed invoice(s) to the CAO/Clerk and the Public Works Superintendent as work progresses and upon the last day of work.

**All contracted work shall be completed prior to the fixed completion date of October 27<sup>th</sup>, 2023.** Each day over the prescribed completion date shall result in a five-hundred-dollar (\$500.00) reduction to payment per calendar day in default.

The Municipality shall retain a holdback payment of ten percent (10%) of the total invoiced amount. Release of the holdback, tender deposit, or applicable bonds shall be made in accordance with the *Construction Act RSO 1990*, and the submission by the contractor/firm of the following:

- Publication of Contract Substantial Completion, and provision of proof of advertising; as appropriate.

- A statutory declaration in a form satisfactory to the Public Works Superintendent that all liabilities incurred by the contractor/firm and the contractor/firm's subcontractors in carrying out the work have been discharged, qualified by stated exceptions where appropriate.

**Please note – re: COVID-19:**

In the event that the Contractor/Firm is deemed a non-essential service pursuant to the *Emergency Management and Civil Protection Act*, the Municipality reserves to itself the right to cancel this tender where the tender has not been awarded, or terminate the Contract where the tender has been awarded. The project is time-sensitive and the Municipality requires completion before the end of 2023. If this cannot be accomplished due to the Global pandemic, the Municipality reserves the right to cancel this project.

## **Schedule "A" - Details and Specifications**

**RFT 2023-02 Replacement of the Orange Valley Road Bridge**  
**Closing date Tuesday, June 27, 2023 3:00 P.M. local time**

**The Replacement of the Orange Valley Road Bridge Shall Be In Accordance With the Minimum Requirements/Specifications As Listed Below**

### **OPSS - Ontario Provincial Standard Specifications, SP: Special Provisions**

#### **Contract Specifications**

Ontario Provincial Standard Specifications (OPSS) and Standard Drawings (OPSD) current at the time of tendering will be applicable to the Items under this contract.

#### **1. General**

All Ontario Provincial Standard Specifications (OPSS) referenced herein and those referenced by the specifications shall apply to and form part of this Contract.

The text of all OPSS's is contained in the manual "Ontario Provincial Standard Specifications". Reference in the Contract Documents to any OPSS's not listed above shall automatically include the specification as part of the Contract.

NOTE: The text for the noted specifications and standard drawings can be obtained from the MTO Library website at:

<https://www.library.mto.gov.on.ca/SydneyPLUS/TechPubs/Portal/tp/TechnicalPublications.aspx>.

It shall be the Contractor's responsibility to obtain the applicable edition of the following Ontario Provincial Standard Drawings

## 2. Contract Drawings

### Orange Valley Road Bridge Replacement

- 1) Title Page
- 2) General Arrangement
- 3) Detour Plan
- 4) Removals
- 5) Abutment Details
- 6) Standard Drawings

The Contract also includes all OPSDs referenced in the above and all other associated OPSS.

## **General Special Provisions**

### **Operational Constraint                      Species at Risk**

#### **Protection of Species at Risk (SAR)**

The *Endangered Species Act, 2007* provides for the protection of Species at Risk in Ontario.

Section 9 of the Act prohibits the killing, harming, harassing, taking possessing, transporting, collecting, buying, selling, leasing, or trading or offering to buy, sell lease or trade of species listed as endangered, threatened or extirpated on the Species at Risk in Ontario (SARO) List.

Section 10 of the Act prohibits the damage or destruction of the habitat of endangered or threatened species that have general or regulated habitat protection under the Act.

The Contractor shall be in compliance with the prohibitions in Section 9 and 10 of the Act in the event that any species at risk is encountered during construction.

#### **Scope of Work**

The requirements of this Special Provision shall apply to the protection of all Species at Risk listed by the Ministry of Natural Resources for the Magnetawan region, or other appropriate Ministry of the Environment or Federal Species at Risk registries.

Contractors should familiarize themselves and their staff with the physical characteristics of these species. The Ministry of Natural Resources offers information on these species on their web site:

#### **Compensation**

No additional compensation shall be made for protection of Species at Risk encountered during the work in accordance with the requirements of this Special Provision or for any delays in the work that occur as a result of such encounters.

### **Notice to Contractor                      Damage to Equipment**

Any damage to Contractor equipment or materials on site shall be the responsibility of the Contractor.

#### **1.                      CONTRACT ADMINISTRATOR**

The Municipality's Contract Administrator for this project will be Mr. Lucas Maines, C.E.T., D.M. Wills Associates Ltd. or his designate.

#### **2.                      ASSUMED CONSTRUCTION NORTH**

For the purpose of this Contract, it is assumed that Orange Valley Road runs 'east-west', with Nipissing Road located at the east end.



### 3. WORK BY OTHERS WITHIN THE CONTRACT LIMITS

The relocation of utilities shall be carried out with the approval of the appropriate utility companies. It is the Contractor's responsibility to contact the appropriate agencies in regard to the exact location of all utilities, to exercise the necessary care in construction operations and to take such other precautions as are necessary to safeguard the utilities from damage.

The Contractor is advised that utility relocations by others may be occurring during this Contract. It is the Contractor's responsibility to coordinate their activities so as not to conflict with the activities of these utility companies. A physical separation must be maintained between work areas of the utilities and the Contractor's operations. The following outlines the different utility companies and the extent of work/notification they require during the course of this contract:

- Currently there is no scheduled work in conjunction with this project.

Should this work or any unforeseen utility work be required and if the Contractor's work must occur simultaneously and directly adjacent to work by others, a separate fenced area must be maintained to physically delineate the working areas, at no cost to the Municipality.

No claims will be considered which are based on delays or inconvenience resulting from the relocation not being completed before the start of this Contract.

### 4. CONTRACT SCHEDULE AND MEETINGS

The Contractor shall report the progress of the work to the Contract Administrator on a **bi-weekly** basis (or more frequently if deemed necessary). The report shall focus on tracking of the actual progress of the work against the Contractor's detailed schedule, which is based on the above time frame.

**A detailed critical path schedule shall be prepared by the Contractor and submitted with the Tender. Tenders submitted without the schedule may be deemed incomplete and subsequently may be rejected at the discretion of the Municipality.**

The schedule shall include all controlling operations, major milestone dates and requirements of others. Updates of the work program shall be provided every two weeks on the same day of the week for the duration of the contract. Regular submissions shall coincide with the Contract site meetings. No payment certificate will be issued until the Contractor updates the schedule. No extra payment will be made for this delay.

### 5. LAYOUT BY THE CONTRACTOR

The Contractor will be responsible for all layout required by the provided line and grades and for protecting the same for the duration of the Contract so as to ensure the accuracy of the work.

## **Item Specific Special Provisions**

### **1. MOBILIZATION AND DEMOBILIZATION – ITEM 1**

Under this Item, the Contractor shall undertake the following work:

- a) Mobilize all required equipment and temporary facilities to the site;
- b) Where necessary, obtain permits / approvals;
- c) Protect all utilities and other similar infrastructure during the course of the work, including all required locates, protective measures, daylighting, etc. as required to do the work.
- d) Remove all equipment, temporary facilities, and surplus materials upon completion;
- e) Clean up and remove all debris for proper off-site disposal;
- f) Restore all disturbed vegetated areas to original conditions or better with topsoil (per *OPSS 802*), standard roadside seed mix (per *OPSS 804*), and cover (as required).
- g) Perform all other work required to mobilize and demobilize to/from the site not covered under other pay items.

The Mobilization start date shall be contingent on the scheduled delivery date of the Permanent Modular Bridge (Item 14), the start date shall commence a maximum of 3 weeks prior to the bridge delivery.

This item shall also include all work to prepare the existing vegetation and boulders / debris on embankments as required in order to complete the project works, including but not limited to clearing, grubbing, trimming, grading etc. Clearance of trees required shall be mutually agreed with the Contract Administrator, prior to removal. All work shall be carried as per the requirements of *OPSS MUNI.201*.

This item covers the Contractors costs associated with the transportation and or accommodation (meals and lodging) of labour, equipment, offices, conveniences, temporary facilities, construction plant and other items not required to form part of the permanent works and not covered by the other items in the Schedule of Unit Prices.

50% of the total bid price for this Item will be paid in the first progress payment; the remaining 50% for the Item will be paid upon completion of the work.

### **2. ENVIRONMENTAL PROTECTION – ITEM 2**

Under this Item the Contractor is required to supply all labour, equipment, and materials for the protection of the watercourse, its water quality and fish habitat during the project. Installation, maintenance and removal of mitigation measures listed below, as necessary to achieve this protection, are required:

- Light Duty Silt Fence Barriers as per *OPSD 219.110*;
- Straw Bale Flow Checks as per *OPSD 219.180*;
- Temporary Rock Flow Checks as per *OPSD 219.210*;
- Turbidity Curtains as per *OPSD 219.260*.

In addition, this item shall include, but is not limited to:

- i) Restoration of the water body and water body banks to conditions existing at commencement of construction or as otherwise specified on the drawings;
- ii) Placement of filter cloth over all catch basins, manhole covers and deck drains within the construction zone to contain all sediment run-off as a result of the bridge work;
- iii) Provision of all protection measures to ensure that no deleterious material from any operation enters the stream with particular concern for demolition debris and sediment from runoff;
- iv) No refuelling of vehicles, equipment, etc. is to take place within 30m of a watercourse;
- v) Stationary equipment operating within 30m of the watercourse shall have hydrocarbon spill containment measures in place;
- vi) Disturbed areas at the construction site are to be stabilized and re-vegetated after completion of the project, using native plant species as much as possible, and the site is to be restored to a pre-construction state or better;
- vii) Machinery shall not operate directly in a watercourse.
- viii) Relocation of existing trees as shown on the Contract Drawings and as directed by the Contract Administrator.

For progress payment, fifty percent (50%) of the lump sum price will be paid upon supply and installation of all protection measures associated with the work. The remaining fifty percent (50%) shall be paid upon successful completion of the Contract.

### **3. GRANULAR 'A' – ITEM 3**

Under these Items and for the Contract unit prices, the Contractor shall supply, place and compact in accordance with *OPSS 501*, granular 'A', as shown on the Contract Drawings and as directed by the Contract Administrator. All granular materials shall be compacted to 98 Percent Standard Proctor Maximum Dry Density. Compaction testing shall be carried out by a third-party certified geotechnical technician approved by the Contract Administrator. Price for the compaction testing shall be included under this item.

The following work will be included:

- a) Granular fill for new Bolt-a-Bin cribs;
- b) Backfill to the excavations for the abutments and retaining walls;
- c) Re-grading and widening of the structure approaches to accommodate smooth transitions in grade and new structure width.
- d) Re-grading and widening to accommodate guiderail installation.
- e) Fine adjustments to the base to suit the new precast footings.

Water shall be applied to the materials to assist compaction, as directed by the Contract Administrator and shall be included in the Contract unit price.

The Contractor shall not be permitted to use other than hand operated vibratory type compaction equipment for compaction of backfill material within the restricted zone behind all earth retaining structures. Restricted zone at abutments is the area within a plane extending from the base of the back face of the wall, at the limit of excavation, upwards at a slope of 1.0 vertical to 1.0 horizontal.

Amendment to OPSS 1010:

Subsection 1010.05.02 and 1010.05.03 of OPSS 1010, November 2003 is replaced by the following:

Granular 'A' to be utilized can only be produced by the crushing of Quarried Granite Rock. Reclaimed or deleterious material is not acceptable.

#### **4. REMOVAL OF BRIDGE STRUCTURE – ITEM 4**

Under this Item and for the Contract price, the Contractor shall supply all labour, materials and equipment necessary to perform the following work in accordance with OPSS 510:

- a) Removal of the existing bridge superstructure, including timber deck, steel structural components, railings, etc.
- b) Removal of the bridge substructure, including abutments, wingwalls, and abutment / wingwall footings;
- c) Removal of existing retaining walls;
- d) All full depth removals not provided for under other Items of this Contract.

Under this Item and for the Contract price, the Contractor shall field cut and remove existing reinforcing steel, as shown on the Contract Drawings and as directed by the Contract Administrator.

The Contractor shall carefully remove all above elements and take all necessary precautions to prevent any debris from falling into the watercourse. Any materials which fall into the watercourse shall be located and removed immediately under the direction of the Contract Administrator. The Contractor shall observe all safety laws and regulations in carrying out the work of this and all other Items. Full protection system shall be in place during all removals to ensure no material enters the watercourse.

Any damage caused to existing components designated to remain (temporarily or permanently) as a result of the Contractor's operations shall be repaired by the Contractor at his own expense and to the complete satisfaction of the Contract Administrator.

All removals from the existing structure, except as specifically noted, shall remain the property of the Contractor to be disposed of by the Contractor off the limits of the Contract, at a location arranged for by the Contractor at his own expense and to the satisfaction of the Contract Administrator. When hauling removals, rubble, excavated materials or fill from or to the site, the Contractor shall comply with the requirements of the *Highway Traffic Act*.

Payment for this Item, at the contract price, shall be payment in full for all labour, equipment and materials necessary to complete the work.

#### **5. RIP-RAP – ITEM 5**

The unit price for this Item shall include full compensation for the supply and installation of all required rip-rap and geotextile, as required by OPSS 511, as noted on the Contract Drawings, and as directed by the Contract Administrator. No separate measurement for geotextile shall be made.

All rip-rap placed shall be crushed or fractured granite fragments, with gradation requirements as per *OPSS 1004*. No limestone, reclaimed concrete or other material will be permitted to be placed.

**6. SHOTROCK (GABION STONE) – ITEM 6**

*OPSS 511* shall apply except as amended and extended herein:

**511.01 SCOPE**

Section 511.01 of *OPSS MUNI.511* is amended by the addition of the following:

Under this Item and for the contract unit price, the Contractor shall provide all labour, equipment and materials necessary to supply and driving of gabion stones into the exposed subgrade soils on the west side of the bridge. This driving of gabions must be achieved using a large, powerful excavator suitably equipped to drive or hammer such material into the soils present, to be approved by the Contract Administrator

The material shall be in accordance with *OPSS 1004*.

**7. TRAFFIC CONTROL (DETOUR) SIGNING – ITEM 7**

Amendment to *OPSS.MUNI 706*

**706.01 SCOPE**

Section 706.01 of *OPSS.MUNI 706* is amended by the addition of the following:

The lump sum price for this Item shall be full compensation for the supply of all labour, equipment, and materials necessary to meet the traffic management restrictions and requirements set forth in the Contract.

The Contractor shall **completely close Orange Valley Road at the bridge location** and maintain a detour route, all of which shall be completed in accordance with the Contract Drawings and the Ontario Traffic Manual (Book 7), Temporary Conditions. The Contractor shall supply, locate, relocate, erect, operation, maintain, and remove all construction signs, delineators, precast concrete barriers, end treatments, pedestrian barricades, etc. The Contractor shall coordinate all traffic control and road closures to commence a maximum of three weeks prior to the scheduled delivery date of the Permanent Modular Bridge (Item 14).

Access to driveways / roadways adjacent to the structure shall be maintained at all times. Any temporary widening of existing roadway platforms, traffic protection, etc. required to maintain access shall be deemed included under this Item.

**706.02 REFERENCES**

Section 706.02 of *OPSS MUNI.706* is amended by the addition of the following:

Request for Tender 2023-02  
Replacement of the Orange Valley Road Bridge  
Closing Tuesday, June 27, 2023 at 3:00 P.M. local time  
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Traffic control on this Contract shall be in conformance with Ministry of Labour Policies, Occupational Health and Safety Act, safety provisions of the Municipality of Magnetawan and the procedures outlined in the pamphlet entitled "Correct Methods for Traffic Control" issued by the Construction Safety Associations of Ontario. Copies of this pamphlet may be obtained from the Ministry of Transportation's District Office.

### **706.03 DEFINITIONS**

Section 706.03 of OPSS MUNI.706 is amended by the addition of the following:

For the purposes of this Contract, the OPSS MUNI.706 definition of "Construction Signs" is amended to include all Contract Identification and Public Advisory Signs.

### **706.04 DESIGN AND SUBMISSION REQUIREMENTS**

#### **706.04.01 Submission Requirements**

Subsection 706.04.01 of OPSS MUNI.706 is amended to include the following:

The Contractor shall provide the Contract Administrator with a detailed construction sign plan prior to moving onto the site. The plan shall include all necessary advisory and contract identifications signs, and all detour warning signs including type, size and location as well as all signs and barricades required to limit vehicle and pedestrian traffic during construction.

Contract Identification and Public Advisory signs as described shall be placed at both ends of the work areas and should be identified on the Contractors detailed signing plan.

The Contractor shall provide the Contract Administrator with a detailed Detour Plan a minimum of three weeks prior to moving onto the site. At a minimum, the Detour Plan shall provide all the required signage noted below and as required per OTM Book 7 and Book 12. The Contract Administrator shall approve the Detour Plan layout or otherwise direct modification for a revised submission.

Subsection 706.04.01 is modified by the addition of the following subsection:

#### **706.04.01.01 Detour Plan Requirements**

Orange Valley Road shall be fully closed for the duration of the construction phase.

The following specifications shall be met / included in the Detour Plan for Traffic Control:

- One TC-64 sign shall be provided at each of the intersection of Highway 518 and Nipissing Rd. and the intersection of Nipissing Rd. and Orange Valley Rd. (2 total), with the following text directed at westbound traffic:

ORANGE VALLEY RD.  
CLOSED  
AT MANITOUWABING RIVER BRIDGE

## **FOLLOW D-1**

Detour D-1 shall utilize Nipissing Rd, Highway 518, Blackwater Lake Rd, and Broadbent Rd to detour westbound traffic to Orange Valley Rd.

- One TC-64 sign shall be provided at the intersection of Hurdville Rd. and Broadbent Rd., with the following text directed at eastbound traffic:

**ORANGE VALLEY RD.  
CLOSED  
AT MANITOUWABING RIVER BRIDGE  
FOLLOW D-2**

- One TC-64 sign shall be provided at the intersection of Blackwater Lake Rd. and Highway 518, with the following text directed at eastbound traffic:

**ORANGE VALLEY RD.  
CLOSED  
AT MANITOUWABING RIVER BRIDGE**

- One TC-64 sign shall be provided at the intersection of Broadbent Rd. and Fords Rd, with the following text directed at eastbound traffic:

**ORANGE VALLEY RD.  
CLOSED  
AT MANITOUWABING RIVER BRIDGE  
LOCAL TRAFFIC ONLY**

In addition to the requirements above, the Contractor's Detour Plan shall meet the requirements of OTM Book 7 and Book 12, as applicable.

### **706.05 MATERIALS**

#### **706.05.03 Temporary Traffic Control Signs**

Subsection 706.05.03 of OPSS MUNI.706 is amended by the addition of the following:

Public Advisory Signs shall be minimum 2400 mm x 1200 mm size.

Public Advisory Signs shall have an orange background with black lettering.

### **706.07 CONSTRUCTION**

#### **706.07.01 Temporary Traffic Control Signs**

Subsection 706.07.01 of OPSS MUNI.706 is amended by the addition of the following:



The Contractor is required to install TC-64 signage (one sign on each approach at each site – 4 total) at least two weeks prior to the start of construction, notifying the public of the upcoming bridge work, road closure, and the anticipated completion date.

Signs shall be in place before work-affecting traffic begins. They shall be well maintained to be effective at all times and remain operational throughout the duration of construction, all in accordance with Ontario Traffic Manual (Book 7).

The Contractor is required to provide two weeks' notice to the Municipality with regard to construction start date.

The Contractor is responsible for the removal, salvage, storage and replacement (in their original locations) of all signs and signposts that interfere with the installation of the proposed facilities. During construction, the Contractor shall either:

- a) store the signs and posts in a safe and secure manner;
- b) temporarily re-install the signs as necessary for the safety of the public, e.g. stop signs.

The Contractor will be responsible for any signs, and sign posts that are damaged or misplaced.

The Contractor shall be responsible for barricading and protecting the work site.

No additional payment shall be made for this work.

The Contractor shall inspect all traffic protection and traffic signage on a daily basis. A log shall be maintained with the daily inspection records and will detail the maintenance and relocation activities required.

The Contractor shall designate a representative and telephone (cellular) number to the Municipality that may be reached 24/7 for the duration of the project in the event of an on-site emergency and this information will be shared on the posted construction board. The telephone number shall be communicated to the Municipality upon contract signing. If the telephone number changes during the project, the Contractor shall pay the fees associated with the change.

