



AGENDA – Regular Meeting of Council

Wednesday, August 23, 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

PLANNING ACT PUBLIC MEETING

- 14 Zoning By-law Amendment Application -Tripp - 6 Bay Street
- 33 Zoning By-law Amendment Application - Coombes - 10 George Street
- 46 Zoning By-law Amendment Application - Green - 121 Trails End Lane

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- 65 2.1 Revision - Road Exchange Unopened Road Allowance - Part 2 Plan 42R-21766 & Part 3 Plan 42R-21766 - Rescind Motion 2022-198 Crossman
- 2.2 Verbal Update Habitat for Humanity
- 69 2.3 Correspondence MADD Message Yearbook Advertising
- 73 2.4 DRAFT Regulate Dogs By-law
- 100 2.5 DRAFT Trailer License By-law

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- 110 3.1 Muskoka Algonquin Health Care (MAHC) Minutes July 7, 2023

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- 112 4.1 Township of Emo Black Ash Tree Endangered Species Act
- 115 4.2 Correspondence from Premier Doug Ford Controls on Airbnb, VRBO
- 116 4.3 2023 POA Municipal Partners Distribution Q2
- 118 4.4 Ministry of Infrastructure Red Tape Reduction for Designated Broadband Projects
- 121 4.5 Ontario Land Tribunal (OLT) 1680 Lakeside Trail
- 123 4.6 Womens Own Resource Centre Rural Community Kitchen Program Poster
- 124 4.7 Ontario Building Officials Association Certificate Tyler Irwin
- 125 4.8 Dinner and a Drive-In Movie Event Poster
- 126 4.9 ICYMI Council Highlights August 2, 2023

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- 127 5.1 Accounts in the amount of \$683,789.45

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- 138 6.1 Control Noise By-law
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- 147 7.1 Confirm the Proceedings of Council and Adjourn



**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 Chatam-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



**Municipality of
Magnetawan**

COUNCIL MEETING MINUTES

August 09, 2023

10:00 am

The meeting of the Council of the Corporation of the Municipality of Magnetawan was held at the Magnetawan Community Centre on Wednesday August 09, 2023, with the following present:

Mayor Sam Dunnett
Deputy Mayor John Hetherington
Councillor Bill Bishop *left at 12:15pm
Councillor Jon Hind
Councillor Brad Kneller

Staff: CAO/Clerk Kerstin Vroom and Deputy Clerk Planning and Development Erica Kellogg were present for the entire meeting. Chief Building Official Tyler Irwin and Fire Chief Derek Young were present for their respective sections in the meeting.

OPENING BUSINESS

1. Call to Order

The meeting was called to order at 10:00 a.m.

2. Adoption of the Agenda

RESOLUTION 2023-235 Hind-Hetherington

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

Carried.

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.

4. Draft By-law – Offer of Purchase and Sale 285 Chapman Drive

RESOLUTION 2023-236 Hetherington-Hind

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the DRAFT Offer of Purchase and Sale 285 Chapman Drive as presented and a by-law on this matter will be passed later in the meeting.

Carried.

5. Closed Session

In accordance with Section 239(3.1) of the Municipal Act, 2001, S.O. 2001, c25, as amended, Council shall proceed into Closed Session in order to address matters pertaining to Education or Training.

RESOLUTION 2023-237 Hind-Hetherington

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan moves to a closed session at 10:05 am pursuant to Section 239(3.1) 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 Education or Training.

Carried.

***Councillor Bishop left the Closed Session at 12:15pm**

RESOLUTION 2023-238 Bishop-Hind

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan returns to open session at 1:40 pm.

Carried.

6. Passing of By-law – Offer of Purchase and Sale 285 Chapman Drive

RESOLUTION 2023-239 Hind-Bishop

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:

4 Offer of Purchase and Sale 285 Chapman Drive

Carried.

7. Confirming By-law & Adjournment

RESOLUTION 2023-240 Hind-Kneller

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 1:45 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

Moved by: _____

Seconded by: _____

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives and approves the recommendations of Erica Kellogg, Deputy Clerk – Planning and Development supporting the application for Zoning By-law Amendment for: Tripp-Plan 319 ET Lot 3 S/S Bay Street in the Village of Magnetawan, Municipality of Magnetawan, (Roll 4944 020 00106700). The By-law on this matter will be passed later in the meeting.

Carried _____ Defeated _____ Deferred _____

Sam Dunnett, Mayor

Recorded Vote Called by: _____

Recorded Vote

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

MUNICIPALITY OF MAGNETAWAN

NOTICE OF COMPLETE APPLICATION and PUBLIC MEETING FOR A ZONING BY-LAW AMENDMENT

TAKE NOTICE that the Municipality of Magnetawan has received a complete application to amend the Municipality's Zoning By-law under Section 34 of the *Planning Act* of the *Planning Act*, R.S.O., 1990. The Corporation of the Municipality of Magnetawan will hold a Public Meeting on:

August 23rd 2023, At 1:00 pm. at the
Municipality of Magnetawan Community Centre, 4304 Hwy #520, Magnetawan, Ontario

THE PURPOSE OF THE PUBLIC MEETING is to consider a Zoning By-law Amendment application to amend Zoning By-law No. 2001-26 of the Municipality of Magnetawan, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, Chapter P. 13. A key map showing the location of the property affected by the Zoning By-law Amendment is attached to this notice.

DESCRIPTION OF THE LANDS The application for Zoning By-law Amendment applies to the subject property located at Plan 319 ET Lots 3 S/S, Municipally known as 6 Bay Street, Municipality of Magnetawan.

THE PURPOSE of the proposed application is to seek relief from Section 3.25 *Setback from Watercourses*, which restricts structures being placed within 20m of the highwater mark.

THE EFFECT of the amendment would facilitate an existing fence being 7.3m setback from the highwater mark.

INFORMATION AVAILABLE

Information relating to the proposed Zoning By-law Amendment application is available for public review on the Municipal website – www.magnetawan.com – or by requesting it during business hours, Monday to Friday from 9:00 am to 5:00 pm, at the Municipality of Magnetawan Municipal Office (4304 Hwy #520 Magnetawan, Ontario, POA 1P0) or by emailing: planning@magnetawan.com

NOTICE OF DECISION

If you wish to be notified of the decision of the Municipality of Magnetawan on the proposed Zoning By-law Amendment you must make a written request to Erica Kellogg, Deputy Clerk – Planning and Development at the Municipality of Magnetawan.

ORAL AND WRITTEN SUBMISSION – APPEAL

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Municipality of Magnetawan to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Magnetawan before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Magnetawan before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Individuals who make written submissions should be aware that their submission and any personal information in their correspondence will become part of the public record and made available to the Applicant, Committee and Council.



STAFF PLANNING REPORT

To:	Mayor and Council
From:	Erica Kellogg – Deputy Clerk – Planning and Development
Subject Land:	6 Bay Street
Report Date:	August 23 rd , 2023

Proposal/Background

A Zoning By-law Amendment application has been submitted by Stephanie and Ron Tripp regarding an existing storage shed and fence currently located within the shoreline of 6 Bay Street, hereafter referred to as the “subject lands”. A fence and an accessory structure were installed on the subject lands in contravention of Section 3.25, Setback from Watercourse of the Zoning By-law 2001-26 as amended.

The subject lands are located at the southeast corner of the intersection for North Sparks Street and Bay Street within the Village of Magnetawan, as seen in Figure 1. The subject lands are legally described as Plan 319 EPT Lot 3 S/S.

The subject land is currently developed with a single-family dwelling and is serviced by individual on-site sewage and water services. The existing structure subject to this application is illustrated on Figure 2 which is a sketch and photo provided with the application.

The Applicant has proposed that if the shed is permitted to remain status quo, the Applicant will remove a portion of the fence, specifically, where the fence meets the shed corner on the south side. No alternative is provided should the shed not be permitted to remain status quo.

Figure 1: Location of Subject Lands



As seen above in Figure 1, the subject land is located within the Settlement Area of the Village of Magnetawan. The subject land has a total area of .18 acres. According to the application, the lands are an irregular shape with 20 meters frontage on Bay Street, 70 metres depth on the far west side, 90 metres of depth on the east side and 29 meters of shoreline.

The surrounding uses include a mixture of both residential, institutional and commercial lands. Commercial uses include a grocery store, hardware store and eatery establishments.

Policy Considerations

Provincial Policy Statement (PPS) and Planning Act

When making decisions regarding land use planning, authorities are required to be consistent with the PPS. The subject lands being located within the Settlement Area are intended to be the focus of growth where their vitality and regeneration will be promoted.

The PPS provides policy guidance on the preservation and sustainability of both natural heritage and water resources. The PPS identifies that Ontario's the long-term prosperity, environmental health and social well-being is dependent on the protection and conservation of water and natural heritage.

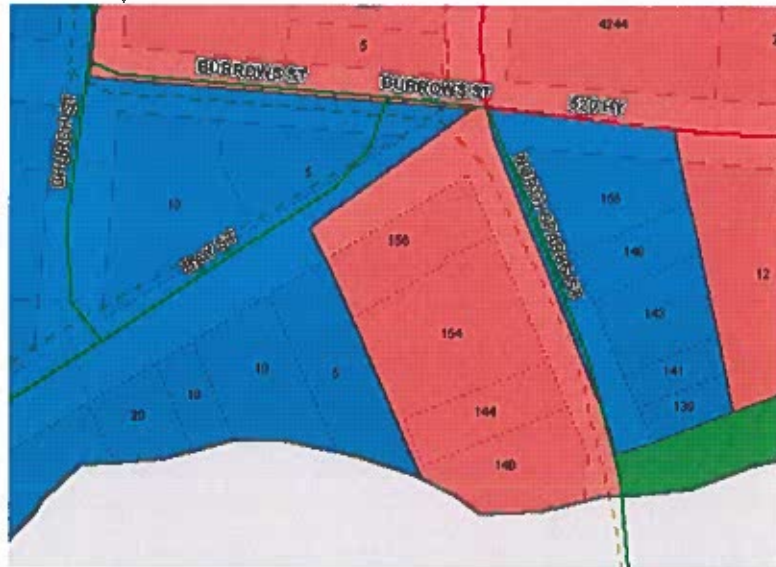
Based on the review of the PPS and the mitigation measures proposed by the applicant, it is reasonable to conclude that the proposed measures are consistent with relevant policy direction contained within the PPS.

Municipality of Magnetawan Official Plan

The Municipality's Official Plan provides authorities with policy direction to help support growth and development within Magnetawan. Various policies within this plan addresses the environmental, cultural, built heritage in addition to transportation and natural resources. Identified within Figure 3, the subject lands are designated to be within the Community Boundary (Magnetawan) and the aggregate & mineral resources.

Within the Community Boundary, residential use is a permitted use and the Plan encourages a revitalization of these communities. Based on the Municipality's Official Plan, the proposed mitigation measures are consistent with the relevant policy direction.

Figure 4: Zoning By-law Excerpt



Conclusion:

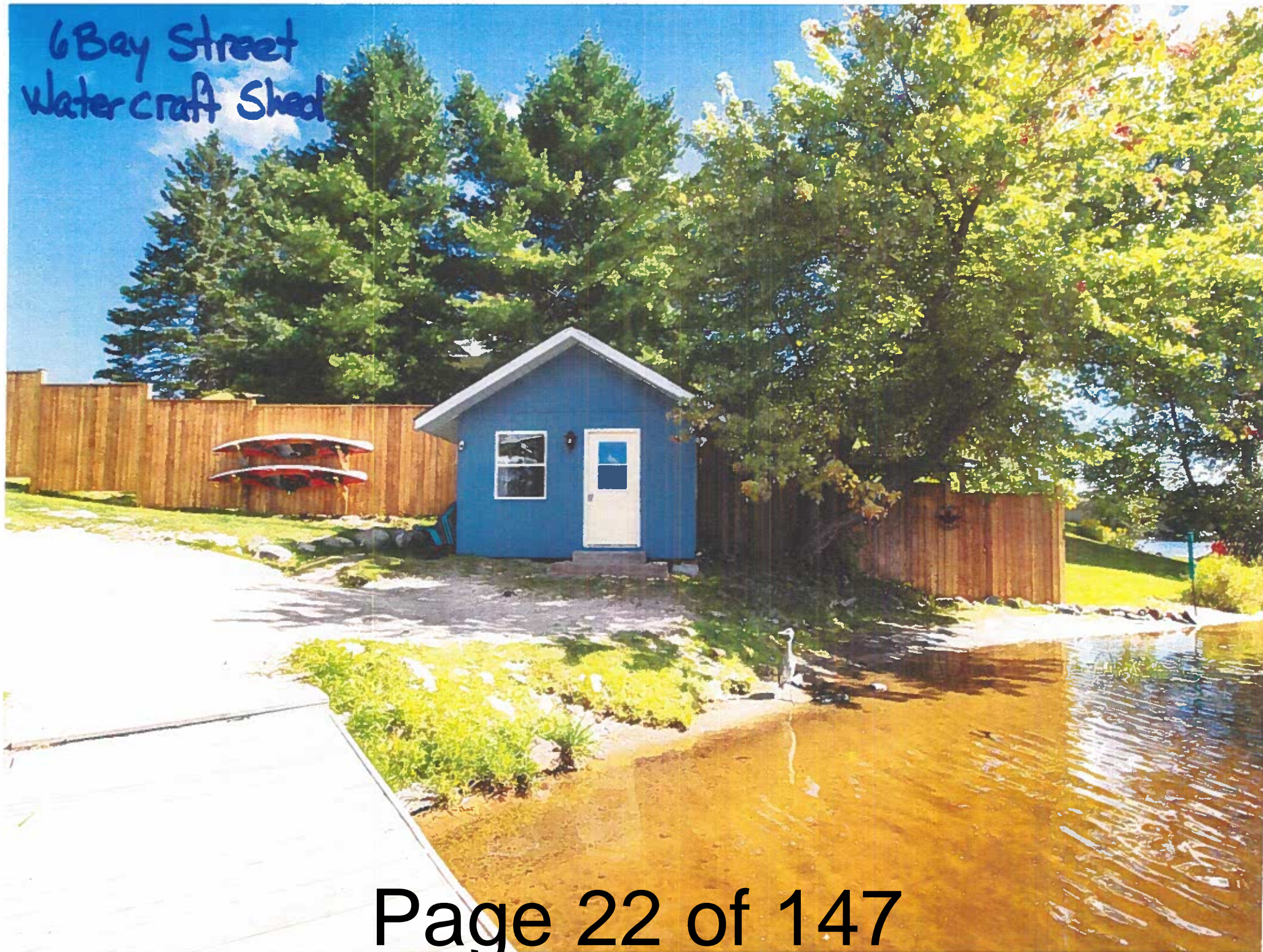
The existing structures were present at the time the Applicants purchased the property in 2022. Municipal Staff had been working with the previous owner to bring about compliance when the property changed hands. As the Applicants are working towards compliance, while maintaining an element of privacy, it would be reasonable to assume the mitigation measures offered within the Applicants letter will provide privacy while not hindering the waterfront view from adjacent owners. Removing a small portion of the fence will bring the fence to a setback that will align with the existing non-compliance storage shed and would make the shed no more impactful on the view than the proposed fence setback. Additionally, the shed is solely utilized for the storage of watercrafts and will not be used for human habitation. Therefore, Staff recommend accepting a 7.3m setback of the existing fence and allowing the watercraft storage shed to remain in place.

Respectfully submitted,

Erica Kellogg

Acting Deputy Clerk – Planning and Development

6 Bay Street
Watercraft Shed

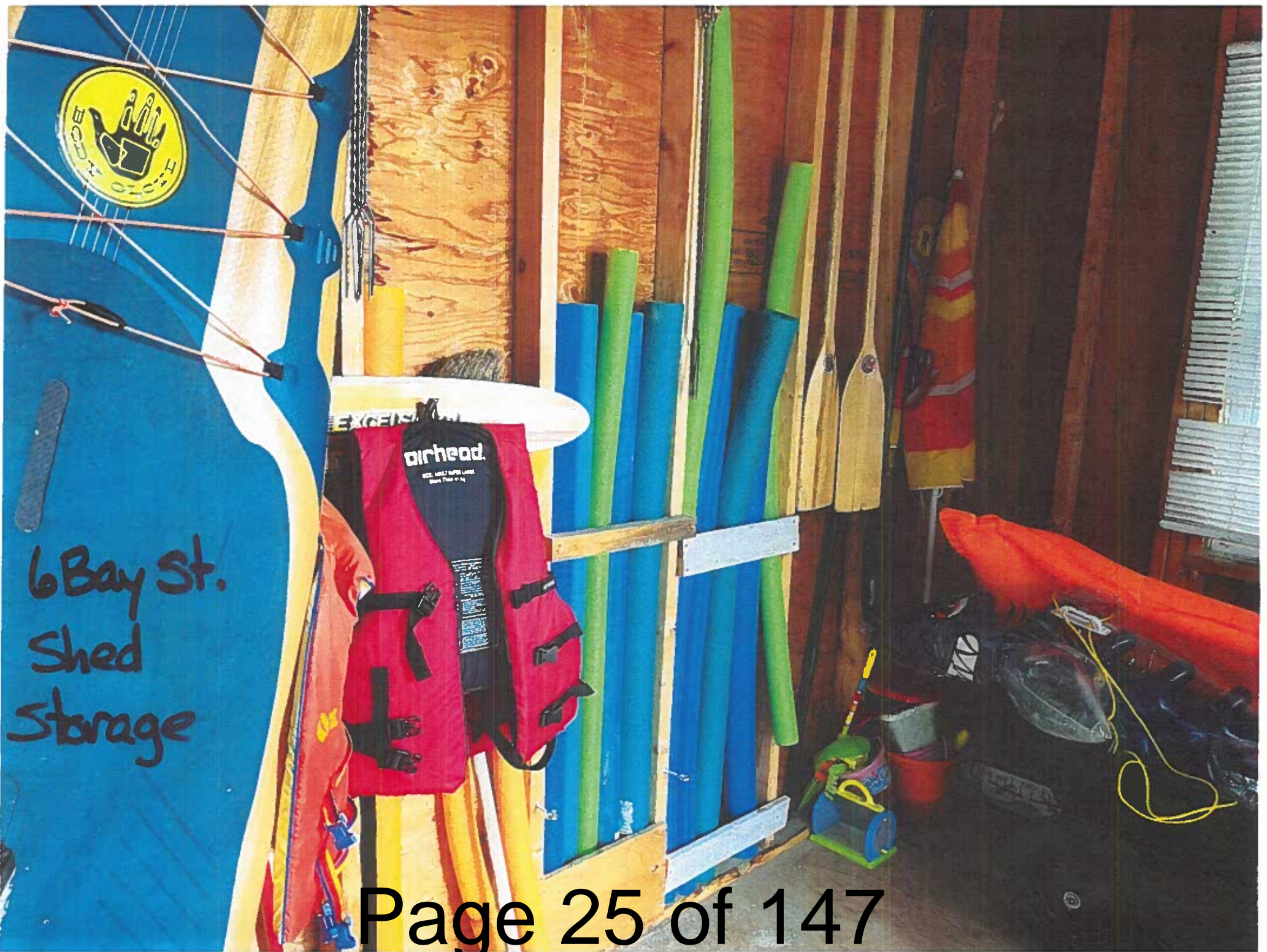


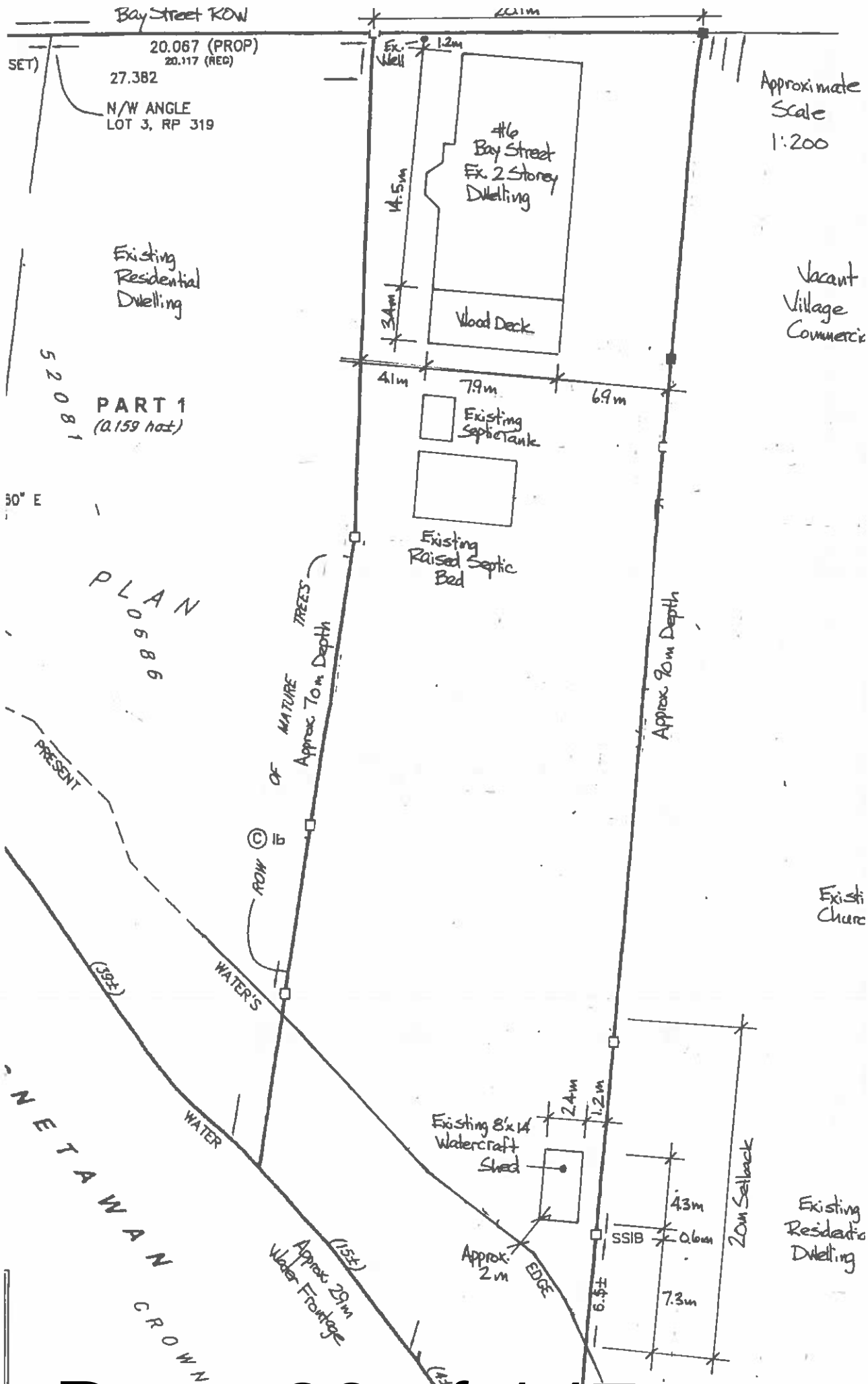
Propose to remove fence to this post

Gazebo

140 Sparks St







Kec Friday June 30,

Ron & Stephanie Tripp

6284 Shapton Crescent, Niagara Falls, ON L2H 0L9

Cell Phone: 905-401-2914

StephanieTripp1970@gmail.com

June 29, 2023

Ms. Erica Kellogg, Acting Deputy Clerk – Planning and Development
Municipality of Magnetawan
P.O. Box 70
Magnetawan, ON, P0A 1P0

Re: Application for Zoning Amendment – 6 Bay Street

Dear Ms. Kellogg:

Please find enclosed a completed Application Form for a Zoning By-Law Amendment, an Application Fee of \$700 and a Fee Deposit of \$2,000 for the above-referenced property.

We are seeking an amendment to permit an existing shed and fence to remain within the watercourse and side yard setbacks as defined in the Town's Zoning By-Law. As you are aware, we purchased the property with these Zoning By-Law infractions already in place. We believe that the shed was constructed in 2017 when the addition to the house was constructed and we believe that the fence was constructed in late 2021 or early 2022.

We wanted to highlight the two following points for your consideration:

- The shed was constructed and continues to be utilized for the storage of small watercraft, beach toys and PFD's. Its proximity to our beach along the Magnetawan River makes practical sense and its intended use is similar to that of a Boathouse.
- The fence was constructed to the water's edge and we believe that it's the result of a neighbor dispute with the previous owner. Should the shed be permitted to remain, we propose to remove the fence back to approximately the corner of the shed. This would re-open the water view from the Gazebo for our neighbors on Sparks Street. While we didn't anticipate having a fence for our northern property, it does make sense for this particular location given that the majority of adjacent property is zoned Village Commercial and will likely be developed as some mixed-use form.

Thank you for your consideration of this matter. We are available if you have any questions or require further detail. We look forward to its consideration by Town Council and we wish to make a presentation to Council at the meeting it is considered.

Respectfully,



Ron and Stephanie



The Corporation of the Municipality of Magnetawan

Box 70 4304 Hwy 520

Magnetawan ON P0A 1P0

Phone 705 387 3947 Fax 705 387 4875

www.magnetawan.com

APPLICATION FORM

ZONING BY-LAW AMENDMENT

Date Received by Municipality: _____

1) APPLICATION INFORMATION

Name of Applicant: Ron Tripp
Mailing Address: 6284 Shapton Crescent, Niagara Falls, ON, L2H0L9
Telephone Number (Home): (905) 401 2914 Fax Number: _____
Telephone Number (Business): (905) 321 4640 Fax Number: _____

2) REGISTERED OWNER

If the Applicant is not the Registered Owner of the subject lands, then authorization from the Owner is required, as well as the following information:

Owners Name: Ron + Stephanie Tripp
Mailing Address: 6284 Shapton Crescent
Telephone Number (Home): (905) 401 2914 Fax Number: _____

Correspondence to be sent to: Owner Agent Both

3) MORTGAGES, CHARGES OR OTHER ENCUMBRANCES

Name: _____
Mailing Address: _____
Name: _____
Mailing Address: _____

4) SUBJECT LANDS

Geographic Township: Magnetawan Concession: _____ Lot: 3
Reference Plan: RP 319 Part/Block/Lot: Part 2,3,4
Street Name and Number: 6 Bay Street
(If corner lot, please include both Street Names)

Water Access only: _____

(Name of Waterbody)

Area of subject lands (ha): _____ Frontage (m): 20.1 Depth (m): 70-90

5) OFFICIAL PLAN / ZONING STATUS

What is the current designation of the *subject lands* in the approved Official Plan?

What is the current Zoning?

Village Residential

6) REASONS FOR REQUEST

Please describe the reasons for and extent of the request:

Zoning Bylaw amendment to permit an existing watercraft shed and wood fence to remain within the watercourse and Sdeyard Setbacks.

Portion of existing wood fence to be removed - waterline to corner of shed. (see photograph)

7) ACCESS

Are the subject lands accessible by:

- Provincial Highway
- Municipal Road (seasonal maintenance)
- Municipal Road (year round maintenance)
- Right of Way
- Unopened Road Allowance
- Water Access
- Other (describe) _____

8) BUILDINGS, STRUCTURES AND USES

What are the existing buildings on the subject land? Two storey residential dwelling and watercraft shed

What are they used for? Second Residence

Please complete the following for each building or structure:

	Building One	Building Two	Building Three
Type of Building	Two Storey	Basic Shed	
Setback from Front Lot Line	1.2m	6.9m	
Setback from Rear Lot Line	>6.0m	2.1m 15m	
Setback from Side Lot Line	7m	1.2m	
Setback from Side Lot Line	4m	17m	
Height (metres)	9m	4m	
Dimensions	8m x 14m	24m x 4.3m	
Floor Area	112m ²	10m ²	
Date of Construction	1900/2017	2017	

What is the proposed future use of the subject lands: Second Residence

Are any buildings or structures to be build on the subject lands?

yes no

If yes, please complete the following for each building or structure:

	Building One	Building Two	Building Three
Type of Building			
Setback from Front Lot Line			
Setback from Rear Lot Line			
Setback from Side Lot Line			
Setback from Side Lot Line			
Height (metres)			
Dimensions			
Floor Area			
Date of Construction			

When were the subject lands acquired by the current owner? October 2023

How long have the "existing uses" continued on the subject lands? over 100 yrs.

9) **SERVICING**

	<u>Municipal</u>	<u>Private</u>	<u>Other</u>
Water Supply	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Frontage on Road	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Is storm drainage provided by: Sewer Ditch Swale
 Other (describe) _____

10) **OTHER APPLICATIONS**

Are the subject lands also the subject of an application under the Planning Act for approval of a Plan of Subdivision or a Consent? yes no

If yes, what is the file number? _____

What is the status of the application? _____

Have the subject lands ever been the subject of an application under Section 34 of *The Planning Act* (rezoning)? yes no

If yes, please provide a brief explanation: _____

11) **DRAWINGS**

Please include a sketch showing the following:

- the boundaries and dimensions of the subject land;
- the location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the building or structures from the front yard lot line, rear yard lot line and side yard lot lines;
- the approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include: buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
- the current uses on land that is adjacent to the subject land;
- 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 docking facilities to be used; and
- the location and nature of any easement affecting the subject land.

Required Sketch

See attached sketch
and photographs.

Required Sketch should include the following:

- ✓ Lot dimensions
- ✓ Major Physical Features
- ✓ Surrounding Land Uses
- ✓ Buildings and Structures
- ✓ Sewage and Water Systems

12) PERMISSION TO ENTER

I hereby authorize, the Members of Staff and/or Elected Members of the Council of the Municipality of Magnetawan, to enter upon the subject lands and premises for the limited purpose of evaluating the merits of this application. This is their authority for doing so.

