



**Municipality of
Magnetawan**

COUNCIL MEETING MINUTES

August 02, 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 August 02, 2023, with the following present:

Mayor Sam Dunnett
Deputy Mayor John Hetherington
Councillor Bill Bishop
Councillor Jon Hind – left meeting at 2:30
Councillor Brad Kneller

Staff: CAO/Clerk Kerstin Vroom and Deputy Clerk Recreation and Communications Laura Brandt were present for the entire meeting. Public Works Superintendent Scott Edwards and Deputy Clerk Planning and Development Erica Kellogg 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 2023-206 Bishop Hetherington

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan adopts the agenda as amended to include as item 2.13 MMAH Response to the Municipality of Magnetawan's Request to be Removed from the Central Almaguin Planning Board and to move item 2.6 Deeming By-law Request Whiteside/Elen – 283 and 289 Holden Road and item 2.7 DRAFT Road Use Agreement Over Unopened Road Allowance – Minklers Lane – Woods, Brown/Ross, Bechtel to before 2.1.

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.

1.4 Adoption of the Previous Minutes

RESOLUTION 2023-207 Kneller-Bishop

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan adopts the minutes on July 12, 2023, as copied and circulated.

Carried.

DEPUTATION

Mayor Chris Hope and Deputy Mayor John Wilson Village of Burk's Falls re: Funding Request

RESOLUTION 2023-208 Bishop-Hind

WHEREAS the Council of the Municipality of Magnetawan thanks Mayor Chris Hope and Deputy Mayor John Wilson Village of Burk's Falls re: Funding Request;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan authorizes a donation of \$2,602.85 for the 2022 AHHC contribution.

Carried.

Ed Kneller – Recycling

RESOLUTION 2023-209 Hetherington-Bishop

WHEREAS the Council of the Municipality of Magnetawan thanks Ed Kneller for his deputation Lack of Recycling;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan directs Staff to bring back a report to a future meeting.

Carried.

STAFF REPORTS, MOTIONS AND DISCUSSION

2.6 Deeming By-law Request Whiteside/Elen – 283 and 289 Holden Road

RESOLUTION 2023-210 Hind-Hetherington

WHEREAS; Council has received correspondence and required fees from Glen Whiteside and Jennifer Elen requesting the deeming together of Plan M433 Lot 9 PCL 19233 S/S and Plan M433 Lot 10 PCL 21222 S/S, Municipality known as 283 and 289 Holden Road;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan supports in principle the deeming together of Plan M433 Lot 9 PCL 19233 S/S and Plan M433 Lot 10 PCL 21222 S/S, Municipality known as 283 and 289 Holden Road in Magnetawan and directs staff to bring back the by-law for passing to a future Council meeting.

Carried.

2.7 DRAFT Road Use Agreement Over Unopened Road Allowance – Minklers Lane – Woods Brown/Ross, Bechtel)

RESOLUTION 2023-211 Bishop-Hetherington

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the DRAFT Limited Service and Private Road Agreement - CROFT CON 8 PT LOT 20 42R-13694 PART 2 SUBJECT TO R.O.W – GREEN, and the by-law on this matter will be passed later on in the meeting.

Carried.

2.1 Geotechnical Fee Proposal from Terraspec Engineering, a Subsidiary of Greer Galloway New Fire Hall

RESOLUTION 2023-212 Kneller-Hetherington

WHEREAS the Council of the Municipality of Magnetawan receives the quotation form Geotechnical Fee Proposal from Terraspec Engineering, a Subsidiary of Greer Galloway New Fire Hall;

AND WHEREAS it is best practice to have a Geotechnical Report to assist Architects when bidding in the RFP process to allow structural engineers to refine their scope and make a more educated estimate on the quality of soils and their resulting footing/foundation design;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan accepts the quotation and authorizes a payment of \$10,684 plus HST.

Carried.

