



**AMENDED AGENDA – Regular Meeting of Council**

**Wednesday, September 13, 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 MEETING**

- 8 Minor Variance - Rainey - 4289 Highway 520

**STAFF REPORTS, MOTIONS AND DISCUSSION**

- 20 2.1 DRAFT Magnetawan Daycare Centre Inc. Lease for Ahmic Harbour Community Centre
- 29 ~~2.2 DRAFT License and Regulate the Use of Short Term Accommodation (STA) Properties Bylaw~~
- 101 2.3 Report from Deputy Clerk, Erica Kellogg, Short-Term Accommodation Third Party Monitoring
- 102 2.4 Consent Application - Wiens - CON 1, Part Lot 9 PLAN 42R-10938 Chapman
- 120 2.5 DRAFT Consent Agreement - Green - 121 Trails End Lane
- 129 2.6 Report from Public Works Superintendent, Scott Edwards Recycling at the Municipal Landfills
- 130 2.7 Correspondence & Report from Public Works Superintendent Scott Edwards Magnetawan Watershed Land Trust Parking June 21, 2023
- 142 2.8 District of Parry Sound Municipal Association Fall Meeting 2023
- 2.9 Verbal Update Habitat for Humanity
- 144 2.10 Discussion Highway Closures - Parades, Community Events, Etc.
- 2.11 Discussion Canada Day 2024
- 145 2.12 Request from Magnetawan Community Centre Board Cabinets Community Centre Hallway
- 148 2.13 Art Mural Designs Magnetawan Heritage Museum and Lions' Pavilion
- 152 2.14 Report from Deputy Clerk, Laura Brandt Year End Report Locks and Heritage Museum Centre & Summer Recreational Events

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- 182 4.1 Correspondence from MPP Graydon Smith, Highway 520 Response from MTO
- 183 4.2 Ministry of Municipal Affairs and Housing, Building Faster Fund
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- 186 4.4 OPP MPB Financial Services Unit (OPP) April to June 2023 Detachment Revenues
- 187 4.5 Correspondence from Armour Township Mayor Rod Ward, MAHC Local Share Update
- 189 4.6 Correspondence from Ted McKenna Ahmic Lake Golf Course Rehabilitation

- 190 4.7 Seniors Free Dinner and Learn Event Wednesday October 11th Poster
- 191 4.8 ICYMI Council Highlights August 23, 2023

**ACCOUNTS**

- 192 5.1 Accounts in the amount of \$621,422.20

**BY-LAWS**

- 203 6.1 Deeming By-law Whiteside/Elen - 283 and 289 Holden Road
- 204 6.2 Regulate Dogs By-law
- 215 6.3 Trailer License By-law
- 221 6.4 Consent Agreement - Green - 121 Trails End Lane

**CONFIRMING BY-LAW AND ADJOURNMENT**

- 231 7.1 Confirm the Proceedings of Council and Adjourn



**Municipality of  
Magnetawan**

**COUNCIL MEETING MINUTES**

**August 23, 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  
Councillor Brad Kneller

Staff: CAO/Clerk Kerstin Vroom, Deputy Clerk Recreation and Communications Laura Brandt, Deputy Clerk Planning and Development Erica Kellogg and By-law Enforcement Officer Jason Newman were present for the entire 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 2023-241 Hetherington-Bishop*

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

*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 2023-242 Bishop-Kneller*

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan adopts the minutes of the meetings on August 2, 2023 and the Special Meeting of Council August 9, 2023 as copied and circulated.*

*Carried.*

**PLANNING ACT PUBLIC MEETING**

**Zoning By-law Amendment Application – Tripp – 6 Bay Street**

**Zoning By-law Amendment Application – Coombes – 10 George Street**

**Zoning By-law Amendment Application – Green – 121 Trails End Lane**

**RESOLUTION 2023-243 Hind-Hetherington**

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan recesses the regular meeting to hold a public meeting pursuant to Sections 34 of the Planning Act to consider Zoning By-law Amendment Applications described as:*

