



COUNCIL MEETING MINUTES
July 15, 2020

The meeting of the Council of the Corporation of the Municipality of Magnetawan was held at the Magnetawan Community Centre and streamed electronically for public viewing through "Go To Meeting" on Wednesday July 15th, 2020 at 1:00 p.m. with the following present:

Mayor Sam Dunnett
Deputy Mayor Tim Brunton
Councillor Brad Kneller
Councillor John Hetherington
Councillor Wayne Smith

Staff: Kerstin Vroom, CAO/Clerk and Laura Brandt, Acting Deputy Clerk were present for the entire meeting. Joe Readman, Fire Chief and Erin Murphy, Recreation Supervisor were present for their respective sections in the meeting.

STANDARD BUSINESS

1.1 Call to Order

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

1.2 Adoption of the Agenda

RESOLUTION 2020-170 Brunton-Smith

BE IT RESOLVED THAT BE IT the Council of the Municipality of Magnetawan adopts the agenda as presented.

Carried.

1.3 Disclosure of Pecuniary Interest

Mayor 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.

1.4 Adoption of the Previous Minutes

RESOLUTION 2020-171 Brunton-Smith

BE IT RESOLVED THAT BE IT the Council of the Municipality of Magnetawan adopts the minutes of June 10 and June 29, 2020 as copied and circulated.

Carried.

DEPUTATION

Application from Ralph & Cathy Heimbecker, Purchase of Original Shore Road Allowance

RESOLUTION 2020-172 Hetherington-Brunton

WHEREAS the Municipality of Magnetawan has received an application for the purchase of the Original Shore Road Allowance from Ralph and Cathy Heimbecker in front of the lands known as Plan 319 LA L12 WS KING ST;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves in principle the sale of Original Shore Road Allowance to Ralph and Cathy Heimbecker with the following provisions:

- 1. any other adjacent landowner shall be invited to participate in the purchase of that part of the specified road allowance which borders their lands;*
- 2. the sale price for the lands be set at: 70 cents per square foot;*
- 3. the Municipality will send out notice to the owners of 134 Sparks Street, Unit A (building closest to King) (Woodward) that the Encroachment Agreement with the Municipality of Magnetawan will be rescinded effective July 31, 2021;*
- 4. the Heimbecker's enter into an Encroachment Agreement, satisfactory to the Municipality, permitting the owners of 134 B (Osbourne) to remain on the lands for a period of five (5) years;*
- 5. the Municipality is not responsible for the removal of any buildings and/or sundry on the lands.*

Carried.

STAFF REPORTS, MOTIONS AND DISCUSSION

2.1 2019 Fire Call Report

RESOLUTION 2020-173 Smith-Brunton

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the "Magnetawan Fire Call Responses for 2019" as presented by Fire Chief Joe Readman.

Carried.

2.2 Verbal Update from Fire Chief Joe Readman

2.3 Report from Community & Recreation Supervisor Erin Murphy, Heritage Centre Revitalization Ideas

RESOLUTION 2020-174 Brunton-Smith

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the Report from Community & Recreation Supervisor Erin Murphy, Heritage Centre Revitalization Ideas as presented and approves the initiating of improvements to the Heritage Centre.

Carried.

2.4 Report from Acting Deputy Clerk Laura Brandt, Health & Safety Update

RESOLUTION 2020-175 Hetherington-Kneller

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the report from Acting Deputy Clerk Laura Brandt, Health & Safety Update as presented for information only.

Carried.

2.5 Report from Acting Deputy Clerk Laura Brandt and Scott Edwards Public Works Superintendent Hazmat Day June 06, 2020

RESOLUTION 2020-176 Brunton-Smith

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the report from Report from Acting Deputy Clerk Laura Brandt and Public Works Superintendent Scott Edwards, Hazmat Day June 06, 2020 as presented for information only.

Carried.

2.6 Motion to move funds from Landfill Reserves to Landfill Operating Monitoring

RESOLUTION 2020-177 Kneller-Hetherington

WHEREAS The Council of the Municipality passed resolution 2020-72 on March 18, 2020 for Landfill consulting fees;

NOW THEREFORE BE IT RESOLVED that Council authorizes the Treasurer to transfer \$50,000 from the Landfill Rehabilitation Reserve Account to an operating Landfill Engineering Account to be utilized for this service

Carried.

2.7 Application from Jeff Bailey, Exchange of Original Road Allowance for Trespass Road South Horn Lake Road

RESOLUTION 2020-178 Kneller-Brunton

WHEREAS the Municipality of Magnetawan has received an application for the exchange of a Road Allowance from Jeffery Bailey, on the lands known as 119 Hawthorne Lane, Con 1 PT Lots 2,3 REM PCL 655255, Roll number 4944 010 00100300

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves in principle the exchange of lands encompassing the road traversing the Bailey's lands with the Boundary Road Allowance between Ryerson and Magnetawan with the following provisions:

- 1. any other adjacent landowner shall be invited to participate in the purchase of that part of the specified road allowance which borders their lands;*
- 2. the exchange of the 'road allowances' will be at no cost to the applicant for the lands only;*
- 3. the Applicant receives approval from the Township of Ryerson for the exchange of lands;*
- 4. The transferred road to the Municipality is a minimum of 66 feet in width.*

Carried.