2.2 Report from Public Works Superintendent Scott Edwards, Award Winter Sand Tender RFP 2023-03 Winter Sand

RESOLUTION 2023-213 Hetherington-Hind

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the report Award Winter Sand Tender RFP 2023-03 Winter Sand from Public Works Superintendent Scott Edwards and approves the recommendation contained therein to award Mirion Topsoil Ltd with the Winter Sand Contract for the 2023/2024 season in the amount of \$77,990 plus HST.

Carried.

2.3 Consent Application – Zwierschke – 75 & 85 Audrey Smith Road

RESOLUTION 2023-214 Kneller-Hetherington

WHEREAS the Municipality of Magnetawan has received a request to support an application for consent for a boundary line adjustment located at 75 and 85 Audrey Smith Road Magnetawan which is a municipally maintained public road, (Zwierschke 4944 010 00146600). The property is legally described as CON 4, PART LOT 27 & 28 Part 1 and M230 Lots 1 & 2 PLC 13484SS Township of Chapman 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;*

- *Payment of all taxes, municipal legal fees, planning fees, all fees as per the current Fees and Charges By-law and all other fees associated with the processing of this application;*
- *That the Applicant apply for and be approved for a Minor Variance to recognize the existing lot deficiencies to bring the proposed Retained Lot into compliance with the Zoning By-law.*

Carried.

2.4 Consent Application – Cordua – 184 Silver Lake Road

RESOLUTION 2023-215 Bishop-Hetherington

WHEREAS the Municipality of Magnetawan has received a request to support an application for consent for creation of 1 new lot located at CON 14, Part Lot 13 PLAN 42R-2703 Part 8&13 SPENCE Magnetawan, which is a private road, (Cordua 4944 040 007124800) 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 Lot 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 undertake and submit a Lake Capacity Study that demonstrates there is development capacity on Bells Lake to support the proposed development and demonstrates mitigation measures if required for the proposed severed parcel;*
- *That the Applicant undertake & submit an Environmental Impact Study to review the deer wintering habitat and any other natural heritage features (if identified), and to establish suitable building site and dock envelope along with any mitigation measures to be completed on the severed lot;*
- *That the Applicant enter into a Development Agreement with the Municipality to be registered on title to address mitigation measures and recommendations contained in both the Lake Capacity Study and Environmental Impact Study.*
- *That the Applicant enter into a Limited Service Agreement with the Municipality to be registered on title;*

- *That the Applicant submits a Zoning By-law Amendment to rezone the severed lot to address the non-compliant minimum lot area and frontage requirement within the Shoreline Residential designation;*
- *That the Applicant revise the application to show the severed lot with 80 m of shoreline frontage.*

Carried.

2.5 DRAFT Limited Services Agreement – Green -121 Trails End Lane

RESOLUTION 2023-216 Kneller-Bishop

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the DRAFT Limited Service and Private Road Agreement - CROFT CON 8 PT LOT 20 42R-13694 PART 2 SUBJECT TO R.O.W – GREEN, and the by-law on this matter will be passed later on in the meeting.

Carried.

2.8 DRAFT Letter Supporting Permanent Implementation of the Rural and Northern Immigration Pilot

RESOLUTION 2023-217 Hetherington-Bishop

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the DRAFT letter supporting Permanent Implementation of the Rural and Northern Immigration Pilot, which is to be forwarded to all interested parties.

Carried.

2.9 MAHC Hospital Local Share Contribution

RESOLUTION 2023-218 Hind-Bishop

WHEREAS the Council of the Municipality of Magnetawan receives the correspondence Muskoka Algonquin Health Care Hospital Share Contribution for the Huntsville and Bracebridge Hospital builds;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan directs Staff that funds will be taken from the 2022 surplus \$100,000;

AND FURTHER that the funds are to be set aside in a dedicated account and it will be noted as a special area rate on ratepayers tax notices to ensure that ratepayers are aware of the tax rate increase required for funding.

Carried.