- *Part Lot 20, Concession 8 (Croft), also identified as 121 Trails End Lane, Ahmic Lake, in the Municipality of Magnetawan;*
- *Plan 319 Lots 16 pt LOT 15 W/S, Municipally known as 10 George Street, Municipality of Magnetawan.*
- *Plan 319 ET Lots 3 S/S, Municipally known as 6 Bay Street, Municipality of Magnetawan.*

*Carried.*

**RESOLUTION 2023-244 Hetherington-Bishop**

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the report of Erica Kellogg, Deputy Clerk – Planning and Development, and supports the application for Zoning By-law Amendment for: Tripp - 6 Bay Street in the Village of Magnetawan. The By-law on this matter will be passed later in the meeting.*

*Carried.*

**RESOLUTION 2023-245 Kneller-Hetherington**

*WHEREAS the Council of the Municipality of Magnetawan receives and approves the Staff Planning Report from Deputy Clerk Erica Kellogg –Coombes Zoning By-law Amendment for the use of a temporary trailer on the lands known as 10 George Street in the Village of Magnetawan;*

*NOW THEREFORE BE IT RESOLVED THAT Council directs Staff to bring back a Temporary Use By-law with the following conditions:*

- *The temporary period shall not exceed three (3) years ;*
- *An extension requires a new Zoning Bylaw Amendment application;*
- *The all taxes and monies owing to the Municipality are paid to date.*

*Carried.*

**RESOLUTION 2023-246 Bishop-Hind**

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the report of Chris Conti and Kent Randall, Planner Ecovue Consulting Services Inc, and supports the application for Zoning By-law Amendment as part of the consent process for: Green– 121 Trails End Lane (severed portion). The By-law on this matter will be passed later in the meeting.*

*Carried.*

**RESOLUTION 2023-247 Bishop-Hetherington**

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan adjourns the Planning Act public meeting and returns to the regular meeting.*

*Carried.*

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

### **2.1 Revision – Road Exchange Unopened Road Allowance – Part 2 Plan 42R-21766 & Part 3 Plan 42R-21766 – Rescind Motion 2022-198 Crossman**

*RESOLUTION 2023-248 Kneller-Bishop*

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

*AND WHEREAS Mr. Crossman has requested Part 3 and Part 4 on Plan 42R-21766 be merged with Part 3 of Plan 42R-18064 (Roll number 4944 030 004 12500);*

*NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves in principle the exchange of lands listed 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 is a minimum of 66*

*feet in width;*

- That Parts 3 and 4 on Plan 42R-21766 be merged with Part 3 of Plan 42R-18064, and the PIN's be consolidated;*

*AND FURTHER that Resolution 2022-198 be rescinded.*

*Carried.*

### **2.2 Verbal Update Habitat for Humanity**

*RESOLUTION 2023-249 Hetherington-Hind*

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the Verbal Update Habitat for Humanity for information only.*

*Carried.*

### **2.3 Correspondence MADD Message Yearbook Advertising**

*RESOLUTION 2023-250 Hetherington-Bishop*

*WHEREAS the Council of the Municipality of Magnetawan receives the correspondence MADD Message Yearbook Advertising;*

*NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves a business card sized ad for \$299 plus tax.*

*Carried.*

### **2.4 DRAFT Regulate Dogs By-law**

*RESOLUTION 2023-251 Kneller-Bishop*

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the DRAFT Regulate Dogs as amended and directs Staff to increase the fines to \$300 for Provincial Offences Act fines and include a fine value under Administrative Monetary Penalty as well.*

*AND FURTHER, to bring the by-law on this matter to a future meeting for passing.*

*Carried.*

## **2.5 DRAFT Trailer License By-law**

*RESOLUTION 2023-252 Hind-Hetherington*

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

*Carried.*

## **MUNICIPAL BOARD AND COMMITTEE MINUTES**

### **3.1 Muskoka Algonquin Health Care (MAHC) Minutes July 7, 2023**

*RESOLUTION 2023-253 Bishop-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 Township of Emo Black Ash Tree Endangered Species Act**