2.8 Application from Anne Cosi, Purchase of Original Road Allowance, West Poverty Bay Road

RESOLUTION 2020-179 Kneller-Hetherington

WHEREAS the Municipality of Magnetawan has received an application for the purchase of a Road Allowance from Anne Cosi, on the lands known as 570 West Poverty Bay Road, CROFT CON 10 PT LOT 14 PT LOT 15 RP 42R5102 PART 1 PART 10, Roll number 4944 030 002 22020

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves in principle the sale of the Road Allowance with the following provisions:

- 1. The sale price for the lands be set at: 70 cents per square foot;*
- 2. Only includes the road allowance lands within 2 metres of the encroaching principle dwelling.*
- 3. To be surveyed by the landowner and after approval by the Municipality to be registered on title*

Carried.

2.9 Support in Principle for Consent Application, Little, 191 Little Lane, 1 new lot

RESOLUTION 2020-180 Brunton-Kneller

WHEREAS the Municipality of Magnetawan has received a request to support an application for consent for a new shoreline lot and easement located at 191 Little Lane (Little – Roll # 4944 030 004 03303). The property is legally described as CROFT CON 2 PT LOT 7 PLAN M34 BLK A AND RP PSR873 PARTS 2 AND 5 RP PSR938 PARTS 7 8 9 AND 11 PCL 12513 15038 SS in the Municipality of Magnetawan, 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, which is valid only for a period of six (6) months, subject to the following conditions:

- 1. Draft copy of the deeds (with all schedules and including a schedule describing the easement and naming the grantor and grantee) to be approved by the Municipality prior to registration.*
- 2. A copy of the original executed transfer (deed) with all schedules be provided to the Municipality;*
- 3. 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;*
- 4. 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 5% parkland dedication fee;*
- 5. Confirmation from North Bay Mattawa Conservation Authority that a sewage system can be located on each lot (severed and retained);*
- 6. A site plan be entered into to, which will be registered on title, to ensure the existing vegetation is maintained and an appropriate building envelope for a dwelling is identified on the proposed severed lot;*
- 7. That the Applicant obtain confirmation from a surveyor that the proposed severed and retained lots comply with the Zoning By-law;*
- 8. The retained lands be rezoned to recognize the existing guest cabins and accessory buildings as the maximum number and size of accessory buildings permitted within 100 metres of the water;*
- 9. That the severed lot be rezoned to ensure that no dock or boathouse be located within 30 metres of the northeast side line or its projection into the water;*
- 10. That the Applicant enter into a Limited Service Agreement with the Municipality to be registered on title;*
- 11. That the Applicant to enter in to a Private Road Agreement governing the Easement, with the Municipality to be registered on title;*
- 12. That the foregoing conditions be fulfilled within one year of the date of the notice of the decision of the Planning Board.*

Carried.

2.10 Support in Principle, Consent Application, Noll, Con 1 Lot 10 Horn Lake, 2 new lots

RESOLUTION 2020-181 Kneller-Hetherington

WHEREAS the Municipality of Magnetawan has received a request to support an application for consent for two (2) new water access shoreline residential lots (Noll and Roncadin Roll #4944 010 001 06000). The property is legally described as Con. 1, PT Lot 10, (Chapman),; Minkler’s Lane off of South Horn Lake Road in the Municipality of Magnetawan, 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, which is valid only for a period of six (6) months, subject to the following conditions:

1. Draft copy of the deeds (with all schedules) to be approved by the Municipality prior to registration;
2. A copy of the original executed transfer (deed) with all schedules be provided to the Municipality;
3. 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;
4. 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 5% parkland dedication fee;
5. Confirmation from North Bay Mattawa Conservation Authority that a sewage system can be located on each lot (severed and retained);
6. A site plan be entered into to, which will be registered on title, to i. implement the recommended measures contained in the Lakeshore Capacity and Fish Habitat Assessment for Horn Lake prepared by Hutchison Environmental Sciences Ltd. and dated May 1, 2018, including shoreline vegetation protection areas and dock locations; and ii. Establish the location of suitable building envelopes above the applicable flood elevation to the satisfaction of the Municipality and the North Bay Mattawa Conservation Authority and iii to recognize that the lots are not eligible for additional lot creation.
7. That the Applicant enter into a Limited Service Agreement with the Municipality to be registered on title;
8. That the Applicant provide a copy of an agreement demonstrating there are sufficient facilities for private mainland parking and docking available;
9. That the foregoing conditions be fulfilled within one year of the date of the notice of the decision of the Planning Board.

Carried.