The Contractor shall be responsible for ensuring that garbage collection, including recyclables, is maintained and when necessary, the Contractor shall make arrangements directly with the collecting agency, to permit and coordinate pickup and a central location.

For progress payment, fifty percent (50%) of the lump sum price will be paid upon supply and installation of all signage / protection measures. The remaining fifty percent (50%) shall be paid upon successful completion of the Contract.

## **8. EARTH EXCAVATION FOR STRUCTURE – ITEM 9**

Any over-excavation shall be backfilled and compacted with Granular 'B' Type II. Costs for the placement of this material shall be borne by the Contractor and deemed to be included in the lump sum price for this Item.

Amendment to *OPSS 902.09.01.01*:

Subsection *902.09.01.01* of *OPSS 902*, is replaced by the following:

No measurement for payment shall be made under this Item.

Payment at the lump sum Contract price for the above tender item shall include full compensation for all labour, equipment and materials required to complete the following work:

- a) Excavations as required to accommodate the removal of the existing structure;
- b) Excavations required to construct the new structure and appurtenances, including but not limited to the cribs, footings, retaining walls, and other elements;
- c) Dewatering work required to complete earth excavation in the dry;
- d) All other excavation required to complete the work.

## **9. SUPPLY & INSTALL CONCRETE FOOTINGS – ITEM 10**

### **1.0 SCOPE**

This Item covers the construction requirements for the fabrication, delivery, and placement of the precast concrete footings for the modular bridge.

### **4.0 CONSTRUCTION**

Construction of the precast concrete footings shall be as per the Contract Drawings and relevant *OPSS* specifications for concrete and reinforcing steel.

Preparation of the granular base and founding material shall be as specified elsewhere in the Contract. However, fine adjustments of the base to suit the new precast footings is considered incidental to this Item. No additional payment will be made for preparation of the base.

### **5.0 BASIS OF PAYMENT**

Payment at the Contract price for this Item shall be full compensation for all labour, Equipment, and Material to do the work. If fabricated off-site, no additional payment will be made for the delivery of the prefabricated concrete footings.

## **10. BOLT-A-BIN – ITEM 11**

This item shall include all labour, equipment, and material to install steel bin abutment in accordance with the approved manufacturer's recommendations and specifications. The contractor shall submit shop drawings from steel bin abutment manufacturer prior to start of work for approval.

Work shall include, but not be limited to:

- Sourcing steel bin abutment manufacturer;
- Unloading, storage, and installation of steel bin abutments and all necessary components according to manufactures specifications;

Payment at the lump sum Contract price for this tender item shall be full compensation for all labour, equipment, and material necessary to complete the work.

**11. WOOD IN STRUCTURE - BALLAST WALL – ITEM 12**

Wood in ballast wall shall include the following work, all as shown on the Drawings:

- a) Supply and installation of new treated timber;
- b) All required fasteners, galvanized tie rods, epoxy, Evazote foam, geotextile, etc. required for the installation of all timber ballast walls.

Payment at the lump sum Contract price for the above tender item shall include full compensation for all labour, equipment, and materials required to do the work.

**12. WOOD IN STRUCTURE – BRIDGE STRUCTURE – ITEM 13**

Wood in structure shall include the following work, all as shown on the Drawings:

- a) Supply and installation of new treated timber laminated decking, curbs, running boards and miscellaneous components;
- b) All required fasteners, etc. required for the installation of all timber members.

Payment at the lump sum Contract price for the above tender item shall include full compensation for all labour, equipment, and materials required to do the work.

**13. PERMANENT MODULAR BRIDGE – ITEM 14**

**1.0 SCOPE**

This specification covers the requirements for the design, supply and construction of modular bridge structures from an approved supplier used for permanent installations including bearings, bearing plates, anchor bolts, steel beam guiderail system on modular bridge and transitions adjacent to the bridge.

**2.0 REFERENCES**

When the Contract Documents indicate that provincial-oriented specifications are to be used and there is a provincial-oriented specification of the same number as those listed below, references within this specification to an OPSS shall be deemed to mean OPSS.MUNI, unless use of a provincial-oriented specification is specified in the Contract Documents. When there is not a corresponding municipal-

oriented specification, the references below shall be considered to be to the OPSS listed, unless use of a provincial-oriented specification is specified in the Contract Documents.

This specification refers to the following standards, specifications, or publications:

**Ontario Provincial Standard Specifications, Construction**

|          |  |
|----------|--|
| OPSS 501 | Compacting   |
| OPSS 721 | Steel Beam Guide Rail and Cable Guide Rail               |
| OPSS 906 | Structural Steel for Bridges                             |
| OPSS 907 | Structural Wood Systems                                  |
| OPSS 908 | Metal Traffic Barriers and Metal Railings for Structures |
| OPSS 911 | Coating Structural Steel Systems                         |

**Ontario Provincial Standard Specifications, Material**

|           |  |
|-----------|--|
| OPSS 1601 | Wood, Preservative Treatment, and Shop Fabrication |
|-----------|--|

**Ontario Ministry of Transportation Publications**

Structural Manual

**CSA Standards**

|           |                                     |
|-----------|-------------------------------------|
| CSA S6-14 | Canadian Highway Bridge Design Code |
|-----------|-------------------------------------|

### **3.0 DEFINITIONS**

For the purpose of this specification, the following definitions apply:

Modular Bridge means a new, unused, superstructure comprised of commercially available standard proprietary prefabricated components that can be assembled and disassembled on site.

### **4.0 DESIGN AND SUBMISSION REQUIREMENTS**

#### **4.1 Design Requirements**

The modular bridge structure shall be designed according to the Contract Documents, CAN/CSA S6 and the Structural Manual except that:

a) The following requirements of the CAN/CSA S6 are not mandatory:

- i. Traffic lane widths and side clearance.
- ii. Deck crossfall and drain outlets.
- iii. Nuts with safety pins or snap rings may be used instead of hexagonal recessed nuts or hexagonal solid nuts with washers.

b) The following are additional requirements:

- i. Camber is required, to account for all dead loads.

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Replacement of the Orange Valley Road Bridge

Closing Tuesday, June 27, 2023 at 3:00 P.M. local time

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- ii. Traffic lanes and side clearances shall be as detailed in Contract Drawings.
- iii. The bridge must provide a span and soffit elevation as detailed on the Contract Drawings.
- iv. The Contractor shall verify all site elevations and dimensions prior to proceed with the commencement of design. The bridge must provide a minimum width of 4.53m between barriers on each side of the structure as detailed.
- v. The length of the bridge shall be 21.34m (70') end to end, measured along the centreline of the bridge.
- vi. The depth between the top of the bridge deck and the underside of the bottom flange shall be 640 mm (maximum).
- vii. The deck surface shall be flat.
- viii. A timber ballast wall / backwall shall be installed at the ends of the girders on each end of the bridge. The backwall shall be of sufficient height to span from the top of the proposed abutments to the deck surface and protect the abutment bearing seat / bearings from backfill contamination. The backwalls shall be of sufficient width to retain the backfill behind the ends of the structure and extend beyond to support the embankments (assume 1.5:1 slope).
- ix. The deck shall include timber curbs or approved equal.
- x. The structure shall be supplied with all required bearing plates, elastomeric bearings, and anchor bolts as per the manufacturer design, for installation onto concrete abutments.
- xi. Fatigue design shall be based on a Highway Class D.
- xii. Traffic lanes and side clearances shall be as detailed in Contract drawings.

## **4.2 Submission Requirements**

### **4.2.1 Working Drawings, Procedures & Certifications**

The following documents, bearing the seal and signature of a design Engineer and a design-checking Engineer, shall be submitted to the Contract Administrator at least 7 Days prior to commencement of the installation of the modular bridge, for information purposes only:

- a) Design and Working Drawings of the modular bridge.
- b) Launching, installation procedures.
- c) A letter and design calculations certifying that the modular bridge has been designed according to the Contract Documents.

- d) Where modular bridge components are fabricated outside of Canada, a letter shall be submitted certifying that the materials used, and the fabrication of the modular bridge components are according to the Contract Documents.
- e) Where the load carrying capacity of the modular bridge or any of its components has been established by testing, the load test reports provided by the manufacturer of the modular bridge shall be submitted confirming the bridge satisfies the requirements of the Evaluation Section of CAN/CSA S6, using a Reliability Index ( $\beta$ ) not less than 3.75.

When other authorities are involved in the approval of the design or construction of the modular bridge, submissions shall be made at least 5 weeks prior to commencement of work and one additional copy of the submission shall be provided for each authority.

The requirements of each authority shall be satisfied prior to commencement of the work.

#### **4.2.2 Notice of Installation**

A written notice shall be submitted to the Contract Administrator at least 7 Days prior to the installation of the modular bridge superstructure.

### **5.0 MATERIALS**

#### **5.1 General**

All materials and components shall be according to the Working Drawings.

#### **5.2 Modular Bridge Components**

The modular bridge shall be commercially available standardized proprietary product from the approved list of suppliers. All modular bridge components shall be fabricated in accordance with OPSS 906 and shall be hot dipped galvanized in accordance with OPSS 911.

The following is the list of approved suppliers:

Acrow Limited (Acrow Bridge supplier)

18 King Street East,

Bolton, Ontario

L7E 1E8

Tel: 905-857-2669 Fax: 905-857-1334

Algonquin Bridge Inc. (Mabey Bridge supplier)

121 Gerald Parkway

Thorndale, Ontario

N0M 2P0

Tel: 226-213-4707 Fax: 226-213-4708

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Replacement of the Orange Valley Road Bridge

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All material shall be new, hot-dip galvanized as per OPSS 911, and shall comply with the details specified and shown on the contract drawings.

### **5.3 Hardware**

The hardware used in the assembly and installation of the modular bridge shall be according to the modular bridge manufacturer's requirements.

### **5.4 Structural Steel**

Any structural steel components that are not part of the modular bridge shall be designed and constructed according to OPSS 906.

### **5.5 Wood**

Wood shall be according to OPSS 1601. Preservative treatment of wood is not required. Fasteners and hardware for wood construction shall be according to OPSS 907.

### **5.6 Railings**

Railings shall be according to OPSS 908 or an equivalent modular bridge manufacturer railing system.

### **5.7 Guide Rails**

Guide Rails shall be according to OPSS 721.

## **6.0 EQUIPMENT – Not Used**

## **7.0 CONSTRUCTION**

### **7.1 General**

Documentation indicating that the modular bridge Superintendent who shall be in charge of the installation of the modular bridge has successfully performed similar duties on at least 3 similar bridges shall be submitted to the Contract Administrator at least 7 Days prior to installation of the modular bridge.

### **7.2 Installation of Modular Bridge**

The modular bridge shall be assembled and installed according to the Working Drawings, procedures and Contract Documents.

The modular bridge manufacturer's Engineer representative shall be on site during installation of the bridge.

The Contractor is advised that there are existing utilities located adjacent to the roadway. The existing



aerial hydro and cable utilities that span the bridge will be relocated by others to cross the river on the south side of the bridge prior to construction.

### **7.3 Certificate of Conformance**

Upon the completion of construction of the modular bridge, a Certificate of Conformance bearing the seal and signature of an Engineer with a minimum of five (5) years of experience in this specific type of work shall be submitted to the Contract Administrator. The certificate shall state that the modular bridge has been constructed in general conformance with the Design, Working Drawings, procedures and Contract Documents.

### **7.4 Management of Excess Material**

Management of excess material shall be according to the Contract Documents.

### **8.0 QUALITY ASSURANCE – Not Used**

### **9.0 MEASUREMENT FOR PAYMENT – Not Used**

### **10.0 BASIS OF PAYMENT**

#### **10.01 Permanent Modular Bridge**

Payment at the Contract price for the above item shall be full compensation for all labour, Equipment, and Material to do the work, including but not limited to the following:

- Completion of design of the superstructure and submittal of all applicable shop drawings with applicable revisions to the satisfaction of the Contract Administrator;
- Fabrication of all superstructure bridge components including all truss members, bearing components, and steel decking;
- Upon completion of fabrication of the bridge superstructure, a Certificate of Conformance sealed by a licensed Professional Engineer shall be provided indicating that the bridge; has been fabricated in conformance with the approved shop drawings.
- Completion of delivery of all of the superstructure and sundry components in accordance with the delivery specifications and requirements specified by the bridge supplier.
- Erection / installation of all superstructure bridge components including all truss members, bearing components, and steel decking;
- Upon completion of erection of the bridge superstructure, a Certificate of Conformance sealed by a licensed Professional Engineer shall be provided indicating that the bridge; has been erected in conformance Contract requirements and the approved shop drawings

**14. ROCK EXCAVATION FOR STRUCTURE – ITEM P1**

Amendment to *OPSS.MUNI 902*:

**902.01 SCOPE**

This specification covers the provisional requirements for additional rock excavation at the east abutment for the crib and precast footing. Excavation under this item shall be at the direction of the Contract Administrator.

**902.09 MEASUREMENT FOR PAYMENT**

**902.09.01 Actual Measurement**

**902.09.01.01 Excavation for Structure**

*Section 902.09.01.01 of OPSS.MUNI 902 is deleted in its entirety and replaced with the following:*

Measurement of payment for rock excavation shall be by volume in cubic metres. Payment for work completed under this item shall be as per the unit price provided in the tender bid form. No changes in the Contractor's unit price will be accepted for a reduction / increase in rock excavation quantity.

**Schedule "B" - Tender Submission Form**

**RFT 2023-02 Replacement of the Orange Valley Road Bridge**  
**Closing date Tuesday, June 27, 2023 at 3:00 P.M. local time**

***This Offer Shall Be Irrevocable For A Period Of Sixty (60) Calendar Days Following The Date Of Tender Opening.***

The Contractor hereby certifies that they have carefully examined the provisions, plans, specifications and conditions attached to the tender and has carefully examined the site and location of the work to be done under this contract, and the Contractor understands and accepts the said provisions, plans, specifications and conditions and, for the prices set forth in this tender, hereby offers to furnish all machinery, tools, apparatus and other means of construction, furnish all materials, except as otherwise specified in the contract, and to complete the work in strict accordance with the provisions, plans, specifications and conditions attached to or referenced to in this tender.

Name of Contractor/Firm

\_\_\_\_\_

Mailing Address

\_\_\_\_\_

Signature of person authorized to  
Sign for the Contractor/Firm

\_\_\_\_\_  
\_\_\_\_\_

Date of Signature

\_\_\_\_\_, 2023

Witness or Contractor/Firm Seal

\_\_\_\_\_

**CONTACTOR INFORMATION**

Contactor Name/Project Manager

\_\_\_\_\_

Telephone Number

\_\_\_\_\_

Fax Number

\_\_\_\_\_

E-mail Address for the Contractor/Firm

\_\_\_\_\_

**Schedule "B" - Tender Submission Form (Page 2 of 6)**

**RFT 2023-02 Replacement of the Orange Valley Road Bridge**

Please provide quotes below based on information provided in Schedule 'A'. Attach any additional information that will assist with the award of contract.

**The Replacement of the Orange Valley Road Bridge Tender includes the following for the supply and application of all required materials for the replacement of the bridge and reinstatement of the roadway, as specified on the attached Schedule "A".**

**Schedule Of Unit Prices**

**Replacement of the Orange Valley Road Bridge**

In accordance with the first paragraph of the Tender, the Tenderer hereby offers to complete the work specified in the Contract for the following unit prices:

| ITEM | SPEC         | DESCRIPTION                                   | UNIT           | EST. QTY. | UNIT PRICE | AMOUNT |
|------|--------------|---|----------------|-----------|------------|--------|
| 1    | SP           | Mobilization and Demobilization               | Lump Sum       |           |            | \$     |
| 2    | MUNI.182, SP | Environmental Protection                      | Lump Sum       |           |            | \$     |
| 3    | MUNI.314, SP | Granular 'A'                                  | t              | 350       | \$         | \$     |
| 4    | MUNI.510, SP | Removal of Bridge Structure                   | Lump Sum       |           |            | \$     |
| 5    | MUNI.511, SP | Rip - Rap                                     | m <sup>2</sup> | 100       | \$         | \$     |
| 6    | MUNI.511, SP | Shotrock (Gabion Stone)                       | t              | 20        | \$         |        |
| 7    | MUNI.706, SP | Traffic Control Detour Signing                | Lump Sum       |           |            | \$     |
| 8    | MUNI.732     | Steel Beam Energy Attenuating Terminal System | Each           | 4         | \$         | \$     |
| 9    | MUNI.902, SP | Earth Excavation for Structure                | Lump Sum       |           |            | \$     |

| ITEM | SPEC            | DESCRIPTION                          | UNIT           | EST.<br>QTY. | UNIT<br>PRICE | AMOUNT |
|------|-----------------|--------------------------------------|----------------|--------------|---------------|--------|
| 10   | SP              | Supply & Install Concrete Footings   |                | Lump Sum     |               | \$     |
| 11   | SP              | Bolt a Bin                           |                | Lump Sum     |               | \$     |
| 12   | MUNI.907,<br>SP | Wood in Structure – Ballast Wall     |                | Lump Sum     |               | \$     |
| 13   | MUNI.907,<br>SP | Wood in Structure – Bridge Structure |                | Lump Sum     |               | \$     |
| 14   | SP              | Permanent Modular Bridge             |                | Lump Sum     |               | \$     |
| P1   | MUNI.902,<br>SP | Rock Excavation for Structure        | m <sup>3</sup> | 3            |               | \$     |

SCHEDULE 'B' TOTAL = \_\_\_\_\_

**Schedule "B" - Tender Submission Form (page 4 of 6)**

**RFT 2023-02 Replacement of the Orange Valley Road Bridge**

**Estimated work start date:** \_\_\_\_\_

**All work shall be completed by the fixed completion date of August 25<sup>th</sup>, 2023.**

The Municipality reserves the right to increase or decrease the quantities for each item in this tender.  
Any additional quantities are to be priced at the same unit rates as submitted by contractor/firm.

**Tender Price** \$ \_\_\_\_\_

**HST** \$ \_\_\_\_\_

**Total Tender Price** \$ \_\_\_\_\_  
(Including all applicable taxes)

**SCHEDULE "B" - Tender Submission Form (page 5 of 6)**

**RFT 2023-02 Replacement of the Orange Valley Road Bridge**

**References**

**1<sup>st</sup> Company**

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Person to Contact

\_\_\_\_\_  
Company Phone Number

\_\_\_\_\_  
Company Facsimile

Please provide a brief description of type of work performed and dates below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**2<sup>nd</sup> Company**

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Person to Contact

\_\_\_\_\_  
Company Phone Number

\_\_\_\_\_  
Company Facsimile

Please provide a brief description of type of work performed and dates below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Schedule "B" - Tender Submission Form (page 6 of 6)**

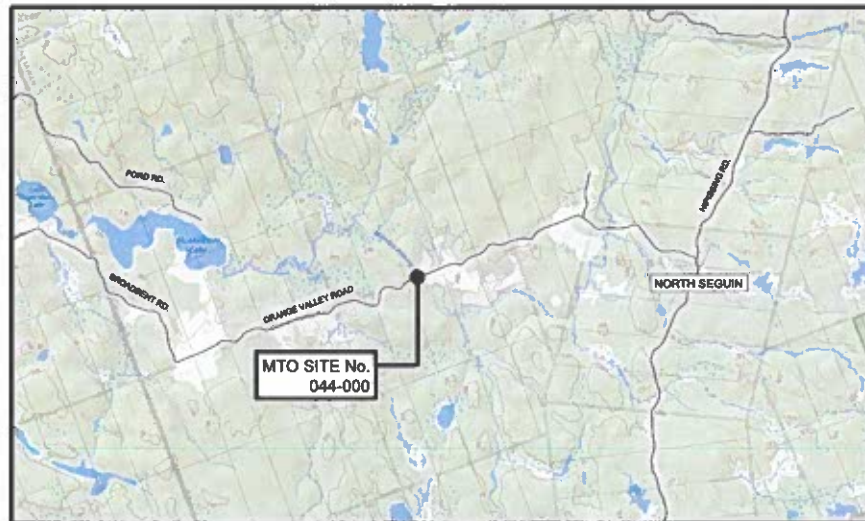
**RFT 2023-02 Replacement of the Orange Valley Road Bridge**

**Items to Include With Tender Bid Submission**

- ▣ All information as requested in '**Submission of Offer**' (Part 6) and Schedule 'A'
- ▣ Schedule 'B', completed in its entirety.
- ▣ Tender Deposit as set out in '**Submission of Offer**' (Part 6)
- ▣ Any additional information that may assist with the award of contract.