June 30/23
Date

[Signature]
Signature of Registered Owner(s) or Agent

13) FREEDOM OF INFORMATION

I hereby provide authority for any information contained in this application, to be released in accordance with the Freedom of Information Act.

June 30/23
Date

[Signature]
Signature of Registered Owner(s) or Agent

14) PAYMENT OF FEE AND DEPOSIT

- Application Fee As per the current Fees and Charges By-law
- Residential Deposit Fee As per the current Fees and Charges By-law
- Commercial/Industrial Deposit Fee As per the current Fees and Charges By-law

The "deposit" shall be used for expenses as defined below. As for the date of this application, I further hereby agree to pay for and bear the entire cost and expense for any engineering, legal, landscape, architectural and/or planning consulting expenses incurred by the Municipality of Magnetawan during the processing of this Application, in addition to the Application Fee set by the Municipality of Magnetawan.

An additional deposit shall be required if the deposit is insufficient to complete the Application.

June 30/23
Date

[Signature]
Signature of Registered Owner(s)

Note: All Invoices for payment shall be sent to the person(s) indicated in Section 2) Owner of this application, unless otherwise requested.

If the Applicant/Owner is a Corporation, the Applicant/Owner shall provide certification that he/she has the authority to Bind the Corporation.

15) AFFIDAVIT

I, Kerstin Vroom of the District of Parry Sound in the Municipality of Magnetawan solemnly declare that all of the above statements contained herein and in all exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act".

DECLARED BEFORE ME at Municipal Office in the Municipality of Magnetawan of 2023 this 30th day of June,

June 30, 2023
Date

[Signature]
Signature of Registered Owner(s) or Agent

Kerstin Vroom, CAO Clerk
Commissioner for taking Oaths,
Municipality of Magnetawan
District of Parry Sound

Moved by: _____

Seconded by: _____

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives and approves the recommendations of Erica Kellogg, Deputy Clerk – Planning and Development supporting the application for Zoning By-law Amendment for: Coombes–Plan 319 Lot 16, Part Lot 15 W/S George Street in the Village of Magnetawan, Municipality of Magnetawan, (Roll: 4944 020 00108100) and directs staff to bring back a Temporary Use By-law for passing to a future Council meeting.

Carried _____ Defeated _____ Deferred _____

Sam Dunnett, Mayor

Recorded Vote Called by: _____

Recorded Vote

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

MUNICIPALITY OF MAGNETAWAN
NOTICE OF COMPLETE APPLICATION and PUBLIC MEETING FOR A ZONING BY-LAW AMENDMENT

TAKE NOTICE that the Municipality of Magnetawan has received a complete application to amend the Municipality's Zoning By-law under Section 34 of the *Planning Act* of the *Planning Act*, R.S.O., 1990. The Corporation of the Municipality of Magnetawan will hold a Public Meeting on:

August 23rd 2023, At 1:00 pm. at the
Municipality of Magnetawan Community Centre, 4304 Hwy #520, Magnetawan, Ontario

THE PURPOSE OF THE PUBLIC MEETING is to consider a Zoning By-law Amendment application to amend Zoning By-law No. 2001-26 of the Municipality of Magnetawan, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, Chapter P. 13. A key map showing the location of the property affected by the Zoning By-law Amendment is attached to this notice.

DESCRIPTION OF THE LANDS The application for Zoning By-law Amendment applies to the subject property located at Plan 319 Lots 16 pt LOT 15 W/S, Municipally known as 10 George Street, Municipality of Magnetawan.

THE PURPOSE of the proposed application is to seek relief from Section 3.32 *Trailers and Campers*, which prohibits travel trailers being located within the Village Residential Zone.

THE EFFECT of the amendment would facilitate an existing travel trailer being located within the Village Residential Zone.

INFORMATION AVAILABLE

Information relating to the proposed Zoning By-law Amendment application is available for public review on the Municipal website – www.magnetawan.com – or by requesting it during business hours, Monday to Friday from 9:00 am to 5:00 pm, at the Municipality of Magnetawan Municipal Office (4304 Hwy #520 Magnetawan, Ontario, POA 1P0) or by emailing: planning@magnetawan.com

NOTICE OF DECISION

If you wish to be notified of the decision of the Municipality of Magnetawan on the proposed Zoning By-law Amendment you must make a written request to Erica Kellogg, Deputy Clerk – Planning and Development at the Municipality of Magnetawan.

ORAL AND WRITTEN SUBMISSION – APPEAL

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Municipality of Magnetawan to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Magnetawan before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Magnetawan before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so. Individuals who make written submissions should be aware that their submission and any personal information in their correspondence will become part of the public record and made available to the Applicant, Committee and Council.

PLEASE SUBMIT ANY WRITTEN COMMENTS TO ERICA KELLOGG
Quoting File No: COOMBS ZONING BY-LAW AMENDMENT
Erica Kellogg, Deputy Clerk – Planning and Development
Municipality of Magnetawan
P.O. Box 70, Magnetawan, Ontario, P0A 1P0
705-387-3947 ext. 1011, planning@magnetawan.com
DATED at the Municipality of Magnetawan this 3 day of August 2023

KEY MAP OF SUBJECT PROPERTY:





STAFF PLANNING REPORT

To:	Mayor and Council
From:	Erica Kellogg – Deputy Clerk – Planning and Development
Subject Land:	Plan 319 Lot 16 PT Lot 15 W/S, Municipality known as 10 George Street
Report Date:	August 23 rd , 2023

Proposal/Background

A Zoning By-law Amendment application has been submitted by Vida Coombes (owner) to permit an existing trailer on the subject land located at 10 George Street in the Municipality of Magnetawan. According to the application the total floor area of the existing trailer is 304 square feet.

The subject lands are located on the southwest corner of George Street at the intersection of George and Bay Street within the Village of Magnetawan shown in Figure 1. The subject lands are legally described as Plan 319 Lot 16 PT Lot 15 W/S.

The subject land is currently developed with a single-family dwelling, an outbuilding and two storage sheds, in addition to the proposed trailer. The lands are serviced by individual on-site sewage and water systems. The existing structures and trailer are illustrated on Figure 2, a sketch submitted with the application.

The subject trailer is primarily utilized for the purpose of home occupation, by a family member, who acts as a caregiver to the property owner. The location and use of the trailer, permits the caregiver to live and work at the property.

The Staff Planning Report will address specifically the illegal use of an existing trailer and will not address any other Planning Related matters pertaining to the subject lands.

Figure 1: Location of Subject Land

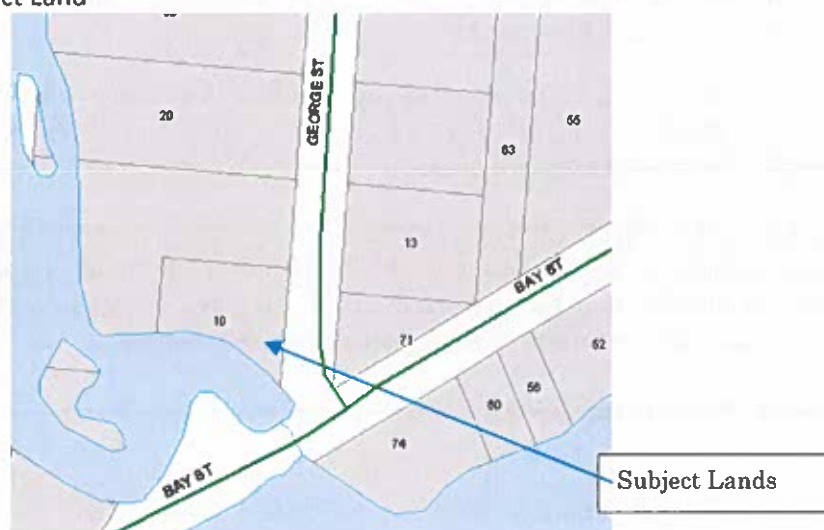
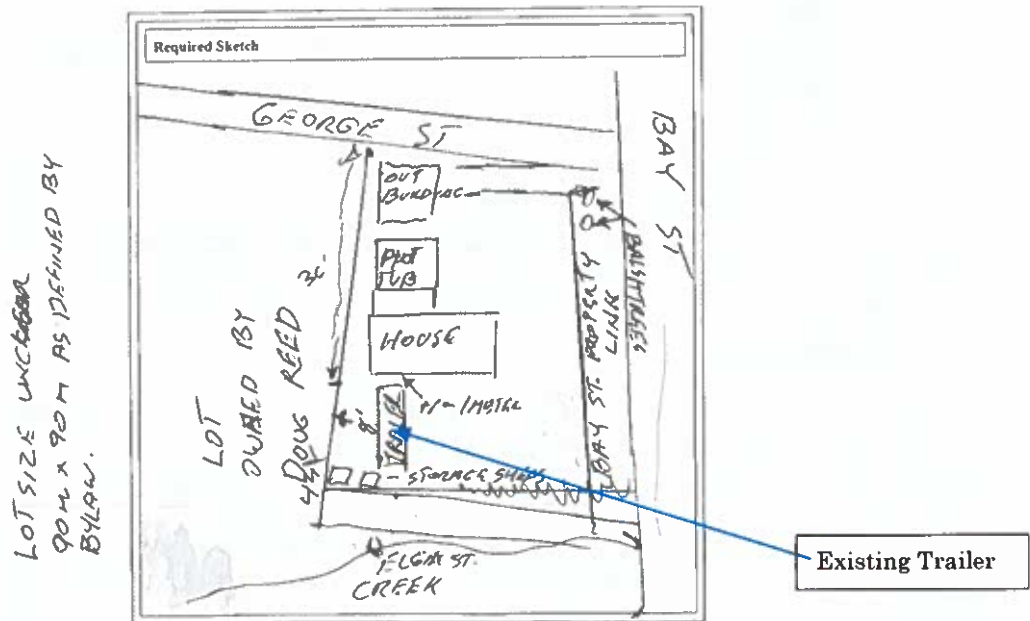


Figure 2: Sketch of Existing structures and trailer



Land Context

As seen in Figure 1, the subject land is located within the Settlement Area of the Village of Magnetawan. The subject land has a total area of .58 acres with 46 metres (150 feet) of frontage and 50 metres (165 feet) of depth. The surrounding uses include a mixture of residential lands with large swaths of vacant lands to the west. The subject land abuts the Magnetawan River on the southwest side.

Policy Considerations

Provincial Policy Statement (PPS) and Planning Act

When making land use decisions, Planning Authorities must ensure that the decisions are consistent with both the Planning Act and the PPS. In the context of the PPS, the subject lands are classified as being located within a settlement area. Settlement areas are intended to be the focus of growth, where the vitality and regeneration will be promoted.

Section 1.1.3 speaks to the settlement areas and identifies these areas where growth and development shall be focused. Section 1.1.3.2 provides direction on suitable land uses which includes efficient use of land and resources within Settlement Areas.

Section 2.1.1 and 2.1.6 provides that development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements. Although the existing trailer has resulted in site alteration, the impact on the abutting fish habitat is considered to be minimal and should not result in significant impact on the natural environment of the subject lands.

Municipality of Magnetawan Official Plan

Schedule A of the Official Plan identifies the subject land as being designated Aggregate and Mineral Resources and Community Boundary as shown in Figure 3. Schedule B of the Official Plan identifies the subject land as being designated Fish Habitat, as seen in Figure 4.

Figure 3: Official Plan Excerpt, Schedule A



Figure 4: Official Plan Excerpt, Schedule B



Subject Lands

Section 4.7 of the Municipality's Official Plan states that where there is no reasonable alternative to locating waterfront activities area outside of the identified fish habitat areas or where setbacks can not be met, development may only be permitted where it is demonstrated that there will be no negative impact on the fish habitat. Setbacks from streams are dictated by the type of stream; the Official Plan offers either a 30m or 15m setbacks from fish habitat.

Municipality of Magnetawan Zoning By-law

The subject land is currently zoned Environmental Protection and Village Residential, as shown in Figure 5. Within this designation, permissible uses include Home Occupation. Home Occupation is defined at "an occupation carried on by the occupant of a dwelling on his premises as a secondary use in connection with which there is no display, no stock in trade nor commodity sold upon the premises and which is clearly subordinate or incidental to the principal use of the dwelling for residential purposes".

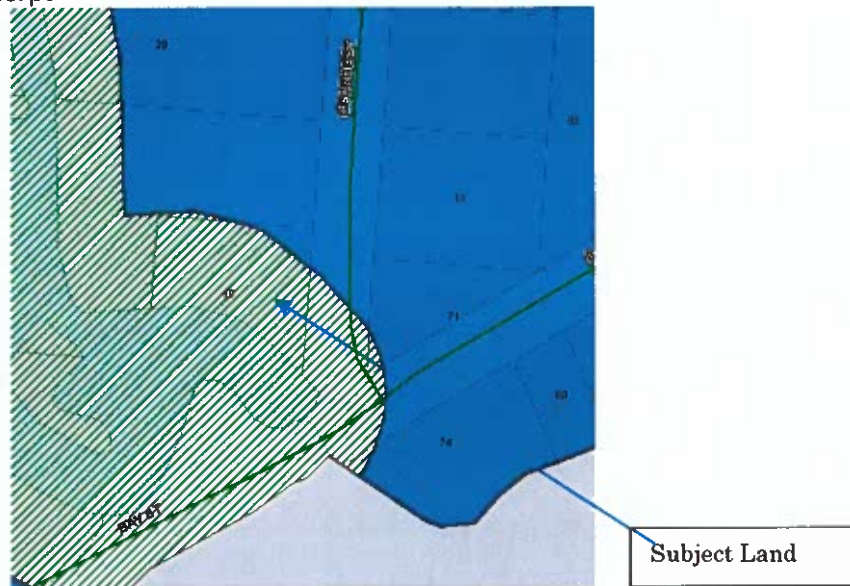
Section 3.1 a) i) provides that those accessory buildings, such as a trailer, shall not be used for any occupation for gain or profit conducted within or accessory to a dwelling unit or lot except as specifically permitted, or human habitation expect where permitted within the Zoning By-law.

Section 3.32 Trailers and Campers, provides that one trailer may be located within specific Zones within the Municipality, of which Village Residential is not a permitted Zone.

Section 3.32 provides that permitted trailers shall be licenced annually by the Municipality and:

- 1) Is not located within 30m of shoreline;
- 2) Accessory structures attached to the trailer shall not exceed the ground floor area of the permitted trailer;
- 3) Appropriate sanitary facilities are provided;
- 4) The trailer is road worthy and is legally capable of being towed.

Figure 5: Zoning By-law Excerpt



Section 4.3 requires structures to have a 3-metre set back from interior side lot lines. According to the sketch provided with the application, the existing trailer is set back 2.4 metres (8 feet) from the interior lot line. The required exterior lot line within Village Residential is 6 metres (19 feet), the applicant has shown the trailer exceeds the required exterior lot line by approximately 5 metres.

As this property is situated on water, the front yard is the shoreline, the applicant is unable to determine the approximate location of the trailer in relation to the water line.

Due to fish habitat, the land is zoned Environmental Protection (EP) for more than $\frac{3}{4}$ of the property. The trailer is located within this EP Zone. Section 4.16.2 states that no building or structure, including accessory buildings or structures, are permitted within the EP Zone. The existing trailer does not conform to the Zoning By-law.

Conclusion:

The applicant has indicated the use of the subject trailer is temporary. The subject trailer is an illegal use and is in contravention of the Zoning By-law.

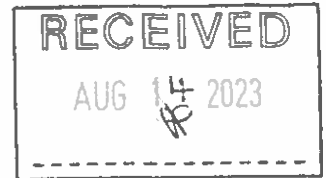
Section 39 (1) of The *Planning Act* provides provisions in which Council for a Municipality may authorize the temporary use of lands, buildings or structures for any purpose set out therein that is otherwise prohibited in By-laws passed under Section 34. Temporary Use Zoning By-law Amendments permit *use* where otherwise prohibited; such use is *temporary*. That temporary period shall not exceed three years from the day of passing the by-law. However, should Council see fit, an extension of this period may be granted for periods that shall not exceed three years for each extension. Thus, it is recommended Council support in principle, a Temporary Use By-law authorized under Section 39 (1) of *The Planning Act* with the following conditions:

- 1) That if no comments are received that require further Staff review, that Council pass a Temporary Use By-law for a period of not more than three years with an option to provide an extension upon reapplication; and
- 2) The all taxes and monies owing to the Municipality are paid to date.

Respectfully submitted,


Erica Kellogg

Acting Deputy Clerk – Planning and Development



Mr. Randolph Soth,
30 George Street,
Magnetawan, Ontario, P0A 1P0
Cell or email address supplied on request
August 18, 2023

Attention: Erica Kellogg, Deputy Clerk -Planning & Development.
Municipality of Magnetawan,
P.O. Box 70,
Magnetawan, Ont P0A 1P0
705 387-3947 ext 1011

RE: File Number: Coombes Zoning By-Law Amendment Section 34

Erica Kellogg, Mayor Hon. Sam Dunnnett, Magnetawan Council Members, others:

First I must say how much I have agonized over how to respond to the above Zoning By-Law Amendment application at 10 George Street!. Although I appreciate and respect the efforts by the Coombs family members to allow Mrs Vida Coombs to remain at her residence, I must express my warranted concern over several aspects of this application.

As stated in the village By-Law, George Street is zoned "village residential" and thus travel trailers are prohibited both for storage and for living in. This is pretty straight forward and clearly has not been adhered to. If you examine the **Lot Plan 319 : Lots 16 & pt Lot 15** there is no longer **any access** from the road or driveway to the back of said Lots due to home additions by the late Heinz Fricke and Vida Coombs. The **ONLY ACCESS** to the back is across the property of 14 George St which was purchased by a third party a couple years ago either as a speculative waterfront investment OR as a site for a future home. Either way, once started there will be absolutely **NO WAY** to remove the current house trailer off the property - a concerning issue!

This property was never designed to have a house and trailer both tapped into a small septic system This property was never designed to have two (2) locations for propane-one for the original home and one for the trailer's twin propane tanks.

I also have a real problem if the existing zoning by-law has this amendment application approved, allowing the **trailer to remain AND be lived in**. Once passed and done, the village has set a **precedent for any and all future requests** for a like amendment! A real Pandora's box of trouble for future village planning and development

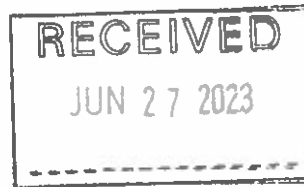
In view of the above, the **ONLY** way I might accept this is if the application is approved for a **temporary and clearly defined one time only** period and **under no circumstances** allowable for an extension.

Thank you for allowing me to express my concern and feelings on this matter. I respectfully request you please send me a notification of your decision.

Yours truly,
Randolph Soth

cc: Erica Kellogg Planning and Development
Mayor Sam Dunnnett
Magnetawan Council Members
Randolph Soth

File: ByLaw Zone Sec34 Amendment



fee \$100
deposit \$200



The Corporation of the Municipality of Magnetawan
Box 70 4304 Hwy 520
Magnetawan ON POA 1P0
Phone 705 387 3947 Fax 705 387 4875
www.magnetawan.com

APPLICATION FORM
ZONING BY-LAW AMENDMENT

Date Received by Municipality: _____

1) APPLICATION INFORMATION

Name of Applicant: MRS VIDA E COMBES
Mailing Address: Box 24 Magnetawan ON POA 1P0
Telephone Number (Home): 705-387-4349 Fax Number: _____
Telephone Number (Business): _____ Fax Number: _____

2) REGISTERED OWNER

If the Applicant is not the Registered Owner of the subject lands, then authorization from the Owner is required, as well as the following information:

Owners Name: _____
Mailing Address: _____
Telephone Number (Home): _____ Fax Number: _____

Correspondence to be sent to: Owner Agent Both

3) MORTGAGES, CHARGES OR OTHER ENCUMBRANCES

Name: _____
Mailing Address: _____
Name: _____
Mailing Address: _____

4) SUBJECT LANDS

Geographic Township: Chapman Concession: A Lot: 16
Reference Plan: 319 Part/Block/Lot: Pr Lt 15 w/s
Street Name and Number: 10 GEORGE ST
(If corner lot, please include both Street Names)

Water Access only: _____
(Name of Waterbody)

Area of subject lands (ha): _____ Frontage (m): _____ Depth (m): _____

5) **OFFICIAL PLAN / ZONING STATUS**

What is the current designation of the *subject lands* in the approved Official Plan?

Aggregate and Residential v Community Boundary

What is the current Zoning?

EP and Residential Village

6) **REASONS FOR REQUEST**

Please describe the reasons for and extent of, the request:

Relief from Section 3.32.

7) **ACCESS**

Are the subject lands accessible by:

- Provincial Highway
- Municipal Road (seasonal maintenance)
- Municipal Road (year round maintenance)
- Right of Way
- Unopened Road Allowance
- Water Access
- Other (describe) _____

8) **BUILDINGS, STRUCTURES AND USES**

What are the existing buildings on the subject land? Bungalow, Trailer
3 sheds

What are they used for? Living Area / Storage / Lab / Office
Privacy Storage Sheds

Please complete the following for each building or structure:

	Building One	Building Two	Building Three
Type of Building	Bungalow Dwelling	Trailer	
Setback from Front Lot Line			
Setback from Rear Lot Line	8 ft	8 ft	
Setback from Side Lot Line			
Setback from Side Lot Line			
Height (metres)	16 ft	9 ft	
Dimensions	26' x 26'	38' x 8'	
Floor Area	26' 676 sq. ft	304 sq. ft	
Date of Construction	1952		

What is the proposed future use of the subject lands: NA

Are any buildings or structures to be build on the subject lands?

yes no

If yes, please complete the following for each building or structure:

	Building One	Building Two	Building Three
Type of Building			
Setback from Front Lot Line			
Setback from Rear Lot Line			
Setback from Side Lot Line			
Setback from Side Lot Line			
Height (metres)			
Dimensions			
Floor Area			
Date of Construction			

When were the subject lands acquired by the current owner? 1952

How long have the "existing uses" continued on the subject lands? present day NW 2017 to

9) **SERVICING**

	<u>Municipal</u>	<u>Private</u>	<u>Other</u>
Water Supply	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Frontage on Road	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Is storm drainage provided by: Sewer Ditch Swale
 Other (describe) _____

10) **OTHER APPLICATIONS**

Are the subject lands also the subject of an application under the Planning Act for approval of a Plan of Subdivision or a Consent? yes no

If yes, what is the file number? _____

What is the status of the application? _____

Have the subject lands ever been the subject of an application under Section 34 of *The Planning Act* (rezoning)? yes no

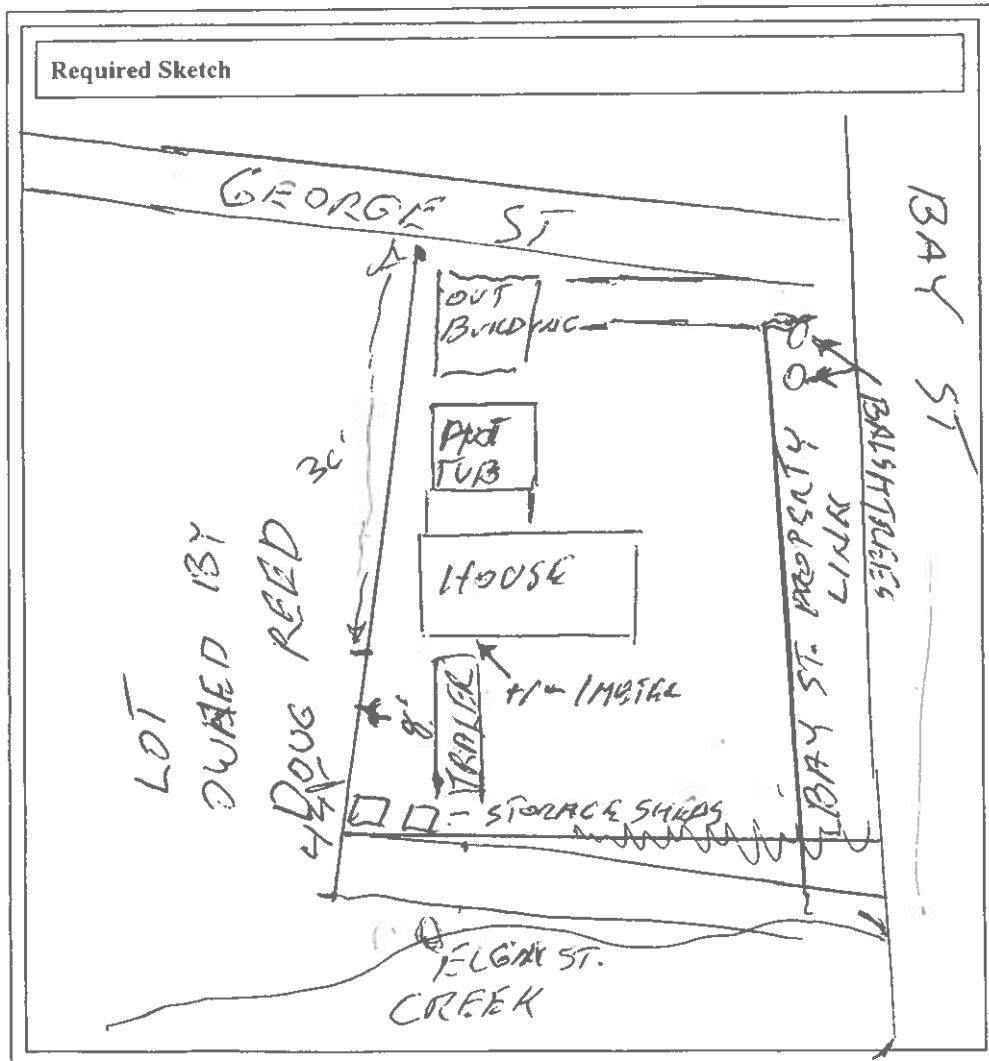
If yes, please provide a brief explanation: _____

11) DRAWINGS

Please include a sketch showing the following:

- the boundaries and dimensions of the subject land;
- the location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the building or structures from the front yard lot line, rear yard lot line and side yard lot lines;
- the approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include: buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
- the current uses on land that is adjacent to the subject land;
- 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 docking facilities to be used; and
- the location and nature of any easement affecting the subject land.

LOT SIZE UNCLERAR
90M x 90M AS DEFINED BY
BYLAW.



Required Sketch should include the following:

- ✓ Lot dimensions
- ✓ Major Physical Features
- ✓ Surrounding Land Uses
- ✓ Buildings and Structures
- ✓ Sewage and Water Systems

12) PERMISSION TO ENTER

I hereby authorize, the Members of Staff and/or Elected Members of the Council of the Municipality of Magnetawan, to enter upon the subject lands and premises for the limited purpose of evaluating the merits of this application. This is their authority for doing so.

Date

Signature of Registered Owner(s) or Agent

13) FREEDOM OF INFORMATION

I hereby provide authority for any information contained in this application, to be released in accordance with the Freedom of Information Act.

Date

June 20/2023
Anything pertaining to

Signature of Registered Owner(s) or Agent

Vida Coombes
Vida Coombes

14) PAYMENT OF FEE AND DEPOSIT

- Application Fee As per the current Fees and Charges By-law
- Residential Deposit Fee As per the current Fees and Charges By-law
- Commercial/Industrial Deposit Fee As per the current Fees and Charges By-law

The "deposit" shall be used for expenses as defined below. As for the date of this application, I further hereby agree to pay for and bear the entire cost and expense for any engineering, legal, landscape, architectural and/or planning consulting expenses incurred by the Municipality of Magnetawan during the processing of this Application, in addition to the Application Fee set by the Municipality of Magnetawan.

An additional deposit shall be required if the deposit is insufficient to complete the Application.

Date

07/10/23

Signature of Registered Owner(s)

[Signature]

Note: All Invoices for payment shall be sent to the person(s) indicated in Section 2) Owner of this application, unless otherwise requested.

If the Applicant/Owner is a Corporation, the Applicant/Owner shall provide certification that he/she has the authority to Bind the Corporation.

15) AFFIDAVIT

I, Vida Coombes of the District of Parry Sound in the Municipality of Magnetawan solemnly declare that all of the above statements contained herein and in all exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act".

DECLARED BEFORE ME at the municipal office in the municipality of Magnetawan of Parry Sound this 10 day of July 2023,

Date

07/10/23

Signature of Registered Owner(s) or Agent

[Signature]

Moved by: _____

Seconded by: _____

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives and approves the recommendations of Chris Conti and Kent Randall, Planner Ecovue Consulting Services INC, supporting the application for Zoning By-law Amendment for: Green-Concession 8 Part Lot 20 previously in the geographic township of Croft, now in the Municipality of Magnetawan, (Roll: 4944 030 00504500). The By-law on this matter will be passed later in the meeting.

Carried _____ Defeated _____ Deferred _____
_____ Sam Dunnett, Mayor

Recorded Vote Called by: _____

Recorded Vote

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

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN
BY-LAW NO. 2023 -**

Being a By-law to amend By-law No. 2001-26, as amended, the Zoning By-law for the Corporation of the Municipality of Magnetawan with respect to lands located at Part Lot 20, Concession 8 (Croft), also identified as 121 Trails End Lane, Ahmic Lake, in the Municipality of Magnetawan.