### **4.2 Correspondence from Premier Doug Ford Controls on Airbnb, VRBO**

### **4.3 2023 POA Municipal Partners Distribution Q2**

### **4.4 Ministry of Infrastructure Red Tape Reduction for Designated Broadband Projects**

### **4.5 Ontario Land Tribunal (OLT) 1680 Lakeside Trail**

### **4.6 Womens Own Resource Centre Rural Community Kitchen Program Poster**

### **4.7 Ontario Building Officials Association Certificate Tyler Irwin**

### **4.8 Dinner and a Drive-in Movie Event Poster**

### **4.9 ICYMI Council Highlights August 2, 2023**

*RESOLUTION 2023-254 Hind-Hetherington*

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

*Carried.*

*RESOLUTION 2023-255 Hetherington-Bishop*

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan endorses and supports item 4.1 Township of Emo Black Ash Tree Endangered Species Act;*

*AND FURTHER THAT this resolution be circulated to local MPs and MPPs, Premier Doug Ford, the Ministry of Agriculture, Food, and Rural Affairs, Ministry of Northern Development, Mines, Natural Resources and Forestry, The Association of Municipalities of Ontario, The Federation of Northern Ontario Municipalities, Northwestern Ontario Municipal Association, Rural Ontario Municipal Association, The federation of Agriculture, Ontario Federation of Agricultural, Office of the Ontario Regional Chief – Chiefs of Ontario, Northwestern Ontario First Nations, Rainy River District Municipal Association and Rainy River District Clerks & CAO's.*

*Carried.*

**ACCOUNTS**

**5.1 Accounts in the amount of \$683,789.45**

*RESOLUTION 2023-256 Hind-Kneller*

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the accounts in the amount of \$683,789.45 as presented.*

*Carried.*

**BY-LAWS**

**6.1 Control Noise By-law**

**6.2 Zoning By-law Amendment Tripp – 6 Bay Street**

**6.3 Zoning By-law Amendment – Green – 121 Trails End Lane**

*RESOLUTION 2023-257 Kneller-Hetherington*

*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 Control Noise By-law*

*6.2 Zoning By-law Amendment – Tripp – 6 Bay Street*

*6.3 Zoning By-law Amendment – Green – 121 Trails End Lane*

*Carried.*

**CONFIRMING BY-LAW AND ADJOURNMENT**

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

*RESOLUTION 2023-258 Kneller-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 1:55 pm to meet again on Wednesday September 13, 2023, at 1:00 pm or at the call of the Chair.*

*Carried.*

Approved by:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

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

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

**WHEREAS** a Minor Variance application from Robert and Ellie Mae Rainey – Plan 319 PT Lot 5 W North Sparks Street and municipality known as 4289 Highway 520, Municipality of Magnetawan (Roll #4944 020 00105400 was received to seek relief from the Municipality of Magnetawan Zoning By-law 2001-26 as amended, Section 4.3.2 iii) for a front yard set back from 6 metres to 2 metres in order to accommodate an accessory deck;

**AND WHEREAS** Council is satisfied the application meets the four tests of a Minor Variance;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Municipality of Magnetawan provisionally approves the Minor Variance with the following conditions:

- The construction and installation be substantially in compliance with the Plans submitted with the Application;
- Prior to construction all required building permits be obtained from the Municipal Chief Building Official.
- Confirmation from the Ministry of Transportation for the proposed structure and/or a copy of a Work Permit issued by the Ministry of Transportation;
- That all taxes and monies owing to the Municipality are paid to date; and
- Decrease the front yard required setback from 6 metres to 2 meters.