# ORANGE VALLEY ROAD BRIDGE REPLACEMENT

THE MUNICIPALITY OF MAGNETAWAN  
TENDER No. 2023-02



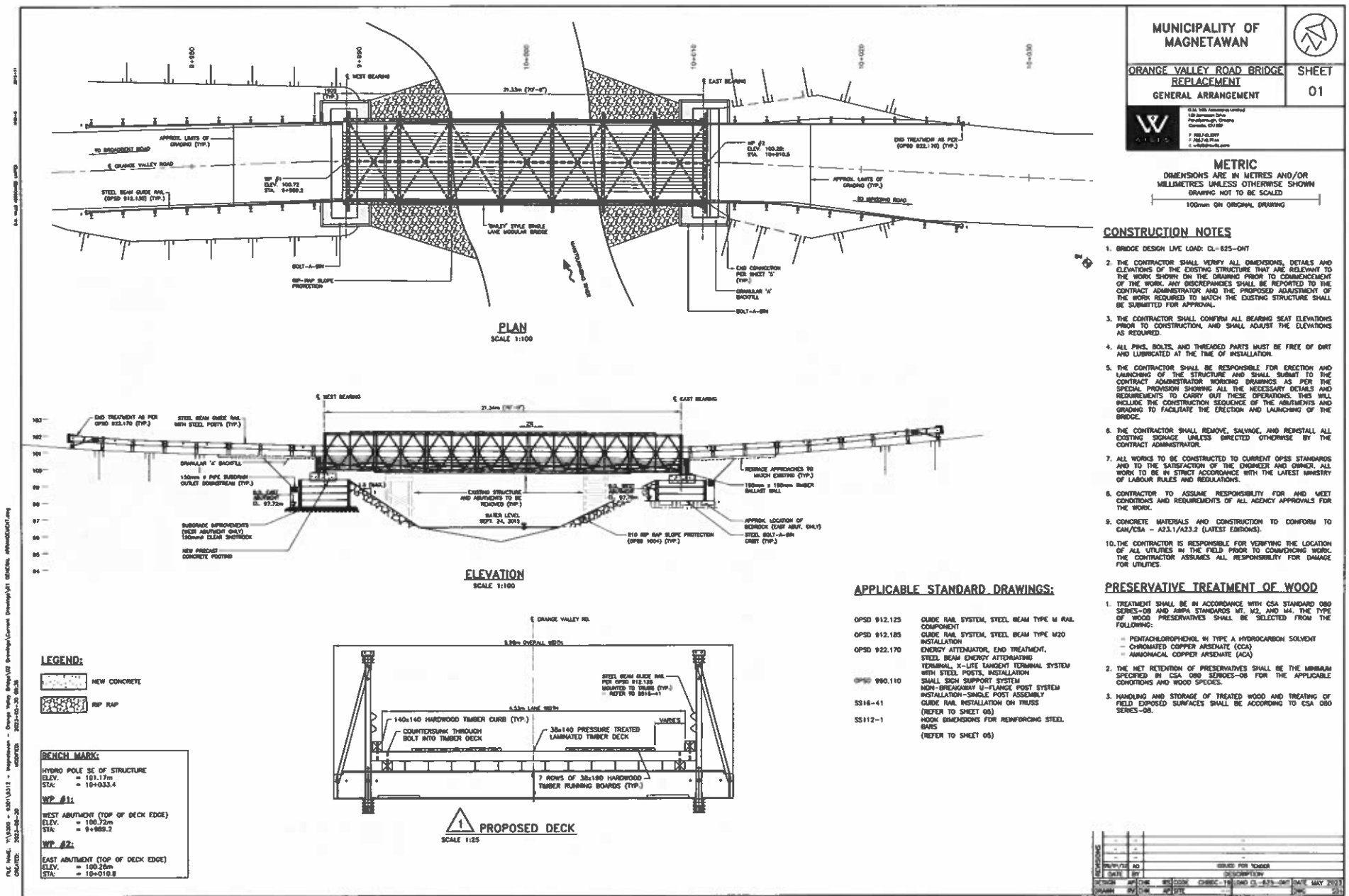
| DRAWING INDEX       |              |
|---------------------|--------------|
| Sheet Title         | Sheet Number |
| TITLE PAGE          | 00           |
| GENERAL ARRANGEMENT | 01           |
| DETOUR PLAN         | 02           |
| REMOVALS            | 03           |
| ABUTMENT DETAILS    | 04           |
| STANDARD DRAWINGS   | 05           |

— PROJECT —

ORANGE VALLEY ROAD BRIDGE REPLACEMENT OVER THE MANITOUWABING RIVER, AND ASSOCIATED APPROACH IMPROVEMENTS.

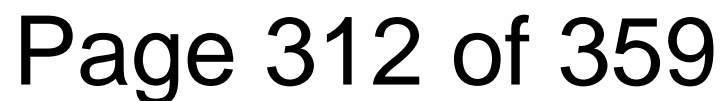
ISSUED FOR TENDER

MAY 30, 2023









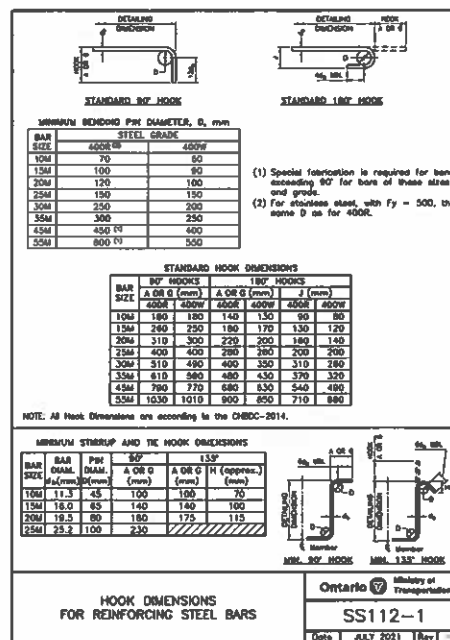
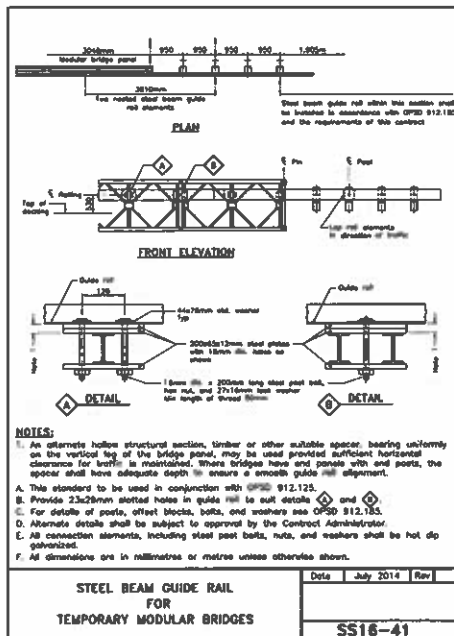
**METRIC**  
DIMENSIONS ARE IN METRES AND/OR  
MILLIMETRES UNLESS OTHERWISE SHOWN  
DRAWING NOT TO BE SCALED

100mm ON ORIGINAL DRAWING



**GENERAL NOTES:**

1. THIS DRAWING SHALL BE READ IN CONJUNCTION WITH ALL OTHER APPLICABLE CONTRACT DRAWINGS.



| REVISIONS |    | DATE |    | BY   |          | ISSUED FOR TENDER |            | DESCRIPTION |         |
|-----------|----|------|----|------|----------|-------------------|------------|-------------|---------|
| DESIGN    | AP | CHK  | RS | CODE | CHBDC-19 | LOAD              | CL-625-ONT | DATE        | MAY 202 |
| FORUM     | RV | CHK  | AP | SITE |          |                   |            | LOW         | SD      |





**Municipality of  
Magnetawan**

P.O. Box 70, 4304 Hwy 520  
Magnetawan, ON  
P0A 1P0

Lead Contact: Scott Edwards  
Public Works Superintendent  
P.O. Box 70, 4304 Hwy 520  
Magnetawan, ON  
P0A 1P0

Email: [publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)

**Request for Proposal**

***Project Name: "Proposal 2023-03 Winter Sand"***

**Date of issue: Wednesday June 7, 2023**

**Proposal Submission Deadline: Thursday June 29, 2023 by 3:00 p.m.**

## **Section 1 Introduction and General Instructions**

### **1.01 Introduction**

The Municipality of Magnetawan is inviting Proposals for Winter Sand and Salt combined.

This Request for Proposal document (and any other applicable attachments or addenda) is available in PDF format through the Municipality of Magnetawan's website at [www.magnetawan.com](http://www.magnetawan.com)

Any information contained in the Request for Proposal that is changed by the Bidder (except for filling in the blanks) will be grounds for disqualification.

Magnetawan's Procurement By-law is available for review at the Municipal Office or on the website.

### **1.02 Submission of Proposals**

Proposals shall be submitted in the form and format specified in Section 3 and shall include the completed Form of Proposal included as Section 5 at the end of this document. A designated signing officer authorized to bind the Bidder to the provisions of their Proposal must sign the Form of Proposal. Any addenda issued by the Municipality of Magnetawan in accordance with Subsection 1.06 must be acknowledged by the Bidder on the Form of Proposal.

All hard copy proposals must be signed, sealed, the envelope marked with the Bidder's name and the Project Name, and received by: The Municipality of Magnetawan, P.O. Box 70, 4304 Hwy 520, Magnetawan, ON P0A 1P0

Electronic submissions will be accepted in response to this RFP. Electronic submissions will not be reviewed until the proposal opening date.

Faxed submissions will not be accepted.

**Project Name: PROPOSAL 2023-03 WINTER SAND**

**Proposals must be received no later than Thursday June 29, 2023 at 3:00pm**

Proposals must not be restricted by a statement added to the Form of Proposal or by a covering letter, or by alterations to the Form of Proposal supplied unless otherwise provided in the RFP.

The onus unequivocally remains with the Bidder to ensure that the Municipality of Magnetawan receives Proposals delivered by the Proposal Submission Deadline, in accordance with the submission process described in this section. Proposals received after the Proposal Submission Deadline will not be considered.

### 1.03 Contacts

All questions or inquiries must be made in writing or email to the Lead Contact named below by the specified date and time:

*Scott Edwards  
Public Works Superintendent  
PO Box 70, 4304 Hwy 520  
Magnetawan, ON  
P0A 1P0  
publicworks@magnetawan.com*

**IMPORTANT:** A Bidder may be disqualified if they make inquiries, between the Proposal issue date and the notification of the Award, in a manner other than that described in this RFP or to anyone involved in the process who is not the Lead Contact, including but not limited to the members of Council. This is to ensure that each Bidder receives the same information, and that no Bidder receives unfair treatment during the RFP process.

### 1.04 Schedule

The schedule set out herein represents the Municipality of Magnetawan's best estimate of the schedule that will be followed, and it is intended to be a guideline.

The approximate schedule is as follows:

|                               |  |
|-------------------------------|--|
| RFP Issue Date                | <b>Wednesday June 07, 2023</b>           |
| Final date of posting addenda | <b>Thursday June 22, 2023 by 4:30 pm</b> |
| Proposal Submission Deadline  | <b>Thursday June 29, 2023 by 3:00 pm</b> |
| Proposal Opening              | <b>Thursday June 29, 2023 by 3:30 pm</b> |

### 1.05 Required Review and Clarification

Bidders shall carefully review this RFP. If questions concerning clarification of the contents of this document arise, the questions must be made in writing and received by the Lead Contact to allow time for the issuance of any necessary addenda. Protests based on any omission or error or on the content of the RFP will be disallowed if these perceived faults have not been brought to the attention of the Lead Contact.

In submitting a Proposal, the Bidder acknowledges that they have read, completely understand, and accept the terms and conditions of the RFP in full. The Municipality of Magnetawan is not responsible for any misunderstanding of the RFP.

### 1.06 Amendments to the RFP

The Municipality of Magnetawan may issue addenda as they are received, clarify and/or modify certain aspects of the RFP prior to the Proposal Submission Deadline. No addenda shall be posted after **Thursday June 22, 2023**. Addenda will be posted to our website at [www.magnetawan.com](http://www.magnetawan.com) and will be available in the Municipal Office.

### **1.07 Reserved Rights of the Municipality of Magnetawan**

The Municipality of Magnetawan reserves the right to:

- a. make public the names of any or all Bidders and their quoted price.
- b. request written clarification or the submission of supplementary written information in relation to the clarification request from any Bidder and incorporate a Bidder's response to that request for clarification into the Bidder's Proposal.
- c. adjust a Bidder's scoring or reject a Bidder's Proposal based on:
  - i) a financial analysis,
  - ii) information provided by references,
  - iii) the Bidder's past performance on previous contracts awarded by the Municipality of Magnetawan,
  - iv) the information provided by a Bidder pursuant to the Municipality of Magnetawan exercising its clarification rights under this RFP process; or
  - v) other relevant information that arises during the RFP process.
- d. verify with any Bidder or with a third party any information set out in a Proposal.
- e. check references other than those provided by any Bidder.
- f. disqualify any Bidder whose Proposal contains misrepresentations and/or any other inaccurate and/or misleading information or qualifications.
- g. disqualify any Bidder or the Proposal of any Bidder who has engaged in conduct prohibited by this RFP.
- h. make changes, including substantial changes, to this RFP provided that those changes are issued by way of addenda in the manner set out in this RFP.
- i. select the Bidder other than the Bidder whose Proposal reflects the lowest cost to the Municipality of Magnetawan or the highest overall score.
- j. cancel this RFP process at any stage.
- k. cancel this RFP process at any stage and issue a new RFP for the same or similar deliverables.
- l. accept or reject any or all Proposals in whole or in part.
- m. discuss with any Bidder different or additional terms to those contemplated in this RFP or in any Bidder's Proposal.
- n. if a single Proposal is received, reject the Proposal of the sole Bidder, and cancel this RFP process
- o. to negotiate with the two lowest Bidder(s).

These reserved rights are in addition to any other expressed rights or any other rights which may be implied in the circumstances.

### **1.08 Not Responsible for Costs**

The Municipality of Magnetawan shall not pay any costs associated with the preparation, submission, or presentation of the Bidder's Proposal. The Municipality of Magnetawan shall not be liable for any expenses, costs or losses suffered by the Bidder or any third party resulting from the Municipality of Magnetawan exercising any of its expressed or implied rights under this RFP.

### **1.09 Proposal Expiry Date**

Bidders hereby acknowledge that their Proposals shall be irrevocable for a period of 60 days from the Proposal submission deadline. Extensions to this period may be granted with the mutual agreement of the Municipality of Magnetawan and the successful Bidder and may be initiated by either party.

### **1.10 Confidentiality and Ownership**

Any information provided to the Bidder by the Municipality of Magnetawan before, during or after the project is completed shall be treated as confidential and shall not be used or communicated by the Bidder or any third party in any way unless otherwise identified or permitted by the Municipality of Magnetawan. The information, reports, documentation, plans, etc. that are produced by the successful Bidder in response to this project shall become the exclusive property of the Municipality of Magnetawan. However, intellectual property, such as specific tools, templates, processes, etc. that the Bidder provides as part of the deliverables remains the property of the Bidder.

### **1.11 Invoicing**

The Vendor will be solely responsible submitting a proper invoice as defined in the Construction Act, R.S.O. 1990 to the Municipality in accordance with the schedule and requirements of Section 2.04. In addition to the statutory requirements of a proper invoice, Contractors shall also submit the following documentation to the Municipality:

- a. A valid WSIB clearance certificate that covers the invoice period;
- b. If holdback is being retained by the Municipality, then on the second invoice (if applicable) and every invoice thereafter, a Statutory Declaration from the Contractor declaring that all accounts for labour, subcontracts, productions, construction equipment, and other indebtedness which may have incurred by the Contractor in the substantial performance of the Work and for which the Municipality might in any way be held responsible have been paid in full, except for amounts properly retained as a holdback or as an identified amount in the dispute on form CCDC 9A-2018 or some other alternative form acceptable to the Municipality; and
- c. Supporting documentation including weight tickets for materials used to substantiate the Work delivered and/or performed to date.

### **1.12 Method of Delivery of Invoices**

- a. The Contractor shall send invoices to both the attention of the Municipal contact(s) specified in the Contract and the Treasurer. The Contractor shall reference the invoice Project Name in the email subject line and/or envelope.
- b. Invoices not received by the Municipal contacts set out herein as instructed will not be acknowledged or considered received by the Municipality.
- c. Invoices delivered after 4:00 pm between Monday to Friday or statutory holiday or weekend will be considered received on the next business day.

### **1.13 Processing of Proper Invoices**

Failure of the Contractor to submit a Proper invoice will not be processed for the payment by the Municipality until a Proper invoice is received by the Municipality. It is the Contractor's responsibility to submit and re-submit a Proper Invoice to the Municipality whether the Municipality provides notice or not.

### **1.14 Payment Disputes**

- a. Upon receipt of a Proper Invoice from the Contractor, the Municipality may approve or dispute – all or part of the contents of the Proper Invoice.
- b. If the Municipality does not agree with the invoiced Work or amounts, the Municipality will review the invoice with the Contractor and try to resolve the disputed amounts within ten (10) calendar days from the date of receipt. If the invoice cannot be resolved between the Municipality and the Contractor within ten (10) calendar days, the Municipality may pay the portion that it determines is owing and will include with the payment an explanation for any reduction of the invoiced amount. Any Notice of Non-Payment shall comply with the Construction Act.
- c. The Municipality may withhold payment under the Contract for any disputed amounts, without interest until such dispute is settled or resolved – informally or formally i.e. litigation, adjudication or any formal dispute resolution procedure.
- d. No payment made under the Contract will constitute a waiver of any terms of the Contract or any other rights available at law or equity.
- e. Unless otherwise agreed to by the parties, the Municipality will not be liable for any charge or fees for late payment.
- f. If the Contractor is in any way indebted to the Municipality, either under the terms of the Contract or for any other reason, the Municipality shall have the right of set-off to the extent of such debt.

### **1.15 Freedom of Information**

Any personal information required in the Proposal is received under the authority of the Municipality of Magnetawan. This information shall be an integral component of the submission. All written Proposals received by the Municipality of Magnetawan become a public record. Once a Proposal is accepted by the Municipality of Magnetawan and the contract has been awarded, all information contained in the Proposals may be available to the public, including personal information. Questions about the collection of personal information and the *Municipal Freedom of Information and Protection of Privacy Act, 1989, R.S.O. 1990*, as amended may be directed to the Lead Contact.

### **1.16 Additional Requirements**

- a. A certified cheque made payable to the Municipality of Magnetawan in the amount of ten per cent (10%) of the total Proposal must be submitted with the Proposal, for deposit purposes. Deposit cheques of unsuccessful bidders will be returned within ten business (10) days of the Proposal opening. The cheque of the successful bidder shall be retained until the Municipality's acceptance of the completed work.
- b. The successful bidder may file with the Municipality of Magnetawan, a completed Performance Bond. The Bond shall be signed and sealed by a recognized Bonding Company, in the amount of one hundred per cent (100%) of the total estimated Proposal. Upon receipt of such a bond, the Municipality of Magnetawan will return the Contractor's Proposal deposit cheque.



## Section 2 Scope of Work and Project Requirements

### 2.01 Scope of Work *PLEASE SEE SCHEDULE A to PROPOSAL 2023-03 on page 11*

The winning Contractor is responsible to fill up two domes with 5500 tonnes of winter sand. To note the Municipality already has the salt required stored at the yard. Due to this an earlier delivery date can be negotiated with the Municipality!

The Municipality requires both Domes to be filled with a Winter Sand/Salt mixture being 97% Sand and 3% Winter Salt. It will be up to the successful Contractor to order, coordinate and mix mechanically 5500 tonnes of the combined material.

Sand shall conform to the following gradation requirements with the exception that for manufactured sand the maximum percent passing the 75 um sieve shall be three percent (3%):

Gradation Requirements - MTO Lab Test No. L.S. 602

|   | MTO Sieve Designation | Percentage Passing |
|---|-----------------------|--------------------|
| 1 | 12.0 mm               | 100                |
| 2 | 4.75 mm               | 90-100             |
| 3 | 2.36 mm               | 50-95              |
| 4 | 1.18 mm               | 20-90              |
| 5 | 600 um                | 0-70               |
| 6 | 300 um                | 0-35               |
| 7 | 150 um                | 0                  |
| 8 | 75 um                 | 0                  |

In the past, the Municipality has found that the sand does not have enough grit. Therefore, #2 and #3 can exceed sieve size but is not to exceed 8 mm sieve. All sand shall have two (2) samples taken at the point of unloading and sent to an approved lab to ensure that the three percent (3%) passing through the 75 um sieve is not exceeded. The municipality will assume this responsibility with associated costs. Sand that does not meet the specifications above shall be removed from the Municipal Yard at the suppliers' expense.