WHEREAS the Council of the Corporation of the Municipality of Magnetawan is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the Planning Act, R.S.O. 1990;

AND WHEREAS the owner of the subject lands has filed an application with the Municipality of Magnetawan to amend By-law 2001-26 as amended;

AND WHEREAS the Council of the Corporation of the Municipality of Magnetawan deems it appropriate to amend By-law No. 2001-26 as amended;

NOW THEREFORE the Council of the Corporation of the Municipality of Magnetawan enacts as follows:

1. Schedule 'A-1' to zoning By-law no. 2001-26 as amended, is further amended by zoning a portion of the lands described as Part Lot 20, Concession 8 (Croft), also described as 121 Trails End Lane, Ahmic Lake, in the Municipality of Magnetawan from the Shoreline Residential Exception -10 Zone (RS-10), to the Shoreline Residential Zone (RS) as shown on Schedule A attached forming part of this By-law.

This By-law take effect on the date of its passage, subject to the provisions of Section 34 (30) and (31) of the Planning Act (Ontario).

READ A FIRST, SECOND, AND THIRD TIME, passed, signed and the Seal of the Corporation affixed hereto this 23rd day of August 2023.

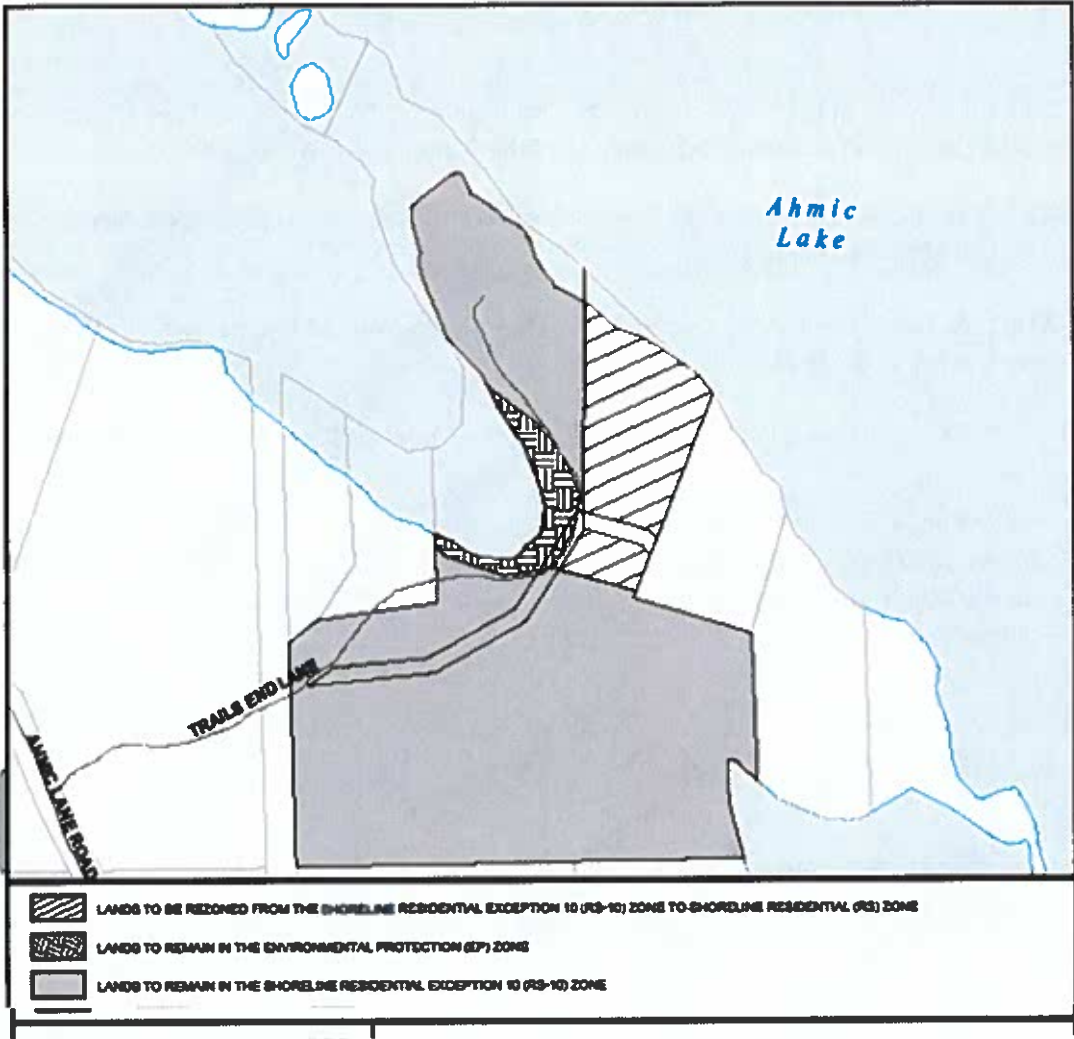
**THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN**

Sam Dunnett, Mayor

Kerstin Vroom, CAO\Clerk

Schedule 'A' to
Zoning By-law Amendment 2023 –

121 Trails End Lane
Part Lot 20, Concession 8
Geographic Township of Croft
Municipality of Magnetawan
District of Parry Sound



SCALE 1:3,500



This is Schedule 'A' to Zoning By-law
Passed this ___ day of ____, 2023

Mayor

CAO/Clerk

MUNICIPALITY OF MAGNETAWAN

NOTICE OF COMPLETE APPLICATION and PUBLIC MEETING FOR A ZONING BY-LAW AMENDMENT

TAKE NOTICE that the Municipality of Magnetawan has received a complete application to amend the Municipality's Zoning By-law under Section 34 of the *Planning Act* of the *Planning Act*, R.S.O., 1990. The Corporation of the Municipality of Magnetawan will hold a Public Meeting on:

August 23rd 2023, At 1:00 pm. at the
Municipality of Magnetawan Community Centre, 4304 Hwy #520, Magnetawan, Ontario

THE PURPOSE OF THE PUBLIC MEETING is to consider a Zoning By-law Amendment application to amend Zoning By-law No. 2001-26 of the Municipality of Magnetawan, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, Chapter P. 13. A key map and draft R-Plan showing the location of the property affected by the Zoning By-law Amendment are attached to this notice.

DESCRIPTION OF THE LANDS The application for Zoning By-law Amendment applies to the subject property located at Part Lot 20, Concession 8, Municipally known as 121 Trails End Lane, Municipality of Magnetawan.

THE PURPOSE of the proposed application is to remove the existing site specific Shoreline Residential Exception-10 Zone (RS -10) from the severed parcel resulting in a Shoreline Residential Zone (RS) designation on the severed parcel.

THE EFFECT of the amendment would remove the permission for a second boathouse and associated provisions on the shoreline lot created by the consent. The provisions of the Shoreline Residential Zone (RS) would be applied to the severed parcel while the Shoreline Residential Exception-10 Zone (RS-10) would continue to apply to the remainder of the subject property. Approval of the Zoning By-law Amendment is required in order to permit the proposed severance.

INFORMATION AVAILABLE

Information relating to the proposed Zoning By-law Amendment application is available for public review on the Municipal website – www.magnetawan.com – or by requesting it during business hours, Monday to Friday from 9:00 am to 5:00 pm, at the Municipality of Magnetawan Municipal Office (4304 Hwy #520 Magnetawan, Ontario, POA 1P0) or by emailing: planning@magnetawan.com

NOTICE OF DECISION

If you wish to be notified of the decision of the Municipality of Magnetawan on the proposed Zoning By-law Amendment you must make a written request to Erica Kellogg, Deputy Clerk – Planning and Development at the Municipality of Magnetawan.

ORAL AND WRITTEN SUBMISSION – APPEAL

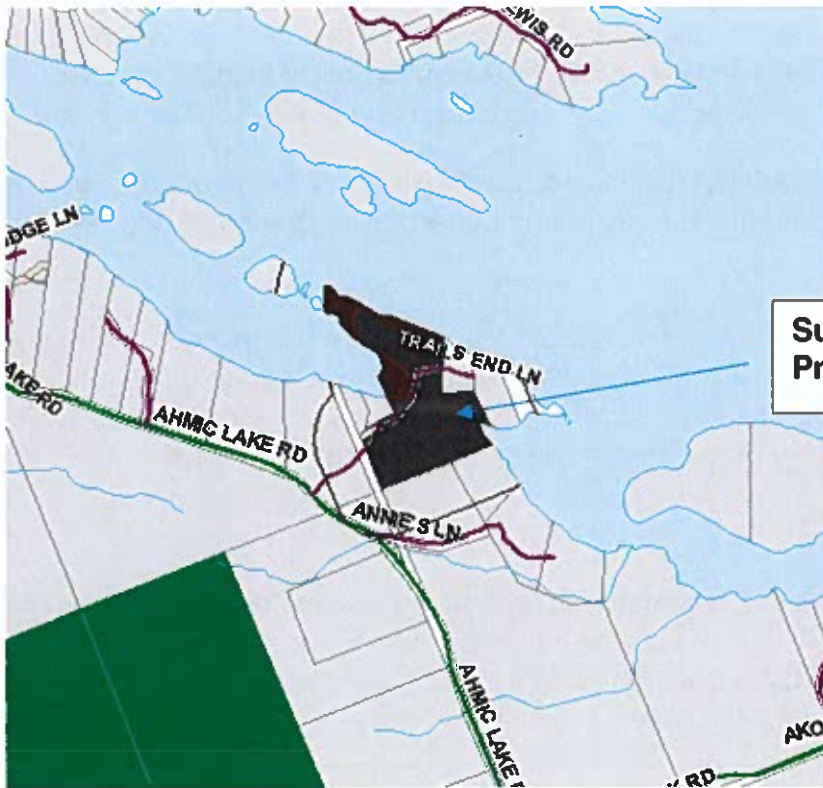
If a person or public body would otherwise have an ability to appeal the decision of the Council of the Municipality of Magnetawan to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Magnetawan before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Magnetawan before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are

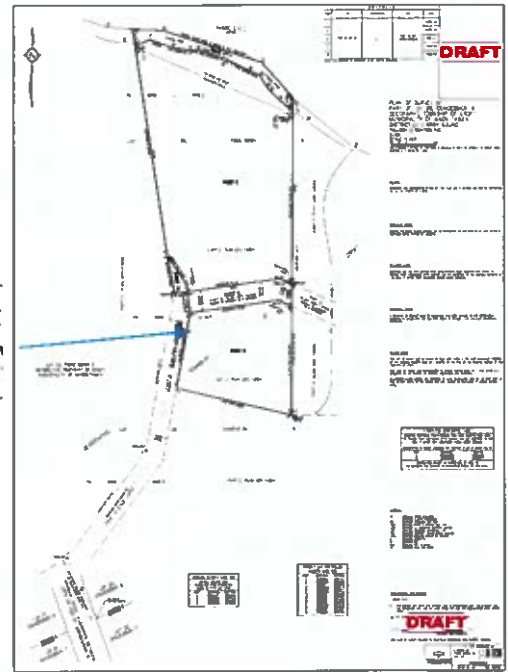
reasonable grounds to do so. Individuals who make written submissions should be aware that their submission and any personal information in their correspondence will become part of the public record and made available to the Applicant, Committee and Council.

PLEASE SUBMIT ANY WRITTEN COMMENTS TO ERICA KELLOGG
Quoting File No: GREEN ZONING BY-LAW AMENDMENT
Erica Kellogg, Deputy Clerk – Planning and Development
P.O. Box 70, Magnetawan, Ontario, P0A 1P0
Municipality of Magnetawan
705-387-3947 ext. 1011, planning@magnetawan.com
DATED at the Municipality of Magnetawan this 3rd day of August 2023

KEY MAP OF SUBJECT PROPERTY:



Subject Property



Draft R-Plan
(not to scale)



311 George St. N. Suite 200
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),
Municipal Planning Consultants

Subject: Zoning By-law Amendment File: C-07-22 (Green)

Property Location: Part of Lot 20, Concession 8, Municipality of Magnetawan (Croft)
121 Trails End Lane, Ahmic Lake

EcoVue File No.: 22-2125-06

Date: August 14, 2023

1.0 Recommendation

That Council receive the report dated August 14, 2023 from EcoVue Consulting Services regarding an application for a Zoning By-law Amendment at Part lot 20, Concession 8, Croft, with municipal address 121 Trails End Lane, Ahmic Lake (C-07-22).

And that Council **approve** the proposed Zoning By-law to amend Zoning By-law No. 2001-26 which will have the effect of rezoning the parcel severed through consent application C-07-22 (Green), from Shoreline Residential Exception 10 (RS-10) to Shoreline Residential (RS) in order to permit the proposed severance.

2.0 Background

Lynn and William Green (Applicants) applied to sever a parcel from their property located at part of Lot 20, Concession 8 in the Geographic Township of Croft for the purpose of creating a cottage lot. The application was granted conditional approval by the Central Amalguin Planning Board on March 1, 2023, with a condition that a Zoning By-law Amendment (ZBA) be passed to rezone the severed parcel from Shoreline Residential Exception 10 (RS-10) to Shoreline Residential (RS).

The RS-10 zoning is a site-specific exception that permits a second boathouse and associated structures on the property. While this zoning is appropriate for the retained lands, it is not necessary or appropriate for the severed parcel. Therefore, the condition was applied to the consent approval to rezone the severed parcel.

The intent of this report is to provide the planning policy basis for the Zoning By-law amendment.



The lands subject to this application are located in Part of Lot 20, Concession 8, in the Geographic Township of Croft, now in the Municipality of Magnetawan. The lands are known municipally as 121 Trails End Lane.

The Applicants own approximately 9.56 hectares (23.63 acres) with approximately 593 metres of shoreline frontage on Ahmic Lake. The property is accessed by a private road (Trails End Lane) which connects to Ahmic Lake Road, a municipally maintained road.

Through the consent application the severance of one shoreline lot with an area of approximately 1 hectare and approximately 90 metres of frontage on Ahmic Lake was approved at the northeastern portion of the property. The intent is to construct a cottage on the severed parcel and use it for seasonal residential purposes.

The retained parcel contains an existing cottage and associated buildings. The severed parcel is currently vacant. A right-of-way exists over the subject lands that provides access to the severed properties located to the east of the subject property. The right of way bisects the severed parcel.

3.0 Analysis

3.1 Provincial Policy Statement (2020)

3.1.1 Rural Lands and Areas in Municipalities

The subject property is located outside of settlement areas and is therefore subject to Section 1.1.4 (Rural Areas in Municipalities) and Section 1.1.5 (Rural Lands in Municipalities) of the Provincial Policy Statement (PPS).

Section 1.1.4.1 states "*healthy, integrated and viable rural areas should be supported by: a) building upon rural character, and leveraging rural amenities and assets*". Additionally, Section 1.1.5.2 states "*on rural lands located in municipalities, permitted uses are: c) limited residential development*".

The RS zoning for the severed parcel is consistent with the character of other shoreline properties in terms of size and scale and it will provide for a permitted residential use which is similar to others in the area.

Furthermore, Section 1.1.5.2 (b) states that resource based recreational uses, including residential dwellings, are permitted on rural lands in municipalities. The proposed rezoning will provide for a resource based recreational use of the property which is consistent with this section.

Therefore, the proposed severance is consistent with Sections 1.1.4 and 1.1.5 of the PPS.



3.1.2 Natural Heritage

Section 2.1.4 of the PPS states in part, “[d]evelopment and site alteration shall not be permitted in: d) significant wildlife habitat...”

Section 2.1.6 of the PPS states that development and site alteration “shall not be permitted in fish habitat except in accordance with provincial and federal requirements”.

Furthermore, Section 2.1.8 of the PPS states that development and site alteration are not permitted “on lands adjacent to [...] areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions”.

The development of the subject property is located adjacent to Ahmic Lake and as such, has the potential to impact fish habitat and other natural heritage features and functions. Prior to approval of the severance an Environmental Impact Statement (EIS) was undertaken by Hutchinson Environmental Sciences Ltd. which reviewed the development of a cottage on the severed parcel in the context of these natural heritage features and functions. The EIS has recommended mitigative measures intended to protect the lake and other significant natural heritage features which will be implemented through a development/site plan agreement. The EIS determined that the development of the severed parcel could proceed without negative impact on the natural heritage features and functions.

In consideration of the above, the rezoning of the property will not result in negative impacts as required in the above-noted sections of the PPS. Therefore, the proposed ZBA is consistent with the above provisions.

Based upon the above, it is our opinion that the severance is consistent with the Provincial Policy Statement.

3.2 Municipality of Magnetawan Official Plan

The retained lands are designated as both Shoreline and Rural, according to Schedule ‘A’ – Land Use in the Municipality of Magnetawan Official Plan (MMOP).

However, the severed parcel is located entirely within Shoreline designation. Permitted uses in the Shoreline designation are set out in Section 5.4.1 which include “single detached dwellings”. The ZBA will permit a residential use of a shoreline lot that is permitted by the MMOP.



Size requirements for Shoreline lots are included in Section 5.4.2 which states, “*new lots should be no smaller than 1.0 ha (2.5 acres) in area with 90 metres (300 feet) of water frontage*”. The severed parcel meets the size requirements.

Section 5.4.8 states that “[i]t is the intent of this Plan that new development in the Shoreline Area 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 proposed ZBA will permit the development of the severed parcel which is physically suitable for the development of a cottage. Furthermore, implementation of the measures recommended in the EIS will maintain the natural state of the shoreline.

Section 4.8 of the MMOP (General Development Policies – Natural Heritage and Resource Management) which states that.

...[n]ew development or alterations shall have no negative impact on the Significant Habitat of Endangered and Threatened Species. Where development is proposed adjacent to significant Habitat of Endangered or Threatened Species an Environmental Impact Assessment shall be required [...] and it shall be demonstrated by a qualified professional that the proposed development will have no negative impact on the Habitat of Endangered or Threatened Species or on the natural features or the ecological functions of the area as identified.

As stated earlier, the mitigative measures identified in the EIS will ensure that the development of the severed parcel will not have a negative impact on significant natural heritage features and functions. Therefore, the ZBA complies with Section 4.8.

Section 7.1 of the MMOP sets out requirements for land divisions. These matters were addressed previously in our report on the severance application. The consent meets the requirements of this section of the MMOP.

The ZBA will allow for the appropriate development of the lot created through the consent.

Based upon the above factors, it is our opinion that the proposed ZBA conforms to the policies of the Municipality of Magnetawan Official Plan.

3.3 Municipality of Magnetawan Zoning By-law No. 2001-26

The intent of the ZBA is to change the zoning of the severed parcel from Shoreline Residential Exception 10 (RS-10) to Shoreline Residential (RS).



The RS-10 Zone is a site-specific exception to the RS zone which provides relief from Section 3.1 (g) (iii) of the By-law. Section 3.1 (g) provides standards for boathouses on lots and permits a boathouse on a lot next to a navigable waterway. However, through Section 3.1 (g) (iii) a second boathouse is permitted in some circumstances. Section 3.1. (g) (iii) states the following:

iii) Number of Boathouses

Where a lot has more than 180 metres of frontage, a second boathouse shall be permitted, provided that the boathouse is located no closer than 100 metres to an existing boathouse.

Through Section 3.1.(g) (iii) a second boathouse was permitted on the applicants' property. However, the RS-10 exception was necessary because of the required 100 metre separation distance of the boathouses noted in Section 3.1.(g) (iii). The RS-10 exception permits a second boathouse within two metres of an existing boathouse and sets out size requirements for the boathouses.

The RS-10 zoning is appropriate to remain on the portion of the retained parcel where it currently applies, because it involves a larger area and it recognises spacing and size requirements of the structures on the parcel. However, the RS-10 zoning is an exception to the normal standards of the RS zone. The severed parcel meets the minimum lot area and shoreline frontage requirements in the RS Zone of 1.0 hectare (2.47 acres) and 90 metres (295.27 feet). Given its size, a second boathouse would not be permitted on the severed parcel under section 3.1. (g) (iii). In addition, there is no need for an exception to recognize existing structures. In view of the severed parcel's size and the existing structures on the retained lands, it would not be appropriate to retain the RS-10 zoning on the severed parcel.

The RS zoning will permit the intended use of the severed parcel while limiting construction to a level that is more consistent with the lot's size and is likely to have less impact on shoreline features.

Therefore, the proposed ZBA will provide appropriate standards that will permit the intended use of the severed parcel and provide for a level of development that is consistent with the lot's size.

Our opinion is that the proposed ZBA is appropriate and complies with the intent of Zoning By-law No. 2001-26.

4.0 Summary

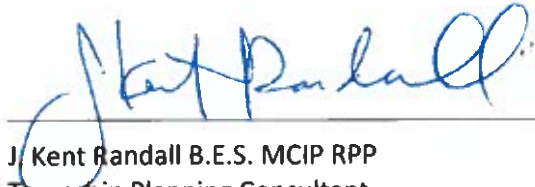
Based upon the above analysis, our opinion is that the ZBA is consistent with the PPS, it complies with the Municipality of Magnetawan Official Plan and provides for an appropriate zoning for the use of the property. Our opinion is that the ZBA as set out in the attached should be approved.



Report to Council
Application for Consent (Green)
Municipality of Magnetawan
August 14, 2023

Respectfully Submitted,

ECOVUE CONSULTING SERVICES INC.

A handwritten signature in blue ink that reads "J. Kent Randall".

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

A handwritten signature in black ink that reads "Christopher L. Conti".

Chris Conti, M.E.S.
Senior Planner

**KEY MAP OF SUBJECT PROPERTY:
121 Trails End Lane**



RECEIVED
JUL 05 2023
CODE:
DESC:



**The Corporation of the
Municipality of Magnetawan**
Box 70 4304 Hwy 520
Magnetawan ON P0A 1P0
Phone 705 387 3947 Fax 705 387 4875
www.magnetawan.com

**APPLICATION FORM
ZONING BY-LAW AMENDMENT**

Date Received by Municipality: _____

1) APPLICATION INFORMATION

Name of Applicant: William GREEN & Lynn GREEN
Mailing Address: 264 Riverview Place, Shelburne, ON N1E7H8
Telephone Number (Home): 519-835-5575 Fax Number: _____
Telephone Number (Business): _____ Fax Number: _____

2) REGISTERED OWNER

If the Applicant is not the Registered Owner of the subject lands, then authorization from the Owner is required, as well as the following information:

Owners Name: William GREEN & Lynn GREEN
Mailing Address: 264 Riverview Place, Shelburne, ON N1E7H8
Telephone Number (Home): 519-835-5575 Fax Number: _____

Correspondence to be sent to: Owner Agent Both

3) MORTGAGES, CHARGES OR OTHER ENCUMBRANCES

Name: _____
Mailing Address: NA
Name: _____
Mailing Address: _____

4) SUBJECT LANDS

MUN of Magnetawan
Geographic Township: Croft Concession: 8 Lot: #20
Reference Plan: 42R13694 Part/Block/Lot: _____
Street Name and Number: 121 TRAILS END LANE, Ahmic Harbour
(If corner lot, please include both Street Names)
Water Access only: _____

(Name of Waterbody) Ahmic Lake.
Area of subject lands (ha): 1 Pa Frontage (m): 90 m Depth (m): 210 ± m
(Retained portion 8.56 ha, 503 m frontage, irregular depth)

Tax Roll # 49 44 030 005 04500

5) OFFICIAL PLAN / ZONING STATUS

What is the current designation of the subject lands in the approved Official Plan?

Zoning Bylaw No 2001-26 (Shoreline + Rural)

What is the current Zoning?

Shoreline Residential, Exception 10 (RS-10)

6) REASONS FOR REQUEST

Please describe the reasons for and extent of, the request:

The proposed severed lot is a portion of the present lot which has the "Exception 10" on it because of a limit to the size of the boat house - which will remain on the "retained" portion and does not apply to the lot to be severed (has no buildings). The severed lot to have the Normal "RS zone" with no restrictions.

7) ACCESS

Are the subject lands accessible by:

- Provincial Highway
- Municipal Road (seasonal maintenance)
- Municipal Road (year round maintenance)
- Right of Way
- Unopened Road Allowance
- Water Access
- Other (describe) _____

8) BUILDINGS, STRUCTURES AND USES

What are the existing buildings on the subject land?

No buildings on the lot to be severed.

What are they used for? _____

Please complete the following for each building or structure:

	Building One	Building Two	Building Three
Type of Building			
Setback from Front Lot Line			
Setback from Rear Lot Line			
Setback from Side Lot Line			
Setback from Side Lot Line			
Height (metres)			
Dimensions			
Floor Area			
Date of Construction			

What is the proposed future use of the subject lands: Single family residence

Are any buildings or structures to be build on the subject lands?
 yes no Not at present time

If yes, please complete the following for each building or structure:

	Building One	Building Two	Building Three
Type of Building			
Setback from Front Lot Line			
Setback from Rear Lot Line			
Setback from Side Lot Line			
Setback from Side Lot Line			
Height (metres)			
Dimensions			
Floor Area			
Date of Construction			

When were the subject lands acquired by the current owner? June 29, 2004

How long have the "existing uses" continued on the subject lands? We purchased from the Ross family who were one of the original settlers around Ahmic Harbour

9) **SERVICING**

	<u>Municipal</u>	<u>Private</u>	<u>Other</u>
Water Supply	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Frontage on Road	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is storm drainage provided by:	<input type="checkbox"/> Sewer	<input checked="" type="checkbox"/> Ditch	<input type="checkbox"/> Swale
	<input type="checkbox"/> Other (describe) _____		

10) **OTHER APPLICATIONS**

Are the subject lands also the subject of an application under the Planning Act for approval of a Plan of Subdivision or a Consent? yes no

If yes, what is the file number? _____
 What is the status of the application? _____

Have the subject lands ever been the subject of an application under Section 34 of *The Planning Act* (rezoning)? yes no

If yes, please provide a brief explanation: The entire property changed to Shoreline Residential, Exception 10 (RS-10) - because of a house restriction in size - but would not be applicable to this severed lot - to be returned to the normal zoning ("RS Zone")

11) **DRAWINGS**

Please include a sketch showing the following:

- the boundaries and dimensions of the subject land;
- the location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the building or structures from the front yard lot line, rear yard lot line and side yard lot lines;
- the approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include: buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
- the current uses on land that is adjacent to the subject land;
- 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 docking facilities to be used; and
- the location and nature of any easement affecting the subject land.

<p>Required Sketch</p> <p>See attached sketches. to be ↑ registered survey of severed lot.</p>

Required Sketch should include the following:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Lot dimensions | <input checked="" type="checkbox"/> Buildings and Structures |
| <input checked="" type="checkbox"/> Major Physical Features | <input checked="" type="checkbox"/> Sewage and Water Systems |
| <input checked="" type="checkbox"/> Surrounding Land Uses | |

12) PERMISSION TO ENTER

I hereby authorize, the Members of Staff and/or Elected Members of the Council of the Municipality of Magnetawan, to enter upon the subject lands and premises for the limited purpose of evaluating the merits of this application. This is their authority for doing so.

May 6, 2023
Date

W. Green Lynn Green
Signature of Registered Owner(s) or Agent

13) FREEDOM OF INFORMATION

I hereby provide authority for any information contained in this application, to be released in accordance with the Freedom of Information Act.

May 6, 2023
Date

W. Green Lynn Green
Signature of Registered Owner(s) or Agent

14) PAYMENT OF FEE AND DEPOSIT

\$9700.00

- Application Fee As per the current Fees and Charges By-law
- Residential Deposit Fee As per the current Fees and Charges By-law
- Commercial/Industrial Deposit Fee As per the current Fees and Charges By-law

The "deposit" shall be used for expenses as defined below. As for the date of this application, I further hereby agree to pay for and bear the entire cost and expense for any engineering, legal, landscape, architectural and/or planning consulting expenses incurred by the Municipality of Magnetawan during the processing of this Application, in addition to the Application Fee set by the Municipality of Magnetawan.

An additional deposit shall be required if the deposit is insufficient to complete the Application.

May 6, 2023
Date

W. Green Lynn Green
Signature of Registered Owner(s)

Note: All Invoices for payment shall be sent to the person(s) indicated in Section 2) Owner of this application, unless otherwise requested.

If the Applicant/Owner is a Corporation, the Applicant/Owner shall provide certification that he/she has the authority to Bind the Corporation.

15) AFFIDAVIT

I, William Green & Lynn Green of the City of Guelph in the Province of Ontario solemnly declare that all of the above statements contained herein and in all exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act".

DECLARED BEFORE ME at City of Guelph in the Province of Ontario this 21st day of June 2023.

June 21, 2023
Date

W. Green Lynn Green
Signature of Registered Owner(s) or Agent

[Signature]
ALPHAMZA MEMON
Barrister, Solicitor, Notary Public
and a Commissioner for Oaths
in and for Ontario.