2.11 Support in Principle, Westbrook Revision of Original Consent Application - Lot Lines

RESOLUTION 2020-182 Smith-Brunton

WHEREAS the Municipality of Magnetawan has passed resolution 2019-309 supporting the application for consent for a new shoreline lot located at 1270 Beaver Lake Road (Westbrook); AND WHEREAS, the applicant has revised the drawing from +/- 1.8 ha (92 m waterfront) to +/- 2.2 ha (114 m);

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality supports this revision as proposed.

Carried.

2.12 Correspondence from Dave Gray, ACED, COVID-19 Recovery Task Force

RESOLUTION 2020-183 Hetherington-Smith

BE IT RESOLVED THAT the Council of the Municipality appoints _____ to the ACED Regional Recovery Task Force.

Carried.

- 2.13 DRAFT By-law for Pound Services with the OSPCA
RESOLUTION 2020-184 Brunton-Smith
BE IT RESOLVED THAT the Council of the Municipality approves the DRAFT By-law for Pound Services with the OSPCA as presented and a by-law on this matter will be passed later in the meeting.
Carried.
- 2.14 DRAFT By-law to Appoint a Lottery Licensing Officer
RESOLUTION 2020-185 Smith-Brunton
BE IT RESOLVED THAT the Council of the Municipality approves the DRAFT By-law to Appoint a Lottery Licensing Officer as presented and a by-law on this matter will be passed later in the meeting.
Carried.
- 2.15 DRAFT Revised Private Roads Grant By-law
RESOLUTION 2020-186 Brunton-Smith
BE IT RESOLVED THAT the Council of the Municipality approves the DRAFT Revised Private Roads Grant By-law as presented and a by-law on this matter will be passed later in the meeting.
Carried.

MUNICIPAL BOARDS AND COMMITTEE MINUTES

- 3.1 Almaguin Community Economic Development (ACED) Minutes May 27, 2020
 3.2 Magnetawan Community Development Committee (MCDC) June 22, 2020

RESOLUTION 2020-187 Smith-Kneller
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 Correspondence Thank You from Franziska Grade 8 Magnetawan Central School Graduate
 4.2 The Corporation of the Town of Fort Erie Resolution Essential Workers Day
 4.3 Municipality of Grey Highlands Resolution Universal Basic Income Resolution
 4.4 The Corporation of the City of Sarnia Resolution Long Term Care Home Improvements
 4.5 Correspondence from the Honourable Jeff Yurek, Minister of the Environment, Conversation and Parks
 4.6 Correspondence Ontario Provincial Police Change in Security Check and Revenue Distribution Processes
 4.7 Correspondence Ministry of Municipal Affairs and Housing Changes to the Planning Act
 4.8 Correspondence Ministry of Government and Consumer Services Digital Focused Model for Land Registration Services
 4.9 Correspondence Ministry of Municipal Affairs and Housing COVID-19 Economic Recovery Act
 4.10 Correspondence Muskoka Algonquin Health Care Provincial Donations of Supplies
 4.11 Correspondence sent to Residents on behalf of The Magnetawan Ridge Runners

- 4.12 Pinchin Aquifer Instrumentation Memo Croft Waste Disposal Site June 16, 2020
- 4.13 2020 POA Summary of Operations
- 4.14 Magnetawan Quarterly Year to Date Budget

RESOLUTION 2020-188 Kneller-Hetherington

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

And endorses item number 42, 44

Carried.

ACCOUNTS

- 5.1 Accounts in the amount of \$915,767.07

RESOLUTION 2020-189 Smith-Kneller

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the accounts in the amount of \$915,767.07 as presented.

Carried.

BY-LAWS

- 6.1 Enter into an Agreement for Pound Services with the OSPCA
- 6.2 Appoint a Lottery Licensing Officer
- 6.3 Private Roads Grant By-law

RESOLUTION 2020-190 Brunton-Smith

BE IT RESOLVED 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 Enter into an Agreement for Pound Services with the OSPCA

6.2 Appoint a Lottery Licensing Officer

6.3 Private Roads Grant By-law

Carried.

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:

(d) labour relations or employee negotiations (salary grid, staff performance review)

(c) a proposed or pending acquisition or disposition of land by the municipality (Church Street)

RESOLUTION 2020-191 Brunton-Smith

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan moves to a closed session at 2:15pm pursuant to 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: (d) labour relations or employee negotiations (salary grid, staff performance review) and (c) a proposed or pending acquisition or disposition of land by the municipality (Church Street)

Carried.

RESOLUTION 2020-192 Hetherington-Kneller

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan returns to open session at 3:10pm.

Carried.

CONFIRMING BY-LAW AND ADJOURNMENT

7.1 Confirm the Proceedings of Council and Adjourn

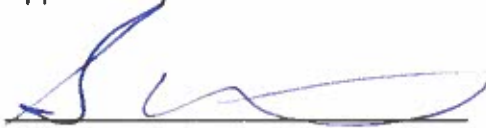
RESOLUTION 2020-193 Brunton-Smith

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 3:15 to meet again on Wednesday, August 12th, 2020 at 1:00 pm or at the call of the Chair.

Carried.

Approved by:



Mayor



Clerk