### 2.02 Services Required

The services to be provided by the successful Bidder will include but not be limited to those areas as set out below. Generally, services provided by the successful Bidder in each area shall include but not be limited to: Granular particles must satisfy the requirements of Table 1 - Gradation Requirements and OPSS Forms 314, 1001 and 1010. Stockpiling shall conform with the requirements of OPSS Form 1001.

A penalty of \$500.00/day, at the Municipality's discretion may be applied if agreed to quantities are not supplied on schedule. The Contractor is responsible for adding the salt to the sand during stockpiling at a ratio set by the Public Works Superintendent and must be mechanically mixed. The Contractor is to use a minimum of eighty (80) foot stacker to stockpile the sand. The Municipality will **NOT** supply the salt. Weekend work may be permitted upon prior arrangement with the Public Works Superintendent. If at any time the material provided by the Contractor does not meet the specification within this Proposal, then the Municipality has the right to refuse



material, be reimbursed for the inferior material and award the remainder of the contract to another Bidder.

Should Schedule A require payment by the tonne, the method of weighing shall be in accordance with OPSS Form 502. In addition, where a scale is found to be in excess of the Limits of Error specified by the Government of Canada Weights and Measures Act (0.1% on indicated load for a portable scale) but not more than three (3) times the Limits of Error, the scale may continue to be used for no more than forty-eight (48) hours. Where the scale is in error by more than three (3) times the Limits of Error, weighing of material on the scale must cease immediately. Loader bucket scale is acceptable upon written approval of the Superintendent of Public Works.

### **2.03 Core Key Deliverables/Requirements**

The Municipality has the following general requirements of a potential preferred vendor for Gravel:

- a. The successful bidder shall deliver a certified copy of the Firm's Public Liability and Property Damage Insurance Policy for the works, within ten (10) calendar days of receiving the Acceptance Notice. Coverage shall be at least five million dollars (\$5,000,000) per accident in the name of the Municipality. Failure to provide such proof shall result in cancellation of the Contract and forfeiture of the bid deposit. (Also see Form M-100, Subsections 106-1 and 106-2)
- b. The successful bidder shall also deliver proof of Workman' s Safety Insurance Board coverage within ten (10) calendar days of receiving the Acceptance Notice. The Municipality may also require HST compliance.

### **2.04 Payment Schedule**

Payment of the contract amount, subject to the statutory holdback (*Construction Act*) and the deficiency holdback referenced in section 2.05, shall be made promptly upon the Issuance of the Certificate of Substantial Completion and the receipt of a proper invoice as set out in section 1.11.

### **2.05 Deficiency Hold Back**

In addition to statutory holdback and any other remedy available to the Municipality, the Municipality may withhold up to Five percent (5%) of the total value of Work performed ("Deficiency Holdback") for a period of up to two (2) years following the Substantial Performance of the Contract. Upon rectification and completion of the deficiencies in accordance with the Contract Documents and as approved by the Municipality and/or Contract Administrator, the Deficiency Holdback (less any monies owed to the Municipality by the Contractor) will be released to the Contractor. All monies payable to the Municipality by the Contractor, including but not limited to the costs and expenses incurred to rectify the deficiencies that the Contractor fails to rectify and complete to the Municipality's satisfaction may be retained out of the Deficiency Holdback.

### **2.06 Performance Evaluation:**

Failure to execute the contract in a competent manner shall result in the bidder's disqualification from bidding on the Municipalities future contracts for a period of two (2) years.

## 2.07 Completion Date:

The Contractor shall complete the work by: **October 1, 2023**

If the time limit above is not sufficient to permit completion by the Contractor working a normal number of hours, the Contractor shall make changes to permit the work to be completed by the above date. Additional costs incurred shall be deemed to be included in the price bid for the works. If the time limit above is not enough to permit completion by the Contractor, working a normal number of hours, the Contractor shall make changes to permit the work to be completed within the allotted time. Additional costs incurred shall be deemed to be included in the price submitted by the Bidder for this Proposal.

If the work is not completed by the above time frame or by an amended time frame allowed by an approved extension of time (see Form M-100, Subsection 107-2) then the Contractor agrees to pay the Municipality of Magnetawan the sum of Five Hundred Dollars (\$500.00) per calendar day, for each day's delay in finishing the work, excluding weekends.

## **Section 3**      **Requirements**

### **3.01 Submission**

For the Municipality of Magnetawan to evaluate Proposals fairly and completely, Bidders shall provide **all** information requested in the format set out in the RFP. Failure to provide all required information as detailed in this section may result in the Bidder being disqualified or scoring poorly in the evaluation.

Each Proponent shall submit one (1) set of their Proposal, containing the following items:

|  |  |
|--|--|
| • An indication of the Proponent's understanding of the project scope and requirements, including how the specific required services shall be met.   |  |
| • An overview of the Company submitting the proposal, along with an overview of any sub-contractors which will be taking part in the work on behalf of the Proponent, and their legal/contractual relationship to the Proponent. |  |
| • An overview of the Proponent's experience and expertise, as well as the expertise of any sub-contractors that will be involved as part of the Proponent's team.  |  |
| • A Completed proposal package including signatures.   |  |
| • Proposal Addendums signed by Proponent for acknowledgement.  |  |
| • All necessary funds.   |  |

### **3.02 Evaluation Criteria, Process and Award**

The Municipality of Magnetawan may make an award based on the proposals received without further discussion with the Bidders. Therefore, each initial offer should contain the Bidder's best terms/information, including all required documentation as listed in this RFP.

The evaluation committee will recommend Award to Council for the Bidder achieving the specifications required and the lowest price.

The successful Bidder shall be notified of the Award in writing to the e-mail address given on the Form of Proposal, and/or may be contacted verbally by the Lead Contact.

## **Section 4 Evaluation of the Proposals**

### **4.01 Evaluation Criteria, Process and Award**

As part of the evaluation process, the Municipality of Magnetawan may contact one or more Bidders to clarify or obtain more information about their Proposal or to request the Bidder to exhibit or otherwise demonstrate the information contained therein. The purpose of these discussions will be to ensure full understanding of the requirements of the RFP and Proposal. Discussions will be limited to specific sections of the RFP identified by the evaluation committee. The Lead Contact will only hold discussions with Bidders who have submitted a proposal deemed to be reasonably acceptable for Award.

The Municipality of Magnetawan may make an award based on the proposals received without further discussion with the Bidders. Therefore, each initial offer should contain the Bidder's best terms/information, including all required documentation as listed in this RFP.

### **4.02 Basis of Rejection of Proposal**

Proposal not conforming to the requirements within this document and/or the following will be disqualified:

- a. Proposal must be legible, in ink, typewritten, or by printer.
- b. Proposal must be in the possession of the Municipality of Magnetawan by the closing date and time and on form provided.
- c. Proposal must be signed and sealed by an authorized official of the bidding organization. A joint proposal must be signed and sealed by each company.

The Contractor has carefully examined the conditions and specifications attached and referred to in this contract, and has carefully examined the site and work location (see Form M-100, Subsection 102-2), and understands and accepts the said conditions and specifications, and for the prices set forth in this proposal, hereby offers to furnish all labour, equipment and materials, except as otherwise specified in the contract, to complete the work in strict accordance with said conditions and specifications.

Attached to this proposal is a certified cheque, in the amount of 10% of the total proposal, made payable to the Municipality of Magnetawan. The proceeds of this cheque shall, upon acceptance of the proposal, constitute a deposit which shall be forfeited to the Municipality of Magnetawan if the Contractor fails to perform the work in accordance with the conditions and specifications referred to or contained in this proposal.

It is agreed that the proposal quantities are estimated only and may be increased or decreased by the Municipality without alterations of the proposal price. However, such increases or decreases shall not exceed 20%. (See Form M-100, Subsection 103-1)

It is also agreed that upon acceptance in writing by the Municipality of Magnetawan this proposal form becomes the agreement for the performance of the work between the contractor and the Municipality.

**2023 5500 TONNES**

| Item No.                 | Item Description                                      | Unit | Quantity     | Unit Price<br>Supply &<br>Delivery<br>Mechanical Mix | PST | Total |
|--------------------------|---|------|--------------|--|-----|-------|
| 1                        | Supply, Screen & Stockpile Sand/Salt in Sheds         |      | 5,500 tonnes |  |     |       |
| 2                        | Trucking to Municipal Sand/Salt Shed at 18 Miller Rd. |      | 5,500 tonnes |  |     |       |
| Estimated Proposal       |   |      |              |  |     |       |
|                          |   |      |              |  |     |       |
| H.S.T.                   |   |      |              |  |     |       |
| Total Estimated Proposal |   |      |              |  |     |       |

**Optional 2024 6500 TONNES**

| Item No.                 | Item Description                                      | Unit | Quantity     | Unit Price<br>Supply &<br>Delivery<br>Mechanical Mix | PST | Total |
|--------------------------|---|------|--------------|--|-----|-------|
| 1                        | Supply, Screen & Stockpile Sand/Salt in Sheds         |      | 6,500 tonnes |  |     |       |
| 2                        | Trucking to Municipal Sand/Salt Shed at 18 Miller Rd. |      | 6,500 tonnes |  |     |       |
| Estimated Proposal       |   |      |              |  |     |       |
|                          |   |      |              |  |     |       |
| H.S.T.                   |   |      |              |  |     |       |
| Total Estimated Proposal |   |      |              |  |     |       |

## Section 5 Form of Proposal

I/We, the Undersigned, having examined this Request for Proposals, do hereby offer to enter into an Agreement with the Municipality of Magnetawan to provide gravel, without undue delay, and by completion date.

I, We \_\_\_\_\_  
(Name-Print) (Position)

of \_\_\_\_\_  
(Company Name)

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
AUTHORIZED SIGNATURE

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
CITY PROVINCE POSTAL CODE

\_\_\_\_\_  
TELEPHONE NO. FACSIMILE NO. E-MAIL ADDRESS

Receipt of any issued addenda shall be acknowledged by initialing in the space provided below.

Addendum No. 1 \_\_\_\_\_ Addendum No. 2 \_\_\_\_\_ Addendum No. 3 \_\_\_\_\_

Receipt of any issued addenda shall be acknowledged by initialing in the space provided below  
Last posted addendum on the website on Thursday June 22, 2023 \_\_\_\_\_

Signature in the designated space, by an authorized officer of the Bidder's company affirms acceptance of the Request for Proposal requirements set forth in this document, the associated costs attributed to the business arrangement between the Bidder and the Municipality of Magnetawan, and hereby certifies that the information supplied in this Proposal to be true and complete in all respects.

Company Seal



**NEW!**

# **BEACH TOY LENDING PROGRAM NOW AVAILABLE AT THE HERITAGE MUSEUM CENTRE**

***FORGOT YOUR BEACH TOYS? DON'T WORRY WE GOT YOU COVERED!***



***SOME RESTRICTIONS APPLY!!***

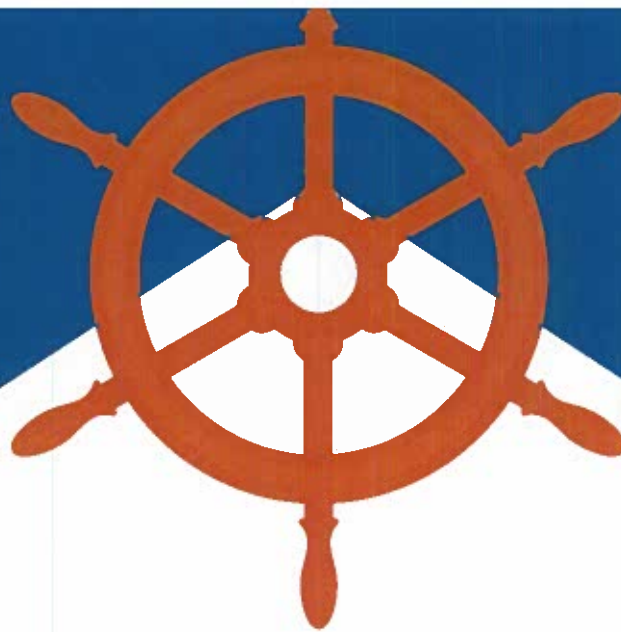
***FOR MORE DETAILS VISIT OUR WEBSITE AT [www.magnetawan.com](http://www.magnetawan.com)***

***OR EMAIL [recreation@magnetawan.com](mailto:recreation@magnetawan.com)***

**Page 326 of 359**



**Municipality of  
Magnetawan**



# *The Boat Locks Are Open!*

Go through the locks to access  
Ahmic Lake and Lake Cecebe

**OPEN DAILY FROM JUNE 30TH  
UNTIL SEPTEMBER 3RD**



**DOWN** TO AHMIC LAKE

10:00AM  
12:00PM  
2:00PM  
4:00PM  
6:00PM



**UP** TO LAKE CECEBE

10:30AM  
12:30PM  
2:30PM  
4:30PM  
6:30PM



# THE MAGNETAWAN HERITAGE CENTRE MUSEUM IS OPEN!

**4205 Highway 520**

*Open Daily from 10:00am to 6:30pm until Labour Day Weekend*

**DON'T FORGET TO PICK UP YOUR FREE KIDS ACTIVITY BOOK  
STOP BY TO SEE OUR PUBLIC MURALS AND KISS THE MOOSE!**  
**#magswhereitsat #klssthemoose #magnetawan**



**FOR MORE DETAILS VISIT OUR WEBSITE AT [www.magnetawan.com](http://www.magnetawan.com)  
OR EMAIL [recreation@magnetawan.com](mailto:recreation@magnetawan.com)**





# **ROCK 'N' ROLL IN THE MAG!**

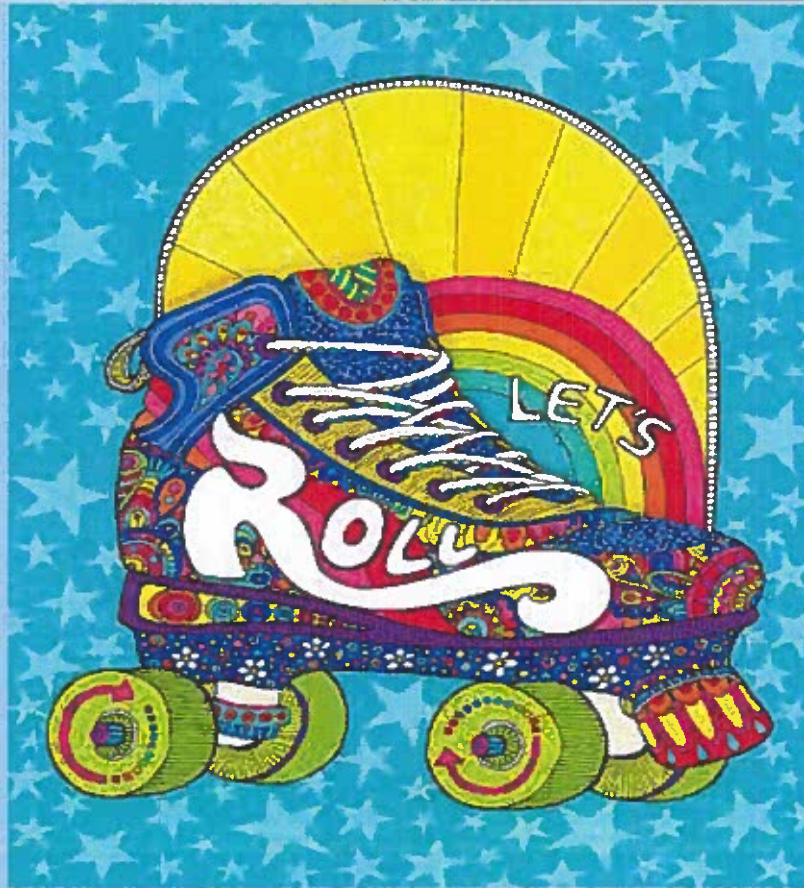
**FREE ROLLERSKATING FRIDAY NIGHTS**

**6-9 PM JULY AND AUGUST**

**LOCATED AT THE MAGNETAWAN LIONS' PAVILION**

**JOIN US FOR OUR OPENING NIGHT FRIDAY JUNE 30<sup>TH</sup>**

**\*\*SKATE DEMO AND LESSONS BY NITRO SKATES**



**EQUIPMENT CAN BE PROVIDED OR BRING YOUR OWN ROLLERSKATES!**

**SIZING IS AVAILABLE ON A FIRST COME FIRST SERVE BASIS**

**EACH CHILD MUST BE ACCOMPANIED BY AN ADULT**

**HELMETS AND SAFETY WEAR IS RECOMMENDED**

**FOR MORE INFORMATION AND FOR REGISTRATION**

**FORMS CONTACT US AT (705) 387-3947**

**OR AT [RECREATION.MAGNETAWAN.COM](http://RECREATION.MAGNETAWAN.COM)**





UNDER 14? FIND  
LAURA AND TELL HER  
HOW OLD CANADA IS  
TO GET A FREE TREAT!



*Happy*  
**CANADA**  
**DAY**  
- July 1 -

## **CELEBRATE CANADA DAY IN THE MAG!**

**SATURDAY JULY 1<sup>ST</sup>**

### **CANADA DAY EVENT LINE UP**

**10:30AM**-PARADE FROM MAGNETAWAN CENTRAL SCHOOL TO COMMUNITY CENTRE

**AT THE MAGNETAWAN COMMUNITY CENTRE AND GROUNDS**

**11:00AM**-OPENING CERMONIES INCLUDING SINGING OF O'CANADA AND CAKE!

**10AM TO 1PM**-MAGNETAWAN FARMERS MARKET, AGRICULTURAL SOCIETY BARN SALE, PATTI & MICK PARKER BAND, ALMAGUIN COMMUNITY HATCHERY PROGRAM TRAILER, CHAINSAW CARVING DISPLAY, MAGNETAWAN LIBRARY CHILDREN'S CRAFTS, BANGER FOOD TRUCK, AND PHOTOBOOTHS

**AT THE VILLAGE GREEN**

**11:30AM TO 3PM**-BOUNCY CASTLE, MINI PUTT, MIGHTY CANADIAN DOUGHNUTS TRUCK, MAGNETAWAN FIRE DEPARTMENT BBQ AND FIRE TRUCK DISPLAY, AND DUNK TANK

**AT THE HERITAGE MUSEUM CENTRE**

**10:00AM TO 6:30PM**- TEMPORARY TATTOOS, CANADA DAY BRACELETS, ROCK SNAKE PAINTING, PHOTOBOOTH, KIDS ACTIVITY BOOKS, AND PUBLIC ART MURALS

**AT THE CENTENNIAL PARK**

**11:30AM TO 3PM**-REPTILE CAMP SHOW AND INTERACTIVE DISPLAY, FOAM PARTY, ROCK WALL, GYROSCOPE, KEN THE BALLOON DUDE, TICKLED TEALS FACE PAINTING, RHYTHMICITY DRUM CIRCLE, HENNA BODY ART, NORTH BAY ASTRONOMY CLUB AND SCIENCE NORTH'S NATURAL CURIOSITY DISPLAY.