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			



 <p><b>Municipality of Magnetawan</b></p>	<h2>STAFF REPORT</h2>
To:	Committee of Adjustment
From:	Erica Kellogg –Deputy Clerk – Planning and Development
Subject Land:	Plan 319 PT Lot 5, W North Sparks Street, 4289 Highway 520
Report Date:	September 13 <sup>th</sup> , 2023

**Recommendation:**

That the Minor Variance Application MV-04-2023, 4289 Highway 520 be approved as requested with the following conditions:

- 1) The construction and installation be substantially in compliance with the Plans submitted with the Application;
- 2) Prior to construction all required building permits be obtained from the Municipal Chief Building Official.
- 3) Confirmation from the Ministry of Transportation for the proposed structure and/or a copy of a Work Permit issued by the Ministry of Transportation;
- 4) That all taxes and monies owing to the Municipality are paid to date; and
- 5) Decrease the front yard required setback from 6 metres to 2 meters.

**Background**

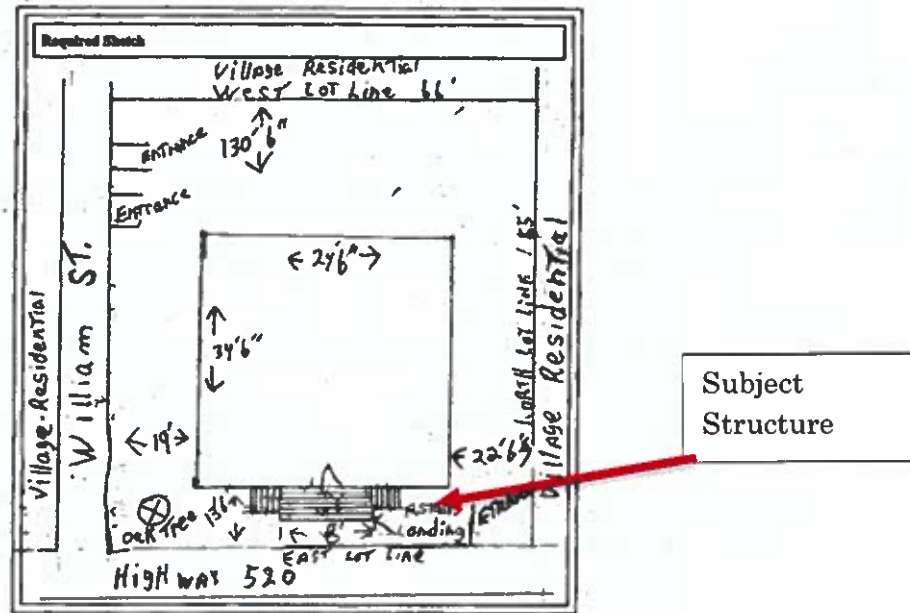
The Applicants, Robert and Ellie Mae Rainey are proposing to construct a 6x8 accessory deck which will be located on the front 4289 Highway 520 to facilitate access to the building. The subject lands are located at Plan 319 PT Lot 5 W North Sparks Street, Municipality known as 4289 Highway 520, Figure #1.

Figure 1



The subject land is a total of 20 meters (66 feet) of frontage and a total lot area of 108,090 square feet (.25 acres) according to Municipal Property Assessment Corporation. The application seeks relief from Section 4.3.2 iii) of the current Zoning By-law to accommodate a deck and stairs which would facilitate access to the subject lands existing structure. The Applicant has included with the application a site plan of the subject property, this is included as Figure #2.

Figure 2



The Subject land consists of one structure with a total of 845 square feet, according to the application. This structure was built in 1913 and is the former Orange Hall. The subject lands are within the Community Boundary in accordance with the Municipality of Mangetawans Land Use Schedule 'A' (Figure #4) and is Zoned Village Residential in accordance with By-law 2001-26 as amended Figure #3. The Village Residential Zone permits a total of 20% total lot coverage, currently with the single structure in place the lot is well under the permitted lot coverage, Lot size  $10890 \times 20\% = 2,178\text{ft}^2$ .