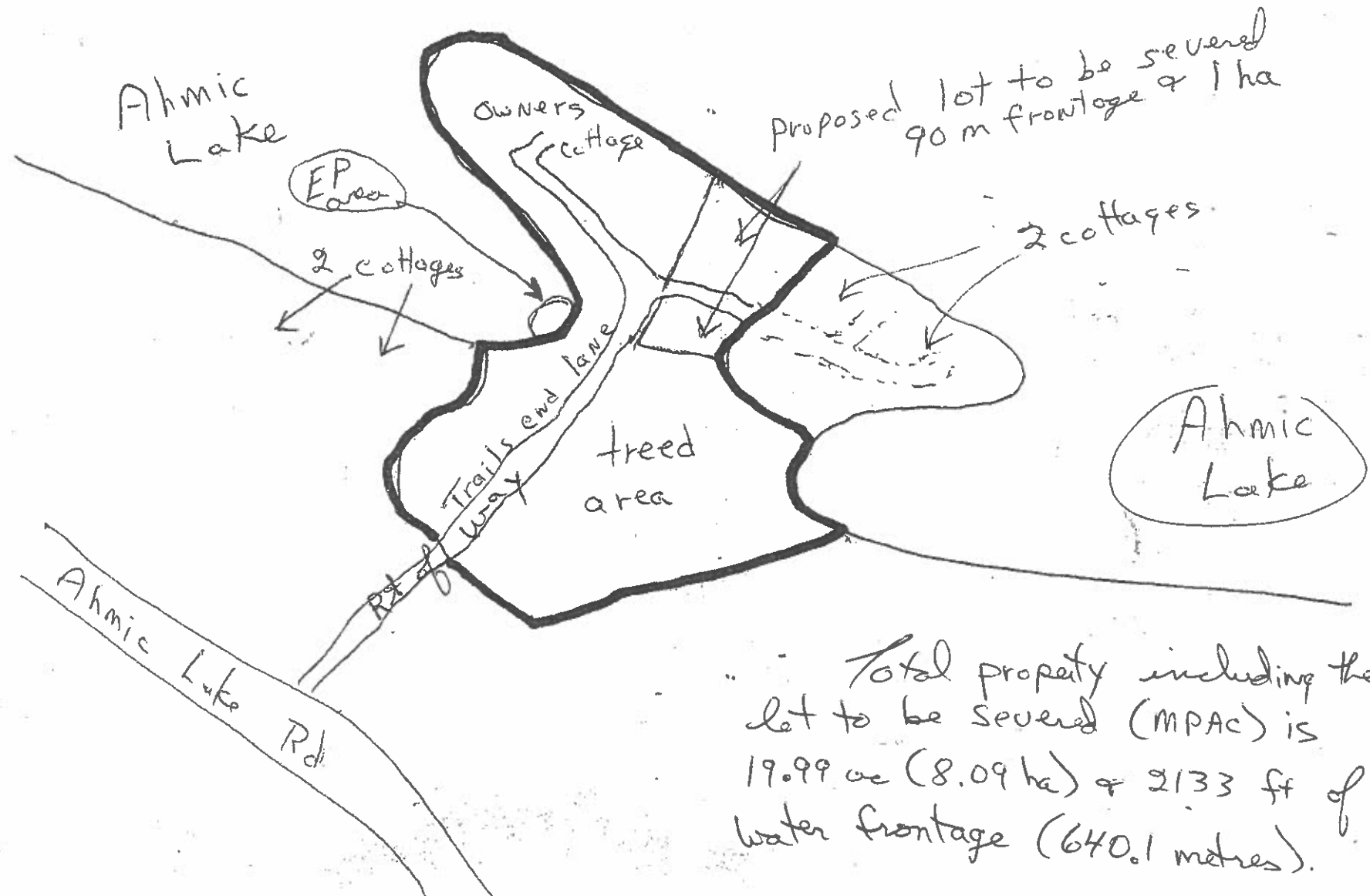
CSO# 7909212
Tel: (519) 874-7000

Sketch



121 Trails End Lane, Ahmic Lake

Ahmic Lake.



Total property including the lot to be severed (MPAC) is 19.99 ac (8.09 ha) & 2133 ft of water frontage (640.1 metres).

Moved by: _____

Seconded by: _____

WHEREAS the Municipality of Magnetawan passed Resolution 2022-198 authorizing the 'Stop Up, Close and Sell Road Allowance – Crossman';

AND WHEREAS the Municipality of Magnetawan would take ownership over Part 2 on Plan 42R-21766;

AND WHEREAS Mr. Crossman would take ownership over Part 3 and Part 4 on Plan 42R-21766 which would be merged with Part 1 and the PIN's consolidated;

AND WHEREAS; Mr. Crossman has requested Part 3 and Part 4 on Plan 42R-21766 be merged with broken Lot 20 Con5 known as PIN 52086-0294.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan rescinds Resolution 2022-198.

Carried _____ Defeated _____ Deferred _____



Sam Dunnett, Mayor

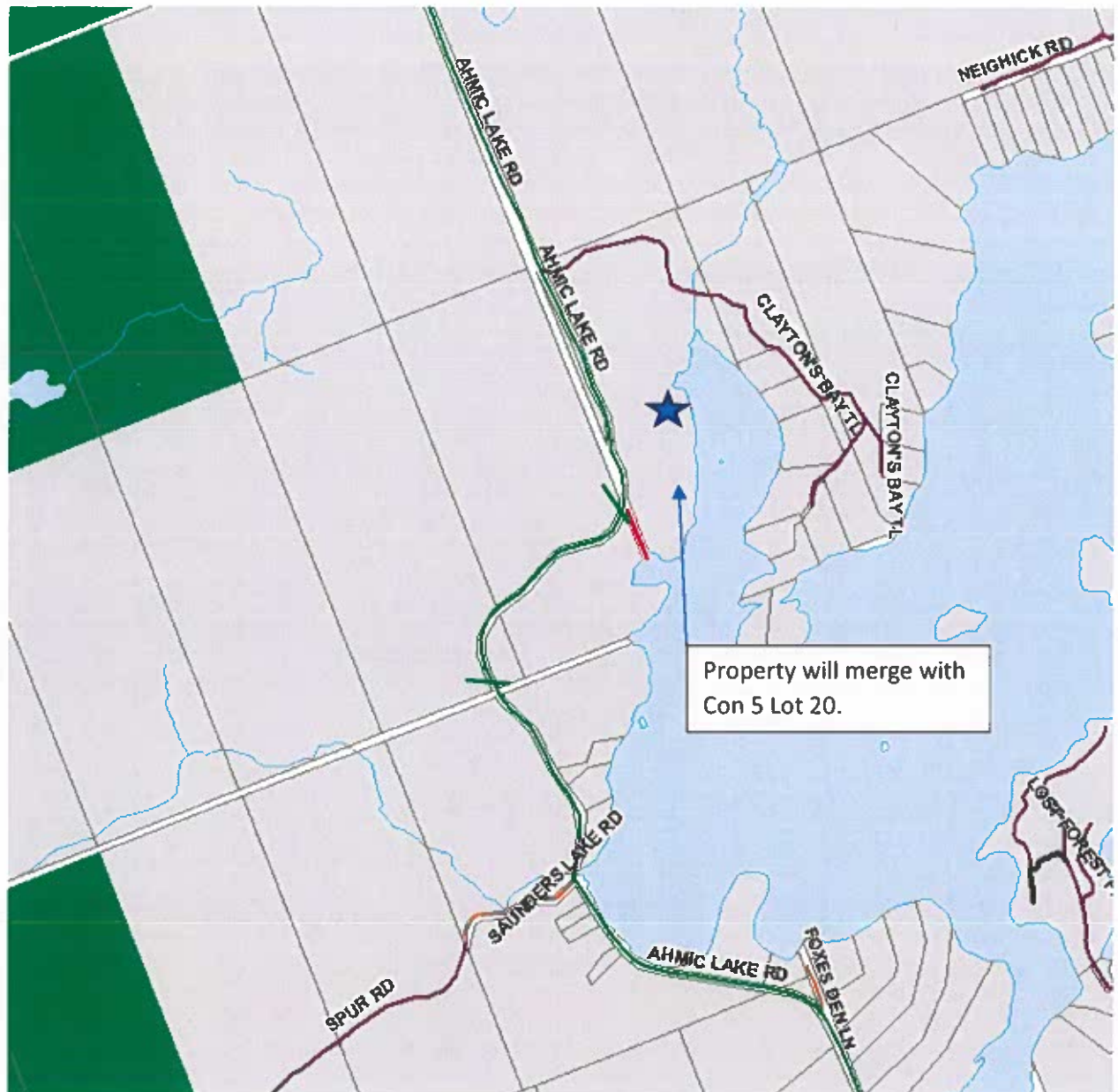
Recorded Vote Called by: _____

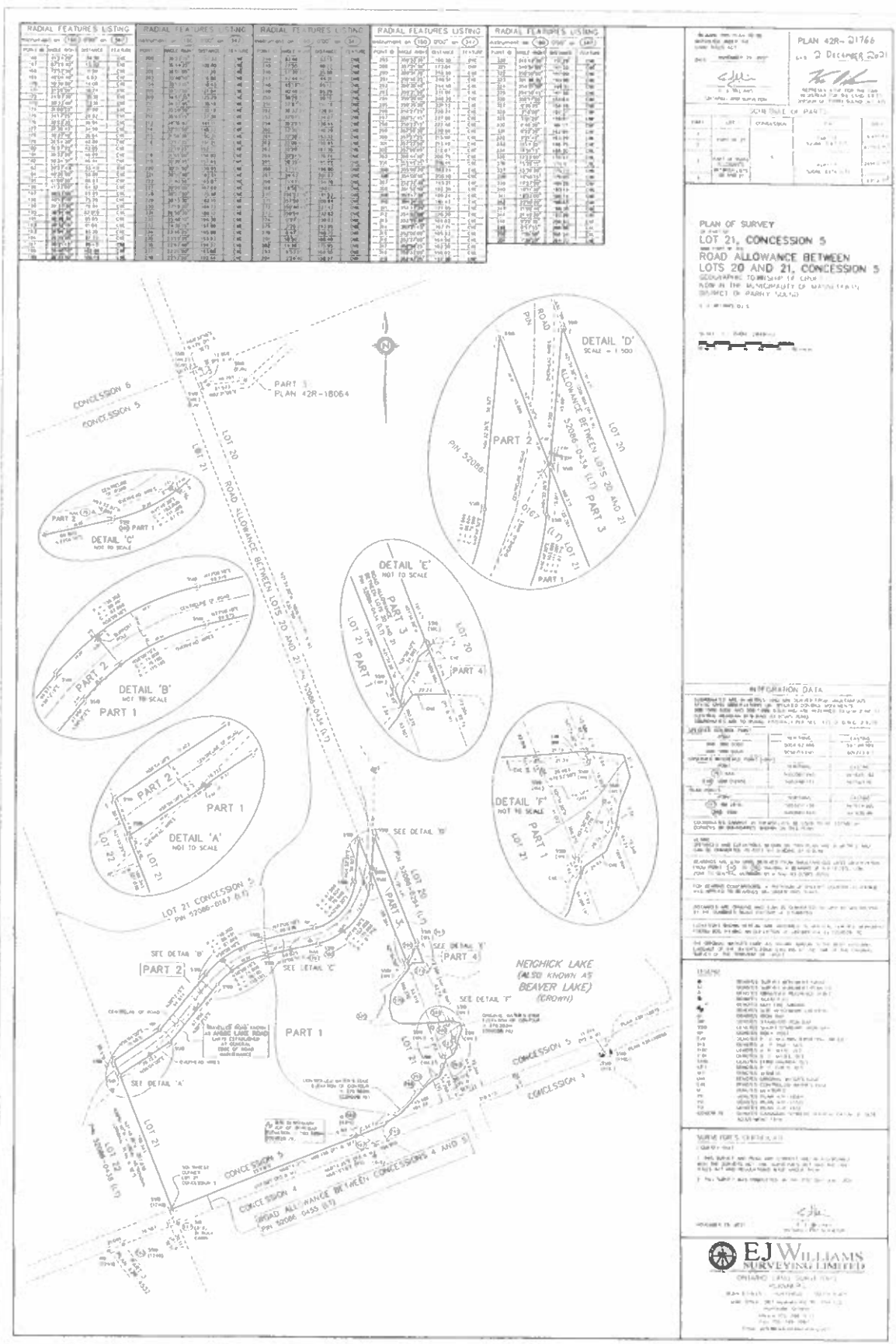
Recorded Vote

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

Crossman Road Exchange

-  Unopened Road Allowance to be transferred to Crossman
-  Section of Ahmic Lake Road to be transferred to the Municipality





Corporation of the
Municipality
of
Magnetawan

Tel: (705) 387-3947
Fax: (705) 387-4875
www.magnetawan.com

P.O. Box 70, Magnetawan, Ontario P0A 1P0

RESOLUTION NO. 2022- 198 July 27, 2022

Moved by: [Signature]

Seconded by: [Signature]

WHEREAS the Municipality of Magnetawan has received an application for the exchange of an unopened Road Allowance from John Crossman;

AND WHEREAS the Municipality of Magnetawan would take ownership over Part 2 on Plan 42R-21766;

AND WHEREAS Mr. Crossman would take ownership over Part 3 and Part 4 on Plan 42R-21766;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves in principle the exchange of lands listed above with the following provisions:

- The exchange of the 'road allowance' will be at no cost to the applicant for the lands only;
- The cost of surveying the necessary lands, and all other and any costs will be borne by the applicant;
- The transferred road allowance (Ahmic Lake Rd) to the Municipality are a minimum of 66 feet in width.
- That Parts 3 and 4 on Plan 42R-21766 be merged with Part 1 and the PIN's be consolidated.

Carried Defeated Deferred

[Signature]

Sam Dunnett, Mayor

Recorded Vote Called by: _____

Recorded Vote

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



*Knowing our heritage
we will build our future*



Dear Prospective Advertiser,

On behalf of the Board of Directors, Members and Volunteers of MADD Canada, I would like to thank you for your interest in The MADD Message Yearbook.

The generosity of community-minded people like you makes it possible for MADD Canada to pursue its much-needed programs including victim support services, educational programs, youth programs and public awareness programs.

By placing an advertisement, you will be helping us in our mission *to stop impaired driving and to support victims of this violent crime*. The magazine will enable us to spread our life-saving messages even further and bring in additional revenues for our programs.

Every day in Canada, on average 4 people are killed and another 175 people are injured as a result of alcohol and drug-related crashes. You can help make all the difference in our efforts to save lives.

Thank you once again for your interest and support.

Sincerely,

Dawn Regan
Chief Operating Officer
MADD Canada



**Municipality of
Magnetawan**

P.O Box 70, 4304 Hwy #520
Magnetawan, ON P0A 1P0

(705) 387-3947
magnetawan.com

Laura Brandt

From: message@maddmessage.ca
Sent: August 9, 2023 12:18 PM
To: Laura Brandt
Subject: MADD Message Yearbook Advertising Information
Attachments: MaddMessage_Advertising_Rates.pdf; SAMPLE_PAGES.pdf; your_ad.jpg

Hi Laura,

I wanted to take a moment to follow up to the sponsorship renewal request I had submitted on July 18. Sorry if I am to early in doing so. Once a decision is finalized, please feel free to email or call the office at 1-866-767-1736. We hope to have the Municipality of Magnetawan join us once again in support of MADD Canada. We look forward to hearing from you. Have a wonderful day! www.maddmessage.ca

Thank you to the Municipality of Magnetawan for placing your business card sized supportive ad in our last edition of the MADD Message Yearbook. For your consideration, please find attached a copy of your previous ad along with our advertising rates. By placing an ad in the publication, you have demonstrated your support for stopping impaired driving while publicly promoting your commitment to the cause, all the while backing important programs and services such as educational seminars in schools for new young drivers. For additional information, to see our rates, and to see a recent e-copy, please visit our website, www.maddmessage.ca. Without the support of the business community, this important publication would not be possible. We hope to once again count on your support in our upcoming edition.

Yours truly,
Stacey Biekx
T: (866) 767-1736
E: message@maddmessage.ca
W: www.maddmessage.ca

Back Covers \$2200.00
Inside Covers \$1600.00
Full page \$1300.00
1/2 page \$875.00
1/4 page \$675.00
Banner \$575.00
1/8th page \$399.00
Business Card \$299.00

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

BY-LAW No. 2023-

BEING A BY-LAW TO REGULATE DOGS

WHEREAS *The Municipal Act, R.S.O., 2001* Section 103 authorizes the Council of a Municipality to pass By-laws regulating or prohibiting with respect to the being at large or trespassing of and control of animals in the Municipality.

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 105* authorizes the Council of a Municipality to pass By-laws for the muzzling of dogs.

AND WHEREAS *The Municipal Act, 2001, S.O. c.25, Section 128* authorizes the Council of a Municipality to pass a By-law to prohibit and regulate public nuisances.

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 Council of the Corporation of the Municipality of Magnetawan wishes to regulate dogs and noise from dogs.

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of Magnetawan enacts as follows:

1.0 DEFINITIONS:

In this By-law,

1.1 "Animal Control Officer" shall mean the Municipal By-Law Enforcement Officer, and any person so designated by Council.

1.2 "At Large" shall mean a dog found on any property other than the premises of the owner and not restrained or under the physical control of any person.

1.3 "Bite" or "Bitten" shall mean a puncture of the skin with teeth.

1.4 "Dog" shall mean any member of the species *canis familiaris* be it a male or female over the age of 12 (twelve) weeks.

1.5 "Menace" shall mean a dog that would cause a person being chased or approached to reasonably believe that the dog will cause physical injury to that person or their domestic animal.

1.6 "Harbour" shall mean owning, having care, custody, or control of a dog.

1.7 "Muzzle" shall mean a humane fastening or covering device of adequate strength and design and suitable to the breed of the dog that fits over the mouth of a dog and cannot be removed by the dog, to prevent a dog from biting or attacking a person or domestic animal.

1.8 "Municipal Law Enforcement Officer" shall mean a municipal By-Law Enforcement Officer appointed under section 15 of the *Police Services Act* by the Municipality of Magnetawan and shall include any person appointed as an Animal Control Officer by the Municipality for the purposes of this By-law.

1.9 "Owner" shall mean any person including the tenant or occupant of land or premise who possesses or harbours a dog and where the owner is a minor the person responsible for the custody of the minor and owns or owned have a corresponding meaning.

1.10 "Pound" shall mean such premises and facilities designated by the municipality for the safe keeping of impounded dogs.

1.11 "Leash" shall mean a strap, cord, chain or like that is securely attached to a dog and firmly grasped by a person and which is capable of holding and controlling a dog.

1.12 "Service Animal" shall mean an animal which is professionally trained and certified as a service animal to assist in the movements of a person with a physical, visual, or neurological impairment and shall include a Police Dog in which a dog is trained for law enforcement for the police or other person duly appointed as a peace officer.

1.13 "Municipality" shall mean the Corporation of the Municipality of Magnetawan. Town shall have the same meaning.

1.14 "Pound keeper": shall mean the entity in which the Municipality has entered into a service agreement with regarding pound services.

1.15 "Persistently" where modifying the terms of "barking or howling" means the continuous barking or howling of a dog but does not mean when a person provokes the animal or enters the property.

2.0 Licensing

2.1 No person shall within the Municipality of Magnetawan, own or harbour any dog over the age of (6) six months without first having obtained a license for the dog and registering the dog at the Municipality Office regardless of being a full-time or seasonal resident.

2.2 Every person who owns or harbours any dog shall pay a license fee for a life time tag for the life span of the dog at the coming of (6) six months of age.

2.3. The owner shall register their dog with the Municipality, and provide particulars pertaining to the dog and the owner of the dog as requested.

2.4 The cost of the dog licensing fees shall be set out in the current Fees and Charges By-law.

2.5 Upon payment of the license fee, the owner shall be furnished with a dog tag bearing a serial number and said tag shall be securely affixed on the dog at all times until renewed or replaced.

2.6 Every person who owns a dog shall notify the Clerk, or Animal Control Officer when the contact information changes from the information provided at the time of the purchase of the tag.

2.7 A new property owner within the Municipality shall be required to obtain a license for their dog within (15) fifteen days of becoming a new resident regardless if it is full-time or seasonal.

2.8 The owner shall upon request supply written confirmation that the dog has been immunized against rabies and or proof of spay or neuter and shall ensure all vaccinations are kept up to date.

2.9 All licenses and tags issued pursuant to this By-law shall be serially numbered and a record shall be kept by the Municipality showing the name and address of the owner, serial number of the dog tag and the fees paid in respect of each dog.

2.10 In the event the dog license is lost, the dog owner shall upon satisfying the license issuer that the license is lost shall be entitled to receive a replacement license upon payment as per the current Fees and Charges By-law.

2.11 No owner of a dog shall use a license issued for any dog other than the dog for which the license was issued.

2.12 Where a certificate is produced from the Canadian National Institute for the Blind stating that the dog is being used as a guide dog for a blind person, no licensing fee shall be charged.

3.0 Responsibilities of the Dog Owner

3.1 No owner or owners living at the same address shall keep more than 4 (four) dogs in any one household over the age of six months.

(i) This section does not apply to the operation of a licensed kennel

3.2 Every person who owns or harbors a dog shall, remove forthwith and dispose of all excrement left by such a dog anywhere within the Municipality.

3.3 Every person who owns or harbors a dog shall upon leaving their property, ensure the dog is properly restrained and if stipulated, muzzled.

3.4 No person shall allow a dog to run at large or otherwise create a nuisance within the Municipality. Any dog found running at large may be seized and impounded by the

Animal Control Officer or their designate. An animal control officer or their designate may enter on any public or private property for the purpose of impounding or otherwise detaining any dog found running at large pursuant to the provisions of this By-Law.

3.5 If the Animal Control Officer or their designate is unable to seize any dog found to be running at large, and the owner of such a dog is known, the owner is guilty of an offence and shall be subject to a penalty in accordance with the provisions of this By-law.

3.6 No person shall permit a dog to trespass on private property at any time even when the dog is equipped and restrained with a leash.

3.7 No person shall permit a dog to persistently bark or create noise.

3.8 No person shall permit a dog to be within a park or on a trail within the Municipality unless the dog is leashed.

3.9 No person shall permit a dog to be on or enter the water at any Community Beach during the period of May 1st to October 1st inclusive area.

3.10 No person shall permit a dog to be within any covered area that is owned or maintained by the Municipality of Magnetawan including but not limited to: the Magnetawan Community Centre, the Magnetawan Lions Pavilion, the Magnetawan Heritage Centre and the Ahmic Harbour Community Centre and Magnetawan Fire Station 2.

3.11 A Service Animal shall not be restricted by the provisions in sections 3.9, and 3.10.

4.0 Seize and Impound

4.1. The Municipal Law Enforcement Officer may seize and impound any dog that is found running at large and deliver to Pound Keeper.

4.2. The Pound Keeper or Municipal Law Enforcement Officer shall, within 24 twenty-four hours from the seizure of any dog bearing a municipal license notify the owner that the dog has been impounded and conditions whereby the dog can be reclaimed.

4.3. The Pound keeper may keep any impounded dog for a redemption period of (3) three days, excluding:

- i) the day on which the dog is impounded.
- ii) statutory holiday.
- iii) days on which the pound is not open.

4.5 During the redemption period, the Pound Keeper:

- i) may inoculate the impounded dog to provide immunization against distemper or any other contagious or infectious disease.
- ii) may provide veterinary care of an injured or ill impounded dog as may be necessary to sustain its life.

4.6. During the redemption period, the Pound keeper may euthanize a dog without delay where, in the opinion of the Pound Keeper, this is warranted for humane reasons.

4.7. The Pound Keeper shall be entitled to recover from the owner of the dog the cost of inoculating or providing veterinary care during the redemption period in addition to any other applicable fees for the redemption of the dog.

4.8. During the redemption period, the owner of an impounded dog: may redeem it if the owner:

- i) pays the applicable fees for redemption of the dog
- ii) provides evidence satisfactory to the Pound Keeper that they own the dog
- iii) provides evidence satisfactory to the Pound Keeper that the dog is licensed under this By-law.

4.9. After (3) three days of a redemption period for an unclaimed dog, the Pound Keeper may keep, sell, or dispose of, including euthanize the dog, subject to applicable provisions of the *Animals for Research Act*.

4.10. Where a Municipal Law Enforcement Officer captures or otherwise detains a dog found running at large contrary to provision of this By-law, and said dog has a current municipal dog license, the Municipal Law Enforcement Officer may return the dog to the owner without transporting said dog to the Pound. Where the dog is returned to the owner, the Municipal Law Enforcement may issue an Animal Control Service Fee Notice to the owner of the dog and the owner of the dog shall pay an Animal Control Service Fee as set out in Schedule "A" of this By-law.

4.11. Where a Municipal Law Enforcement Officer captures or otherwise detains a dog found running at large contrary to provision of this By-law and said dog is injured the Officer may euthanize said dog without delay where, in the opinion of the Officer that it is warranted for humane reasons.

4.12 The Municipality of Magnetawan reserves the right to not impound or handle injured dogs, if any vet costs are incurred, the owner will be billed and if not paid 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.

5.0 - Muzzling and Leashing of Dogs

5.1. Where a dog has bitten a person or domestic animal or has behaved in a manner that poses a menace to the safety of persons or domestic animals, the Municipal By-law Enforcement Officer, at their discretion, may Order the dog to be muzzled or leashed or both, for a period of time to be determined by the Officer. Further, the owner of said dog shall comply with the Order.

5.2. Should the owner of the dog disagree with the Order to muzzle and/or leash, he or she may appeal the decision to Council.

5.3. Upon receipt of notification of an appeal, the Council shall, as soon as practicable, conduct a hearing pursuant to the Statutory Powers Procedure and shall hear evidence presented by both the Municipal Enforcement Officer and the owner of the dog. Further, it is understood in the interim between the date of the Order to muzzle and/or leash and the date of the hearing of the appeal, the owner shall comply with the Order.

5.4. At such time as the Council makes its decision to confirm, modify or quash the Order, the decision shall be considered to be final, and binding and the owner of the dog shall comply therewith.

6.0 Kennels

6.1 No person(s) shall operate a Kennel without first obtaining a license. All Kennels must be licensed annually and inspected as required.

6.2 An application to operate a Kennel must be submitted to the Municipality with the required information and fees, to be considered complete for processing. Once evaluated, a licence may or may not be granted.

6.2 A Kennel License may be issued to areas zoned with permitted uses as pursuant to the current applicable Zoning By-law, that may be amended from time to time, for more than four (4) dogs.

6.3 An applicant for a kennel licence must satisfy that the kennel operation will not disturb neighbouring properties.

6.4 Provisions of this By-law shall not apply to prevent the use of any existing, licensed kennel that was lawfully used and legally established for such purpose on the date of passing of this By-law. so long as it continues to be used for that purpose, the use is not discontinued for any length of time and that the existing dogs cannot be replaced when they are given away or die.

6.5 Kennels will maintain standards of care as per *Provincial Animal Welfare Services Act, 2019*, as amended.

7.0 Offences and Penalties

- 7.1 Every person and/or owner who contravenes any of the provisions of this By-law is guilty of an offence and is subject to set fines and/or administrative monetary penalties.
- 7.2 Every person who violates any provision of this By-law or causes or permits a violation shall be guilty of an offence and may be subject to fees under the Administrative Monetary Penalties By-law and/or fined as per the current Fees and Charges By-law.
- 7.3 Every person and/or owner who is convicted of an offence under this By-law shall be subject to a fine of not more than Five Thousand Dollars (\$5,000) for each offence. Such fines shall be recoverable under the *Provincial Offences Act, R.S.O. 1990, c. P.22*, as amended.
- 7.4 The provisions of this By-law may be enforced pursuant to the provisions of the *Provincial Offences Act, R.S.O. 1990, c. P.33* as amended, and where any provision of this By-law is contravened and a conviction entered, 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*.
- 7.5 Each subsequent contravention that results in a conviction will yield a higher fine (doubling each time) to a maximum of \$5,000 for a person and \$10,000 for every director, officer, or employee of a corporation.
- 7.6 Pursue any other collection mechanisms available to the Municipality pursuant to the Regulations or a 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.
- 7.7 Fees, fines, penalties, and/or charges are as the schedules attached and are to be incorporated into the current Fees and Charges By-law. Any changes to the schedules will be made during the annual updating of the Fees and Charges By-law and will be contained therein.

8.0 Entry and Inspection

- 8.1 A By-law Enforcement Officer or their designate may at any time enter onto a property to determine whether this By-law is being complied with.
- 8.2 Every Person shall permit a By-law Enforcement Officer to inspect any land for the purpose of determining compliance with this By-law.

9.0 Obstruction

- 9.1 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person exercising a power or performing a duty under this By-law.
- 9.2 Any person who has been alleged to have contravened any of the provisions of this By-law, shall identify themselves to the By-Law Enforcement Officer and/or designate

upon request, failure to do so shall be deemed to have obstructed or hindered the By-Law Enforcement Officer and/or designate in the execution of their duties.

10.0 Municipality Not Liable

10.1 The Municipality assumes no liability for property damage or personal injury resulting from remedial action or remedial work undertaken with respect to any person or property that is subject.

11.0 Validity and Severability

11.1 Should any section, subsection, clause, paragraph, or provision of this bylaw be declared by a Court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity of the enforceability of any other provision of this By-law, or of the By-law as a whole.

12.0 Enforcement

12.1 Nothing herein shall be deemed to limit the ability of the Ontario Provincial Police to enforce this By-law at any time.