**7:00PM TO 8:30PM**-MUSIC IN THE PARK HEAVY MELLOW

**DON'T FORGET THE FIREWORKS DISPLAY AT DUSK AT THE LOCKS**





# **FIREWORKS**

**Magnetawan's Annual Canada Day**

**Fireworks Display**

**SATURDAY JULY 1ST**

**AT DUSK**

**AT THE LOCKS**



*THERE ARE MULTIPLE SITES TO VIEW THE FIREWORKS including:*

*the Liquor Store Parking Lot, the Sparks Street Bridge, Centennial Park and the Water!*

***HAPPY BIRTHDAY CANADA!***

# **NOTICE OF ROAD CLOSURE**

## **SATURDAY JULY 1, 2023**

### **FROM 10:30 AM TO 11:00 AM**

**THE ROAD WILL BE CLOSED FOR OUR CANADA DAY PARADE FROM  
THE MAGNETAWAN CENTRAL SCHOOL TO THE COMMUNITY CENTRE**

**FOR MORE DETAILS GIVE US A CALL AT (705) 387-3947  
OR EMAIL [recreation@magnetawan.com](mailto:recreation@magnetawan.com)**





# THE MUNICIPAL OFFICE WILL BE CLOSED MONDAY JULY 3, 2023

MUNICIPAL LANDFILLS WILL BE OPEN

CHAPMAN: MONDAY, SATURDAY, SUNDAY

CROFT: TUESDAY, FRIDAY, SATURDAY, SUNDAY



*The Municipality of Magnetawan would like to  
wish everyone a  
Safe and Happy Canada Day!*





# ICYMI In Case You Missed It! Council Highlights May 31, 2023



To read the complete minutes, agenda packages and by-laws please visit our website at [www.magnetawan.com](http://www.magnetawan.com)



**EXCITING NEWS!** Council passed Resolution 2023-151 thanking Albert Gilewicz for his deputation Public Art Proposals and approves the temporary "X Marks the Spot" public art project for 2023 and the "Out of Water" public art project for 2024 at the Village Green. Stay tuned for details!!

Council passed Resolution 2023-157 receiving the Village of Burk's Falls Correspondence Supporting the Start Up Costs of a Dental Clinic in Burk's Falls and authorized a onetime payment of \$1,572.47.



Council passed Resolution 2023-161 approving a donation of up to \$300 towards the Ahmic Harbour Recreation Committees Canada Day Celebrations!



Council passed resolution 2023-159 receiving and approving the Request from the Ontario Federation of Anglers and Hunters – Host Boat Launch Education – Phragmites Working Group at one of our public boat ramps. Stay tuned for details on this upcoming Education Program including location and dates!



Council passed resolution 2023-160 approving a donation of \$100 for the Magnetawan Central Public School Emily Ross Langford Award for Citizenship. Congratulations to all our GRADUATES!

**GREAT NEWS!** Staff applied for grant funding and was successful in their applications to the NOHFC Community Events Stream Grant Funding to help offset the costs of Music in the Park and the NOHFC Workforce Development Stream Grant Funding to help offset the costs of a Community Development Intern!



That the average Canada Goose poops every 12 minutes and drops between 2 to 3 lbs. on a daily basis? The Parks Department spends 4 hours per week to clean up the goose droppings at our Municipal Parks and Greenspaces!

**SAVE THE DATE**

The next open public meeting of Council is June 21, 2023, at 1:00 pm at the Magnetawan Community Centre.

Questions? Concerns? Ideas? Contact the Municipal Office at (705) 387-3947

or by email at [info@magnetawan.com](mailto:info@magnetawan.com)

Council Approval Accounts Payable and Payroll

Meeting Date: June 21/2023

| Accounts Payable   | Amount        |
|--|---------------|
| Batch # 2023-00074<br>Cheque Date: May 25/23<br>From: 24455 To: 24456  | \$ 7,524.67   |
| Batch # 2023-00077<br>Cheque Date: June 9/23<br>From: 24459 To: 24460  | \$ 7,577.75   |
| Batch # 2023-00076<br>Cheque Date: June 21/23<br>From: 24463 To: 24554 | \$ 290,741.30 |
| EFT<br>Batch # 2023-00081  | \$ 2,290.31   |
| Total Accounts Payable   | \$ 308,134.03 |

Cancelled Cheques

|  |               |
|--|---------------|
| Payroll  |               |
| Staff Pay<br>Pay Period: # 10<br>Direct deposit and<br>Cheque # to # | \$ 43,401.18  |
| Staff Pay<br>Pay Period: # 11<br>Direct deposit and<br>Cheque # to # | \$ 42,319.79  |
| Council Pay<br>Pay Period: # 11<br>All Direct deposit                | \$ 6,759.69   |
| Total Payroll  | \$ 92,480.66  |
| Total for Resolution   | \$ 400,614.69 |

**Municipality of Magnetawan**  
**List Of Accounts for Approval**  
Batch: 2023-00074 to 2023-00083

Bank Code - CURR - CURRENT ACCOUNT

**COMPUTER CHEQUE**

| Payment #<br>Invoice # | Date              | Vendor Name<br>GL Account                     | GL Transaction Description | Detail Amount  | Payment Amount |
|------------------------|-------------------|---|----------------------------|----------------|----------------|
| <b>24455</b>           | <b>2023-05-25</b> | <b>ASSOCIATED FIRE SAFETY GROUP</b>           |                            |                |                |
| 515                    |                   | 1-4-2000-7130 - FD - EQUIPME                  | FH3 FIRE HOSE TESTER :     | 5,249.81       |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                   | HSTBIReb Tax Code          | 579.86         | 5,829.67       |
| <b>24456</b>           | <b>2023-05-25</b> | <b>SHEEHAN ARBITRATION MEDIATION SERVICES</b> |                            |                |                |
| INV-2023-55            |                   | 1-4-1200-2215 - ADMIN - LEGA                  | LEGAL MATTERS              | 1,526.40       |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                   | HSTBIReb Tax Code          | 168.60         | 1,695.00       |
| <b>24457</b>           | <b>2023-06-08</b> | <b>VOID - PAYROLL</b>                         |                            |                |                |
| <b>24458</b>           | <b>2023-06-08</b> | <b>VOID - PAYROLL</b>                         |                            |                |                |
| <b>24459</b>           | <b>2023-06-09</b> | <b>Magnetawan Central School</b>              |                            |                |                |
| DONATION               |                   | 1-4-1000-5018 - COUNCIL - DO                  | EMILY ROSS LANGFORD        | 100.00         | 100.00         |
| <b>24460</b>           | <b>2023-06-09</b> | <b>Nitro Skates</b>                           |                            |                |                |
| 20230608               |                   | 1-4-2600-8000 - REC - CAPITAL                 | ROLLERSKATES BALANC        | 6,283.69       |                |
|                        |                   | 1-4-2600-2400 - REC - RECRE/                  | ROLLERSKATES BALANC        | 500.00         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                   | HSTBIReb Tax Code          | 694.06         | 7,477.75       |
| <b>24461</b>           | <b>2023-06-08</b> | <b>VOID - Vender did not receive</b>          |                            |                |                |
| <b>24462</b>           | <b>2023-06-14</b> | <b>VOID - PAYROLL</b>                         |                            |                |                |
| <b>24463</b>           | <b>2023-06-21</b> | <b>ADAMS BROS. CONSTRUCTION LTD.</b>          |                            |                |                |
| 162250                 |                   | 1-4-4030-2015 - RECY - LATRI                  | LANDFILL TOILET RENTAL     | 139.13         |                |
|                        |                   | 1-4-4020-2020 - LF - LATRINE I                | LANDFILL TOILET RENTAL     | 139.13         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                   | HSTBIReb Tax Code          | 30.74          | 309.00         |
| <b>24464</b>           | <b>2023-06-21</b> | <b>AGRICULTURE FORESTRY CONSTRUCTION INC</b>  |                            |                |                |
| 3967                   |                   | 1-4-3219-2070 - LOADER - REF                  | EQUIPMENT CHECK-ROA        | 234.05         |                |
|                        |                   | 1-4-3214-2070 - DOZ - REPAIR                  | EQUIPMENT CHECK-ROA        | 195.04         |                |
|                        |                   | 1-4-3216-2070 - BH3 - REPAIR                  | EQUIPMENT CHECK-ROA        | 195.05         |                |
|                        |                   | 1-4-3213-2070 - COM - REPAIR                  | EQUIPMENT CHECK-ROA        | 195.04         |                |
|                        |                   | 1-4-3218-2070 - BH5 - REPAIR                  | EQUIPMENT CHECK-ROA        | 20.48          |                |
|                        |                   | 1-4-3219-2070 - LOADER - REF                  | EQUIPMENT CHECK-ROA        | 20.47          |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                   | HSTBIReb Tax Code          | 95.00          | 955.13         |
| 3950                   |                   | 1-4-3217-2070 - BH4 - REPAIR                  | BH #4 - FIX LEAKING CYLI   | 122.88         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                   | HSTBIReb Tax Code          | 13.57          | 136.45         |
| 4011                   |                   | 1-4-3217-2070 - BH4 - REPAIR                  | BH #4 TIRE RIM             | 1,509.38       |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                   | HSTBIReb Tax Code          | 166.72         | 1,676.10       |
| 4023                   |                   | 1-4-3218-2070 - BH5 - REPAIR                  | BH #5 REPAIRS              | 676.55         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                   | HSTBIReb Tax Code          | 74.73          | 751.28         |
| 4016                   |                   | 1-4-3022-3030 - B2- RENTED E                  | RENTED EXCAVATOR MA        | 184.32         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                   | HSTBIReb Tax Code          | 20.36          | 204.68         |
| 4049                   |                   | 1-4-3213-2070 - COM - REPAIR                  | LANDFILL COMPACTOR V       | 358.20         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                   | HSTBIReb Tax Code          | 39.56          | 397.76         |
|                        |                   |   |                            | Payment Total: | 4,121.40       |

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| Payment #<br>Invoice # | Date              | Vendor Name<br>GL Account                    | GL Transaction Description | Detail Amount | Payment Amount |
|------------------------|-------------------|--|----------------------------|---------------|----------------|
| <b>24465</b>           | <b>2023-06-21</b> | <b>2006316 ONTARIO INC.</b>                  |                            |               |                |
| 20230531               |                   | 1-2-1000-1083 - ENTRANCE SE                  | REIMBURSEMENT-ENTRA        | 500.00        | 500.00         |
| <b>24466</b>           | <b>2023-06-21</b> | <b>Township Of Armour</b>                    |                            |               |                |
| ARM-23-47              |                   | 1-4-2200-1010 - BLEO - WAGE                  | APRIL/23-BYLAH HOURS       | 2,213.90      |                |
|                        |                   | 1-4-2200-2025 - BLEO - MILEA                 | APRIL/23-BYLAH HOURS       | 360.71        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                  | HSTBIReb Tax Code          | 284.38        | 2,858.99       |
| <b>24467</b>           | <b>2023-06-21</b> | <b>TOROMONT CAT</b>                          |                            |               |                |
| F2944302               |                   | 1-4-3022-3030 - B2- RENTED E                 | ROADS-BRUSHING, RENT       | 4,657.66      |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                  | HSTBIReb Tax Code          | 512.77        | 5,170.43       |
| <b>24468</b>           | <b>2023-06-21</b> | <b>ARNSTEIN LAWN AND GARDEN COMPANY INC.</b> |                            |               |                |
| 01-130788              |                   | 1-4-7200-2010 - PARKS - MATE                 | PARKS-WHIPPER SNIPPE       | 42.72         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                  | HSTBIReb Tax Code          | 4.72          | 47.44          |
| 01-130787              |                   | 1-4-4020-2010 - LF - MATERIAL                | LANDFILL MATERIALS & S     | 181.05        |                |
|                        |                   | 1-4-4030-2010 - RECY - MATEF                 | LANDFILL MATERIALS & S     | 181.04        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                  | HSTBIReb Tax Code          | 40.00         | 402.09         |
| 01-130894              |                   | 1-4-7200-2400 - PARKS - REPA                 | GRAVELY MOTOR BLADE        | 93.23         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                  | HSTBIReb Tax Code          | 10.30         | 103.53         |
|                        |                   |  | Payment Total:             |               | 553.06         |
| <b>24469</b>           | <b>2023-06-21</b> | <b>BELL CANADA</b>                           |                            |               |                |
| 3620-MAY/23            |                   | 1-4-4020-2120 - LF - OFFICE                  | LANDFILL - OFFICE          | 92.03         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                  | HSTBIReb Tax Code          | 9.20          | 101.23         |
| <b>24470</b>           | <b>2023-06-21</b> | <b>BELL MOBILITY INC</b>                     |                            |               |                |
| 50066875JUNE:          |                   | 1-4-2000-2053 - FD - COMMUN                  | TOWER RENTAL               | 59.89         |                |
|                        |                   | 1-4-3101-2053 - J - COMMUNIC                 | TOWER RENTAL               | 59.88         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                  | HSTBIReb Tax Code          | 13.23         | 133.00         |
| <b>24471</b>           | <b>2023-06-21</b> | <b>BRAY MOTORS LIMITED</b>                   |                            |               |                |
| 13209                  |                   | 1-4-7219-2070 - TR13 - REPAIF                | TRUCK #13-OIL CHANGE       | 193.50        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                  | HSTBIReb Tax Code          | 21.36         | 214.86         |
| <b>24472</b>           | <b>2023-06-21</b> | <b>Village Of Burk's Falls</b>               |                            |               |                |
| 20230531               |                   | 1-4-1000-5018 - COUNCIL - DO                 | DENTAL CLINIC DONATIO      | 1,572.47      | 1,572.47       |
| <b>24473</b>           | <b>2023-06-21</b> | <b>BURKS FALLS BUILDING CTR</b>              |                            |               |                |
| 4277778                |                   | 1-4-2000-1410 - FD - VOLUNTE                 | TRAINING PROP MATERIA      | 57.65         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                  | HSTBIReb Tax Code          | 6.36          | 64.01          |
| <b>24474</b>           | <b>2023-06-21</b> | <b>TIM BRYSON FORESTRY SERVICES</b>          |                            |               |                |
| 20230529               |                   | 1-2-1000-1083 - ENTRANCE SE                  | REIMBURSEMENT-ENTRA        | 500.00        | 500.00         |
| <b>24475</b>           | <b>2023-06-21</b> | <b>JAMIE CLARKE</b>                          |                            |               |                |
| 20230715               |                   | 1-4-2600-2015 - REC - EVENTS                 | MUSIC IN THE PARK-JULY     | 400.00        | 400.00         |
| <b>24476</b>           | <b>2023-06-21</b> | <b>KNELLER BRADLEY K</b>                     |                            |               |                |
| 50                     |                   | 1-4-2000-1410 - FD - VOLUNTE                 | VOLUNTEER EXPENSES         | 67.13         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                  | HSTBIReb Tax Code          | 7.42          | 74.55          |
| <b>24477</b>           | <b>2023-06-21</b> | <b>GOURLAY NICOLE</b>                        |                            |               |                |
| 68993                  |                   | 1-4-1200-1310 - ADMIN - CONF                 | MLP UNIT 2 COURSE-REI      | 432.48        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                  | HSTBIReb Tax Code          | 47.77         | 480.25         |
| <b>24478</b>           | <b>2023-06-21</b> | <b>STEVANUS VICKI</b>                        |                            |               |                |

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| Payment #     | Date              | Vendor Name                                     | GL Transaction Description | Detail Amount | Payment Amount |
|---------------|-------------------|---|----------------------------|---------------|----------------|
| Invoice #     |                   | GL Account                                      |                            |               |                |
| 20230605      |                   | 1-1-1100-2019 - A/R - STEVANI                   | MINOR VARIANCE & SITE      | 1,463.08      |                |
|               |                   | 1-1-1100-1102 - HST RECEIVA                     | HSTBIReb Tax Code          | 161.60        | 1,624.68       |
| <b>24479</b>  | <b>2023-06-21</b> | <b>CINDY LEGGETT</b>                            |                            |               |                |
| 20230531      |                   | 1-4-2600-2400 - REC - RECRE/                    | EXCERCISE CLASS MAY        | 320.00        | 320.00         |
| <b>24480</b>  | <b>2023-06-21</b> | <b>Scott Dingman Trucking</b>                   |                            |               |                |
| 1793          |                   | 1-4-7200-2400 - PARKS - REPA                    | CENTENNIAL PARK BATH       | 264.58        |                |
|               |                   | 1-1-1100-1102 - HST RECEIVA                     | HSTBIReb Tax Code          | 29.22         | 293.80         |
| <b>24481</b>  | <b>2023-06-21</b> | <b>EJ WILLIAMS SURVEYING LIMITED</b>            |                            |               |                |
| 3343          |                   | 1-4-7200-2400 - PARKS - REPA                    | BOUNDARY SURVEY - MC       | 4,485.31      |                |
|               |                   | 1-1-1100-1102 - HST RECEIVA                     | HSTBIReb Tax Code          | 495.42        | 4,980.73       |
| <b>24482</b>  | <b>2023-06-21</b> | <b>ENVIRONMENTAL 360 SOLUTIONS LTD.</b>         |                            |               |                |
| L-200347      |                   | 1-4-7500-2010 - LOCKS - MATE                    | MAY/23 - BIDDY ST. TOILE   | 165.00        |                |
|               |                   | 1-4-7100-2400 - WHARFS - RE                     | MAY/23 - BIDDY ST. TOILE   | 167.90        |                |
|               |                   | 1-1-1100-1101 - HST RECEIVA                     | HST100%Reb Tax Code        | 21.45         |                |
|               |                   | 1-1-1100-1102 - HST RECEIVA                     | HSTBIReb Tax Code          | 18.55         | 372.90         |
| L-200761      |                   | 1-4-7100-2400 - WHARFS - RE                     | MAY/23-TOILET RENTAL-V     | 129.99        |                |
|               |                   | 1-1-1100-1102 - HST RECEIVA                     | HSTBIReb Tax Code          | 14.36         | 144.35         |
| L-200740      |                   | 1-4-7200-2010 - PARKS - MATE                    | MAY 15-31/23-6527 HWY 1    | 92.08         |                |
|               |                   | 1-1-1100-1102 - HST RECEIVA                     | HSTBIReb Tax Code          | 10.17         | 102.25         |
| L-200739      |                   | 1-4-3700-2010 - PARKING - MA                    | MAY 15-31/23-S SPARKS      | 92.08         |                |
|               |                   | 1-1-1100-1102 - HST RECEIVA                     | HSTBIReb Tax Code          | 10.17         | 102.25         |
|               |                   |   | Payment Total:             |               | 721.75         |
| <b>24483</b>  | <b>2023-06-21</b> | <b>EXTREME SMALL ENGINE REPAIR</b>              |                            |               |                |
| 56506         |                   | 1-4-7200-2010 - PARKS - MATE                    | TRIMMER LINE               | 26.44         |                |
|               |                   | 1-1-1100-1102 - HST RECEIVA                     | HSTBIReb Tax Code          | 2.92          | 29.36          |
| <b>24484</b>  | <b>2023-06-21</b> | <b>2757986 ONTARIO INC</b>                      |                            |               |                |
| 2263*2        |                   | 1-4-2600-2015 - REC - EVENTS                    | CANADA DAY-MINI PUTT,      | 966.72        |                |
|               |                   | 1-1-1100-1102 - HST RECEIVA                     | HSTBIReb Tax Code          | 106.78        | 1,073.50       |
| <b>24485</b>  | <b>2023-06-21</b> | <b>EDWARDS SCOTT W</b>                          |                            |               |                |
| 20230523      |                   | 1-4-3101-1310 - J - CONFEREN                    | CONFERENCE                 | 21.33         |                |
|               |                   | 1-4-3101-1310 - J - CONFEREN                    | CONFERENCE                 | 20.34         |                |
|               |                   | 1-4-3101-1310 - J - CONFEREN                    | CONFERENCE                 | 12.31         |                |
|               |                   | 1-4-3101-1310 - J - CONFEREN                    | CONFERENCE-PARKING         | 100.00        |                |
|               |                   | 1-1-1100-1102 - HST RECEIVA                     | HSTBIReb Tax Code          | 5.97          | 159.95         |
| <b>24486</b>  | <b>2023-06-21</b> | <b>EVERLINE COATINGS &amp; SERVICES-SUDBURY</b> |                            |               |                |
| 2023-02-10058 |                   | 1-4-3101-3050 - J - LINE PAINT                  | LINE PAINTING              | 7,964.77      |                |
|               |                   | 1-1-1100-1102 - HST RECEIVA                     | HSTBIReb Tax Code          | 879.74        | 8,844.51       |
| <b>24487</b>  | <b>2023-06-21</b> | <b>FOWLER CONSTRUCTION COMPANY</b>              |                            |               |                |
| 67831         |                   | 1-4-3041-2010 - D1 - MATERIAL                   | A GRAVEL                   | 624.43        |                |
|               |                   | 1-1-1100-1102 - HST RECEIVA                     | HSTBIReb Tax Code          | 69.00         | 693.43         |
| 68191         |                   | 1-4-3041-2010 - D1 - MATERIAL                   | A & B GRAVEL               | 1,880.00      |                |
|               |                   | 1-1-1100-1102 - HST RECEIVA                     | HSTBIReb Tax Code          | 207.70        | 2,087.70       |
| 68460         |                   | 1-4-3041-2010 - D1 - MATERIAL                   | A & B GRAVEL-PATCHING      | 3,118.95      |                |
|               |                   | 1-1-1100-1102 - HST RECEIVA                     | HSTBIReb Tax Code          | 344.56        | 3,463.51       |
|               |                   |   | Payment Total:             |               | 6,244.64       |
| <b>24488</b>  | <b>2023-06-21</b> | <b>GOLDRING JAMIE</b>                           |                            |               |                |