2.10 Municipal Insurance Renewal Proposal for The Corporation of the Municipality of Magnetawan

RESOLUTION 2023-219 Kneller-Bishop

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the Municipal Insurance Renewal Proposal and approves the renewal received and choses the Long Term agreement for: 3 years;

AND FURTHER authorizes the CAO/Clerk to sign any documents for renewal purposes.

Carried.

2.11 Report from Deputy Clerk Laura Brandt Public Art Ahmic Harbour Community Centre and Magnetawan Fire Station 2

RESOLUTION 2023-220 Hetherington-Bishop

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the report Public Art Ahmic Harbour Community Centre and Magnetawan Fire Station 2 from Deputy Clerk Laura Brandt and approves the recommendation contained therein to amend the location of the Public Art Mural for the 2023 season from the Ahmic Harbour Community Centre and Magnetawan Fire Station 2 to the Magnetawan Lions Pavilion and the Magnetawan Heritage Museum Centre and for Staff to request that the artist provide new drawings.

Carried.

2.12 DRAFT Control Noise By-law

RESOLUTION 2023-221 Bishop-Hetherington

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the DRAFT Control Noise as presented and the by-law on this matter will be brought back to a future meeting for passing;

AND FURTHER THAT By-law 2018-31 Regulate the Holding of Events will be rescinded at the time of its passing.

Carried.

2.13 MMAH Response to the Municipality of Magnetawan's Request to be Removed from the CAPB

RESOLUTION 2023-222 Hetherington-Hind

WHEREAS the Municipality has been a part of the Central Almaguin Planning Board since 2008 with approval authority granted to the Planning Board;

AND WHEREAS Council for the Municipality of Magnetawan values the preservation and protection of our Northern heritage while implementing responsible land use planning policies and procedures;

AND WHEREAS the Municipality requires all Planning Act applications to conduct a pre-consultation with either Municipal Staff or a qualified Planner identifying site specific conditions that will reinforce the preservation and protection of the subject lands;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan formally requests approval from the Ministry of Municipal Affairs and Housing to be removed from the Central Almaguin Planning Board;

AND FURTHER THAT the Municipality of Magnetawan be delegated the approval authority for plans of subdivision/ condominium, consents, and validations;

AND THAT a copy of this motion is to be circulated to the Central Almaguin Planning Board.
Carried.

MUNICIPAL BOARD AND COMMITTEE MINUTES

- 3.1 **District of Parry Sound Social Services Administration Board Chief Administrative Officer's Report July 2023**
- 3.2 **Almaguin Highlands Health Centre Minutes July 6, 2023**
- 3.3 **Lakeland Holding Ltd. 2023 Q 2 Shareholder Update**

RESOLUTION 2023-223 Kneller-Hetherington

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 **Municipality of Wawa Maintain Coverage for Chronic Pain Treatments**
- 4.2 **Municipality of Chatham-Kent Support Bill 5**
- 4.3 **Municipality of Chatham-Kent Time for Change Municipal Freedom of Information and Protection of Privacy Act**
- 4.4 **Elgin County Amendment to the Current Regulations for Licensed Home-Based Childcare Operators to Increase Allowable Spaces**
- 4.5 **Fort Erie Controls on Airbnb, VRBO and Others Which Affect Municipal Rentals**
- 4.6 **Unsuccessful Outcome of Canada Summer Jobs Funding**
- 4.7 **Unsuccessful Outcome of Experience Ontario 2023 Program Funding**
- 4.8 **RFP 2023-04 Municipal Rubber Tire Backhoe**
- 4.9 **Seniors Free Dinner and Learn Event Wednesday September 27th Poster**
- 4.10 **Reschedule Magnetawan Annual Canada Day Fireworks Display Poster**
- 4.11 **Office Closure Civic Holiday Poster**
- 4.12 **Tax Bills By Email Poster**
- 4.13 **ICYMI Council Highlights July 12, 2023**

RESOLUTION 2023-224 Hetherington-Bishop

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

Carried.