13.0 Repeal

13.1 That By-law 2020-45 and any previously conflicting By-laws are hereby repealed.

13.2 That this By-law shall come into force and effect on the date of passing.

Read a FIRST, SECOND, and THIRD time and finally PASSED this __ day of _____ 2023

**THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN**

Mayor

CAO/Clerk

THE MUNICIPALITY OF MAGNETAWAN

**BY-LAW No. 2023- DOGS
Control & Licensing of Dogs**

Schedule "A"

Dog Licence Fees

Description	Annual Fee
First dog	As per the current Fees and Charges By-law
For each additional dog	As per the current Fees and Charges By-law
Replacement tag	As per the current Fees and Charges By-law
Lifetime tag	As per the current Fees and Charges By-law
Kennel license	As per the current Fees and Charges By-law
Each dog tag for kennel dogs	As per the current Fees and Charges By-law
Replacement license	As per the current Fees and Charges By-law
Dog redemption from impound	
First offence	As per the current Fees and Charges By-law
Second offence	As per the current Fees and Charges By-law
Third offence and each subsequent offence	As per the current Fees and Charges By-law
Animal Control Service Fee	As per the current Fees and Charges By-law

**THE MUNICIPALITY OF MAGNETAWAN
BY-LAW No. 2023- DOGS
Part 1 Provincial Offences Act**

SCHEDULE "B"

ITEM	SHORT FORM WORDING	PROVISION CREATING/DEFINING OFFENCE	SET FINE
1	Owner Fail to purchase dog license	2.1	\$50.00
2	Fail to affix dog tag	2.5	\$50.00
3	Fail to notify Clerk or Animal Control Officer of changes to owner information	2.6	\$45.00
4	Allowing more than 4 dogs to reside in a residence	3.1	\$50.00/dog
5	Fail to remove excrement	3.2	\$50.00
6	Owner permit dog to run at large	3.4	\$50.00
7	Owner permit dog to trespass on private property	3.6	\$50.00
8	Owner permit persistent dog barking	3.7	\$50.00
9	Owner permit dog in public beach or swim area	3.8	\$50.00
10	Fail to leash dog in park	3.9	\$50.00

	or trail		
11	Owner permit dog into Municipal facility or building	3.10	\$50.00
12	Fail to obey muzzle order	5.1	\$100.00
13	Operate kennel - no license	6.1	\$100.00

NOTE: The general penalty provision for the offences listed above this section 7.1 of By-law 2023-__ a certified copy of which has been filed.

DRAFT



**By-Law Enforcement
Municipality of Magnetawan
4304 Highway 520, PO Box 70
Magnetawan ON, P0A 1P0
705-387-3947**

KENNEL LICENCE APPLICATION

Date of Application: _____ Kennel # Issued: _____

Name of Applicant: _____

Mailing Address of Applicant: _____

Telephone Number: _____ Cell: _____

Name of Kennel: _____

Address of Kennel (if different from applicant's address): _____

How long have you been in operation: _____ (years) _____ (months)

Roll # of Location of Kennel: _____ Total # of Dogs: _____

Have you previously had a Kennel Licence in the Municipality of Magnetawan? Yes/No

If so, when: _____

FEES MUST ACCOMPANY APPLICATION

Zoning Compliance: Yes/No

I hereby grant permission for staff at any time to inspect the said kennel;

I hereby agree and understand the terms and conditions set out in By-law _____ and will comply therewith. I understand that any non-compliance may result in the revoking of my licence without refund.

Personal information contained on this form is collected under the authority of the Municipal Act, 2001 and will be used, maintained, and disclosed in accordance with the Municipal

Freedom of Information and Protection of Privacy Act and will be used by the Municipality of Magnetawan in determining the suitability for licensing.

Information submitted by applicants may be shared with officials, agencies, and departments of the Municipality of Magnetawan, who are assisting the Bylaw Officer.

Signature of Applicant

Date

By-law Officer

Date

SAMPLE

ADMINISTRATION FEES

Dog Licensing	Fee
Service Animals	No Charge
Annual Dog Tag	\$5.00
Lifetime Dog Tag	\$30.00
Replacement Dog Tag	\$5.00
Kennel License	\$100.00 kennel + \$5.00 per annual dog tag
Replacement Kennel License	\$50.00 kennel
Impound Fee First Offence	\$100.00 + applicable fees as imposed by and payable to the Pound Keeper
Impound Fee Second Offence	\$150.00 + applicable fees as imposed by and payable to the Pound Keeper
Impound Fee Third Offence and each Subsequent Offence	\$200.00 + applicable fees as imposed by and payable to the Pound Keeper
Animal Control Service Fee	\$50.00 per hour (1 hour minimum)

THE MUNICIPALITY OF MAGNETAWAN
BY-LAW No. 2020- 45

BEING A BY-LAW TO REGULATE DOGS

WHEREAS The Municipal Act, R.S.O., 2001 Section 103 authorizes the Council of a Municipality to pass By-laws regulating or prohibiting with respect to the being at large or trespassing of and control of animals in the Municipality.

AND WHEREAS The *Municipal Act, 2001, S.O. c. 25, Section 10(2)* 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 105* authorizes the Council of a Municipality to pass By-laws for the muzzling of dogs.

AND WHEREAS The *Municipal Act, 2001, S.O. c.25, Section 128* authorizes the Council of a Municipality to pass a By-law to prohibit and regulate public nuisances.

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 Council of the Corporation of the Municipality of Magnetawan wishes to regulate dogs and noise from dogs.

BE IT RESOLVED THAT the Council of the Corporation of the Municipality of Magnetawan enacts as follows:

1.0 DEFINITIONS:

In this By-law,

1.1 "Animal Control Officer" shall mean the Municipal By-Law Enforcement Officer, and any person so designated by Council.

1.2 "At Large" shall mean a dog found on any property other than the premises of the owner and not restrained or under the physical control of any person.

1.3 "Bite" shall mean a puncture of the skin with teeth.

1.4 "Dog" shall mean any member of the species *canis familiaris* be it a male or female over the age of 12 (twelve) weeks.

1.5 "Menace" shall mean a dog that would cause a person being chased or approached to reasonably believe that the dog will cause physical injury to that person or their domestic animal.

1.6 "Harbour" shall mean owning, having care, custody, or control of a dog.

1.7 "Muzzle" shall mean a humane fastening or covering device of adequate strength and design and suitable to the breed of the dog that fits over the mouth of a dog and cannot be removed by the dog, to prevent a dog from biting or attacking a person or domestic animal.

1.8 "Municipal Law Enforcement Officer" shall mean a municipal By-Law Enforcement Officer appointed under section 15 of the Police Services Act by the Municipality of Magnetawan and shall include any person appointed as an Animal Control Officer by the Municipality for the purposes of this By-law.

1.9 "Owner" shall mean any person including the tenant or occupant of land or premise who possesses or harbours a dog and where the owner is a minor the person responsible for the custody of the minor and owns or owned have a corresponding meaning.

1.10 "Pound" shall mean such premises and facilities designated by the municipality for the safe keeping of impounded dogs.

1.11 "Leash" shall mean a strap, cord, chain or like that is securely attached to a dog and firmly grasped by a person and which is capable of holding and controlling a dog.

1.12 "Service Animal" shall mean an animal which is trained to assist in the movements of a person with a physical, visual, or neurological impairment and shall include a Police Dog in which a dog is trained for law enforcement for the police or other person duly appointed as a peace officer.

1.13 "Municipality" shall mean the Corporation of the Municipality of Magnetawan. Town shall have the same meaning.

1.14 "Pound keeper": shall mean the entity in which the Municipality has entered into a service agreement with regarding pound services.

1.15 "Pit Bull": means a pit bull terrier; a Staffordshire bull terrier; an American Staffordshire bull terrier; an American pit bull terrier and a dog that has an appearance and physical characteristics that are substantially similar to those of dogs referred to in section (9) nine.

1.16 "Persistently" where modifying the terms of "barking or howling" means the continuous barking or howling of a dog but does not mean when a person provokes the animal or enters the property.

2.0 Licensing

2.1 No person shall within the Municipality of Magnetawan, own any dog over the age of (6) six months without first having obtained a license for the dog and registering the dog at the Municipality Office.

2.2 Every person who owns or harbors any dog shall pay a license fee:

(i) annually on March 1st of each calendar year.

(ii) a life time tag for the life span of the dog at the coming of (6) six months of age.

2.3. The owner shall register their dog with the Municipality, and provide particulars pertaining to the dog and the owner of the dog.

2.4 Cost of the dog licensing fees shall be set out in the current Fees and Charges By-law.

2.5 Upon payment of the license fee, the owner shall be furnished with a dog tag bearing a serial number and the year of the issue and said tag shall be securely affixed on the dog at all times until renewed or replaced.

2.6 Every person who owns a dog shall notify the Clerk, or Animal Control Officer when the contact information changes from the information provided at the time of the purchase of the tag.

2.7 A new resident of the Corporation of the Municipality of Magnetawan shall be required to obtain a license for their dog within (15) fifteen days of becoming a new resident.

2.8 The owner shall upon request supply written confirmation that the dog have been immunized against rabies and or proof of spay or neuter.

2.9 All licenses and tags issued pursuant to this By-law shall be serially numbered and a record shall be kept by the Municipality showing the name and address of the owner, serial number of the dog tag and the fees paid in respect of each dog.

2.10 In the event the dog license is lost, the dog owner shall upon satisfying the license issuer that the license is lost shall be entitled to receive a replacement license upon payment as per the current Fees and Charges By-law.

2.11 No owner of a dog shall use a license issued for any dog other than the dog for which the license was issued.

2.12 Where a certificate is produced from the Canadian National Institute for the Blind stating that the dog is being used as a guide dog for a blind person, no licensing fee shall be charged.

3.0 Responsibilities of the Dog Owner

3.1 No owner or owners living at the same address shall keep more than 4 (four) dogs in any one household over the age of six months.

(i) This section does not apply to the operation of a licensed kennel

3.2 Every person who owns or harbors a dog shall, remove forthwith and dispose of all excrement left by such a dog anywhere within the Municipality.

3.3 Every person who owns or harbors a dog shall upon leaving their property, ensure the dog is properly restrained and if stipulated, muzzled.

3.4 No person shall allow a dog to run at large or otherwise create a nuisance within the Municipality. Any dog found running at large may be seized and impounded by the Animal Control Officer or their designate. An animal control officer or their designate may enter on any

public or private property for the purpose of impounding or otherwise detaining any dog found running at large pursuant to the provisions of this By-Law.

3.5 If the Animal Control Officer or their designate is unable to seize any dog found to be running at large, and the owner of such a dog is known, the owner is guilty of an offence and shall be subject to a penalty in accordance with the provisions of this By-law:

3.6 No person shall permit a dog to trespass on private property at any time even when the dog is equipped and restrained with a leash.

3.7 No person shall permit a dog to persistently bark or create noise.

3.8 No person shall permit a dog on any Community Beach during the period of May 1st to October 1st inclusive area.

3.9 No person shall permit a dog to be within a park or on a trail within the Municipality unless the dog is leashed.

3.10 No person shall permit a dog to be within any covered area that is owned or maintained by the Municipality of Magnetawan including but not limited to: the Magnetawan Community Centre, the Magnetawan Lions Pavilion, the Magnetawan Heritage Centre and the Ahmic Harbour Community Centre.

3.11 A Service Animal shall not be restricted by the provisions in sections 3.2, and 3.10.

4.0 - Seize and Impound

4.1 Any person shall be entitled to take charge of any dog found running at large and deliver same to the Municipal Law Enforcement Officer or to the Pound Keeper.

4.2. The Municipal Law Enforcement Officer may seize and impound any dog that is found running at large and deliver to Pound Keeper.

4.3. The Pound Keeper or Municipal Law Enforcement Officer shall, within 24 hours from the seizure of any dog bearing a municipal license notify the owner that the dog has been impounded and conditions whereby the dog can be reclaimed.

4.4. The Pound keeper may keep any impounded dog for a redemption period of (3) three days, excluding:

- i) the day on which the dog is impounded.
- ii) statutory holiday.
- iii) days on which the pound is not open.

4.5 During the redemption period, the Pound Keeper:

- i) may inoculate the impounded dog to provide immunization against distemper or any other contagious or infectious disease.
- ii) shall provide veterinary care of an injured or ill impounded dog as may be necessary to sustain its life.

4.6. During the redemption period, the Pound keeper may euthanize a dog without delay where, in the opinion of the Pound Keeper, this is warranted for humane reasons.

4.7. The Pound Keeper shall be entitled to recover from the owner of the dog the cost of inoculating or providing veterinary care during the redemption period in addition to any other applicable fees for the redemption of the dog.

4.8. During the redemption period, the owner of an impounded dog: may redeem it if the owner:

- i) pays the applicable fees for redemption of the dog
- ii) provides evidence satisfactory to the Pound Keeper that they own the dog
- iii) provides evidence satisfactory to the Pound Keeper that the dog is licensed under this By-law.

4.9. After (3) three days of a redemption period for an unclaimed dog, the Pound Keeper may keep, sell, or dispose of, including euthanize the dog, subject to applicable provisions of the Animals for Research Act.

4.10. Where a Municipal Law Enforcement Officer captures or otherwise detains a dog found running at large contrary to provision of this By-law, and said dog has a current municipal dog license, the Municipal Law Enforcement Officer may return the dog to the owner without

transporting said dog to the Pound . Where the dog is returned to the owner, the Municipal Law Enforcement may issue an Animal Control Service Fee Notice to the owner of the dog and the owner of the dog shall pay an Animal Control Service Fee as set out in Schedule "A" of this By-law.

4.11. Where a Municipal Law Enforcement Officer captures or otherwise detains a dog found running at large contrary to provision of this By-law and said dog is injured the Officer may euthanize said dog without delay where, in the opinion of the Officer that it is warranted for humane reasons

4.12 The Municipality of Magnetawan reserves the right to not impound or handle injured dogs, if any vet costs are incurred, the owner will be billed and if not paid the cost will be added to their tax roll

5.0 - Muzzling and Leashing of Dogs

5.1. Where a dog has bitten a person or domestic animal or has behaved in a manner that poses a menace to the safety of persons or domestic animals, the Municipal By-law Enforcement Officer, at their discretion, may Order the dog to be muzzled or leashed or both, for a period of time to be determined by the Officer. Further, the owner of said dog shall comply with the Order.

5.2. Should the owner of the dog disagree with the Order to muzzle and/or leash, he or she may appeal the decision to Council.

5.3. Upon receipt of notification of an appeal, the Council shall, as soon as practicable, conduct a hearing pursuant to the Statutory Powers Procedure and shall hear evidence presented by both the Municipal Enforcement Officer and the owner of the dog. Further, it is understood in the interim between the date of the Order to muzzle and/or leash and the date of the hearing of the appeal, the owner shall comply with the Order.

5.4. At such time as the Council makes its decision to confirm, modify or quash the Order, the decision shall be considered to be final and binding and the owner of the dog shall comply therewith

6.0- Kennels

6.1 No person(s) shall operate a Kennel without first obtaining a license. All Kennels must be licensed and inspected for compliance annually

6.2 A KENNEL LICENSE may be issued to areas zoned with permitted uses as pursuant to the Municipality Zoning By-law, that may be amended from time to time, for keeping, breeding or boarding of dogs.

i) Class 1 is for the Breeding Kennel for the breeding of dogs.

ii) Class 2 is for the Boarding Kennel for the temporary lodging of dogs.

iii) Class 3 is for the lodging of more than 4 (four) dogs kept for activities resulting in Monetary gain or sled dogs.

6.3 An applicant for a kennel licence must satisfy the Council that this kennel operation will not disturb neighbouring properties. Owner must follow "Schedule "C": attached. The cost of the license shall be as prescribed in Schedule "A". Kennel Inspection Report is attached as Schedule "D".

6.4 Provisions of this By-law shall not apply to prevent the use of any existing, licensed kennel that was lawfully used and legally established for such purpose on the date of passing of this By-law. so long as it continues to be used for that purpose, the use is not discontinued for any length of time and that the existing dogs cannot be replaced when they are given away or die.

7.0 PENALTIES

7.1 Any person who is contravenes any provision of this By-law is guilty of an offense and upon conviction is liable to a fine up to a maximum of \$5,000.00 as provided for under the provisions of the Provincial Offences Act, R.S.O. 1990, C.P. 33, as amended.

7.2 Every person guilty of an offence under this By-law may, if permitted under the Provincial Offences Act, pay a set fine and the Chief Judge of the Ontario Court (Provincial Division) shall be requested to establish, pursuant to the Provincial Offences Act, set fines in accordance with Schedule "B" of this By-law.

7.3 In accordance with section 441.1 of the *Municipal Act, 2001* any part of a fine owing pursuant to this By-law or a related provincial offence may be added to the tax roll for any property in the Municipality for which all of the owners are responsible for paying the fine, and collect such fine in the same manner as municipal taxes.

8.0 - Pit Bull Restrictions

8.1 No person shall own, possess, be in control of or harbor a pit bull in the Municipality of Magnetawan. If the owner of a pit bull refutes that the dog is a pit bull as defined, the burden of proof that the dog is not a pit bull is the owners.

9.0 ENFORCEMENT

9.1 Nothing herein shall be deemed to limit the ability of the Ontario Provincial Police to enforce this By-law at any time.

10.0 REPEAL

10.1 That By-law No. 2018-61 and By-law No. 2020-48 is hereby repealed.

10.2 That this By-law shall come into force and effect on the date of passing.

11.0 - 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 4th day of November, 2020

**THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN**



Mayor



CAO/Clerk

THE MUNICIPALITY OF MAGNETAWAN

**BY-LAW No. 2020-¹⁵ DOGS
Control & Licensing of Dogs**

Schedule "A"

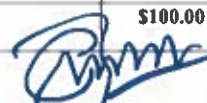
Dog Licence Fees

Description	Annual Fee
First dog	As per the current Fees and Charges By-law
For each additional dog	As per the current Fees and Charges By-law
Replacement tag	As per the current Fees and Charges By-law
Lifetime tag	As per the current Fees and Charges By-law
Kennel license	As per the current Fees and Charges By-law
Each dog tag for kennel dogs	As per the current Fees and Charges By-law
Replacement license	As per the current Fees and Charges By-law
Dog redemption from impound	
First offence	As per the current Fees and Charges By-law
Second offence	As per the current Fees and Charges By-law
Third offence and each subsequent offence	As per the current Fees and Charges By-law
Animal Control Service Fee	As per the current Fees and Charges By-law

**THE MUNICIPALITY OF MAGNETAWAN
BY-LAW No. 2020- 45 DOGS
Part 1 Provincial Offences Act**

SCHEDULE "B"

ITEM	SHORT FORM WORDING	PROVISION CREATING/DEFINING OFFENCE	SET FINE
1	Owner Fail to purchase dog license	2.1	\$50.00
2	Fail to affix dog tag	2.5	\$50.00
3	Fail to notify Clerk or Animal Control Officer of changes to owner information	2.6	\$45.00
4	Allowing more than 4 dogs to reside in a residence	3.1	\$50.00/dog
5	Fail to remove excrement	3.2	\$50.00
6	Owner permit dog to run at large	3.4	\$50.00
7	Owner permit dog to trespass on private property	3.6	\$50.00
8	Owner permit persistent dog barking	3.7	\$50.00
9	Owner permit dog in public beach or swim area	3.8	\$50.00
10	Fail to leash dog in park or trail	3.9	\$50.00
11	Owner permit dog into Municipal facility or building	3.10	\$50.00
12	Fail to obey muzzle order	5.1	\$100.00
13	Operate kennel - no license	6.1	\$100.00



NOTE: The general penalty provision for the offences listed above this section 7.1 of By-law 2020- 45 a certified copy of which has been filed.

**THE MUNICIPALITY OF MAGNETAWAN
BY-LAW 2020-45 DOGS**

SCHEDULE "C"

KENNEL REGULATIONS

1. No kennel or any part thereof shall be located closer than 30 metres to any roadway, or closer than 150 metres to any adjacent residential lot or to any boundary of any residential zone.
2. The building shall be separated and enclosed and shall not be attached to a dwelling unit, unless it is a breeding kennel, and it can be closed off from the living area.
3. The building shall conform to the Building Code Act. It shall be maintained in such a manner as to be free from damage.
4. The building shall have a floor of concrete or some other impermeable material, the floor shall be cleaned daily or more often if necessary.
5. All dogs that are kept in cages, shall be kept in cages of adequate size, to allow the animal to extend its legs fully, to stand or sit or lie down in a fully extended position. All cages shall be constructed solely of metal, wire-mesh, or impermeable concrete block.
6. All dogs shall be kept in sanitary, well bedded, clean quarters and such quarters shall be kept at a healthful temperature at all times.
7. All dogs shall be adequately fed and watered, periodically each day and shall be kept in a clean healthy condition free from vermin and disease.
8. Where dogs are allowed to use an outside area, this area shall be surrounded by a metal mesh fence of a height and mesh size, that will safely contain the breed. For the purpose of these regulations, the fence shall be deemed to be part of the building. Such outdoor use shall not be permitted between the hours of 9 p.m. and 7 a.m. except during supervised exercise periods when the operator or his/her employee shall be in control of the dog(s).
9. Every owner/operator of a kennel shall file with the Municipality a letter, issued and signed by the Animal Control Officer of the Municipality of Magnetawan, stating that the kennel operation complies with all requirements of this By-Law as well as any other applicable laws and/or regulations.
10. No owner/operator or employee shall allow the kennel to become a nuisance to the public due to unreasonable noise from barking dogs or otherwise.
11. In case of a complaint, any individual in the employ of the North Bay Parry Sound District Health Unit, or the Animal Control Officer, who is duly authorized may during business hours, enter such kennel location to inspect it and ensure compliance with this By-law.



By-Law Enforcement
 Municipality of Magnetawan
 4304 Highway 520, PO Box 70
 Magnetawan ON, P0A 1P0
 705-387-3947

KENNEL INSPECTION REPORT

Licence No.: _____ Name of Kennel: _____
 Address: _____

Type of Kennel
 Breeding kennel - Class 1 Boarding Kennel - Class 2 Dogs kept for monetary gain, or sled dogs - class 3
 Type of Inspection
 Routine New Complaint Follow-up
 Licence Previously Investigated by Animal Control Officer? Yes No Licence Currently Revoked? Yes No
 Kennel Capacity: Dogs: _____ Isolation Area: Yes No

Indoor Facilities	S	I	N/A
Bldg-Construction, Maintenance			
Heating			
Lighting			
Drainage			
Ventilation			
Cleanliness - cages			
Cleanliness - runs			

Animal Care	S	I	N/A
Feeding			
Watering			
Cleanliness -utensils			
Enclosures - construction, maintenance			
Animal grouping			
Animal identification			
Veterinary Care			

Outdoor Facilities	S	I	N/A
Shelter			
Drainage			
Bedding			
Premises - Cleanliness			
Runs- Cleanliness			
Runs 30sq m			

General	S	I	N/A
Running water			
Food Storage			
Waste Disposal			

Listed below are specific improvements that must be made in order to comply with Municipality of Magnetawan By-law #1111-# Failure to take corrective action by the due date can result in revocation of your kennel licence:

Item	Action Required	Due Date

Inspector: _____ Date: _____
 Next inspection due: _____

THE MUNICIPALITY OF MAGNETAWAN
BY-LAW No. 2020- 45 DOGS

SCHEDULE "E"



By-Law Enforcement
Municipality of Magnetawan
4304 Highway 520, PO Box 70
Magnetawan ON, P0A 1P0
705-387-3947

KENNEL LICENCE APPLICATION

Date of Application: _____ Kennel # Issued: _____

Name of Applicant: _____

Mailing Address of Applicant: _____

Telephone Number: _____ Cell: _____

Name of Kennel: _____

Address of Kennel (if different from applicant's address): _____

How long have you been in operation: _____ (years) _____ (months)

Roll # of Location of Kennel: _____ Total # of Dogs: _____

Have you previously had a Kennel Licence in the Municipality of Magnetawan? Yes/No

If so, when: _____

If so, have there been any changes to your property since you were last issued a Kennel License? Yes/No

Please indicate any changes:

FEES MUST ACCOMPANY APPLICATION

Please attach:

Kennel Inspection Report: Yes/No
Building Compliance report (including signage if required): Yes/No
Fire Inspection Report (if required): Yes/No
Site Drawing: Yes/No
Zoning Compliance: Yes/No

I hereby declare that I have never been convicted under Section 446 of the Criminal Code of Canada pertaining to animal cruelty;

I hereby grant permission for staff at any time to inspect the said kennel;

I hereby agree and understand the terms and conditions set out in By-law _____ and will comply therewith. I understand that any non-compliance may result in the revoking of my licence without refund.

Personal information contained on this form is collected under the authority of the Municipal Act, 2001 and will be used, maintained, and disclosed in accordance with the Municipal Freedom of

Information and Protection of Privacy Act and will be used by the Municipality of Magnetawan in determining the suitability for licensing.

Information submitted by applicants may be shared with officials, agencies, and departments of the Municipality of Magnetawan, who are assisting the Bylaw Officer.

Signature of Applicant

Date

By-law Officer

Date

OFFICE OF THE REGIONAL SENIOR
JUSTICE
ONTARIO COURT OF JUSTICE
NORTHEAST REGION

159 CEDAR STREET
3rd FLOOR, SUITE 303
SUDBURY, ONTARIO P3E 6A5



CABINET DU JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO
RÉGION DU NORD-EST

159, RUE CEDAR
3^e ÉTAGE, BUREAU 303
SUDBURY (ONTARIO) P3E 6A5

TELEPHONE/TÉLÉPHONE (705) 564-7624
FAX/TÉLÉCOPIEUR (705) 564-7620

November 6, 2020

Ms. Laura Brandt, Acting Deputy Clerk
P.O. Box 70
Magnetawan, ON
P0A 1P0

Dear Ms. Brandt;

Re: Set Fines – Provincial Offences Act
Part I – Municipality of Magnetawan, Parry Sound District

Enclosed herewith is an original Order and an original schedule of set fines for By-law No. 2020-45, the By-law indicated in the schedule. Please ensure that a copy of the said documents is forwarded to the Provincial Offences Office, which has jurisdiction for the Municipality of Magnetawan.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

I have forwarded the copy of the Order and the schedules of these set fines to the Ontario Court of Justice in Parry Sound, together with a certified copy of the By-Law.

Yours truly,

A handwritten signature in blue ink, appearing to read 'P. Boucher'.

PATRICK BOUCHER
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE

PJB/hrd

Encl.

c.c.: His Worship Gary McMahon, Regional Senior Justice of the Peace
Her Worship Cornelia Mews, Justice of the Peace

OFFICE OF THE REGIONAL SENIOR
JUSTICE
ONTARIO COURT OF JUSTICE
NORTHEAST REGION

159 CEDAR STREET
3rd FLOOR, SUITE 303
SUDBURY, ONTARIO P3E 6A5



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COUR DE JUSTICE DE L'ONTARIO
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SUDBURY (ONTARIO) P3E 6A5

TELEPHONE/TÉLÉPHONE (705) 564-7624
FAX/TÉLÉCOPIEUR (705) 564-7620

November 6, 2020

Ms. Devyani Anandjit
Crown Law Office, Criminal
720 Bay Street, 10th floor
Toronto, Ontario
M5G 2S9

Dear Ms. Anandjit:

RE: Set Fines - Provincial Offences Act
Part I, Municipality of Magnetawan, Parry Sound District

Please find enclosed a copy of an Order dated November 6, 2020, and a copy of a letter to Ms. Laura Brandt, Acting Deputy Clerk.

Should you have any questions, please do not hesitate to contact me at (705) 564-7624.

Yours truly,

A handwritten signature in blue ink, appearing to read 'P. Boucher'.

PATRICK BOUCHER
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE

PJB/hrd

Encl.

OFFICE OF THE REGIONAL SENIOR
JUSTICE
ONTARIO COURT OF JUSTICE
NORTHEAST REGION

159 CEDAR STREET
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SUDBURY, ONTARIO P3E 6A5



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COUR DE JUSTICE DE L'ONTARIO
RÉGION DU NORD-EST

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SUDBURY (ONTARIO) P3E 6A5

TELEPHONE/TÉLÉPHONE (705) 564-7624
FAX/TÉLÉCOPIEUR (705) 564-7620

PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-Law No. 2020-45, of Municipality of Magnetawan, Parry Sound District, attached hereto is the set fine for that offence. This Order is to take effect November 20th, 2020.

Dated at the City of Greater Sudbury, this 6th day of November, 2020.

A handwritten signature in blue ink, appearing to read 'P. Boucher', written over a horizontal line.

PATRICK BOUCHER
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

BY-LAW NO. 2023 -

Being a By-law to License Trailers in the Municipality

WHEREAS the *Municipal Act*, S.O. 2001 as amended, Section 164 authorizes a municipality to pass By-laws to license trailers.

AND WHEREAS the Corporation of the Municipality of Magnetawan permits the temporary use of a trailer for human habitation in the Rural Residential (RR), Agricultural (A) and Rural (RU) zones: (a) during the construction of a dwelling on a lot in all zones, (b) on an existing vacant lot in approved zones, or (c) for the occasional accommodation of guests provided that a detached dwelling exists on the property in approved zones.

NOW THEREFORE the Council of the Corporation of the Municipality of Magnetawan hereby enacts as follows:

1. Title and Application

1.1 This By-law shall be cited as the 'Trailer License' By-law

1.2 This By-law applies to a trailer, even if the trailer was placed or located on a property prior to the date of enactment of this By-law.

2 Definitions

2.1 "Approved Zones" shall mean Rural Residential (RR), Agricultural (A) and Rural (RU).

2.2 "Corporation" shall mean the Corporation of the Municipality of Magnetawan.

2.3 "Legally Permitted Camping Establishment" means a Camping Establishment as defined and permitted in the Zoning By-law (or a Camping Establishment that has legal non-conforming status).

2.4 "Lot" means a parcel of land that is separately conveyable in accordance with Section 50 of the *Planning Act*.