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|------------------------|-------------------|---|--------------------------------|----------------------------|---------------|----------------|
| 6895                   |                   |   | 1-4-2000-1310 - FD - CONFERE   | COURSE ACCOMODATIO         | 636.85        |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 70.34         | 707.19         |
| 20230518               |                   |   | 1-4-2000-1310 - FD - CONFERE   | COURSE MILEAGE-JG-MA       | 423.76        |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 46.80         | 470.56         |
|                        |                   |   |                                | Payment Total:             |               | 1,177.75       |
| <b>24489</b>           | <b>2023-06-21</b> | <b>GLEN'S SWEEPING</b>                        |                                |                            |               |                |
| 69211                  |                   |   | 1-4-3032-4010 - C2 - CONTRAC   | SWEEPING-VILLAGE,HAR       | 15,492.99     |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 1,711.26      | 17,204.25      |
| <b>24490</b>           | <b>2023-06-21</b> | <b>GILROY'S TIRE</b>                          |                                |                            |               |                |
| 3067                   |                   |   | 1-4-3217-2070 - BH4 - REPAIR   | BH #4 - FLAT REPAIR        | 206.57        |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 22.82         | 229.39         |
| 3204                   |                   |   | 1-4-3220-2070 - TR20 - REPAIF  | TRUCK #20 & #30 TIRES      | 43.76         |                |
|                        |                   |   | 1-4-3230-8000 - TR30 - 2022 Tr | TRUCK #20 & #30 TIRES      | 1,231.30      |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 140.83        | 1,415.89       |
|                        |                   |   |                                | Payment Total:             |               | 1,645.28       |
| <b>24491</b>           | <b>2023-06-21</b> | <b>HAMELIN'S OUTDOOR POWER EQUIPMENT</b>      |                                |                            |               |                |
| 111999                 |                   |   | 1-4-3101-2010 - J - MATERIALS  | WATER TANK PUMP            | 732.62        |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 80.92         | 813.54         |
| <b>24492</b>           | <b>2023-06-21</b> | <b>PHILLIPS MICHAEL</b>                       |                                |                            |               |                |
| 20230708               |                   |   | 1-4-2600-2015 - REC - EVENTS   | MUSIC IN THE PARK-JULY     | 250.00        | 250.00         |
| <b>24493</b>           | <b>2023-06-21</b> | <b>PAUL JENNY</b>                             |                                |                            |               |                |
| 15                     |                   |   | 1-4-2600-2400 - REC - RECREA   | CARDIO CLASS-MAY 1,8,1     | 400.00        | 400.00         |
| <b>24494</b>           | <b>2023-06-21</b> | <b>JOHNSTON CALVIN</b>                        |                                |                            |               |                |
| 18                     |                   |   | 1-4-3042-4010 - D2 - CONTRAC   | HIRED GRADER-MAY 24,2      | 5,372.94      |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 593.46        | 5,966.40       |
| <b>24495</b>           | <b>2023-06-21</b> | <b>JAMESWAY CUSTOM HOMES LTD.</b>             |                                |                            |               |                |
| 20230524               |                   |   | 1-2-1000-1083 - ENTRANCE SE    | HENLEY-60 WURM RD. - J     | 500.00        | 500.00         |
| <b>24496</b>           | <b>2023-06-21</b> | <b>KADAS, KARL</b>                            |                                |                            |               |                |
| 20230605               |                   |   | 1-1-1100-1130 - A/R - KADAS    | SEVERANCE REFUND           | 626.73        |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 69.23         | 695.96         |
| <b>24497</b>           | <b>2023-06-21</b> | <b>KIDD'S HOME HARDWARE BUILDING CENTRE</b>   |                                |                            |               |                |
| 2907630                |                   |   | 1-4-7200-2010 - PARKS - MATE   | SUPPLIES                   | 76.29         |                |
|                        |                   |   | 1-4-7700-2400 - AHMIC - REPA   | SUPPLIES                   | 71.98         |                |
|                        |                   |   | 1-1-1100-1101 - HST RECEIVA    | HST100%Reb Tax Code        | 9.35          |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 8.43          | 166.05         |
| <b>24498</b>           | <b>2023-06-21</b> | <b>JOSH KVASNAK</b>                           |                                |                            |               |                |
| 20230729               |                   |   | 1-4-2600-2015 - REC - EVENTS   | MUSIC IN THE PARK-JULY     | 1,300.00      | 1,300.00       |
| <b>24499</b>           | <b>2023-06-21</b> | <b>KOOTENAY MURPHY HOLDINGS DBA: INGENIOU</b> |                                |                            |               |                |
| 8445                   |                   |   | 1-4-2000-2012 - FD- PREVENT    | FIRE CODE MODULE           | 508.80        |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 56.20         | 565.00         |
| 8459                   |                   |   | 1-4-2000-2010 - FD - MATERIA   | FIRE PRO SUBSCRIPTION      | 2,874.07      |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 317.46        | 3,191.53       |
|                        |                   |   |                                | Payment Total:             |               | 3,756.53       |
| <b>24500</b>           | <b>2023-06-21</b> | <b>MELISSA KUPERY</b>                         |                                |                            |               |                |
| 20230701               |                   |   | 1-4-2600-2015 - REC - EVENTS   | CANADA DAY-HENNA           | 650.00        | 650.00         |

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|------------------------|-------------------|---|-----------------------|----------------------------|---------------|----------------|
| <b>24501</b>           | <b>2023-06-21</b> | <b>LANGFORD FAMILY INVESTMENTS INC.</b>     |                       |                            |               |                |
| 20230609               |                   | 1-2-1000-1083 - ENTRANCE SE                 | REIMBURSEMENT-ENTRA   | 500.00                     |               | 500.00         |
| <b>24502</b>           | <b>2023-06-21</b> | <b>LAKELAND ENERGY LTD</b>                  |                       |                            |               |                |
| LE034047               |                   | 1-4-3800-5012 - STREET - MAC                | STREET LIGHT REPAIR-8 | 148.98                     |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                 | HSTBIReb Tax Code     | 16.45                      |               | 165.43         |
| <b>24503</b>           | <b>2023-06-21</b> | <b>MAGNETAWAN GRILL AND GROC</b>            |                       |                            |               |                |
| 37651699               |                   | 1-4-7200-2010 - PARKS - MATE                | WATER                 | 10.50                      |               | 10.50          |
| 230515-662228          |                   | 1-4-2000-1410 - FD - VOLUNTE                | FIREFIGHTER MEALS     | 120.94                     |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                 | HSTBIReb Tax Code     | 13.36                      |               | 134.30         |
| 46207407               |                   | 1-4-3101-1310 - J - CONFEREN                | TRAINING              | 118.40                     |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                 | HSTBIReb Tax Code     | 4.54                       |               | 122.94         |
| 49094971               |                   | 1-4-7200-2010 - PARKS - MATE                | SUPPLIES              | 14.98                      |               | 14.98          |
| 30794817               |                   | 1-4-7200-2010 - PARKS - MATE                | WATER                 | 10.50                      |               | 10.50          |
| 53180680               |                   | 1-4-2000-1410 - FD - VOLUNTE                | ICE                   | 14.00                      |               | 14.00          |
| 29663183               |                   | 1-4-7200-2010 - PARKS - MATE                | WATER                 | 21.00                      |               | 21.00          |
|                        |                   |   | Payment Total:        |                            |               | 328.22         |
| <b>24504</b>           | <b>2023-06-21</b> | <b>MAGNETAWAN BUILDING CENTRE (COM DEV)</b> |                       |                            |               |                |
| 104-89289              |                   | 1-4-7700-8000 - AHMIC - CAPI                | AHMIC HALL CHATTLE    | 269.99                     |               |                |
|                        |                   | 1-1-1100-1101 - HST RECEIVA                 | HST100%Reb Tax Code   | 35.10                      |               | 305.09         |
| <b>24505</b>           | <b>2023-06-21</b> | <b>MAGNETAWAN BUILDING CENTRE (PARKS)</b>   |                       |                            |               |                |
| 104-88582              |                   | 1-4-7200-2010 - PARKS - MATE                | SUPPLIES              | 87.06                      |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                 | HSTBIReb Tax Code     | 9.61                       |               | 96.67          |
| 101-115633             |                   | 1-4-7100-2400 - WHARFS - RE                 | SUPPLIES              | 8.69                       |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                 | HSTBIReb Tax Code     | 0.96                       |               | 9.65           |
| 101-115524             |                   | 1-4-7200-2400 - PARKS - REPA                | AHMIC BALL PARK BLEAC | 91.56                      |               |                |
|                        |                   | 1-4-7200-2010 - PARKS - MATE                | SUPPLIES              | 33.52                      |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                 | HSTBIReb Tax Code     | 13.82                      |               | 138.90         |
| 101-115522             |                   | 1-4-7200-2010 - PARKS - MATE                | SUPPLIES              | 43.00                      |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                 | HSTBIReb Tax Code     | 4.75                       |               | 47.75          |
| 103-111471             |                   | 1-4-7200-2010 - PARKS - MATE                | SUPPLIES              | 75.88                      |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                 | HSTBIReb Tax Code     | 8.38                       |               | 84.26          |
| 101-115919             |                   | 1-4-7200-2010 - PARKS - MATE                | SUPPLIES              | 11.16                      |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                 | HSTBIReb Tax Code     | 1.24                       |               | 12.40          |
| 101-116252             |                   | 1-4-7200-2010 - PARKS - MATE                | SUPPLIES              | 33.52                      |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                 | HSTBIReb Tax Code     | 3.70                       |               | 37.22          |
| 101-116465             |                   | 1-4-7200-2010 - PARKS - MATE                | SUPPLIES              | 23.79                      |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                 | HSTBIReb Tax Code     | 2.63                       |               | 26.42          |
| 101-116665             |                   | 1-4-7200-2010 - PARKS - MATE                | SUPPLIES              | 5.49                       |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                 | HSTBIReb Tax Code     | 0.61                       |               | 6.10           |
| 101-116664             |                   | 1-4-7200-2400 - PARKS - REPA                | SUPPLIES              | 11.90                      |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                 | HSTBIReb Tax Code     | 1.31                       |               | 13.21          |
| 101-116663             |                   | 1-4-7200-2400 - PARKS - REPA                | SUPPLIES              | 11.18                      |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                 | HSTBIReb Tax Code     | 1.24                       |               | 12.42          |
| 101-116713             |                   | 1-4-7200-2400 - PARKS - REPA                | SUPPLIES              | 10.97                      |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                 | HSTBIReb Tax Code     | 1.21                       |               | 12.18          |
| 104-89319              |                   | 1-4-7200-2010 - PARKS - MATE                | SUPPLIES              | 51.65                      |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                 | HSTBIReb Tax Code     | 5.71                       |               | 57.36          |
| 101-117501             |                   | 1-4-7200-2012 - PARKS - FLOW                | SUPPLIES              | 32.48                      |               |                |



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|------------------------|-------------------|--|--------------------------------|----------------------------|---------------|----------------|
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 3.59          | 36.07          |
| 101-117628             |                   |  | 1-4-7200-2012 - PARKS - FLOW   | SUPPLIES                   | 71.31         |                |
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 7.88          | 79.19          |
| 101-117630             |                   |  | 1-4-7200-2010 - PARKS - MATE   | SUPPLIES                   | 14.61         |                |
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 1.62          | 16.23          |
|                        |                   |  |                                | Payment Total:             |               | 686.03         |
| <b>24506</b>           | <b>2023-06-21</b> | <b>MAGNETAWAN BUILDING CENTRE (ROADS)</b>      |                                |                            |               |                |
| 101-115622             |                   |  | 1-4-3101-2020 - J - SAFETY SU  | SUPPLIES                   | 22.38         |                |
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 2.47          | 24.85          |
| 101-115736             |                   |  | 1-4-3101-2020 - J - SAFETY SU  | SUPPLIES                   | 44.37         |                |
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 2.47          | 46.84          |
| 104-88955              |                   |  | 1-4-3101-2010 - J - MATERIALS  | SUPPLIES                   | 25.89         |                |
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 2.86          | 28.75          |
| 101-116649             |                   |  | 1-4-3101-2010 - J - MATERIALS  | SUPPLIES                   | 67.11         |                |
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 7.41          | 74.52          |
| 101-116904             |                   |  | 1-4-3101-2120 - J - OFFICE     | SUPPLIES                   | 32.45         | 32.45          |
| 101-117710             |                   |  | 1-4-3101-2010 - J - MATERIALS  | SUPPLIES                   | 123.06        |                |
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 9.29          | 132.35         |
|                        |                   |  |                                | Payment Total:             |               | 339.76         |
| <b>24507</b>           | <b>2023-06-21</b> | <b>MAGNETAWAN BUILDING CENTRE (FIRE DEPT.)</b> |                                |                            |               |                |
| 101-115823             |                   |  | 1-4-2000-1410 - FD - VOLUNTE   | SUPPLIES                   | 51.92         | 51.92          |
| 101-116436             |                   |  | 1-4-2005-7140 - MAG STATION    | SUPPLIES                   | 42.73         |                |
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 4.72          | 47.45          |
|                        |                   |  |                                | Payment Total:             |               | 99.37          |
| <b>24508</b>           | <b>2023-06-21</b> | <b>MAGNETAWAN BUILDING CENTRE (LANDFILL)</b>   |                                |                            |               |                |
| 103-111153             |                   |  | 1-4-4020-2010 - LF - MATERIAL  | SUPPLIES                   | 12.19         |                |
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 1.35          | 13.54          |
| 103-111272             |                   |  | 1-4-4030-2080 - RECY - SMALL   | SUPPLIES                   | 16.27         |                |
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 1.80          | 18.07          |
| 103-111321             |                   |  | 1-4-4020-2010 - LF - MATERIAL  | SUPPLIES                   | 38.56         |                |
|                        |                   |  | 1-4-4030-2010 - RECY - MATEF   | SUPPLIES                   | 38.54         |                |
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 8.52          | 85.62          |
| 101-115856             |                   |  | 1-4-4020-2010 - LF - MATERIAL  | SUPPLIES                   | 50.86         |                |
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 3.47          | 54.33          |
| 101-116318             |                   |  | 1-4-3101-2010 - J - MATERIALS  | SUPPLIES                   | 63.56         |                |
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 7.02          | 70.58          |
| 104-89542              |                   |  | 1-4-3101-2400 - J - BUILDING M | SUPPLIES                   | 111.42        |                |
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 12.30         | 123.72         |
|                        |                   |  |                                | Payment Total:             |               | 365.86         |
| <b>24509</b>           | <b>2023-06-21</b> | <b>MATHEWS DINSDALE &amp; CLARK LLP</b>        |                                |                            |               |                |
| 446124                 |                   |  | 1-4-1200-2150 - ADMIN - CONC   | LEGAL FEES-GRIEVANCE       | 7,611.66      |                |
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 840.74        | 8,452.40       |
| <b>24510</b>           | <b>2023-06-21</b> | <b>METROLAND MEDIA GROUP LTD.</b>              |                                |                            |               |                |
| 7611809                |                   |  | 1-4-3011-8000 - A - CULVERT/E  | ORANGE VALLEY BRIDGE       | 135.34        |                |
|                        |                   |  | 1-1-1100-1102 - HST RECEIVABLE | HSTBIReb Tax Code          | 14.95         | 150.29         |
| <b>24511</b>           | <b>2023-06-21</b> | <b>MINISTER OF FINANCE</b>                     |                                |                            |               |                |
| 3025052309101          |                   |  | 1-4-2500-2010 - PROTECT - PC   | APRIL/2023 OPP LSR BILL    | 39,043.00     | 39,043.00      |
| <b>24512</b>           | <b>2023-06-21</b> | <b>MIS Municipal Insurance Services Ltd.</b>   |                                |                            |               |                |

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|------------------------|-------------------|--|----------------------------|---------------|----------------|
| 13346                  |                   | 1-4-1000-5018 - COUNCIL - DO                       | SWIMMING LESSON INS.       | 251.94        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                        | HSTBIReb Tax Code          | 17.24         | 269.18         |
| <b>24513</b>           | <b>2023-06-21</b> | <b>BALLANTYNE MEAGAN</b>                           |                            |               |                |
| 20230722               |                   | 1-4-2600-2015 - REC - EVENTS                       | MUSIC IN THE PARK - JUL    | 250.00        | 250.00         |
| <b>24514</b>           | <b>2023-06-21</b> | <b>MORGAN MICHELE</b>                              |                            |               |                |
| 20230701               |                   | 1-4-2600-2015 - REC - EVENTS                       | MUSIC IN THE PARK - JUL    | 400.00        | 400.00         |
| <b>24515</b>           | <b>2023-06-21</b> | <b>MAGNETAWAN BAIT &amp; TACKLE (PARKS)</b>        |                            |               |                |
| 1335600                |                   | 1-4-7200-2020 - PARKS - SAFE                       | INSECT REPELLENT-PAR       | 36.60         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                        | HSTBIReb Tax Code          | 4.05          | 40.65          |
| <b>24516</b>           | <b>2023-06-21</b> | <b>MAGNETAWAN BAIT &amp; TACKLE (PUBLIC WORKS)</b> |                            |               |                |
| 1328512                |                   | 1-4-4030-2120 - RECY - OFFIC                       | WATER                      | 13.98         | 13.98          |
| 1333843                |                   | 1-4-4030-2010 - RECY - MATEF                       | WATER & REPELLENT          | 20.20         |                |
|                        |                   | 1-4-4020-2010 - LF - MATERIAL                      | WATER & REPELLENT          | 20.22         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                        | HSTBIReb Tax Code          | 2.92          | 43.34          |
|                        |                   |  | Payment Total:             |               | 57.32          |
| <b>24517</b>           | <b>2023-06-21</b> | <b>MUSKOKA RENT ALL</b>                            |                            |               |                |
| 438103                 |                   | 1-4-7200-2010 - PARKS - MATE                       | PARKS SUPPLIES-GRASS       | 141.26        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                        | HSTBIReb Tax Code          | 15.61         | 156.87         |
| <b>24518</b>           | <b>2023-06-21</b> | <b>MUSKOKA HYDROVAC LTD</b>                        |                            |               |                |
| 2125                   |                   | 1-4-3035-4010 - C5 - CONTRAC                       | CATCH BASIN CLEANING       | 1,305.08      |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                        | HSTBIReb Tax Code          | 144.15        | 1,449.23       |
| <b>24519</b>           | <b>2023-06-21</b> | <b>A MIRON TOPSOIL LTD</b>                         |                            |               |                |
| 1933                   |                   | 1-4-3041-4010 - D1 - CONTRAC                       | GRAVEL PATCHING            | 564.54        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                        | HSTBIReb Tax Code          | 62.35         | 626.89         |
| <b>24520</b>           | <b>2023-06-21</b> | <b>JIM MOORE PETROLEUM</b>                         |                            |               |                |
| 622325                 |                   | 1-4-3101-2022 - J - CLEAR DIE                      | CLEAR DIESEL-18 MILLEF     | 641.26        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                        | HSTBIReb Tax Code          | 70.83         | 712.09         |
| 622326                 |                   | 1-4-3101-2023 - J - DYED DIES                      | DYED DIESEL-18 MILLER      | 2,014.60      |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                        | HSTBIReb Tax Code          | 222.52        | 2,237.12       |
| 622327                 |                   | 1-4-7200-2024 - PARKS - HEAT                       | FURNACE OIL-PARKS GA       | 376.34        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                        | HSTBIReb Tax Code          | 41.57         | 417.91         |
| 622665                 |                   | 1-4-3101-2021 - J - PREMIUM C                      | PREMIUM GASOLINE-18 M      | 3,271.16      |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                        | HSTBIReb Tax Code          | 361.32        | 3,632.48       |
| 622719                 |                   | 1-4-3101-2022 - J - CLEAR DIE                      | CLEAR DIESEL-18 MILLEF     | 837.22        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                        | HSTBIReb Tax Code          | 92.48         | 929.70         |
| 622720                 |                   | 1-4-3101-2023 - J - DYED DIES                      | DYED DIESEL-18 MILLER      | 1,426.90      |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                        | HSTBIReb Tax Code          | 157.61        | 1,584.51       |
| 623106                 |                   | 1-4-3101-2023 - J - DYED DIES                      | DIESEL-CHAPMAN LANDF       | 404.92        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                        | HSTBIReb Tax Code          | 44.73         | 449.65         |
| 623105                 |                   | 1-4-3101-2023 - J - DYED DIES                      | DYED DIESEL                | 953.05        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                        | HSTBIReb Tax Code          | 105.27        | 1,058.32       |
| 623104                 |                   | 1-4-3101-2022 - J - CLEAR DIE                      | CLEAR DIESEL-18 MILLEF     | 463.78        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                        | HSTBIReb Tax Code          | 51.23         | 515.01         |
| 619394                 |                   | 1-4-3101-2021 - J - PREMIUM C                      | PREMIUM GASOLINE-18 M      | 996.26        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA                        | HSTBIReb Tax Code          | 110.04        | 1,106.30       |
|                        |                   |  | Payment Total:             |               | 12,643.09      |