Figure 3: Zoning By-law 2001-26 as Amended

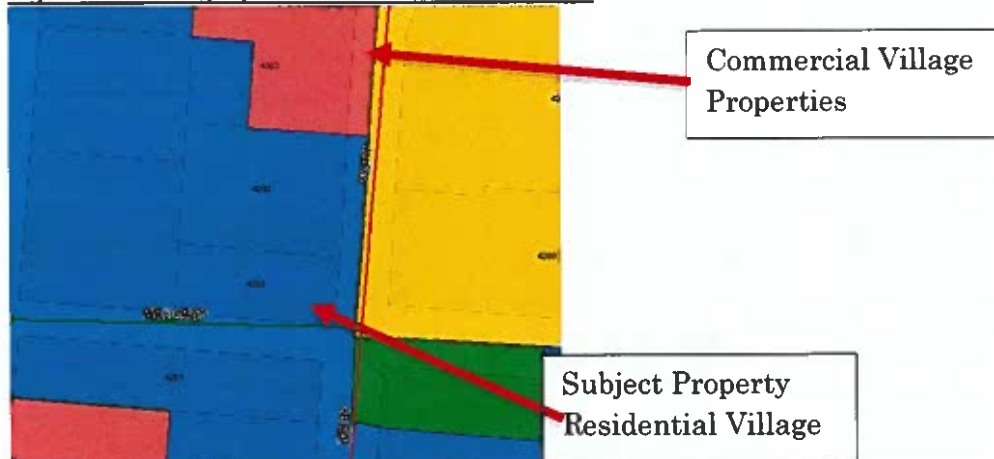
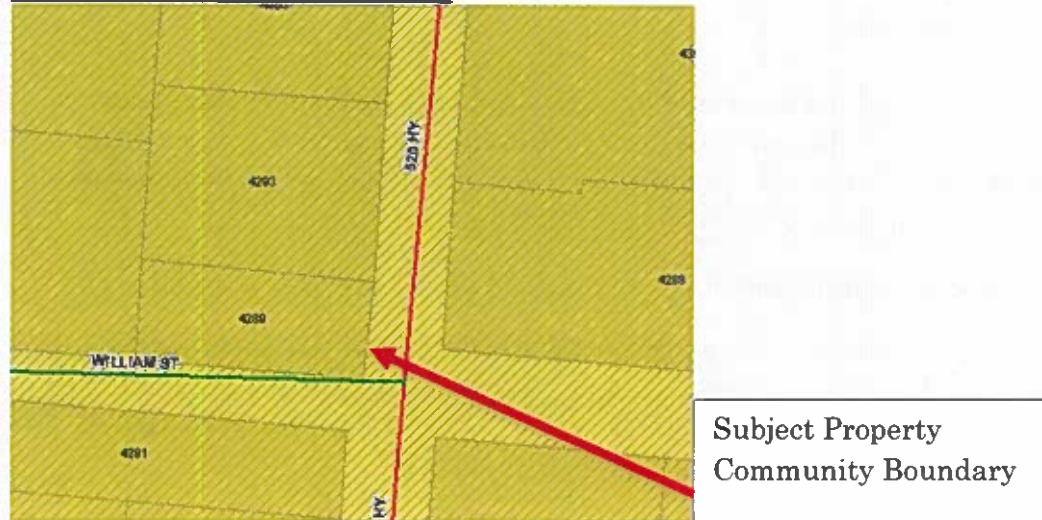


Figure 4: Official Plan Designation



### Planning Review

Section 45 of the *Planning Act* identifies four tests that must be satisfied in order to support minor variance applications, these include:

#### Is the general intent and purpose of the Official Plan maintained?

The subject land is designated Community Boundary within the Official Plan. This designation permits residential, commercial, small-scale industrial and open space. Section 5.1 (Magnetawan Village and Ahmic Harbour Communities) *“encourages a revitalization of these communities through infilling of residential opportunities and through the development of commercial uses that support the community and adjacent surrounding seasonal and rural uses”*. There is no proposed new residential use for the property.