2.5 "Occasional Use" means used for accommodation, not to exceed more than fourteen (14) days per year.

- 2.6 "Trailer" shall mean any vehicle constructed to be attached and propelled by a motor vehicle, or is capable of being used by persons for living, sleeping or eating and legally capable of being towed. Without limiting the generality of the foregoing, a trailer includes, a tent or travel trailer, truck camper, or recreational vehicle (RV), all as defined in the Zoning By-law, a bus converted into a motor home, a motor home, but does not include a mobile home.
- 2.7 "Trailer Assessed" (Assessed Trailer) shall mean any trailer legally located on a property and that is assessed under the *Assessment Act*.
- 2.8 "Trailer Stored " (Stored Trailer) shall mean any trailer, as defined herein which has a current and valid license issued under the *Highway Traffic Act* and any regulations thereto, located on a property only for the purpose of storing such trailer for use at any location other than the property upon which it is stored.
- 2.9 "Zoning By-law" shall mean the current applicable Zoning By-law, as amended from time to time.

3 Regulations

- 3.1 No trailer shall be located or placed or to remain upon a lot unless such trailer is licensed under this By-law.
- 3.2 No more than one (1) trailer licensed under this By-law is permitted on a lot.
- 3.3 No trailer, whether or not it is licensed under this By-law, shall have attached to it or placed within 1.2 metres of it, any building or structure including but not limited to a sunroom, porch, roof or deck (enclosed or unenclosed) etc.
- 3.4 No trailer for which a license is required under this By-law shall be located on a lot except in conformity with the set-back requirements for a dwelling unit as set out in the Zoning By-law.
- 3.5 No trailer shall be used by persons as a place for living, sleeping, or eating during the period commencing May 1st to November 30th inclusive unless it is licensed under this By-law.
- 3.6 No trailer shall be used by persons as a place for living, sleeping, or eating during the period commencing December 1st of a calendar year through and inclusive of April 30th of the following calendar year.

4 License Application and Fees

- 4.1 All applications for a license shall be made to the Municipality upon the prescribed form. Such application must include all submissions/documentation referenced therein and the License Fee, as required pursuant to the Municipality's currently applicable 'Fee and Charges' By-law.
- 4.2 No license shall be issued:

- 4.2.1 Unless the trailer for which such license is issued is located in compliance with the setback requirements for a dwelling unit set out in the Zoning By-law.
- 4.2.2 Unless the owner of the lot upon which the trailer is to be located has consented in writing to its placement on the lot.
- 4.2.3 If the issuance license would be in contravention of any other By-law of the Corporation or of any Federal or Provincial law or regulation.

4.3 The Municipality may issue the following class of licenses:

- 4.3.1 Annual license – this license authorizes the placement of the trailer upon a property for a complete calendar year or any portion thereof, and its occupancy between May 1st and November 30th in the calendar year.
- 4.3.2 Short-Term License – this license authorizes the placement of the trailer upon the property for a minimum period of one month up to a maximum of three months, between May 1st and November 30th in the same calendar year.

4.4 Licenses shall be displayed on the exterior of the trailer in a visibly prominent place.

4.5 All Annual Licenses expire on November 30th and all Short-Term Licenses expire on the date specified in the license.

5. Exceptions/Exemptions

5.1 Sections 3.1 and 4 of this By-law do not apply to:

- 5.1.1 a Stored Trailer;
- 5.1.2 an Assessed Trailer;
- 5.1.3 a trailer located on a lot zoned to permit a Camping Establishment

5.2 Nothing in this By-law operates or shall be deemed to have the effect of exempting any trailer from the provisions of the Zoning By-law.

6 Offences and Penalties

6.1 Every person and/or owner who contravenes any of the provisions of this By-law is guilty of an offence and is subject to set fines and/or administrative monetary penalties.

6.2 Every person who violates any provision of this By-law or causes or permits a violation shall be guilty of an offence and may be subject to fees under the Administrative Monetary Penalties By-law and/or fined as per the current Fees and Charges By-law.

6.3 Every person and/or owner who is convicted of an offence under this By-law shall be subject to a fine of not more than Five Thousand Dollars (\$5,000) for each offence. Such fines shall be recoverable under the *Provincial Offences Act, R.S.O. 1990, c. P.22*, as amended.

6.4 The provisions of this By-law may be enforced pursuant to the provisions of the *Provincial Offences Act, R.S.O. 1990, c. P.33* as amended, and where any provision of this By-law is contravened and a conviction entered, 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*.

6.5 Each subsequent contravention that results in a conviction will yield a higher fine (doubling each time) to a maximum of \$5,000 for a person and \$10,000 for every director, officer, or employee of a corporation.

6.6 Pursue any other collection mechanisms available to the Municipality pursuant to the Regulations or a 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.

6.7 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.

7 Entry and Inspection

7.1 A By-law Enforcement Officer or their designate may at any time enter onto a property to determine whether this By-law is being complied with.

7.2 Every Person shall permit a By-law Enforcement Officer to inspect any land for the purpose of determining compliance with this By-law.

8 Obstruction

8.1 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person exercising a power or performing a duty under this By-law.

8.2 Any person who has been alleged to have contravened any of the provisions of this By-law, shall identify themselves to the By-Law Enforcement Officer and/or designate upon request, failure to do so shall be deemed to have obstructed or hindered the By-Law Enforcement Officer and/or designate in the execution of their duties.

9 Municipality Not Liable

9.1 The Municipality assumes no liability for property damage or personal injury resulting from remedial action or remedial work undertaken with respect to any person or property that is subject.

10 Validity and Severability

10.1 Should any section, subsection, clause, paragraph, or provision of this bylaw be declared by a Court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity of the enforceability of any other provision of this By-law, or of the By-law as a whole.

11 Enforcement

11.1 Nothing herein shall be deemed to limit the ability of the Ontario Provincial Police to enforce this By-law at any time.

12 – Repeal

12.2 That By-law 2019-25 and any previously conflicting By-laws are hereby repealed.

12.3 That this By-law shall come into force and effect on the date of passing.

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



**FEES, FINES, PENALTIES, AND/OR CHARGES SCHEDULE
SCHEDULE "A"
TO BY-LAW 2023-**

Item	Short Word Form Wording	Provision Creating/Defining Offence	Set Fine Within a Twelve (12) Month Period
1	Trailer located, placed, or remained upon a lot without a license.	3.1	\$500
2	More than one trailer on lot.	3.2	\$500 per additional trailer
3	Buildings, Structures attached to trailer or placed within 1.2 metres of trailer.	3.3	\$500
4	Trailer located on lot not in compliance with set back requirements for a dwelling unit as set out in the Zoning By-law.	3.4	\$500
5	Trailer be used within the permitted period (May 1 st to November 30 th) without a license.	3.6	\$500
6	Trailer being used as a place for living, sleeping, or eating during the period commencing December 1 st of a calendar year and inclusive of April 30 th of the following calendar year.	3.7	\$500

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.

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

BY-LAW NO. 2019 - 25

Being a By-law to License Trailers in the Municipality

WHEREAS the *Municipal Act*, S.O. 2001 as amended, Section 164 authorizes a municipality to pass By-laws to license trailers.

AND WHEREAS the Corporation of the Municipality of Magnetawan permits the temporary use of a trailer for human habitation in the Rural Residential (RR), Agricultural (A) and Rural (RU) zones: (a) during the construction of a dwelling on a lot, (b) on an existing vacant lot, or (c) for the occasional accommodation of guests provided that a detached dwelling exists on the property.

NOW THEREFORE the Council of the Corporation of the Municipality of Magnetawan hereby enacts as follows:

1. Title and Application

1.1 This By-law shall be cited as the 'Trailer Licence' By-law

1.2 This By-law applies to a trailer, even if the trailer was placed or located on a property prior to the date of enactment of this By-law.

2 Definitions

2.1 "Corporation" shall mean the Corporation of the Municipality of Magnetawan;

2.2 "Legally Permitted Camping Establishment" means a Camping Establishment as defined and permitted in the Zoning By-law (or a Camping Establishment that has legal non-conforming status).

2.3 "Lot" means a parcel of land that is separately conveyable in accordance with section 50 of the *Planning Act*.

2.4 "Trailer" shall mean any vehicle constructed to be attached and propelled by a motor vehicle, and is capable of being used by persons for living, sleeping or eating and legally capable of being towed. Without limiting the generality of the foregoing, a trailer includes, a tent or travel trailer, truck camper, or recreational vehicle, all as defined in the Zoning By-law, a bus converted into a motor home, a motor home, but does not include a mobile home.

2.5 "Trailer, Assessed" (Assessed Trailer) shall mean any trailer legally located on a property and that is assessed under the *Assessment Act*.

2.6 "Trailer, Stored" (Stored Trailer) shall mean any trailer, as defined herein which has a current and valid license issued under the Highway Traffic Act and any regulations thereto, located on a property only for the purpose of storing such trailer for use at any location other than the property upon which it is stored.

2.7 "Zoning By-law" shall mean Zoning By-law 2001-26, as amended from time to time.

3 Regulations

- 3.1 No trailer shall be located or placed or to remain upon a lot unless such trailer is licensed under this by-law.
- 3.2 No more than one (1) trailer licensed under this By-law is permitted on a lot.
- 3.3 No trailer, whether or not it is licensed under this by-law, shall have attached to it or placed within 1.2 metres of it, any building or structure including but not limited to a sunroom, porch, roof or deck (enclosed or unenclosed) etc.
- 3.4 No trailer for which a license is required under this By-law shall be located on a lot except in conformity with the set-back requirements for a dwelling unit as set out in the Zoning By-law.
- 3.5 No trailer shall be used by persons as a place for living, sleeping or eating during the period commencing May 1st to November 30th inclusive unless it is licensed under this by-law.
- 3.6 No trailer shall be used by persons as a place for living, sleeping or eating during the period commencing December 1st of a calendar year through and inclusive of April 30th of the following calendar year.

4 License Application and Fees

- 4.1 All applications for a license shall be made to the Municipality upon the prescribed form set out in Schedule 'A' to this By-law. Such application must include all submissions/documentation referenced therein and the License Fee, as required pursuant to the Municipality's currently applicable 'Fee and Charges' By-law.
- 4.2 No license shall be issued:
 - 4.2.1 Unless the trailer for which such license is issued is located in compliance with the setback requirements for a dwelling unit set out in the Zoning By-law;
 - 4.2.2 Unless the owner of the lot upon which the trailer is to be located has consented in writing to its placement on the lot;
 - 4.2.3 If the issuance license would be in contravention of any other By-law of the Corporation or of any Federal or Provincial law or regulation
- 4.3 The Municipality may issue the following class of licenses:
 - 4.3.1 Annual licence – this licence authorizes the placement of the trailer upon a property for a complete calendar year or any portion thereof, and its occupancy between May 1st and November 30th in the calendar year;
 - 4.3.2 Short-Term Licence – this licence authorizes the placement of the trailer upon the property for a minimum period of one month up to a maximum of three months, between May 1st and November 30th in the same calendar year.
- 4.4 Licenses shall be displayed on the exterior of the trailer in a visibly prominent place.
- 4.5 All Annual Licenses expire on December 31st and all Short-Term Licences expire on the date specified in the license.

5. Exceptions/Exemptions

- 5.1 Sections 3.1 and 4 of this By-law do not apply to:
 - 5.1.1 a Stored Trailer;
 - 5.1.2 an Assessed Trailer;
 - 5.1.3 a trailer located on a lot zoned to permit a Camping Establishment
- 5.2 Nothing in this by-law operates or shall be deemed to have the effect of exempting any trailer from the provisions of the Zoning By-law.

6.0 Administration & Enforcement

- 6.1 A Municipal By-law Enforcement Officer , who may be accompanied by other persons under his or her direction, may enter onto any land that is used or believed to be used in contravention of this By- law for the purposes set out in subsection 436 (1) of the Municipal Act, 2001 and shall have all powers of inspection set out in subsection 436 (2) of the Act.
- 6.2 If a By-law Enforcement Officer is satisfied that there exists a contravention of this By-law, the By-law Enforcement Officer may make an order under section 445 of the Municipal Act, 2001 and such Order may include the remedial actions provided for in section 446 of the Municipal Act, 2001.
- 6.3 In addition to any other statutory remedies, any person who fails to comply with an order made under section 6.2 is guilty of an offence.
- 6.4 Every person who provides false information in an application for a license under this By-law or in an application for a renewal of license is guilty of an offence.
- 6.5 Where a conviction is entered a provision of this section 6.0, in addition to any other remedy or any penalty provided, the court in which the conviction was entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 6.6 The administration of this by-law is assigned to the Clerk-Administrator who may delegate the performance of his or her function under this By-law from time to time as occasion requires.
- 6.7 Any application, comment, recommendation, information, document or thing in possession of the Clerk-Administrator pursuant to the provisions of this By-law shall be made available by the Clerk-Administrator for inspection:
- 6.7.1 By any person employed in the administration of the enforcement of this by-law;
 - 6.7.2 By any other person upon the consent, satisfactory to the Clerk-Administrator, of the person, civic department, board commission authority or other agency which produced or submitted the application, comment, recommendation, information, document or thing. Subject only to the limitations imposed by the Municipal Freedom of Information and Protection of Privacy Act.
- 6.8 The enforcement of the By-law is assigned to any By-law Enforcement Officer for the Municipality of Magnetawan.
- 6.9 Any person who contravenes any of the provisions of this By-law shall be guilty of an offence and, upon conviction, shall be liable to a fine pursuant to Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P.33, for each contravention and each day of contravention shall constitute a separate offence.

SECTION 7 – REPEAL, VALIDITY AND EFFECTIVE DATE

- 7.1 If any section, clause or provision of this By-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof other than that section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all remaining sections, clauses or provisions of the By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.
- 7.2 This By-law repeals By-law 2001-29
- 7.3 This By-law shall come into effect on the date of the third reading and it being passed.

READ A FIRST, SECOND, AND THIRD TIME, passed, signed and the Seal of the Corporation affixed hereto, this

**THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN**



Mayor



Interim Clerk-Administrator

"R" = Regrets; "✓" = Confirmed Attendance

POLITICAL LEADERS:

Scott Aitchison, MP	R	Graydon Smith, MPP	R	Jeff Lehman, District Chair	✓	Rick Maloney, Mayor – BB	✓
Nancy Alcock, Mayor – Huntsville	R	Peter Kelley, Mayor – Mus. Lakes	✓	Terry Glover, Mayor – Lake of Bays	✓	Heidi Lorenz – Gravenhurst	✓
Peter Koetsier, Mayor – Georg. Bay	R	Chris Hope, Mayor – Burk's Falls	R	Rod Ward, Mayor – Armour	✓	Tim Bryson, Mayor – Strong	R
Sam Dunnett, Mayor – Magnetawan	R	Jim Coleman, Mayor – South River	R	Norm Hofstetter, Mayor – Perry	R	Liz Danielsen, Mayor – Algon High	R
Cheryl Philip, Mayor – Kearney	R	Vicky Roeder-Martin, Councillor – McMurr/Mont	R	Justine Leveque, Mayor – Sundridge	✓	Delynne Patterson, Councillor – Ryerson	R
Bryan McCabe, Mayor – Joly	R	Dan Armour, Deputy Mayor – HV	R	Brenda Rhodes, Deputy Mayor – BB	✓	Bob Stone, Councillor – Huntsville	✓

STAFF PARTICIPANTS:

Stephen Rettie, CAO – Bracebridge	✓	Kirstin Maxwell, Director of Development Services – Huntsville	✓	Derrick Hammond, CAO – Mus Lakes	✓	Scott Lucas, CAO – Gravenhurst	R
Julie Stevens, CAO – District	✓	Bryan Brown, CAO – Lake of Bays	R	Greg Mariotti, CAO – Georg. Bay	✓	Norm Barrette, Health Services Commissioner – District	R
Nancy Field, Deputy Clerk – Ryerson	✓						

MAHC:

Moreen Miller, Board Chair	✓	Dave Uffelmann, Board Vice Chair	✓	Cheryl Harrison, President & CEO	✓	Dr. Khaled Abdel-Razek, Chief of Staff	✓
Diane George, VP, Integrated Care, Patient Services & Quality	✓	Brody Purser, Associate VP, Human Resources	✓	Alasdair Smith, VP, Corporate Services & Chief Financial Officer	✓	Melissa Bilodeau, Director of Clinical Services & Chief Nursing Executive	✓
Allyson Snelling, Manager of Communications & Stakeholder Engagement	✓						

Agenda Topic	Notes from Discussion	Follow Up Required
1. Welcome & Introductions	The Board Chair welcomed everyone to the meeting and expressed thanks for joining. She introduced Vice Chair Dave Uffelmann, along with members of MAHC's Senior Leadership Team in attendance.	
2. Annual Meeting & New Board Directors – Moreen Miller	The Board Chair provided an update on the Muskoka Algonquin Healthcare annual meeting held on June 26, including the Board Award of Excellence recipients, four new Directors appointed to the Board of Directors, a new Committee Appointee member, and achievement of a balanced budget in 2022-2023 and year-end surplus that supports MAHC's working capital position.	
3. Operational Update – Cheryl Harrison	Cheryl provided an operational update including: <ul style="list-style-type: none"> ○ Seasonal surge pressures on the Emergency Departments and inpatient occupancy, creating times of gridlock and potential for temporary service interruption ○ Continued COVID-19 monitoring while fewer hospitalizations and staff illnesses; masking requirement changes ○ Budget planning for the 2023/24 operations continues to awaiting funding letters, meanwhile the organization operates unbudgeted beds ○ Launch of MyChart, a free, secure online health information portal for patients to access their medical records this summer 	

	She also congratulated both hospital foundations on a collective \$4 million in fundraising over the last fiscal year and thanked those who supported their recent golf tournaments.	
4. Physician Recruitment Update – Dr. Khaled Abdel-Razek	Dr. Abdel-Razek indicated seven associate staff have been promoted to active credentialed staff, and seven new associate staff have been credentialed at MAHC (two Emergency physicians, two midwives, and three family medicine physicians). Recruitment in Emergency Medicine is expected to materialize this fall with new physicians coming onboard, while headway is also being made on Surgical Services recruitment and Internal Medicine recruitment. Contingency plans for potential summer gaps in internal medicine coverage are ongoing with locums across both sites. Dr. Abdel-Razek responded to questions of recruitment of foreign doctors trained outside of the country, explaining there is a streamlining of the process to reduce barriers to licensing in Ontario and more quickly facilitate privileges.	
5. Capital Redevelopment Update – Moreen Miller	Moreen reported that work on the Stage 1.3 submission continues with internal user groups well underway to develop the Functional Program, and upcoming efforts to engage community members who voiced interest in participating in a focus group to share their input. Site selection dialogue and site-specific investigation continues on all three of the possible properties for the future South Muskoka site with the Town of Bracebridge and property owners. Decision-making is anticipated in the fall. The Local Share Committee hopes to finalize the various financial commitments by the end of September, and capital redevelopment messaging is coming for the Local Share Committee following internal stakeholder engagement on brand visioning. Gratitude for continued support on capital redevelopment from MPP Graydon Smith was also expressed.	
6. Round Table/Discussion	There were no items raised from participants during the round table.	
7. Adjournment	The meeting adjourned at 0925hrs. The next regular quarterly forum scheduled on Friday, October 6 at 9 a.m.	



The Corporation of the Township of Emo

P.O. Box 520, Emo, Ontario, P0W 1E0

Website: www.emo.ca
E-mail: township@emo.ca

Phone: 807-482-2378
Fax: 807-482-2741

August 14, 2023

Via email only

Premier's Office
Room 281
Legislative Building
Queen's Park
Toronto, ON
M7A 1A1

Dear Honourable Doug Ford,

Re: Black Ash Tree Classification as "endangered" under the Endangered Species Act

Please be advised that the Council of the Municipality of Emo, at its meeting held on Wednesday, June 14, 2023 passed the following resolution.

Resolution June 14, 2023 No. 16

WHEREAS the Ministry of Environment, Conservation and Parks listed the Black Ash Tree as endangered in the Province of Ontario as a result of the Emerald Ash Borer infestation in eastern and southern Ontario;

WHEREAS this classification was given even though the Emerald Ash Borer is not known to be widespread in Northwestern Ontario;

WHEREAS the Black Ash Tree is assumed to remain abundant on the landscape of Northwestern Ontario;

WHEREAS the Species at Risk in Ontario (SARO) classification of "endangered" under the Endangered Species Act (ESA) prohibits killing (Harvesting), harming, harassing, possessing, transporting, trading, and selling of live or dead Black Ash, and damaging or destroying its habitat on both Crown and Private Land;



The Corporation of the Township of Emo

P.O. Box 520, Emo, Ontario, P0W 1E0

Website: www.emo.ca
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Phone: 807-482-2378
Fax: 807-482-2741

WHEREAS the Species at Risk in Ontario (SARO) classification of “endangered”, for the Black Ash Tree, came into effect on January 26, 2022;

WHEREAS the Ontario Black Ash Recovery Strategy is proposed to come into enforcement in January 2024;

WHEREAS the strategy is not expected to change the 50-99% destruction of Black Ash by the Emerald Ash Borer;

WHEREAS the strategy contains 170 references to possibilities that “may” be or are “poorly understood”, including 80-year climate change models;

WHEREAS one of these unknown factors is the Rainy River forests of Northwestern Ontario;

WHEREAS the Rainy River forests, while having features of Great Lakes – St. Lawrence, also include Boreal and Prairie habitats following a continuum from northern Minnesota rather than from Southern Ontario;

WHEREAS the strategy, if applied, will certainly have severe impact on the economy, agriculture, forestry, tourism, recreation, First Nations and residential landowners of the Rainy River District;

WHEREAS it would be impossible to fully comply with the strategy and continue living in much of the Rainy River District;

WHEREAS consultation on the Black Ash and Emerald Ash Borer did not include the majority of Northwestern Ontario.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Emo urges the Provincial Government to:

- a) Rescind the Ontario Black Ash Recovery Strategy at least as it concerns the Rainy River District and Northwestern Ontario;
- b) Seek further understanding of the health of the Black Ash in the Rainy River District and Northwestern Ontario.
- c) Complete a provincial study regarding socio-economic impact on this part of Northwestern Ontario

in consultation with stakeholders BEFORE any policies are passed and enacted upon.

Should you have any questions, please do not hesitate to contact this office.

Regards,



Crystal Gray

CAO/Clerk-Deputy Treasurer

Acting Treasurer

Township of Emo

E: cao@emo.ca

P: (807) 482-2378

cc. Thunder Bay – Superior North MP, Marcus Powlowski
Premier Doug Ford
Kenora-Rainy River MPP, Greg Rickford
Ministry of Agriculture, Food, and Rural Affairs
Ministry of Northern Development, Mines, Natural Resources and Forestry
The Association of Municipalities of Ontario (AMO)
The Federation of Northern Ontario Municipalities (FONOM)
Northwestern Ontario Municipal Association (NOMA)
Rural Ontario Municipal Association (ROMA)
The Federation of Agriculture
Ontario Federation of Agriculture
Office of the Ontario Regional Chief – Chiefs of Ontario
Northwestern Ontario First Nations
Rainy River District Municipal Association (RRDMA)
Rainy River District Clerks & CAO's

Laura Brandt

From: Doug Ford <Premier.Correspondence@ontario.ca>
Sent: August 8, 2023 11:55 AM
To: Laura Brandt
Subject: An email from the Premier of Ontario

Thanks for your letter about council's resolution to support Fort Erie Controls on Airbnb, VRBO and others which affect municipal rentals. I appreciate hearing council's views on the issue.

I note that you've sent a copy of council's resolution to the Honourable Steve Clark, Minister of Municipal Affairs and Housing. I'm sure the minister will also take council's views into consideration.

Thanks again for the information.

Doug Ford
Premier of Ontario

c: The Honourable Steve Clark

This email account is not monitored. Please do not reply directly to this email. For further inquiries, please direct your online message through the Premier's [contact form](#).

This email contains information intended only for the use of the individual named above. If you have received this email in error, we would appreciate it if you could advise us through the Premier's [contact form](#). Thank you.

2023 POA Municipal Partners Distribution

	Population	% of Population	Households	% of Households	Distribution	Q1 Distribution	Q2 Distribution	Q3 Distribution	Q4 Distribution	YTD
Armour	1,459	4.27%	1,087	3.87%	4.07%	\$0.00	\$773.87			\$773.87
Seguin	5,280	15.45%	4,827	17.20%	16.33%	\$0.00	\$3,103.12			\$3,103.12
Carling	1,491	4.36%	1,761	6.28%	5.32%	\$0.00	\$1,011.06			\$1,011.06
Perry	2,650	7.75%	1,710	6.09%	6.92%	\$0.00	\$1,316.05			\$1,316.05
Kearney	974	2.85%	1,195	4.26%	3.55%	\$0.00	\$675.59			\$675.59
Burk's Falls	957	2.80%	523	1.86%	2.33%	\$0.00	\$443.25			\$443.25
South River	1,101	3.22%	510	1.82%	2.52%	\$0.00	\$478.88			\$478.88
Sundridge	938	2.74%	458	1.63%	2.19%	\$0.00	\$415.95			\$415.95
Whitestone	1075	3.15%	1,427	5.09%	4.12%	\$0.00	\$782.26			\$782.26
Joly	293	0.86%	155	0.55%	0.70%	\$0.00	\$133.97			\$133.97
Machar	969	2.84%	875	3.12%	2.98%	\$0.00	\$565.81			\$565.81
McDougall	2,744	8.03%	1,673	5.96%	7.00%	\$0.00	\$1,329.65			\$1,329.65
McKellar	1,419	4.15%	1,515	5.40%	4.78%	\$0.00	\$907.72			\$907.72
McMurrich/Monteith	907	2.65%	735	2.62%	2.64%	\$0.00	\$501.15			\$501.15
Magnetawan	1,753	5.13%	1,717	6.12%	5.62%	\$0.00	\$1,069.01			\$1,069.01
Ryerson	745	2.18%	555	1.98%	2.08%	\$0.00	\$395.14			\$395.14
Strong	1,566	4.58%	953	3.40%	3.99%	\$0.00	\$758.23			\$758.23
The Archipelago	979	2.86%	2,863	10.20%	6.53%	\$0.00	\$1,241.97			\$1,241.97
Parry Sound	6,879	20.13%	3,518	12.54%	16.33%	\$0.00	\$3,104.33			\$3,104.33
Totals	34,179	100%	28,057	100%	100%	\$0.00	\$19,007.00	\$0.00	\$0.00	\$19,007.00

Population & Households Count sourced from 2021 Statistics Canada Records

2023 POA General Ledger - DRAFT YTD

	2023 Draft Budget	2023 Q1	2023 Q2
Revenues			
Provincial Offences Revenues	<u>\$ 825,531.00</u>	<u>\$ 174,841.00</u>	<u>\$ 375,875.00</u>
Expenditures			
Salaries, Benefits & Contracted Services	\$ 276,468.00	\$ 83,417.00	\$ 139,867.00
Office Administration & Facilities	\$ 41,615.00	\$ 3,073.00	\$ 8,253.00
Partner's Administration Charge	\$ 57,766.00	\$ 14,442.00	\$ 28,888.00
Prosecution & Justice of Peace	\$ 135,000.00	\$ 35,974.00	\$ 61,357.00
Interpreter Costs	\$ 10,000.00	\$ 720.00	\$ 900.00
Court related travel & witness fees	\$ 1,500.00	\$ 178.00	\$ 178.00
NCO & A1 Collection Costs	\$ 15,000.00	\$ 977.00	\$ 1,806.00
Amortization of Capital Assets	\$ 1,082.00	\$ -	\$ -
Audit Costs	\$ 4,400.00	\$ 1,100.00	\$ 4,400.00
Certificate of Offence charges	\$ 3,500.00	\$ 422.00	\$ 422.00
POA IT & Software	\$ 15,000.00	\$ 2,165.00	\$ 9,577.00
Provincial Monitoring/Enforcement	\$ 5,700.00	\$ 1,407.00	\$ 2,814.00
Fines & By-Laws to Municipalities	\$ 8,500.00	\$ 2,690.00	\$ 2,915.00
Fines paid to other POA Offices	\$ 20,000.00	\$ 9,504.00	\$ 9,504.00
Transfer to Municipal Partners	\$ 85,000.00	\$ -	\$ -
VFS paid to Province	\$ 90,000.00	\$ 17,891.00	\$ 61,611.00
Fines paid to Province	\$ 55,000.00	\$ -	\$ 24,376.00
	<u>\$ 825,531.00</u>	<u>\$ 173,960.00</u>	<u>\$ 356,868.00</u>
NET DISTRIBUTION		<u>\$ 881.00</u>	<u>\$ 19,007.00</u>

Carried over
to Q2

Ministry of Infrastructure

Infrastructure Programs and Projects
Division

777 Bay Street, 4th Floor, Suite 425
Toronto, Ontario M5G 2E5

Ministère de l'Infrastructure

Division des programmes et des projets
d'infrastructure

777, rue Bay, 4 étage, Suite 425
Toronto (Ontario) M5G 2E5



MEMORANDUM TO: Municipal CAOs

FROM: Jill Vienneau
Assistant Deputy Minister
Infrastructure Program and Projects Division

DATE: August 14, 2023

SUBJECT: Red Tape Reduction for Designated Broadband Projects

I am pleased to write to you today to provide an update on our efforts to expand high-speed internet access across the province.