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| <b>24521</b>           | <b>2023-06-21</b> | <b>MHBC PLANNING LIMITED</b>           |                            |               |                |
| 5030066                |                   | 1-4-8010-5014 - PLN - GENERA           | MAGNETAWAN PER DIEM        | 320.54        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 35.41         | 355.95         |
| 5030070                |                   | 1-1-1100-2020 - A/R - AHMIC L          | AHMIC LAKE ENTERPRISI      | 1,370.20      |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 151.35        | 1,521.55       |
| 5030069                |                   | 1-1-1100-2016 - A/R - S FERRA          | FERRANTE-LOT 7, CON 1      | 570.87        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 63.06         | 633.93         |
| 5030068                |                   | 1-1-1100-1139 - A/R - KLAHANI          | MAGNETAWAN-CAMP KL         | 2,256.53      |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 249.25        | 2,505.78       |
| 5030067                |                   | 1-1-1100-1125 - A/R - WIENS            | WIENS CONSENT REVIEV       | 1,756.38      |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 194.00        | 1,950.38       |
|                        |                   |  | Payment Total:             |               | 6,967.59       |
| <b>24522</b>           | <b>2023-06-21</b> | <b>NEAR NORTH INDUSTRIAL SOLUTIONS</b> |                            |               |                |
| 86000                  |                   | 1-4-3101-2010 - J - MATERIALES         | WATER TANK PARTS           | 419.64        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 46.35         | 465.99         |
| 86101                  |                   | 1-4-3101-2010 - J - MATERIALES         | WATER TANK PARTS           | 151.58        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 16.74         | 168.32         |
| 86214                  |                   | 1-4-3101-2010 - J - MATERIALES         | ROADS MATERIALS            | 32.08         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 3.54          | 35.62          |
| 86230                  |                   | 1-4-3101-2010 - J - MATERIALES         | WATER TANK SUPPLIES        | 222.79        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 24.61         | 247.40         |
| 86297                  |                   | 1-4-3101-2020 - J - SAFETY SL          | WATER TANK SUPPLIES        | 206.74        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 22.83         | 229.57         |
| 86363                  |                   | 1-4-3101-2010 - J - MATERIALES         | BRUSHING PARTS             | 516.05        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 57.00         | 573.05         |
| 86403                  |                   | 1-4-3101-2010 - J - MATERIALES         | CALCIUM TANK PARTS         | 48.73         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 5.39          | 54.12          |
|                        |                   |  | Payment Total:             |               | 1,774.07       |
| <b>24523</b>           | <b>2023-06-21</b> | <b>Hydro One Networks</b>              |                            |               |                |
| 0309-MAY23/23          |                   | 1-4-7200-2030 - PARKS - HYDF           | 18 MILLER RD. TWSP         | 162.74        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 20.31         | 183.05         |
| 8809-MAY23/23          |                   | 1-4-3101-2030 - J - HYDRO              | 18 MILLER RD. NEW GAR      | 411.84        |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 51.40         | 463.24         |
| 5146-MAY 30/23         |                   | 1-4-2000-2029 - FD - HYDRO -           | 226 SIDERD 15 16 N         | 44.39         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 5.47          | 49.86          |
| 6780-MAY31/20          |                   | 1-4-7205-2030 - P - HYDRO              | 6527 HWY 124               | 31.70         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 3.89          | 35.59          |
| 2621-MAY 31/23         |                   | 1-4-2006-2030 - AHMIC STATIC           | 60 AHMIC STREET            | 58.85         |                |
|                        |                   | 1-4-7700-2030 - AHMIC - HYDR           | 60 AHMIC STREET            | 115.45        |                |
|                        |                   | 1-1-1100-1101 - HST RECEIVA            | HST100%Reb Tax Code        | 16.69         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 7.22          | 198.21         |
| 3087-JUNE 2/23         |                   | 1-4-3800-5014 - STREET - AHM           | 00 HWY 124, AHMIC HARE     | 51.68         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 6.35          | 58.03          |
| 3189/JUNE 6/23         |                   | 1-4-3800-5016 - STREET - ROC           | ROCKWYNN LIGHTS            | 35.64         |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA            | HSTBIReb Tax Code          | 4.23          | 39.87          |
|                        |                   |  | Payment Total:             |               | 1,027.85       |
| <b>24524</b>           | <b>2023-06-21</b> | <b>ORKIN CANADA CORPORATION</b>        |                            |               |                |
| C-4009013              |                   | 1-4-7700-2400 - AHMIC - REPA           | RODENT, ODOUR & WASI       | 90.00         |                |
|                        |                   | 1-1-1100-1101 - HST RECEIVA            | HST100%Reb Tax Code        | 11.70         | 101.70         |
| C-4008311              |                   | 1-4-7300-2400 - HALL - REPAIF          | RODENT & WASHROOM C        | 286.94        |                |

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|                        |                   |  | 1-1-1100-1101 - HST RECEIVA | HST100%Reb Tax Code        | 37.30         | 324.24         |
|                        |                   |  |                             | Payment Total:             |               | 425.94         |
| <b>24525</b>           | <b>2023-06-21</b> | <b>KEN BLACK</b>                         |                             |                            |               |                |
| 20230701               |                   | 1-4-2600-2015 - REC - EVENTS             | CANADA DAY EVENT            | 450.00                     |               | 450.00         |
| <b>24526</b>           | <b>2023-06-21</b> | <b>STINSON EQUIPMENT LTD.</b>            |                             |                            |               |                |
| IN0099426              |                   | 1-4-2500-2030 - PROTECT - 91             | 911 GREEN SIGNS-QTY 51      | 434.52                     |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA              | HSTBIReb Tax Code           | 47.99                      |               | 482.51         |
| <b>24527</b>           | <b>2023-06-21</b> | <b>PATTI PARKER</b>                      |                             |                            |               |                |
| 20230701               |                   | 1-4-2600-2015 - REC - EVENTS             | CANADA DAY-MUSIC            | 300.00                     |               | 300.00         |
| <b>24528</b>           | <b>2023-06-21</b> | <b>HAYWARD BARRY</b>                     |                             |                            |               |                |
| 20230701               |                   | 1-4-2600-2015 - REC - EVENTS             | CANADA DAY-DRUM CIRC        | 300.00                     |               | 300.00         |
| <b>24529</b>           | <b>2023-06-21</b> | <b>WASTE CONNECTIONS OF CANADA INC.</b>  |                             |                            |               |                |
| 7113-00003313          |                   | 1-4-4010-4010 - GARBAGE - CI             | WASTE DISPOSAL-MAY/2        | 1,925.70                   |               |                |
|                        |                   | 1-4-4030-4012 - RECY - RECYC             | WASTE DISPOSAL-MAY/2        | 2,374.48                   |               |                |
|                        |                   | 1-4-4020-4022 - LF - MATTRES             | WASTE DISPOSAL-MAY/2        | 11,297.37                  |               |                |
|                        |                   | 1-4-4030-4014 - RECY - RECYC             | WASTE DISPOSAL-MAY/2        | 5,948.56                   |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA              | HSTBIReb Tax Code           | 2,379.85                   |               | 23,925.96      |
| <b>24530</b>           | <b>2023-06-21</b> | <b>PINCHIN LTD.</b>                      |                             |                            |               |                |
| 1597751                |                   | 1-4-4020-5025 - LF - MONITOF             | LANDFILL MONITORING 2       | 6,131.05                   |               |                |
|                        |                   | 1-4-4020-5020 - LF - MONITOF             | LANDFILL MONITORING 2       | 5,153.14                   |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA              | HSTBIReb Tax Code           | 1,246.38                   |               | 12,530.57      |
| <b>24531</b>           | <b>2023-06-21</b> | <b>POLLARD DISTRIBUTION INC</b>          |                             |                            |               |                |
| 7689                   |                   | 1-4-3043-2010 - D3 - MATERIAL            | DUST CONTROL                | 7,294.27                   |               |                |
|                        |                   | 1-4-3043-4010 - D3 - CONTRAC             | DUST CONTROL                | 3,592.71                   |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA              | HSTBIReb Tax Code           | 1,202.51                   |               | 12,089.49      |
| <b>24532</b>           | <b>2023-06-21</b> | <b>PSD CITYWIDE INC.</b>                 |                             |                            |               |                |
| 19255                  |                   | 1-4-1500-1010 - ASSET - WAGI             | COORDINATOR SUPPORT1        | 1,017.60                   |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA              | HSTBIReb Tax Code           | 112.40                     |               | 1,130.00       |
| <b>24533</b>           | <b>2023-06-21</b> | <b>REPTILE ADVENTURE CAMP</b>            |                             |                            |               |                |
| 321070                 |                   | 1-4-2600-2015 - REC - EVENTS             | CANADA DAY-REPTILE SH       | 661.44                     |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA              | HSTBIReb Tax Code           | 73.06                      |               | 734.50         |
| <b>24534</b>           | <b>2023-06-21</b> | <b>NADIA RIOPEL</b>                      |                             |                            |               |                |
| 1462*2                 |                   | 1-4-2600-2015 - REC - EVENTS             | CANADA DAY-FOAM PAR         | 759.02                     |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA              | HSTBIReb Tax Code           | 83.83                      |               | 842.85         |
| <b>24535</b>           | <b>2023-06-21</b> | <b>SERVICE 1 MUFFLERS &amp; MORE</b>     |                             |                            |               |                |
| 3557                   |                   | 1-4-3032-8000 - CAPITAL DEBF             | ROADS SUPPLIES              | 250.79                     |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA              | HSTBIReb Tax Code           | 27.70                      |               | 278.49         |
| <b>24536</b>           | <b>2023-06-21</b> | <b>SDB TRUCK &amp; EQUIPMENT REPAIRS</b> |                             |                            |               |                |
| 12879                  |                   | 1-4-7218-2070 - TR12 - REPAIF            | PARKS 12-MONTHLY INSF       | 86.50                      |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA              | HSTBIReb Tax Code           | 9.55                       |               | 96.05          |
| 12875                  |                   | 1-4-3226-2070 - TR26 - REPAIF            | TRUCK #26-MONTHLY INS       | 661.44                     |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA              | HSTBIReb Tax Code           | 73.06                      |               | 734.50         |
| 12878                  |                   | 1-4-3227-2070 - TR27 - REPAIF            | TRUCK #27-MONTHLY INS       | 152.64                     |               |                |
|                        |                   | 1-1-1100-1102 - HST RECEIVA              | HSTBIReb Tax Code           | 16.86                      |               | 169.50         |

**Municipality of Magnetawan**  
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**COMPUTER CHEQUE**

| Payment #    | Date              | Vendor Name                               | GL Transaction Description | Detail Amount | Payment Amount |
|--------------|-------------------|---|----------------------------|---------------|----------------|
| Invoice #    |                   | GL Account                                |                            |               |                |
| 12877        |                   | 1-4-3226-2070 - TR26 - REPAIF             | TRUCK #22-MONTHLY INS      | 152.64        |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | 16.86         | 169.50         |
| 12876        |                   | 1-4-3228-2070 - TR28 - REPAIF             | TRUCK #28-MONTHLY INS      | 152.64        |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | 16.86         | 169.50         |
| 12855        |                   | 1-4-3229-2070 - TR29 - REPAIF             | TRUCK #29-MONTHLY INS      | 152.64        |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | 16.86         | 169.50         |
|              |                   |   | Payment Total:             |               | 1,508.55       |
| <b>24537</b> | <b>2023-06-21</b> | <b>SCHEERER, JOSEPH ADAM</b>              |                            |               |                |
| 20230605     |                   | 1-1-1100-1183 - A/R - J SCHEE             | SEVERANCE REVIEW-202       | 1,124.45      |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | 124.20        | 1,248.65       |
| <b>24538</b> | <b>2023-06-21</b> | <b>SLING-CHOKER MFG. (NORTH BAY) LTD.</b> |                            |               |                |
| 97967        |                   | 1-4-7200-2010 - PARKS - MATE              | PARKS-RATCHET              | 61.04         |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | 6.74          | 67.78          |
| 98944        |                   | 1-4-3101-2020 - J - SAFETY SL             | SAFETY SUPPLIES            | 734.04        |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | 81.07         | 815.11         |
| 98943        |                   | 1-4-3101-2020 - J - SAFETY SL             | SAFETY SUPPLIES,SMALI      | 399.75        |                |
|              |                   | 1-4-3101-2080 - J - SMALL TOC             | SAFETY SUPPLIES,SMALI      | 296.61        |                |
|              |                   | 1-4-3101-2010 - J - MATERIALS             | SAFETY SUPPLIES,SMALI      | 590.34        |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | 142.11        | 1,428.81       |
| 99786        |                   | 1-4-3101-2020 - J - SAFETY SL             | SAFETY SUPPLIES            | 121.03        |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | 13.37         | 134.40         |
|              |                   |   | Payment Total:             |               | 2,446.10       |
| <b>24539</b> | <b>2023-06-21</b> | <b>SILVER SCREEN PRINTING</b>             |                            |               |                |
| 2178         |                   | 1-4-3101-2020 - J - SAFETY SL             | SAFETY SUPPLIES            | 46.30         |                |
|              |                   | 1-4-1200-2010 - ADMIN - OFFIC             | SAFETY SUPPLIES            | 13.21         |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | 6.58          | 66.09          |
| <b>24540</b> | <b>2023-06-21</b> | <b>SCIENCE NORTH</b>                      |                            |               |                |
| 20230701     |                   | 1-4-2600-2015 - REC - EVENTS              | CANADA DAY-NATURAL C       | 1,183.98      |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | 130.77        | 1,314.75       |
| <b>24541</b> | <b>2023-06-21</b> | <b>STAPLES BUSINESS ADVANTAGE</b>         |                            |               |                |
| 62182490CR   |                   | 1-4-1200-2010 - ADMIN - OFFIC             | CREDIT-OFFICE SUPPLIE      | -122.09       |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | -13.49        | -135.58        |
| 62872141     |                   | 1-4-1200-2010 - ADMIN - OFFIC             | OFFICE SUPPLIES            | 7.62          |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | 0.84          | 8.46           |
| 62876325     |                   | 1-4-1200-2010 - ADMIN - OFFIC             | OFFICE SUPPLIES            | 16.76         |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | 1.85          | 18.61          |
| 63025771     |                   | 1-4-3101-2120 - J - OFFICE                | OFFICE DESK-SE             | 560.69        |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | 61.93         | 622.62         |
| 63166915     |                   | 1-4-1200-2010 - ADMIN - OFFIC             | OFFICE SUPPLIES            | 91.40         |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | 10.10         | 101.50         |
| 63181093     |                   | 1-4-3101-2010 - J - MATERIALS             | OFFICE SUPPLIES            | 10.35         |                |
|              |                   | 1-4-1200-2010 - ADMIN - OFFIC             | OFFICE SUPPLIES            | 91.53         |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | 11.25         | 113.13         |
| 63196914     |                   | 1-4-1200-2010 - ADMIN - OFFIC             | OFFICE SUPPLIES            | 20.34         |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | 2.25          | 22.59          |
| 60266707CR   |                   | 1-4-1200-2010 - ADMIN - OFFIC             | CREDIT-OFFICE SUPPLIE      | -81.40        |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA               | HSTBIReb Tax Code          | -8.99         | -90.39         |
| 60273204     |                   | 1-4-1200-2010 - ADMIN - OFFIC             | OFFICE SUPPLIES            | 28.63         |                |

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| Payment #<br>Invoice # | Date              | Vendor Name                                   | GL Account                     | GL Transaction Description | Detail Amount | Payment Amount |
|------------------------|-------------------|---|--------------------------------|----------------------------|---------------|----------------|
| 59907136               |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 3.16          | 31.79          |
|                        |                   |   | 1-4-1200-2010 - ADMIN - OFFIC  | OFFICE SUPPLIES            | 94.36         |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 10.42         | 104.78         |
|                        |                   |   |                                | Payment Total:             |               | 797.51         |
| <b>24542</b>           | <b>2023-06-21</b> | <b>SPECTRUM TELECOM GROUP LTD</b>             |                                |                            |               |                |
| C1279933               |                   |   | 1-4-2000-2053 - FD - COMMUN    | TOWER RENTAL-PW & FII      | 203.52        |                |
|                        |                   |   | 1-4-3101-2053 - J - COMMUNIC   | TOWER RENTAL-PW & FII      | 203.52        |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 44.96         | 452.00         |
| <b>24543</b>           | <b>2023-06-21</b> | <b>SELECTCOM</b>                              |                                |                            |               |                |
| 5143736                |                   |   | 1-4-1200-2050 - ADMIN - TELEI  | VOIP LINES-JULY 2023       | 630.57        |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 69.63         | 700.20         |
| <b>24544</b>           | <b>2023-06-21</b> | <b>HUGGINS SETH</b>                           |                                |                            |               |                |
| 20230701               |                   |   | 1-4-2600-2015 - REC - EVENTS   | CANADA DAY-CHAINSAW        | 700.00        | 700.00         |
| <b>24545</b>           | <b>2023-06-21</b> | <b>STURGEON FALLS BRUSH &amp; CONTRACTING</b> |                                |                            |               |                |
| J005030                |                   |   | 1-4-4020-4010 - LF - CONTRAC   | LANDFILL GRINDING-MAY      | 38,531.50     |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 4,255.95      | 42,787.45      |
| J005054                |                   |   | 1-4-4020-4010 - LF - CONTRAC   | LANDFILL GRINDING MAY      | 14,897.69     |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 1,645.51      | 16,543.20      |
|                        |                   |   |                                | Payment Total:             |               | 59,330.65      |
| <b>24546</b>           | <b>2023-06-21</b> | <b>SIGNCRAFT CANADA INC.</b>                  |                                |                            |               |                |
| 2211                   |                   |   | 1-4-2600-2015 - REC - EVENTS   | EVENT SIGNS                | 569.86        |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 62.94         | 632.80         |
| <b>24547</b>           | <b>2023-06-21</b> | <b>AJ STONE COMPANY LTD</b>                   |                                |                            |               |                |
| 175061                 |                   |   | 1-4-2000-7132 - FD - EQUIPME   | VENTILATION FAN            | 5,014.49      |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 553.87        | 5,568.36       |
| 175140                 |                   |   | 1-4-2000-2018 - FD - PPE & FIF | FLASH HOODS & ADAPTE       | 1,202.03      |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 132.77        | 1,334.80       |
| 175241                 |                   |   | 1-4-2000-7130 - FD - EQUIPME   | HOSE GASKETS & HOSE        | 193.34        |                |
|                        |                   |   | 1-4-2000-7130 - FD - EQUIPME   | HOSE GASKETS & HOSE        | 1,917.52      |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 233.16        | 2,344.02       |
|                        |                   |   |                                | Payment Total:             |               | 9,247.18       |
| <b>24548</b>           | <b>2023-06-21</b> | <b>SUNBELT RENTALS OF CANADA INC.</b>         |                                |                            |               |                |
| 75726046-0001          |                   |   | 1-4-3032-4010 - C2 - CONTRAC   | 05/08/23-05/11/23 - SWEEI  | 2,084.73      |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 230.27        | 2,315.00       |
| 75766195-0001          |                   |   | 1-4-3032-4010 - C2 - CONTRAC   | 05/16/23-05/18/23 - SWEEI  | 1,490.21      |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 164.60        | 1,654.81       |
|                        |                   |   |                                | Payment Total:             |               | 3,969.81       |
| <b>24549</b>           | <b>2023-06-21</b> | <b>THOMAS, DANIEL MICHAEL</b>                 |                                |                            |               |                |
| G888064                |                   |   | 1-4-2000-2010 - FD - MATERIA   | VULNERABLE SECTOR CI       | 41.00         | 41.00          |
| <b>24550</b>           | <b>2023-06-21</b> | <b>TICKLED TEALS ENTERTAINMENT</b>            |                                |                            |               |                |
| 20230701               |                   |   | 1-4-2600-2015 - REC - EVENTS   | CANADA DAY-FACE PAIN       | 185.71        |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 20.52         | 206.23         |
| <b>24551</b>           | <b>2023-06-21</b> | <b>TRACKMATICS INC</b>                        |                                |                            |               |                |
| 40854                  |                   |   | 1-4-2110-2045 - CBO VEHICLE    | BLDG DEPT GPS FOR JUN      | 35.62         |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 3.93          | 39.55          |
| 40886                  |                   |   | 1-4-3101-2045 - J - GPS MONIT  | ROADS-GPS MONITORING       | 487.43        |                |
|                        |                   |   | 1-1-1100-1102 - HST RECEIVA    | HSTBIReb Tax Code          | 53.84         | 541.27         |