RESOLUTION 2023-225 Hind-Hetherington

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan endorses and supports item 4.1 Municipality of Wawa Maintain Coverage for Chronic Pain Treatments;

AND FURTHER THAT this resolution be circulated to all Municipalities of Ontario, local MPs and MPPs, Premier Doug Ford, the Minister of Health, Associate Minister of Mental Health and Addictions and the Association of Municipalities of Ontario.

Carried.

RESOLUTION 2023-226 Hetherington-Kneller

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan endorses and supports item 4.2 Municipality of Chatham-Kent Support Bill 5;

AND FURTHER THAT this resolution be circulated to all Municipalities of Ontario, Minister of Municipal Affairs and Housing and Local MPPs.

Carried.

RESOLUTION 2023-227 Hetherington-Bishop

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan endorses and supports item 4.3 Municipality of Chatam-Kent Time for Change Municipal Freedom of Information and Protection of Privacy Act;

AND FURTHER THAT this resolution be circulated to all Municipalities of Ontario, MP Lianne Rood, MP Dave Epp, MPP Trevor Jones, MPP Monte McNaughton, Information and Privacy Commissioner of Ontario, Association of Municipalities of Ontario, and AMCTO Legislative and Policy Advisory Committee.

Carried.

RESOLUTION 2023-228 Hetherington-Bishop

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan endorses and supports item 4.4 Elgin County Amendment to the Current Regulations for Licensed Home-Based Childcare Operators to Increase Allowable Spaces;

AND FURTHER THAT this resolution be circulated to all Municipalities of Ontario, Honourable Doug Ford, Premier of Ontario, Honourable Michael Parsa, Minister of Children, Community & Social Services, and MPP Rob Flack.

Carried.

RESOLUTION 2023-229 Bishop-Hetherington

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan endorses and supports item 4.5 For Erie Controls on Airbnb, VRBO and Others Which Affect Municipal Rentals;

AND FURTHER THAT this resolution be circulated to all Municipalities of Ontario, Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs Honourable Steve Clarke, Local MPPs, and the Association of Municipalities of Ontario.

Carried.

ACCOUNTS

5.1 Accounts in the amount of \$493,520.32

RESOLUTION 2023-230 Hetherington-Hind

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the accounts in the amount of \$493,520.32 as presented.

Carried.

BY-LAWS

6.1 Administrative Penalties

6.2 Limited Services Agreement – Green – 121 Trails End Lane

6.3 Road Use Agreement Over Unopened Road Allowance – Minklers Lane – Brown/Ross

6.4 Road Use Agreement Over Unopened Road Allowance – Minkers Lane – Bechtel

6.5 Road Use Agreement Over Unopened Road Allowance - Minkers Lane – Woods

RESOLUTION 2023-231 Hetherington-Kneller

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 *Administrative Penalties*
- 6.2 *Limited Services Agreement – Green – 121 Trails End Lane*
- 6.3 *Road Use Agreement Over Unopened Road Allowance – Minklers Lane – Brown/Ross*
- 6.4 *Road Use Agreement Over Unopened Road Allowance – Minklers Lane – Bechtel*
- 6.5 *Road Use Agreement Over Unopened Road Allowance - Minkers Lane – Woods*

Carried.

****Councillor Jon Hind left the Council Meeting at 2:30 pm.**

CLOSED SESSION

In accordance with Section 239(2) of the Municipal Act, 2001, S.O. 2001, c25, 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
- (e) litigation or potential litigation

RESOLUTION 2023-232 Bishop-Hind

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan moves to a closed session at 2:35 pm 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:

- (c) a proposed or pending acquisition or disposition of land
- (e) litigation or potential litigation

Carried.

RESOLUTION 2023-233 Kneller-Bishop

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan returns to open session at 3:20 pm.

Carried.

CONFIRMING BY-LAW AND ADJOURNMENT

7.1 Confirm the Proceedings of Council and Adjourn

RESOLUTION 2023-234 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 3:25 pm to meet again on Wednesday August 23, 2023, at 1:00 pm or at the call of the Chair.

Carried.

Approved by:

Mayor

Clerk