In Spring 2023, Ontario introduced the *Less Red Tape, Stronger Economy Act, 2023* to help build on the government's efforts to reduce burden for businesses, not-for-profit organizations, municipalities and other provincially regulated entities. The Ministry of Infrastructure would like to highlight two measures related to this initiative:

1. Amendments to the *Building Broadband Faster Act, 2021* (BBFA) to address barriers to timely municipal permit approvals and efficient infrastructure data collection.
2. Updated guidance to broadband stakeholders through a new version of the *Building Broadband Faster in Ontario Guideline*.

BBFA Amendments

The *Less Red Tape, Stronger Economy Act, 2023* (formerly Bill 91) received Royal Assent on June 8, 2023, amending the *Building Broadband Faster Act, 2021* (BBFA) to remove further barriers or delays to designated broadband project construction and to support a streamlined approach to the deployment of high-speed internet infrastructure in the province.

The amendments to the BBFA provided the Minister of Infrastructure with authority to set out certain new regulatory requirements related to infrastructure data collection and conditions for municipal permitting. Effective July 1, 2023, O. Reg. 436/22 Definitions

and Prescribed Provisions under the BBFA was amended, by way of a Minister's amending regulation, to set out the following:

1. **For infrastructure data collection under s. 20.1 of the BBFA:** Upon request from the Minister of Infrastructure, certain persons or entities who own or operate utility infrastructure within 100 metres of a designated broadband project must submit the requested data in the form required by the Minister within 15 business days of receiving the request.
2. **For municipal permitting under s. 10.1 of the BBFA:** Municipalities may not require proponents to execute a legal agreement in advance of providing access to municipal rights-of-way under s. 10.1 of the BBFA. However, municipalities may require internet service providers (ISPs) to agree in writing to take steps to negotiate such agreements in good faith as soon as reasonably possible as a condition for providing access to their rights-of-way.

These changes are intended to advance broadband projects and ensure mechanisms are in place to protect the interests of municipalities. The Ministry of Infrastructure is developing resources to support municipalities with cost recovery related to designated broadband projects and will ensure that appropriate measures are in place to protect data that is shared.

Building Broadband Faster in Ontario Guideline (Version 3.0)

The Ministry of Infrastructure and Infrastructure Ontario has also updated the Building Broadband Faster in Ontario Guideline (Version 3.0). This Guideline was first released in April 2021 with input from municipalities, ministries, and other partners as a tool to expedite the delivery of designated high-speed internet projects. It was updated in August 2022 as well as in August 2023, to reflect new regulatory requirements that came into effect after its original release.

Guideline 3.0 provides additional clarity and best practices for completing work for designated broadband projects in compliance with legislative and regulatory requirements under the BBFA, the *Ontario Underground Infrastructure Notification System Act, 2012* (One Call Act) and the *Ontario Energy Board Act, 1998* (OEBA).

Key updates to the Guideline include:

- Information on new regulatory measures, including those under the BBFA mentioned above in addition to amendments to the OEBA and One Call Act regulations.

- A new process to help resolve disputes between parties and work with sectors to ensure that they comply with the laws and regulations that are helping to build broadband faster.
- Clarity on the Ministry of Transportation's efforts to speed up their permit process for provincially funded broadband projects.
- Additional guidance on cost sharing for using electric infrastructure to build these projects.

To review the updated Guideline, please visit [Building Broadband Faster in Ontario](#).

Support Tools

Infrastructure Ontario has tools in place that will provide assistance to municipalities, proponents of designated broadband projects and other stakeholders related to new requirements under the legislation and the overall implementation of these projects across the province. These include the Technical Assistance Team (TAT) and the use of an online platform called the Broadband One Window (BOW). The TAT plays a key role in supporting permit applications and facilitating resolutions between stakeholders if disputes arise. BOW will help stakeholders work collaboratively to review and approve permitting applications, share data, and provide progress updates on project milestones.

To get in touch with TAT for assistance, you can e-mail TAT@infrastructureontario.ca, or submit a TAT support request through the BOW platform. I also welcome you to contact broadband@ontario.ca if you have general questions about the government's work and wish to speak with a ministry official.

Next Steps

In the coming weeks, the Ministry of Infrastructure will engage the Association of Municipalities of Ontario to co-develop resources intended to support municipalities with timely permit approvals while ensuring they can appropriately control access to their rights-of-way. There is still considerable work underway to bring access to high-speed internet to every community in Ontario by the end of 2025. We appreciate your continued partnership in helping us achieve this important goal.

Ontario Land Tribunal

655 Bay Street, Suite 1500
Toronto ON M5G 1E5
Telephone: (416) 212-6349
Toll Free: 1-866-448-2248
Website: olt.gov.on.ca

**Tribunal ontarien de
l'aménagement du territoire**

655 rue Bay, suite 1500
Toronto ON M5G 1E5
Téléphone: (416) 212-6349
Sans Frais: 1-866-448-2248
Site Web: olt.gov.on.ca



August 15, 2023

Erica Kellogg
4304 Highway 520, P.O. Box 70
Magnetawan, ON L3V 1W5
ekellogg@magnetawan.com

Re: OLT Case Number: OLT-23-000771
Reference Number(s): By-law 2023-19
Municipality/Upper Tier: Municipality of Magnetawan, Parry Sound
District
Subject Property Address: 1680 Lakeside Trail

Appeal(s):
008798 Darryl Cary

The Ontario Land Tribunal (OLT) acknowledges receipt of the above referenced case(s)/appeal(s).

The assigned Tribunal Case Coordinator/Planner is Hannah Nastic. For specific questions about this proceeding, you may contact the Case Coordinator/Planner at +1 (647) 633-1761 or Hannah.Nastic@ontario.ca. When communicating with the Tribunal please quote the Tribunal's case number and your appeal number(s).

A hearing event will be scheduled according to the next available date on the Tribunal's calendar. Parties should be prepared to proceed at any time. For more information on the general conduct of the Tribunal, please see the [OLT Rules of Practice and Procedure](#).

Once hearing event dates are set, adjournments are not granted except where compelling circumstances exist and with the consent of all parties and/or the approval of the Tribunal. Please see [Rule 17](#) of the Rules with respect to adjournments.

We are committed to providing accessible services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible by emailing olt.coordinator@ontario.ca. If you require documents in formats other than conventional print, or if you have specific accommodation needs, please let us know so we can make arrangements in advance.

Pour recevoir des services en français, veuillez communiquer avec la Tribunal au 1-866-448-2248/(416) 212-6349 ou olt.coordinator@ontario.ca.

For general information concerning the Tribunal, visit our website at <https://olt.gov.on.ca> or you may contact the Tribunal's offices at 1-866-448-2248 or local 437-231-1546.

Yours truly,

"Arwin Rahi"

Case Management Administrative Assistant
Ontario Land Tribunal
Arwin.Rahi@ontario.ca

CC:

Edward Veldboom, Solicitor, Russell Christie LLP, via email

Larry Douglas, Solicitor, Larry W. Douglas Barrister – Solicitor, via email

Lanny Dennis, Planner, via email

The Clerk, Municipality of Magnetawan, via email

The Women's Own Resource Centre is thrilled to host
our second series of workshops!

“Rural Community Kitchen Program”



Bring your Apron and Let's Cook Together!

We will be offering **FREE** workshops for people in the community who would like to cook quick & healthy meals together. We will cook together, share ideas and learn new skills in a supportive environment. We will share a meal together and create three “take home meals.” Join us to create delicious, affordable, healthy meals that can be easily replicated at home. The workshop will focus on low-budget cooking, healthy balanced meals, food safety, learning basic cooking skills and of course having fun in the kitchen!

MENU FOR SEPTEMBER WORKSHOP SERIES

1. Hearty Root Vegetable Soup with Homemade Dinner Rolls
2. Crockpot Freezer Dump Meal-Honey Soy Chicken & Vegetables
3. Smoked Sausage & Tortellini Bake with Mushrooms and Spinach
4. Turkey Cranberry Brie Sandwich Melts with Cucumber Tomato Feta Salad

Three different locations to choose from in The Almaguin Highlands

September 12th-250 Clark Powassan located at 250 Clark Street

September 13th-South River Community Centre located at A-1 Lincoln Avenue

September 15th-Magnetawan Community Centre—4304 Hwy # 520

ALL THREE WORKSHOPS WILL RUN FROM 10:00AM-3:00PM

Spaces are limited. To register, please contact us at 705-386-9672 or email us at

info@womensownresource.org



Ontario Building Officials Association



THIS IS TO CERTIFY THAT

Tyler Irwin

having fulfilled the requirements for certification
has been registered in accordance with the provisions
of the Ontario Building Officials Association Act as a

Certified Building Code Official (CBCO)

Officiel certifié relativement (or relatif) au code du bâtiment (OCCB)

Large Buildings

Gros Bâtiment

With all its rights, privileges, and responsibilities
In the Province of Ontario

Given under the corporate seal of the Association
This nineteenth day of July 2023

CBCO

REGISTRAR

Member Since February 01, 2008



CBCO

PRESIDENT

Registration No. 15277

THIS CERTIFICATE REMAINS THE PROPERTY OF THE ASSOCIATION AND MUST BE
SURRENDERED WHEN MEMBERSHIP CEASES

The Municipality of Magnetawan presents

DINNER AND A DRIVE-IN MOVIE EVENT

SATURDAY SEPTEMBER 23RD



Location: Gravel parking lot (overflow) beside the Magnetawan
Community Centre



Double Feature: Puss In Boots The Last
Wish and Guardians of the Galaxy 3

**DOUBLE FEATURE STARTS AT DUSK
(AROUND 7:45 PM)**

**The Banger Truck will be available starting at NOON
ONLY 100 TICKETS WILL BE SOLD IN ADVANCE**



**Tickets are \$10 per person. Tickets include admission to the double feature and
\$10 in "Magnetawan Bucks" to be spent at local participating businesses.**

**For more information and to purchase tickets please contact the Municipal
Office at (705) 387-3947 or by email at recreation@magnetawan.com**





ICYMI In Case You Missed It! Council Highlights August 02, 2023



To read the complete minutes, agenda packages and by-laws please visit our website at www.magnetawan.com



Council passed resolution 2023-221 approving the DRAFT Control Noise By-law. The DRAFT Control Noise By-law will be brought back to a future meeting of Council for passing. To view the DRAFT Control Noise By-law in its entirety, visit our Agenda & Minutes page on our website!

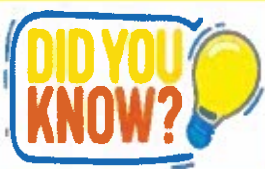
Council passed resolution 2023-208 thanking Mayor Chris Hope and Deputy Mayor John Wilson for their Deputation Village of Burk's Falls Funding Request and authorized a donation of \$2,602.85 for the 2022 AHHC contribution.



Council passed resolution 2023-218 directing Staff to take \$100,000 from the 2022 surplus to be set aside in a dedicated account for the Muskoka Algonquin Health Care Hospital Share Contribution for the Huntsville and Bracebridge Hospital Builds Fund.



Council passed resolution 2023-225, 2023-226, 2023-227, 2023-228 and 2023-229 supporting resolutions passed by the Municipality of Wawa, Municipality of Chatham-Kent, Elgin County, and Fort Erie. To view the resolutions, check out the agenda package posted on our website!



That the Municipality has a Mailing List? Be the first to hear about Municipal News and Events! Join our Mailing List on the bottom of the Homepage under Quick Links. Don't forget to confirm your subscription! (If you do not receive a confirmation email, check your Junk Mail!)

SAVE THE DATE

The next open public meeting of Council is August 23, 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

Council Approval Accounts Payable and Payroll

Meeting Date: Aug. 23/2023

<u>Accounts Payable</u>	<u>Amount</u>
Batch # <u>2023-00105</u> Cheque Date: <u>Aug. 1/23</u> From: <u>24748</u> To: <u>24748</u>	\$ <u>149.88</u>
Batch # <u>2023-00107</u> Cheque Date: <u>Aug. 4/23</u> From: <u>24751</u> To: <u>24751</u>	\$ <u>227,218.80</u>
Batch # <u>2023-00110</u> Cheque Date: <u>Aug. 10/23</u> From: <u>24765</u> To: <u>24765</u>	\$ <u>11,006.44</u>
Batch # <u>2023-00109</u> Cheque Date: <u>Aug. 23/23</u> From: <u>24767</u> To: <u>24806</u>	\$ <u>324,597.93</u>
EFT Batch # <u>2023-00112</u>	\$ <u>6,241.91</u>
<u>Total Accounts Payable</u>	<u>\$ 569,214.96</u>

Cancelled Cheques

<u>Payroll</u> Staff Pay Pay Period: # <u>15</u> Direct deposit and Cheque # to #	\$ <u>55,581.76</u>
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Staff Pay Pay Period: # <u>16</u> Direct deposit and Cheque # to #	\$ <u>54,339.24</u>
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<u>Council Pay</u> Pay Period: # <u>16</u> All Direct deposit	\$ <u>4,653.49</u>
<u>Total Payroll</u>	<u>\$ 114,574.49</u>
<u>Total for Resolution</u>	<u>\$ 683,789.45</u>

Municipality of Magnetawan
List Of Accounts for Approval
Batch: 2023-00105 to 2023-00114

Bank Code - CURR - CURRENT ACCOUNT

COMPUTER CHEQUE

Payment # Invoice #	Date	Vendor Name GL Account	GL Transaction Description	Detail Amount	Payment Amount
24748	2023-08-01	LEWIN STEPHANIE M			
SUNMEATS&DE		1-4-1000-5018 - COUNCIL - DC	STAFF LUNCH	149.88	149.88
24749	2023-08-03	VOID - PAYROLL			
24750	2023-08-03	VOID - PAYROLL			
24751	2023-08-04	MIS Municipal Insurance Services Ltd.			
19689		1-4-1200-2120 - ADMIN - INSUR	MUNICIPAL INSURANCE	40,386.71	
		1-4-3101-4020 - J - INSURANCI	MUNICIPAL INSURANCE	17,419.03	
		1-4-2000-4020 - FD - INSURAN	MUNICIPAL INSURANCE	9,417.13	
		1-4-7200-4020 - PARKS - INSU	MUNICIPAL INSURANCE	7,225.19	
		1-4-7600-4020 - HERITAGE - IN	MUNICIPAL INSURANCE	739.15	
		1-4-5010-4020 - CEM - INSURA	MUNICIPAL INSURANCE	336.76	
		1-1-1100-1010 - A/R-MAGNETA	MUNICIPAL INSURANCE	1,599.90	
		1-1-1100-1182 - AMOUNT REC	MUNICIPAL INSURANCE	4,311.08	
		1-4-7300-4020 - HALL - INSUR/	MUNICIPAL INSURANCE	5,952.84	
		1-4-7700-4020 - AHMIC - INSUF	MUNICIPAL INSURANCE	797.05	
		1-4-6300-4020 - CHURCH ST -	MUNICIPAL INSURANCE	410.73	
		1-4-4020-4020 - LF - INSURAN	MUNICIPAL INSURANCE	2,072.92	
		1-4-4030-4020 - RECY - INSUR	MUNICIPAL INSURANCE	2,072.92	
		1-1-1400-1250 - PREPAID EXP	MUNICIPAL INSURANCE	121,438.06	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	539.99	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	12,499.34	227,218.80
24752	2023-08-11	VOID - PAYROLL			
24753	2023-08-11	VOID - PAYROLL			
24754	2023-08-11	VOID - PAYROLL			
24755	2023-08-11	VOID - PAYROLL			
24756	2023-08-11	VOID - PAYROLL			
24757	2023-08-11	VOID - PAYROLL			
24758	2023-08-11	VOID - PAYROLL			
24759	2023-08-11	VOID - PAYROLL			
24760	2023-08-11	VOID - PAYROLL			

**Municipality of Magnetawan
List Of Accounts for Approval
Batch: 2023-00105 to 2023-00114**

COMPUTER CHEQUE

Payment # Invoice #	Date	Vendor Name GL Account	GL Transaction Description	Detail Amount	Payment Amount
24761	2023-08-11	VOID - PAYROLL			
24762	2023-08-11	VOID - PAYROLL			
24763	2023-08-11	VOID - PAYROLL			
24764	2023-08-11	VOID - PAYROLL			
24765 01-139916	2023-08-10	ARNSTEIN LAWN AND GARDEN COMPANY INC. 1-4-7200-8000 - PARKS - CAPI 1-1-1100-1102 - HST RECEIVA	ARIENS PRO TURN MOWI HSTBIReb Tax Code	9,434.22 1,572.22	11,006.44
24766	2023-08-16	VOID - PAYROLL			
24767 164247	2023-08-23	ADAMS BROS. CONSTRUCTION LTD. 1-4-4020-2020 - LF - LATRINE I 1-4-4030-2015 - RECY - LATRII 1-1-1100-1102 - HST RECEIVA	LF TOILET RENTAL-AUGU LF TOILET RENTAL-AUGU HSTBIReb Tax Code	152.64 152.64 33.72	339.00
24768 24063	2023-08-23	ABC OVERHEAD GARAGE DOORS 1-4-2005-7140 - MAG STATION 1-1-1100-1102 - HST RECEIVA	81 ALBERT ST. - DOOR RI HSTBIReb Tax Code	198.43 21.92	220.35
24769 4213	2023-08-23	AGRICULTURE FORESTRY CONSTRUCTION INC 1-4-3211-2070 - GR - REPAIRS 1-1-1100-1102 - HST RECEIVA	EMERGENCY GRADER RE HSTBIReb Tax Code	1,754.45 193.78	1,948.23
24770 0	2023-08-23	AUDIO CINE FILMS INC. 1-4-2600-2015 - REC - EVENTS 1-1-1100-1102 - HST RECEIVA	DRIVE IN EVENT- SEPT.21 HSTBIReb Tax Code	814.08 89.92	904.00
24771 RB0532113CR 282527	2023-08-23	TOROMONT CAT 1-4-3022-3030 - B2- RENTED E 1-1-1100-1102 - HST RECEIVA 1-4-3022-3030 - B2- RENTED E	PAYMENT CREDIT HSTBIReb Tax Code BRUSHING & TREE TRIMM	-2,493.89 -275.46 7,714.00	-2,769.35 7,714.00
				Payment Total:	4,944.65
24772 0096042444	2023-08-23	BELL MOBILITY INC 1-4-2000-2053 - FD - COMMUN 1-4-3101-2053 - J - COMMUNIC 1-1-1100-1102 - HST RECEIVA	TOWER RENTAL TOWER RENTAL HSTBIReb Tax Code	59.89 59.88 13.23	133.00
24773 20230184	2023-08-23	BRENDAR ENVIRONMENTAL INC 1-4-4030-4018 - RECY - HOUSI 1-1-1100-1102 - HST RECEIVA	HOUSEHOLD HAZARDOU HSTBIReb Tax Code	13,934.32 1,539.12	15,473.44
24774 9849 9808 9819	2023-08-23	CARR AGGREGATES INC 1-4-3041-2010 - D1 - MATERIAI 1-1-1100-1102 - HST RECEIVA 1-4-3036-2010 - C6 - MATERIAI 1-1-1100-1102 - HST RECEIVA 1-4-3036-2010 - C6 - MATERIAI	GRAVEL PATCHING-AHMI HSTBIReb Tax Code GRAVEL PATCHING-WAS HSTBIReb Tax Code GRAVEL PATCHING-WAS	939.87 102.55 654.19 71.38 211.83	1,042.42 725.57

**Municipality of Magnetawan
List Of Accounts for Approval
Batch: 2023-00105 to 2023-00114**

COMPUTER CHEQUE

Payment # Invoice #	Date	Vendor Name GL Account	GL Transaction Description	Detail Amount	Payment Amount
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	23.11	234.94
				Payment Total:	2,002.93
24775	2023-08-23	C-MAX FIRE SOLUTIONS			
93087		1-4-2000-7134 - FD - EQUIPME	PUMP & LADDER TESTIN	1,910.04	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	210.97	2,121.01
24776	2023-08-23	COMWAVE			
318609		1-4-1200-2050 - ADMIN - TELEI	VOIP LINES	64.48	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	7.12	71.60
24777	2023-08-23	DISTRICT OF PARRY SOUND SOCIAL SERVICES			
3RD QTR 2023		1-4-6200-2710 - SOCIAL - DSS	3RD QTR 2023 LEVY	79,126.38	79,126.38
24778	2023-08-23	CINDY LEGGETT			
JULY2023		1-4-2600-2400 - REC - RECRE/	JULY 2023 AQUAFIT,CARC	1,600.00	1,600.00
24779	2023-08-23	DUNCOR ENTERPRISES INC.			
2023493		1-4-3034-8000 - C4 - CAPITAL I	ROAD REPAIR-AHMIC LA	90,235.95	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	9,966.90	100,202.85
24780	2023-08-23	Sam Dunnett			
20230802		1-4-1000-2010 - COUNCIL - MA	REIMBURSEMENT-CAPB	42.86	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	4.74	47.60
24781	2023-08-23	ENVIRONMENTAL 360 SOLUTIONS LTD.			
L-208863		1-4-7100-2400 - WHARFS - RE	S SPARKS ST. TOILET RE	167.90	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	18.55	186.45
L-208864		1-4-7200-2010 - PARKS - MATE	6527 HWY 124 TOILET RE	167.90	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	18.55	186.45
L-208943		1-4-3700-2010 - PARKING - MA	TOILET RENTAL-PARKS	167.90	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	18.55	186.45
L-208862		1-4-7500-2010 - LOCKS - MATE	LOCKS & WHARFS TOILE	165.00	
		1-4-7100-2400 - WHARFS - RE	LOCKS & WHARFS 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
				Payment Total:	932.25
24782	2023-08-23	FASKEN MARTINEAU DUMOULIN LLP			
1870332		1-4-1000-1011 - COUNCIL - INT	INTEGRITY COMMISSION	244.22	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	26.98	271.20
24783	2023-08-23	FOWLER CONSTRUCTION COMPANY			
71060		1-4-3031-2010 - C1 - MATERIAL	COLD MIX PATCHING	11,174.84	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	1,234.30	12,409.14
70787		1-4-3031-2010 - C1 - MATERIAL	COLD MIX PATCHING	1,740.62	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	192.26	1,932.88
				Payment Total:	14,342.02
24784	2023-08-23	LAKELAND ENERGY LTD			
LE034077		1-4-3800-5012 - STREET - MAC	POLE #7312 STREELIGHT	384.39	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	42.46	426.85
24785	2023-08-23	BRANDT LAURA			
20230808		1-4-2600-2015 - REC - EVENTS	MILEAGE REIMBURSEMEI	22.11	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	2.44	24.55

**Municipality of Magnetawan
List Of Accounts for Approval**
Batch: 2023-00105 to 2023-00114

COMPUTER CHEQUE

Payment # Invoice #	Date	Vendor Name GL Account	GL Transaction Description	Detail Amount	Payment Amount
24786	2023-08-23	MAGNETAWAN BUILDING CENTRE (PARKS)			
101-124835		1-4-7200-2400 - PARKS - REPA	SUPPLIES	17.76	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	1.96	19.72
101-124768		1-4-7200-2010 - PARKS - MATE	SUPPLIES	18.58	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	2.05	20.63
101-124684		1-4-5010-2400 - CEM - REPAIR	SUPPLIES	51.26	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	5.66	56.92
101-123702		1-4-7200-2010 - PARKS - MATE	SUPPLIES	10.06	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	1.12	11.18
101-123341		1-4-7200-2400 - PARKS - REPA	SUPPLIES	50.87	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	5.62	56.49
101-123826		1-4-7200-2010 - PARKS - MATE	SUPPLIES	41.20	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	4.55	45.75
101-123763		1-4-7300-2010 - HALL - MATER	SUPPLIES	4.49	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	0.58	5.07
101-121914		1-4-7700-2400 - AHMIC - REPA	SUPPLIES	26.99	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	3.51	30.50
103-111017		1-4-7200-2400 - PARKS - REPA	SUPPLIES	-2.14	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	-0.23	-2.37
101-112675		1-4-7300-2010 - HALL - MATER	SUPPLIES	100.68	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	13.09	113.77
103-116005		1-4-7200-2400 - PARKS - REPA	SUPPLIES	6.76	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	0.74	7.50
101-123986		1-4-7200-2012 - PARKS - FLOV	SUPPLIES	11.90	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	1.31	13.21
101-112676		1-4-7200-2400 - PARKS - REPA	SUPPLIES	11.90	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	1.31	13.21
			Payment Total:		<u>391.58</u>
24787	2023-08-23	MAGNETAWAN BUILDING CENTRE (ROADS)			
101-123368		1-4-3101-2010 - J - MATERIALE	SUPPLIES	36.60	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	4.05	40.65
101-123458		1-4-3101-2120 - J - OFFICE	SUPPLIES	32.45	32.45
103-115526		1-4-3101-2010 - J - MATERIALE	SUPPLIES	59.47	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	6.57	66.04
101-123739		1-4-3101-2400 - J - BUILDING M	SUPPLIES	176.69	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	19.51	196.20
101-123371		1-4-1000-5018 - COUNCIL - DO	SUPPLIES	36.62	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	4.05	40.67
104-92763		1-4-3101-2400 - J - BUILDING M	SUPPLIES	30.52	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	3.37	33.89
			Payment Total:		<u>409.90</u>
24788	2023-08-23	MAGNETAWAN BUILDING CENTRE (FIRE DEPT.)			
103-116311		1-4-2000-2012 - FD- PREVENT	SUPPLIES	51.84	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	5.72	57.56
24789	2023-08-23	MAGNETAWAN BUILDING CENTRE (LANDFILL)			
104-93097		1-4-4020-2400 - LF - REPAIRS	SUPPLIES	15.25	
		1-4-4030-2400 - RECY - REPAI	SUPPLIES	15.26	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	3.37	33.88
102-44805		1-4-4020-2120 - LF - OFFICE	SUPPLIES	24.35	

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101-123891		1-4-4030-2120 - RECY - OFFIC	SUPPLIES	24.35	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	1.81	50.51
		1-4-4020-2120 - LF - OFFICE	SUPPLIES	6.49	
		1-4-4030-2120 - RECY - OFFIC	SUPPLIES	6.49	12.98
				Payment Total:	97.37
24790	2023-08-23	MINISTER OF FINANCE			
3017012310500		1-4-2500-2010 - PROTECT - PC	2023 ANNUAL POLICING E	439.03	439.03
3025072309591		1-4-2500-2010 - PROTECT - PC	JUNE OPP LSR BILLING	39,043.00	39,043.00
				Payment Total:	39,482.03
24791	2023-08-23	JIM MOORE PETROLEUM			
627379		1-4-3101-2022 - J - CLEAR DIE	CLEAR DIESEL	815.90	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	90.12	906.02
627380		1-4-3101-2021 - J - PREMIUM C	PREMIUM GASOLINE	1,186.30	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	131.03	1,317.33
626907		1-4-3101-2023 - J - DYED DIES	DYED DIESEL	1,011.65	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	111.74	1,123.39
626906		1-4-3101-2022 - J - CLEAR DIE	CLEAR DIESEL	1,285.96	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	142.04	1,428.00
627026		1-4-3101-2021 - J - PREMIUM C	PREMIUM GASOLINE	340.10	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	37.57	377.67
626528		1-4-3101-2021 - J - PREMIUM C	PREMIUM GASOLINE	585.66	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	64.69	650.35
626527		1-4-3101-2023 - J - DYED DIES	DYE DIESEL	900.55	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	99.47	1,000.02
626526		1-4-3101-2022 - J - CLEAR DIE	CLEAR DIESEL	1,735.78	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	191.73	1,927.51
626539		1-4-3101-2023 - J - DYED DIES	DYED DIESEL	763.70	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	84.35	848.05
				Payment Total:	9,578.34
24792	2023-08-23	MHBC PLANNING LIMITED			
5030721		1-1-1100-1170 - A/R - PLANNIN	PRE-CON-GOODJOHN, 13	501.68	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	55.41	557.09
5030722		1-1-1100-1170 - A/R - PLANNIN	SPADAFORA - PRE-CON	492.52	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	54.40	546.92
5030719		1-1-1100-1135 - A/R - ZWIERSK	ZWIERSCHKE-CONSENT	2,336.41	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	258.07	2,594.48
5030720		1-1-1100-2020 - A/R - AHMIC L	AHMIC LAKE ENTERPRISI	490.48	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	54.18	544.66
5030717		1-1-1100-1139 - A/R - KLAHANI	CAMP KLAHANIE-ZONING	1,174.31	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	129.71	1,304.02
				Payment Total:	5,547.17
24793	2023-08-23	NORTH BAY PARRY SOUND DISTRICT HEALTH			
SEPT.2023		1-4-6400-2010 - HEALTH - HEA	SEPTEMBER 2023 LEVY	3,874.51	3,874.51
24794	2023-08-23	Hydro One Networks			
3087-JULY2023		1-4-3800-5016 - STREET - ROC	00 HWY 124 AHMIC HARB	50.74	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	5.63	56.37
5146-JULY/2023		1-4-2000-2029 - FD - HYDRO -	226 SIDERD 15 16 N	30.93	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	3.80	34.73
0309-JULY2023		1-4-7200-2030 - PARKS - HYDF	18 MILLER RD. TWSP	150.45	