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**COMPUTER CHEQUE**

| Payment #    | Date              | Vendor Name                  | GL Transaction Description | Detail Amount | Payment Amount |
|--------------|-------------------|------------------------------|----------------------------|---------------|----------------|
| Invoice #    |                   | GL Account                   |                            |               |                |
| 40838        |                   | 1-4-7200-2045 - PARKS - GPS  | GPS MONITORING-PARKS       | 106.85        |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA  | HSTBIReb Tax Code          | 11.80         | 118.65         |
|              |                   |                              | Payment Total:             |               | 699.47         |
| <b>24552</b> | <b>2023-06-21</b> | <b>WEEKS CONSTRUCTION</b>    |                            |               |                |
| 91367        |                   | 1-4-3213-2072 - COM - FLOATI | LANFDILL COMPACTOR-F       | 796.38        |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA  | HSTBIReb Tax Code          | 87.96         | 884.34         |
| <b>24553</b> | <b>2023-06-21</b> | <b>XEROX CANADA LTD</b>      |                            |               |                |
| 85723064     |                   | 1-4-1200-2140 - ADMIN - COPY | COPYING EXPENSES           | 573.62        |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA  | HSTBIReb Tax Code          | 63.36         | 636.98         |
| <b>24554</b> | <b>2023-06-21</b> | <b>ZUBATIUK, ALEX BRIAN</b>  |                            |               |                |
| 20230605     |                   | 1-1-1100-1145 - A/R - ZUBATI | SEVERANCE-3737 HWY 1       | 358.92        |                |
|              |                   | 1-1-1100-1102 - HST RECEIVA  | HSTBIReb Tax Code          | 39.64         | 398.56         |
|              |                   |                              | Total COMPUTER CHEQUE:     |               | 305,843.72     |

**AUTOMATIC WITHDRAWAL**

| Payment #          | Date              | Vendor Name                  | GL Transaction Description  | Detail Amount | Payment Amount |
|--------------------|-------------------|------------------------------|-----------------------------|---------------|----------------|
| Invoice #          |                   | GL Account                   |                             |               |                |
| <b>JUNE 9/2023</b> | <b>2023-06-09</b> | <b>LAKELAND POWER - EFT</b>  |                             |               |                |
| 072642MAY202       |                   | 1-4-2005-2030 - MAG STATION  | 81 ALBERT - FIRE HALL       | 142.72        |                |
|                    |                   | 1-1-1100-1102 - HST RECEIVA  | HSTBIReb Tax Code           | 17.81         | 160.53         |
| 073252MAY202       |                   | 1-4-7300-2030 - HALL - HYDR  | 4304 HWY 520                | 885.26        |                |
|                    |                   | 1-1-1100-1101 - HST RECEIVA  | HST100%Reb Tax Code         | 130.33        | 1,015.59       |
| 073239MAY202       |                   | 1-4-3800-5012 - STREET - MAC | STREET LIGHTS               | 698.99        |                |
|                    |                   | 1-1-1100-1102 - HST RECEIVA  | HSTBIReb Tax Code           | 87.24         | 786.23         |
| 076283MAY202       |                   | 1-4-7200-2030 - PARKS - HYDF | 4135 HWY 520 PARK           | 51.33         |                |
|                    |                   | 1-1-1100-1102 - HST RECEIVA  | HSTBIReb Tax Code           | 6.41          | 57.74          |
| 076598MAY202       |                   | 1-4-7200-2030 - PARKS - HYDF | 61 SPARKS ST                | 87.55         |                |
|                    |                   | 1-1-1100-1102 - HST RECEIVA  | HSTBIReb Tax Code           | 10.93         | 98.48          |
| 077271-MAY202      |                   | 1-4-3800-5012 - STREET - MAC | SPARKS ST STLGHT            | 83.42         |                |
|                    |                   | 1-1-1100-1102 - HST RECEIVA  | HSTBIReb Tax Code           | 10.41         | 93.83          |
| 072693MAY202       |                   | 1-4-7600-2010 - HERITAGE - R | 4205 HWY 520-HERITAGE       | 69.26         |                |
|                    |                   | 1-1-1100-1102 - HST RECEIVA  | HSTBIReb Tax Code           | 8.65          | 77.91          |
|                    |                   |                              | Payment Total:              |               | 2,290.31       |
|                    |                   |                              | Total AUTOMATIC WITHDRAWAL: |               | 2,290.31       |

Total CURR: 308,134.03

Date Printed  
2023-06-14 1:54 PM

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Certified June 21st, 2023

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Mayor

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Treasurer

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN**

**BY-LAW NUMBER 2023-**

**A BY-LAW TO DEEM PART OF REGISTERED PLAN 319 IN THE MUNICIPALITY OF  
MAGNETAWAN NOT TO BE A PART OF A REGISTERED PLAN OF SUBDIVISION  
FOR THE PURPOSES OF SECTION 50(4) OF THE PLANNING ACT**

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WHEREAS Section 50(4) of the *Planning Act*, R.S.O. 1990, Chapter P.13, (hereinafter the *Planning Act*) authorizes a municipality to designate any plan of subdivision or part thereof that has been registered for eight years or more as not being a plan of subdivision for subdivision control purposes;

AND WHEREAS Plan 319 for the Municipality of Magnetawan is a registered plan of subdivision for the purposes of section 50(4) of the *Planning Act*;

AND WHEREAS the Plan has been registered for more than eight years;

AND WHEREAS it is deemed expedient in order to control the development of land in the municipality that a by-law be passed pursuant to Section 50(4) of the *Planning Act* affecting certain lands contained in the Plan;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN HEREBY ENACTS AS FOLLOWS:

1. THAT Lots 19 and 20 E/S Miller St and Lots 18 and 19 W/S Richmond St, all in PL 319, Magnetawan are hereby deemed not to be part of a registered plan of subdivision for the purposes of Subsection 50(3) of the *Planning Act*, R.S.O. 1990, Chapter P.13.
2. THAT this By-law shall take effect as the date of registration as provided for in subsections 50(27) and (28) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended.

BY-LAW read a first, second and third time and finally passed this 21 day of June, 2023.

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Sam Dunnett, Mayor

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Kerstin Vroom, Clerk/CAO

# THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

## BY-LAW 2023 –

Being a By-law to stop up, close and sell Part Road Allowance between Concessions 12 & 13, Township of Chapman being Parts 1 & 2, 42R22166, District of Parry Sound  
(Main/Hutcheson)

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### **LEGISLATION**

**WHEREAS** pursuant to Section 27(1) of the *Municipal Act, S.O. 2001, c. 25*, as amended, municipalities are given authority over highways within their jurisdiction;

**AND WHEREAS** the Original Road Allowances which are the subject matter of this By-law is within the jurisdiction of the Municipality of Magnetawan;

**AND WHEREAS** Schmeler Road deviated from the Original Road Allowance between Concession 12 & 13, Township of Chapman;

**AND WHEREAS** Miller Road deviated from the Original Road Allowance between Lots 20 and 21, Township of Chapman;

**AND WHEREAS** the owners of Lot 18 & 19, Concession 12, Township of Chapman will convey lands occupied by Schmeler Road and Miller Road to the Municipality of Magnetawan;

**AND WHEREAS** the Municipality will transfer portions of the road allowance between Concessions 12 and 13 to the foregoing owners;

**AND WHEREAS** pursuant to the Municipality's Procedures for Public Notice By-law No. 2016-12, the Clerk of this Corporation did cause a Notice of the proposed By-law to be published in accordance with requirements of the said By-law.

### **BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN AS FOLLOWS:**

1. **Stop Up and Close** – This Council does hereby stop up and close to vehicular and pedestrian traffic the lands described in Schedule "A".
2. **Surplus Property** - The said lands described in Schedule "A" are declared to be surplus to the requirements of this Municipality.
3. **Authorization for Sale** – This Council does hereby authorize the exchange of the said lands described in Schedule "A" for other lands to be conveyed to the Municipality (being Parts 6, 8 & 9, 42R22166).
4. **Easements** – This Council does hereby authorize the transfer of such easements over the lands described in Schedule "A" attached hereto as may be required by utility providers. Notice of the proposed road

closings were sent to Hydro One Networks Inc. and Bell Canada. Both have responded that they do not have any easement requirements.

5. **Sale of Land By-law** – Compliance with the Notice provisions of Public Notice By-law 2016-12, will be deemed to be in compliance with the Notice provisions of this Municipality's Sale of Land By-law 2006-11.

6. **Execution of Documents** –

a) **If Paper Registration**

The Mayor and the Clerk are hereby authorized to execute all documents for paper registration (including public utility easements, if any) in connection with the closing and subsequent transfer of title to the lands described in Schedule "A".

b) **If Electronic Registration**

The Clerk is hereby authorized for or on behalf of the Municipality to execute, for the Municipal Solicitor an "Acknowledgment and Direction" authorizing the Municipal Solicitor to complete the Electronic Registration for any required easements, and the subsequent transfer of title relating to the lands described in Schedule "A".

7. **Clerk's Affidavit** - There shall be attached to this By-law, as Schedule "B", an affidavit by the Clerk of this Corporation, setting out:

- a) the procedures taken for the giving of Notice pursuant to By-law 2016-12 and;  
b) the procedures taken for notice to Public Utilities and applicable Government Departments or Ministries.

READ A FIRST AND SECOND TIME THIS 21<sup>st</sup> DAY OF JUNE, 2023

READ A THIRD TIME AND FINALLY PASSED THIS 21<sup>st</sup> DAY OF JUNE, 2023.

THE CORPORATION OF THE  
MUNICIPALITY OF MAGNETAWAN

\_\_\_\_\_  
Sam Dunnett, Mayor

\_\_\_\_\_  
Kerstin Vroom, CAO/Clerk

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SCHEDULE "A"

Part Road Allowance between Concession 12 & 13, Township of Chapman being Parts 1 & 2, 42R22166,  
District of Parry Sound

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BY-LAW CERTIFICATION

CERTIFIED to be a true copy of By-law \_\_\_\_\_, and that such By-law is in full force and effect.

Dated at the Municipality of Magnetawan, this the 21<sup>st</sup> day of June, 2023

\_\_\_\_\_  
Kerstin Vroom, CAO/Clerk c/s



## SCHEDULE "B"

Part Road Allowance between Concession 12 & 13, Township of Chapman being Parts 1 & 2, 42R22166, District of Parry Sound

**CLERK'S AFFIDAVIT - NOTICE**

I, Kerstin Vroom, CAO/Clerk, of the Municipality of Magnetawan, make oath and say as follows:

1.     This Deponent

I am the CAO/Clerk of the Corporation of the Municipality of Magnetawan and as such, have knowledge of the facts hereinafter deposed to.
2.     Publication and Posting

Pursuant to By-law 2016-12, I did cause Notice of Council's intention to consider a By-law to stop up, close and sell that parcel of land described in Schedule "A" to be published as follows:

Public Posting - posted on the Municipal website and at the Municipal Office at least seven (7) days prior to consideration of the matter by Council;
3.     Grace Period

This By-law was passed by Council more than seven (7) days after the posting.
4.     Copy of Notice

Attached to this my Affidavit as Exhibit "A" is a copy of the actual Notice as it was posted.
5.     Additional Notification

Notice of the proposed road closing was sent to Hydro One Networks Inc., and Bell Canada and they have advised that they do not have any interest in the subject lands.
6.     Procedure

To the best of my knowledge, the closing and selling procedures taken by this Municipality have been in accordance with the Municipality's Public Notice and Sale of Land By-laws.
7.     Public

The proposed by-law came before Council at its regular meeting on the 21<sup>st</sup> day of June, 2023 and at that time, no person made any claim that the effect of the By-law would be to deprive them of the right of motor vehicle access to or from their land, and that all persons who applied to be heard, were heard.

SWORN before me at the                                 )  
Municipality of Magnetawan                             )  
this the 21<sup>st</sup> day    )  
of June, 2023.    )

**Kerstin Vroom, CAO/Clerk**

A Commissioner for taking Affidavits, etc.  
Name:

**Title:** \_\_\_\_\_

This is Exhibit "A" to the Affidavit of Kerstin Vroom, CAO/Clerk of The Corporation of the Municipality of Magnetawan.

Posting

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN**

**PUBLIC NOTICE**

**Re:** Closing of Part Road Allowance between Concession 12 & 13, Township of Chapman being Parts 1 & 2, 42R22166, District of Parry Sound.

(Mam/Hutcheson)

**TAKE NOTICE** that the Council of the Corporation of the Municipality of Magnetawan proposes to enact a by-law to stop up, close and convey part of the following road allowances:

Part Road Allowance between Concession 12 & 13, Township of Chapman being Parts 1 & 2, 42R22166, District of Parry Sound.

**AND TAKE FURTHER NOTICE THAT** the proposed by-law will come before Council of the Municipality of Magnetawan at its regular meeting at the Magnetawan Community Centre at 4304 Highway 520, Magnetawan, Ontario on Wednesday, the 21<sup>st</sup> day of June, 2023 at the hour of one o'clock in the afternoon, and at that time Council will hear anyone in person, or by his/her counsel, solicitor or agent, who claims that his/her land will be prejudicially affected by the by-law, and who applies to be heard.

Plan 42R22166 is available for inspection at the Municipal office or are available for inspection by emailing the Deputy Clerk at [ekellopp@magnetawan.com](mailto:ekellopp@magnetawan.com) or Phone: 705-387-3947.

**DATED** at the Municipality of Magnetawan, this the 14 day of June, 2023.

Kerstin Vroom, CAO/Clerk  
Municipality of Magnetawan  
4304 Highway #520  
Magnetawan, Ontario  
POA 1P0

*This is Exhibit "A" mentioned and referred  
to in the Affidavit of Kerstin Vroom*

*SWORN before me this 21<sup>st</sup> day of  
June, 2023*

*A Commissioner for Taking Affidavits, etc.*

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN**

**BY-LAW NO. 2023 -**

**BEING A BY-LAW TO APPOINT A DEPUTY CLERK**

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**WHEREAS** *Section 228(2) of the Municipal Act, 2001, S.O. 2001, c25*, as amended, provides that a municipality may appoint a Deputy Clerk who shall have all the powers and duties of the Clerk under the *Municipal Act* and any other Act;

**NOW THEREFORE** the Council of the Corporation of the Municipality of Magnetawan enacts as follows:

1. THAT Erica Kellogg is appointed Deputy Clerk for the Corporation of the Municipality of Magnetawan.
2. THAT this By-law shall come into force and effect upon the date of June 9, 2023.
3. THAT By-law 2022-28 hereby be repealed in its entirety.

**READ A FIRST, SECOND, AND THIRD TIME**, passed, signed and the Seal of the Corporation affixed hereto, this 21<sup>st</sup> day of June, 2023.

**THE CORPORATION OF THE  
MUNICIPALITY OF MAGNETAWAN**

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Mayor

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CAO/Clerk

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN**

**BY-LAW NO. 2023-**

**Being a By-law to confirm the proceedings of Council June 21, 2023**

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**WHEREAS** Section 5(3) of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, requires a municipal Council to exercise a municipal power, including a municipality's capacity, rights, powers and privileges under Section 9, by by-law unless the municipality is specifically authorized to do otherwise;

**AND WHEREAS** the Council of the Municipality of Magnetawan deems it desirable to confirm the proceedings of Council and to ratify decisions made at its meeting hereinafter set out;

**NOW THEREFORE** the Council of the Corporation of the Municipality of Magnetawan enacts as follows:

**1. Ratification and Confirmation**

**THAT** the action of the Council of the Municipality of Magnetawan at its meeting for the aforementioned date(s) with respect to each motion, resolution and other action passed and taken by this Council at its meetings, except where otherwise required, is hereby adopted, ratified, and confirmed as if such proceedings and actions were expressly adopted and confirmed by its separate By-law.

**2. Execution of all Documents**

**THAT** the Mayor of the Council of the Municipality of Magnetawan and the proper officers of the Municipality of Magnetawan are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, except where otherwise provided, and the Mayor and Clerk are hereby authorized and directed to execute all necessary documents and to affix the Corporate Seal of the Municipality to such documents.

**READ A FIRST, SECOND, AND THIRD TIME**, passed, signed and the Seal of the Corporation affixed hereto, this 21st day of June 2023.

**THE CORPORATION OF THE  
MUNICIPALITY OF MAGNETAWAN**

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Mayor

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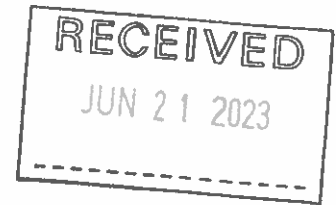
CAO/Clerk

on Desk

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**Henry Wiens**

3 Else Street  
St Catharines, ON L2N 2B7  
905-246-8347  
wienshenry111@gmail.com



June 19, 2023

**Planning & Development Municipality of Magnetawan**  
Planning Board

This is to inform you that Marie Poirier Planning and Associates was hired by me about 2 ½ years ago. After paying approximately \$30,000 to this firm, the lot severance procedure has not been completed in a timely manner. A week ago, I was notified by the firm that they would no longer represent me to finish the lot severance. I will be searching for another company to finish the severance.

In reviewing the May 31, 2023 Agenda Package, it came to my attention that the Lot Severance request has a deferral or denial by the planning consultant. There has been a request that I have another Lake Capacity Study completed for the severance.

Riverstone submitted a report on the 2018 Lake Capacity Study which determined the lake is not at or near capacity. There were no mitigation measures as was included in the 2018 Lakeshore Capacity Assessment for the adjacent property to the west which has been severed into three lots within the past year.

It would be appreciated if the Planning Board would accept the 2018 Lake Capacity Study to approve my severance application.

The severance and sale of the lot will allow me to continue the land improvements and building a cottage due to a marriage separation.

Sincerely,

A handwritten signature in black ink, appearing to be "H. Wiens", written over a horizontal line.

Henry Wiens

on desk June 21, 2023

**Laura Brandt**

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**Subject:** FW: council meeting

**From:** Howard Rosen <[president@mwlt.org](mailto:president@mwlt.org)>

**Sent:** June 20, 2023 10:18 PM

**To:** Bill Bishop <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>; Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>

**Subject:** Re: council meeting

Good evening Kerstin,

I am emailing you at the suggestion of Bill Bishop regarding the Report received today and notice that it will be tabled tomorrow.

In short, we are extremely disappointed in the process whereby we have not been provided with any reasonable notice to review the document, nor discuss it with town staff, nor make any accommodation to ensure we had representation at Council meeting (particularly when it is well known that the Land Trust Board is made up of cottagers who live primarily out of town).

In addition, we are greatly concerned, having had opportunity to make only a cursory review, that there are a great many factual errors in the report. Hence, Council would be asked to review and provide consideration on erroneous information.

And lastly, as discussed at my deputation in March, and as clearly understood by the Council members, there is not an option for the Land Trust to build a parking lot on its lands, aside from the one that presently exists at the entrance as previously approved by the town.

For the reasons as noted above, we request that the report not be presented at the meeting tomorrow, in order to provide us with an opportunity for proper review and discussion with town staff.

Our objective remains finding a solution in collaboration with the town for our private conservation property for which we provide public access and on which the town actively promotes for tourism.

I will call you in the morning to provide any additional context you may require.

Thanks for the consideration.

Howard Rosen  
President  
Magnetawan Watershed Land Trust  
(Sent from my mobile, so apologies for any typos)