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		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	18.47	168.92
6780	JULY2023	1-4-7205-2030 - P - HYDRO	6527 HWY 124	32.46	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	3.99	36.45
2621	JULY2023	1-4-2006-2030 - AHMIC STATIC	60 AHMIC ST.	48.70	
		1-4-7700-2030 - AHMIC - HYDR	60 AHMIC ST.	95.51	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	13.82	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	5.97	164.00
8809	JULY2023	1-4-3101-2030 - J - HYDRO	18 MILLER RD. NEW GAR.	476.99	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	58.71	535.70
			Payment Total:		996.17
24795	2023-08-23	WASTE CONNECTIONS OF CANADA INC.			
7113-00003331		1-4-4010-4010 - GARBAGE - C	GARBAGE COLLECTION--	1,925.72	
		1-4-4030-4012 - RECY - RECY	GARBAGE COLLECTION--	2,411.80	
		1-4-4020-4022 - LF - MATTRES	GARBAGE COLLECTION--	12,599.66	
		1-4-4030-4014 - RECY - RECY	GARBAGE COLLECTION--	8,249.02	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	2,781.91	27,968.11
24796	2023-08-23	KOOY RYAN J			
DZ LICENSE		1-4-2000-1410 - FD - VOLUNTE	DZ LICENSE REIMBURSEI	23.75	23.75
24797	2023-08-23	SDB TRUCK & EQUIPMENT REPAIRS			
12973		1-4-3222-2070 - TR22 - REPAIF	TRUCK #22 MONTHLY INS	152.64	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	16.86	169.50
12972		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
12971		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
12970		1-4-3227-2070 - TR27 - REPAIF	TRUCK #27 REPAIRS	412.13	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	45.52	457.65
12982		1-4-7218-2070 - TR12 - REPAIF	TRUCK #12 MONTHLY INS	86.50	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	9.55	96.05
12989		1-4-3227-2070 - TR27 - REPAIF	TRUCK #27 REPAIRS	142.46	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	15.74	158.20
12983		1-4-3226-2070 - TR26 - REPAIF	TRUCK #26 MONTHLY INS	305.28	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	33.72	339.00
			Payment Total:		1,559.40
24798	2023-08-23	SLING-CHOKER MFG. (NORTH BAY) LTD.			
100981		1-4-3240-2070 - FL - REPAIRS	ROADS-FLOAT REPAIR	569.12	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	62.87	631.99
24799	2023-08-23	STAPLES BUSINESS ADVANTAGE			
63767947		1-4-3101-2010 - J - MATERIALS	OFFICE SUPPLIES	12.20	
		1-4-1200-2010 - ADMIN - OFFIC	OFFICE SUPPLIES	99.55	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	12.35	124.10
63727610		1-4-7200-2010 - PARKS - MATE	OFFICE SUPPLIES	5.07	
		1-4-1200-2010 - ADMIN - OFFIC	OFFICE SUPPLIES	145.69	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	16.65	167.41
EW85043063		1-4-1200-2010 - ADMIN - OFFIC	OFFICE SUPPLIES	6.31	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	0.69	7.00
			Payment Total:		298.51
24800	2023-08-23	SPECTRUM TELECOM GROUP LTD			

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C1288036			1-4-3101-2053 - J - COMMUNIC	TOWER RENTAL-PW & FC	203.52	
			1-4-3101-2053 - J - COMMUNIC	TOWER RENTAL-PW & FC	203.52	
			1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	44.96	452.00
24801	2023-08-23	SELECTCOM				
0005158763			1-4-1200-2050 - ADMIN - TELE	PHONE LINES	687.37	
			1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	75.96	763.33
24802	2023-08-23	SIGNCRAFT CANADA INC.				
2307			1-4-7300-2400 - HALL - REPAIF	BOAT RAMP SIGNS - PAR	140.00	
			1-4-7200-2010 - PARKS - MATE	BOAT RAMP SIGNS - PAR	106.85	
			1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	18.20	
			1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	11.80	276.85
2308			1-4-2500-2030 - PROTECT - 91	REFLECTIVE CIVIC NUMB	231.51	
			1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	25.57	257.08
				Payment Total:		533.93
24803	2023-08-23	TRACKMATICS INC				
41041			1-4-2110-2045 - CBO VEHICLE	CBO-MONTHLY GPS MON	35.62	
			1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	3.93	39.55
41024			1-4-7200-2045 - PARKS - GPS I	PARKS-MONTHLY GPS M	106.85	
			1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	11.80	118.65
41073			1-4-3101-2045 - J - GPS MONIT	ROADS - GPS MONTHLY M	487.43	
			1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	53.84	541.27
				Payment Total:		699.47
24804	2023-08-23	UNITED RENTALS OF CANADA INC.				
221233848-002			1-4-3045-3015 - D5 - EQUIPME	EQUIPMENT RENTAL-GR/	4,940.97	
			1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	545.75	5,486.72
24805	2023-08-23	R.C. WEIDMARK SERVICES				
8478			1-4-3101-2010 - J - MATERIALS	ROADS MATERIALS	82.69	
			1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	9.14	91.83
24806	2023-08-23	XEROX CANADA LTD				
85738101			1-4-1200-2140 - ADMIN - COPY	JULY 2023 COPYING EXPI	470.40	
			1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	51.95	522.35
				Total COMPUTER CHEQUE:		562,973.05

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AUG. 9/23	2023-08-09	ROYAL BANK VISA EFT				
SERVICECHAR			1-4-1300-2310 - TREAS - BANK	SERVICE CHARGE	14.24	14.24
12901097			1-4-7300-2400 - HALL - REPAIF	SPRAY VALVE HANDLE-H	68.32	
			1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	8.88	77.20
				Payment Total:		91.44
AUG. 9/23	2023-08-09	ROYAL BANK VISA EFT				
5541514			1-4-8010-2210 - PLN - LEGAL F	PROPERTY INDEX MAP	5.09	
			1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	0.56	5.65
C1287167			1-4-3101-2120 - J - OFFICE	PUBLIC WORKS INTERNE	101.71	
			1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	11.23	112.94
169507445			1-4-3101-1310 - J - CONFEREN	RC - TRAFFIC CONTROL	50.83	

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		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	5.61	56.44
169493732*		1-4-3101-1310 - J - CONFEREN	KN TRAINING-TRAFFIC C	50.83	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	5.61	56.44
169509826		1-4-3101-1310 - J - CONFEREN	MM TRAINING - TRAFFIC	50.83	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	5.61	56.44
22830		1-4-1200-2135 - ADMIN - WEB	JULY 2023 WEBSITE	91.58	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	10.12	101.70
350912124		1-4-1000-1310 - COUNCIL - CO	JULY29-AUG.28/23	26.46	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	2.92	29.38
6199422		1-4-3101-2010 - J - MATERIA	PUBLIC WORKS-PHONE C	24.95	24.95
3378610		1-4-7600-2010 - HERITAGE - R	HERITAGE CENTRE REPA	27.53	27.53
47404698		1-4-2600-2400 - REC - RECRE	KEY LOCK-RECREATION	42.72	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	4.72	47.44
7457051		1-4-3101-2010 - J - MATERIA	LANDFILL SUPPLIES	14.02	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	1.55	15.57
0415465		1-4-3101-2010 - J - MATERIA	PUBLIC WORKS CALCUL	11.18	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	1.24	12.42
1941024		1-4-2600-2400 - REC - RECRE	BICYCLE PUMP VALVE	13.41	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	1.48	14.89
0315416		1-4-2600-2400 - REC - RECRE	WHITE ACRYLIC PAINT-RI	17.29	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	1.91	19.20
72283		1-4-1200-1310 - ADMIN - CONF	LB DEPUTY CLERK-LAW /	1,567.11	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	173.09	1,740.20
15434967		1-4-1200-2010 - ADMIN - OFFIC	PSYCHOMETRICS	35.49	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	3.92	39.41
15434671		1-4-1200-2010 - ADMIN - OFFIC	PSYCHOMETRICS	35.49	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	3.92	39.41
1778627		1-4-2600-2400 - REC - RECRE	FOLDING WAGON-RECRE	82.17	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	9.08	91.25
64201352		1-4-2600-2010 - REC - MATERI	ARCHERY	14.66	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	1.62	16.28
350106192		1-4-1000-1310 - COUNCIL - CO	WEBEXJUNE29-JULY28	26.46	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	2.92	29.38
27371856		1-4-2600-2400 - REC - RECRE	BIKE KEY LOCK-RECREA	42.72	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	4.72	47.44
5544654		1-4-8010-2210 - PLN - LEGAL F	PROPERTY INDEX MAP	5.09	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	0.56	5.65
20230705		1-4-8010-2210 - PLN - LEGAL F	PROPERTY INDEX MAP	5.09	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	0.56	5.65
WFYMUSXEJ2		1-4-2600-2300 - REC - ADVERT	CAMPAIGN -REC ADVERT	9.31	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	1.03	10.34
20230704		1-4-1300-2310 - TREAS - BANK	SERVICE CHARGE	20.46	20.46
72807		1-4-1300-1310 - TREAS - CONF	EK-MAFP UNIT 1	391.78	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	43.27	435.05
15435292		1-4-1200-1310 - ADMIN - CONF	PSYCHOMETRICS	35.49	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	3.92	39.41
3162634		1-4-7600-2010 - HERITAGE - R	HERITAGE CENTRE SHEL	69.66	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	7.69	77.35
213001		1-4-1000-5018 - COUNCIL - DC	STAFF LUNCH	87.99	87.99
5499757		1-4-8010-2210 - PLN - LEGAL F	PROPERTY MAP INDEX	5.09	

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		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	0.56	5.65
5509399		1-4-8010-2210 - PLN - LEGAL F	PARCEL REGISTER	32.60	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	2.59	35.19
31552		1-4-8010-5014 - PLN - GENERA	EK COMMISIONER STAMF	37.86	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	4.18	42.04
439071886		1-4-7700-8000 - AHMIC - CAPI	AHMIC HARBOUR COFFE	337.27	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	43.85	381.12
5509410		1-4-8010-2210 - PLN - LEGAL F	INSTRUMENT	3.05	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	0.34	3.39
5509437		1-4-8010-2210 - PLN - LEGAL F	INSTRUMENT	3.05	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	0.34	3.39
5509499		1-4-8010-2210 - PLN - LEGAL F	INSTRUMENT	3.05	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	0.34	3.39
5510539		1-4-8010-2210 - PLN - LEGAL F	2 PLANS	30.35	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	2.25	32.60
5527562		1-4-8010-2210 - PLN - LEGAL F	PROPERTY INDEX MAP	5.09	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	0.56	5.65
5541533		1-4-8010-2210 - PLN - LEGAL F	PARCEL REGISTER	32.60	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	2.59	35.19
				Payment Total:	635.60
AUG. 9/23	2023-08-09	ROYAL BANK VISA EFT			
CA31P8ZGQAC		1-4-7200-2010 - PARKS - MATE	URINAL BLOCKS	50.32	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	5.56	55.88
				Total ONLINE BANKING:	3,961.19

AUTOMATIC WITHDRAWAL

Payment # Invoice #	Date	Vendor Name GL Account	GL Transaction Description	Detail Amount	Payment Amount
AUG. 9/23	2023-08-09	LAKELAND POWER - EFT			
072693JULY202		1-4-7600-2030 - HERITAGE - H	HERITAGE CENTRE	70.83	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	8.84	79.67
076598JULY202		1-4-7200-2030 - PARKS - HYDF	PUBLIC UTILITY BUILDINC	42.20	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	5.27	47.47
073239JULY202		1-4-3800-5012 - STREET - MAC	MAGNETAWAN STREET L	642.06	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	80.13	722.19
077271JULY202		1-4-3800-5012 - STREET - MAC	VILLAGE STREET LIGHTIP	82.93	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	10.35	93.28
076283JULY202		1-4-7200-2030 - PARKS - HYDF	4135 HWY 520 PARK	97.93	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	12.23	110.16
073252JULY202		1-4-7300-2030 - HALL - HYDRC	4304 HWY 520	954.89	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	140.58	1,095.47
072642JULY202		1-4-2005-2030 - MAG STATION	81 ALBERT ST	117.78	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	14.70	132.48
				Payment Total:	2,280.72
				Total AUTOMATIC WITHDRAWAL:	2,280.72

Total CURR: 569,214.96

Date Printed
2023-08-16 9:54 AM

Municipality of Magnetawan
List Of Accounts for Approval
Batch: 2023-00105 to 2023-00114

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Certified August 23, 2023

Mayor

Treasurer

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

BY-LAW NO. 2023-

Being a By-law to Control Noise

WHEREAS pursuant to Section 11 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, a municipality may regulate matters involving health, safety and well-being of others;

AND WHEREAS pursuant to Section 129 of the *Act*, a local municipality may prohibit and regulate with respect to noise;

AND WHEREAS pursuant to Section 425 of the *Act*, a municipality may pass By-laws providing that a person who contravenes a By-law of the Municipality passed under this *Act* is guilty of an offence;

AND WHEREAS pursuant to Section 426 of the *Act*, no person shall hinder or obstruct, or attempt to hinder or obstruct any person who is exercising a power or performing a duty under a By-law passed under this *Act*;

AND WHEREAS pursuant to Section 429 of the *Act*, a municipality may establish a system of fines for offences under a By-law of the Municipality passed under this *Act*;

AND WHEREAS pursuant to Section 436 of the *Act*, a Municipality has the power to pass By-laws providing that the Municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether a By-law of the Municipality passed under the *Act* is being complied with;

AND WHEREAS noise is recognized as a form of pollution under the *Environmental Protection Act, R.S.O. 1990, CHAPTER E-19*;

AND WHEREAS the Municipality of Magnetawan deems it necessary and expedient to regulate or prohibit noise within the Municipality which is likely to disturb the inhabitant and become a public nuisance;

NOW THEREFORE the Council of the Corporation of the Municipality of Magnetawan enacts as follows:

1.0 THAT this By-law may be cited as "The Noise By-law"

2.0 GENERAL PROHIBITIONS

2.1 No person within the Municipality of Magnetawan shall make, create, cause, or permit to be made any sound or noise which reasonably would cause a nuisance or to disturb other person(s).

2.2 Without limiting the generality of the foregoing, the noise or sound created by the use or operation of maintenance equipment, chainsaws, power tools or any other noise generating

domestic tool or device is prohibited after 11:00 p.m. of any day or before 7:00 a.m. of the following day.

3.0 GENERAL EXEMPTIONS

- 3.1 The following sounds and noises are exempt from the By-law, and shall not constitute a contravention of this By-law:
- a. sound arising from normal farm practices as defined by the *Farming and Food Production Protection Act, 1998, S.O. 1998 c.1.*
 - b. sound arising from construction undertaken in accordance with a valid building permit.
 - c. Emergency vehicles of the Police or Fire Department of the Municipality, or any ambulance, public service, municipal operation, road service vehicle, private or public utility vehicle while responding to an emergency or carrying out their duties for the purpose of public health and safety.
 - d. sound arising from non-motorized sporting and equestrian events.
 - e. sound arising from fireworks only on these specific days: Victoria Day, Memorial Day, Canada Day, Independence Day, Civic Holiday, and Labour Day before 11:59 p.m.
 - f. aircraft, airports, trains, and railways subject to regulation by the Government of Canada.
 - g. audible pedestrian signals.
 - h. any sound arising from Municipally run events.
 - i. any sound for which the Municipality has granted an exemption from this By-law pursuant to Section 4.

4.0 EXEMPTION APPLICATION PROCESS

- 4.1 Written applications to Council must be made on the prescribed form along with any applicable fees as per the Current Fees and Charges By-law, Sixty (60) days prior to the proposed sound being made. The prescribed form will include site plans, suitable onsite parking (if required), duration of the noise and/or event, number of attendees, and any other information that the Municipality requires. The application will form part of the Public Agenda Package for review by Council.
- 4.2 The Municipality of Magnetawan may provide exemptions to this By-law, by motion, for the purposes of Section 3(i), having regard to such matters as Council may deem appropriate, including but not limited to the frequency of exemption requests, the character of the particular part of the Municipality for which the request is being made, the proposed sound, the zoning of the lands and the proposed methods of control over the kind and level of sound.
- 4.3 At the discretion of Council, the Municipality of Magnetawan may hold a public meeting prior to considering the request for exemption. If Council deems it appropriate to hold a public meeting, notice of the public meeting shall be circulated to all landowners as determined by Council of the perimeter of the lands where the sound in question is proposed to be made.
- 4.4 Any exemption granted by Council shall be provided as a one-time only exemption and shall specify the date(s), time(s), type and level of noise permitted and may include any other Council direction deems appropriate including notification by the Applicant to neighbouring properties as a courtesy.

- 4.5 Where an exemption is granted, any breach of the terms of conditions set by Council renders the exemption null and void and the property owner will be deemed in contravention of this Bylaw and shall be guilty of an offence.

5.0 OFFENCES AND PENALTIES

- 5.1 Every person and/or owner who contravenes any of the provisions of this By-law is guilty of an offence and is subject to set fines and/or administrative monetary penalties.
- 5.2 Every person who violates any provision of this By-law or causes or permits a violation shall be guilty of an offence and may be subject to fees under the Administrative Monetary Penalties By-law and/or fined as per the current Fees and Charges By-law.
- 5.3 Every person and/or owner who is convicted of an offence under this By-law shall be subject to a fine of not more than Five Thousand Dollars (\$5,000) for each offence. Such fines shall be recoverable under the *Provincial Offences Act, R.S.O. 1990, c. P.22*, as amended.
- 5.4 The provisions of this By-law may be enforced pursuant to the provisions of the *Provincial Offences Act, R.S.O. 1990, c. P.33* as amended, and where any provision of this By-law is contravened and a conviction entered, 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*.
- 5.5 Each subsequent contravention that results in a conviction will yield a higher fine (doubling each time) to a maximum of \$5,000 for a person and \$10,000 for every director, officer, or employee of a corporation.
- 5.6 Pursue any other collection mechanisms available to the Municipality pursuant to the Regulations or a 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.
- 5.7 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.

6.0 ENTRY AND INSPECTION

- 6.1 A By-law Enforcement Officer or their designate may at any time enter onto a property to determine whether this By-law is being complied with.
- 6.2 Every Person shall permit a By-law Enforcement Officer to inspect any land for the purpose of determining compliance with this By-law.

7.0 OBSTRUCTION

- 7.1 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person exercising a power or performing a duty under this By-law.
- 7.2 Any person who has been alleged to have contravened any of the provisions of this By-law, shall identify themselves to the By-Law Enforcement Officer and/or designate upon request,

failure to do so shall be deemed to have obstructed or hindered the By-Law Enforcement Officer and/or designate in the execution of their duties.

8.0 MUNICIPALITY NOT LIABLE

8.1 The Municipality assumes no liability for property damage or personal injury resulting from remedial action or remedial work undertaken with respect to any person or property that is subject.

9.0 VALIDITY AND SEVERABILITY

9.1 Should any section, subsection, clause, paragraph, or provision of this bylaw be declared by a Court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity of the enforceability of any other provision of this By-law, or of the By-law as a whole.

10.0 SEPARATE OFFENCE

10.1 For the purpose of this by-law, each event, complaint, or call shall be deemed to be a separate offence.

10.2 Each day an offence occurs is considered a new offence.

11.0 ENFORCEMENT

11.1 Nothing herein shall be deemed to limit the ability of the Ontario Provincial Police to enforce this By-law at any time.

11.2 The By-law Enforcement Officer or their designate will not provide afterhours services and noise complaints that are received after hours will be responded to on the next scheduled business day.

12.0 FORCE AND EFFECT

12.1 This By-law comes into effect on the date of its passing.

12.2 That By-law 2018-31 and any previously conflicting Bylaws are hereby repealed.

READ A FIRST, SECOND, AND THIRD TIME, passed, signed and the Seal of the Corporation affixed hereto, this 23rd day of August 2023.

**THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN**

Mayor

CAO/Clerk



**FEES, FINES, PENALTIES, AND/OR CHARGES SCHEDULE
SCHEDULE "A"
TO BY-LAW 2023-**

Item	Short Word Form Wording	Provision Creating/Defining Offence	Set Fine Within a Twelve (12) Month Period
1	Making, creating, causing, or permitting any sound or noise causing a nuisance.	2.1	First Offence \$500 Second Offence \$750 Third Offence \$1,000
2	Noise or sound created by the use or operation of maintenance equipment after 11:00 pm or before 7:00 am	2.2	First Offence \$500 Second Offence \$750 Third Offence \$1,000

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.

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN
BY-LAW NO. 2023 -**

Being a By-law to amend By-law No. 2001-26, as amended, the Zoning By-law for the Corporation of the Municipality of Magnetawan with respect to lands located at Plan 319 EPT Lot 3 S/S (Village of Magnetawan), also identified as 6 Bay Street, in the Municipality of Magnetawan.

WHEREAS the Council of the Corporation of the Municipality of Magnetawan is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the Planning Act, R.S.O. 1990;

AND WHEREAS the owner of the subject lands has filed an application with the Municipality of Magnetawan to amend By-law 2001-26 as amended;

AND WHEREAS the Council of the Corporation of the Municipality of Magnetawan deems it appropriate to amend By-law No. 2001-26 as amended;

NOW THEREFORE the Council of the Corporation of the Municipality of Magnetawan enacts as follows:

1. Schedule 'A-1' to Zoning By-law No. 2001-26 as amended, is further amended by zoning a portion of the lands described as Plan 319 EPT Lot 3 S/S, also described as 6 Bay Street, Village of Magnetawan in the Municipality of Magnetawan from Village Residential (RV) Zone to the Village Residential Exception (RV-06) Zone as shown on Schedule 'A' attached hereto forming part of this By-law.
2. Furthermore, Zoning By-law No. 2001-26 as amended is hereby further amended by adding the following subsection after Section 4.3.3:
 - 4.3.4 *Notwithstanding the setback requirement from the High Water Mark in Section 3.25, the minimum setback requirement shall be 7.3 meters at the southeast corner of the subject lands and further this minimum shall only apply to structures which existed on the date this By-law was passed.*

This By-law take effect on the date of its passage, subject to the provisions of Section 34 (30) and (31) of the Planning Act (Ontario).

READ A FIRST, SECOND, AND THIRD TIME, passed, signed and the Seal of the Corporation affixed hereto this 23rd day of August 2023.

**THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN**

Sam Dunnett, Mayor

Kerstin Vroom, CAO\Clerk

Schedule 'A' to
Zoning By-law Amendment 2023 –

6 Bay Street
Plan 319 EPT Lot 3 S/S
Village of Magnetawan
Municipality of Magnetawan
District of Parry Sound



This is Schedule 'A' to Zoning By-law
Passed this 23rd day of August 2023

Mayor

CAO/Clerk

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN
BY-LAW NO. 2023 -**

Being a By-law to amend By-law No. 2001-26, as amended, the Zoning By-law for the Corporation of the Municipality of Magnetawan with respect to lands located at Part Lot 20, Concession 8 (Croft), also identified as 121 Trails End Lane, Ahmic Lake, in the Municipality of Magnetawan.

WHEREAS the Council of the Corporation of the Municipality of Magnetawan is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the Planning Act, R.S.O. 1990;

AND WHEREAS the owner of the subject lands has filed an application with the Municipality of Magnetawan to amend By-law 2001-26 as amended;

AND WHEREAS the Council of the Corporation of the Municipality of Magnetawan deems it appropriate to amend By-law No. 2001-26 as amended;

NOW THEREFORE the Council of the Corporation of the Municipality of Magnetawan enacts as follows:

1. Schedule 'A-1' to zoning By-law no. 2001-26 as amended, is further amended by zoning a portion of the lands described as Part Lot 20, Concession 8 (Croft), also described as 121 Trails End Lane, Ahmic Lake, in the Municipality of Magnetawan from the Shoreline Residential Exception -10 Zone (RS-10), to the Shoreline Residential Zone (RS) as shown on Schedule A attached forming part of this By-law.

This By-law take effect on the date of its passage, subject to the provisions of Section 34 (30) and (31) of the Planning Act (Ontario).

READ A FIRST, SECOND, AND THIRD TIME, passed, signed and the Seal of the Corporation affixed hereto this 23rd day of August 2023.

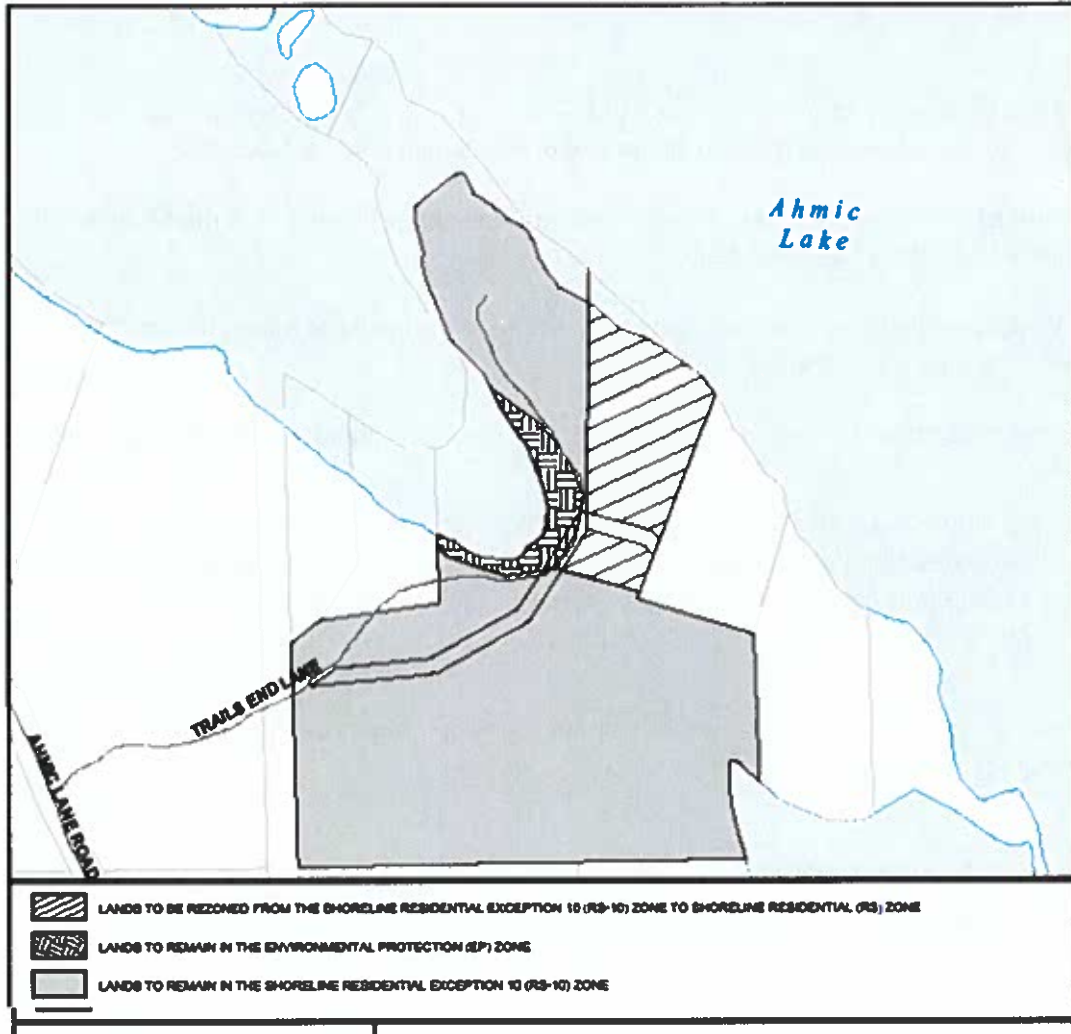
**THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN**

Sam Dunnett, Mayor

Kerstin Vroom, CAO\Clerk

Schedule 'A' to
Zoning By-law Amendment 2023 –

121 Trails End Lane
Part Lot 20, Concession 8
Geographic Township of Croft
Municipality of Magnetawan
District of Parry Sound



SCALE 1:3,500



This is Schedule 'A' to Zoning By-law
Passed this ___ day of ____, 2023

Mayor

CAO/Clerk

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

BY-LAW NO. 2023-

Being a By-law to confirm the proceedings of Council August 23, 2023

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 23rd day of August 2023.

**THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN**

Mayor

CAO/Clerk

Coombes Zoning
on desk - [initials]
August 23/23

Ann Robertson

Post Office Box 121
20 George Street
Magnetawan ON POA 1PO
Canada

August 23, 2023

Attention: Erica Kellogg, Deputy Clerk - Planning & Development

Municipality of Magnetawan
P.O. Box 70
Magnetawan, Ontario POA 1PO
705- 387-3947

RE: File Number: Coombes Zoning By-Law Amendment Section 34

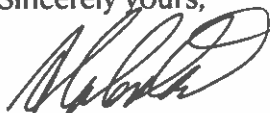
Erica Kellogg, Mayor Hon. Sam Dunnett, Magnetawan Council, others:

It's nice to know that Vida Combes has family that are able to look after her in her own home. However, I do have concerns about this application regarding the trailer.

The current Zoning By-Law 3.32 Trailers and Campers mentions that a travel trailer **"may be located and used on a vacant lot for recreational use"**. The current Municipal Zoning lists George Street as Village Residential which does not include the use of a camper trailer as **second** residence on the same **small** parcel of land. When the first trailer was placed on the property it was necessary for them to cross **Lot 15** in order to install and remove it. At the present time there is no means of removing the current trailer without crossing **Lot 15**. It should also be noted that at one of the open meetings of Planning and Development that **Lot 16** (Vida Coombes property) is designated as ENVIRONMENTALLY PROTECTED.

If the Municipality accepts this application, it will allow all property owners to have 2 homes per lot. Is that what you intend to do?

Sincerely yours,



Ann Robertson