Section 9.3 (Accessory Uses) states that *“Wherever a use is permitted in a land use classification, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use shall also be permitted.”* The Community Boundary designation permits residential use and as noted herein, the subject property contains an existing single detached structure. The proposed deck is intended to be accessory to the existing structure and is permitted within the designation. As such, the proposed accessory deck conforms to Section 9.3 of the Municipality of Magnetawan Official Plan as it is essential to the use.

#### Is the general intent and purpose of the Zoning By-law maintained?

The subject land is zoned Village Residential (VS) in the Municipality’s Zoning By-law 2001-26, Schedule B. The location of the proposed deck does not meet the required setbacks for Village Residential Zone and is not in compliance with the Zoning By-law.

The Village Residential Zoning By-law requires a minimum setback of 6m (20ft) from the front. The Applicant has provided a site plan which showcases the current structure is set back from the existing sidewalk 4m (13.6 ft). In order to accommodate the proposed deck, the Applicant requires a minimum setback of 2 metres from the front yard.

The subject lands front onto a Provincial Highway and will require approval from the Ministry of Transportation (MTO) for the variance sought. Prior to any Building Permits being issued for the

proposed deck, the Applicant will need to supply to the Municipality confirmation the MTO approves the proposed setback.

It is of the opinion of Staff, that the decreased front yard setback would not hinder pedestrian flow or snow removal by either the Municipality or MTO. Abutting properties zoned Village Commercial are permitted a 0m setback from the front yard, thus there is no additional impact anticipated by permitting the proposed structure with a 2 metre setback.

**Is the proposed amendment desirable for the appropriate development or use of the land?**

The proposed deck is an extension to the existing structure located on the property. Moreover, the addition of a deck will be in keeping with the character of the surrounding area as surrounding properties have similar use structures. Therefore, it is our opinion that the Minor Variance is desirable and appropriate for the development and use of the land.

**Is the proposed development minor in nature?**

In viewing historical photos of the former Orange Hall, it would appear that at some point there was an existing entrance. The replacement of a new deck with side stairs will allow the historical building to be utilized as it was intended. Adjacent properties zoned Village Commercial are permitted a "NIL" front yard setback as is typical within the Community Boundary, therefore it is of the opinion of Staff that the creation of the proposed deck for entry purposes, is considered to be minor in nature.

**Public Consultation & Notice**

Notice of the application and Public Hearing has been circulated to property owners within 60 metres of the subject property and to those that have requested Notice. Residents have the right to speak in favor or opposition of the application at the Public Hearing or by making a written or oral statement to the Municipality prior to the decision. Notice was also provided to required agencies in accordance with the *Planning Act*.

This report will be posted on the Municipality website along with the Notice of Hearing for further information to the public.

**Comments from Departments:**

Building Department: None received.

Roads Department: None received.

Fire Department: No concerns.

By-law Department: None received.

Respectfully submitted,



Erica Kellogg

Deputy Clerk

Planning and Development



**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](http://www.magnetawan.com)

**APPLICATION FORM  
MINOR VARIANCE**

**RECEIVED**

AUG 23 2023

Date Received by Municipality: \_\_\_\_\_

CODE: \_\_\_\_\_

DESC: \_\_\_\_\_

**1) APPLICATION INFORMATION**

Name of Applicant: Robert & Ellie Mae Rainey  
Mailing Address: 4743 HWY 124 MAGNETAWAN POA 1P0  
Telephone Number (Home): 705-783-5713 Fax Number: \_\_\_\_\_  
Telephone Number (Business): 705-387-3361 Fax Number: 705 387 0112

**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: NIA

Owners Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone Number (Home): \_\_\_\_\_ Fax Number: \_\_\_\_\_

Correspondence to be sent to:  Owner  Agent  Both

**3) MORTGAGES, CHARGES OR OTHER ENCUMBRANCES**

Name: NIA  
Mailing Address: \_\_\_\_\_  
Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

**4) SUBJECT LANDS**

Geographic Township: Municipality of Magnetawan Section: \_\_\_\_\_ Lot: \_\_\_\_\_  
Reference Plan: 319 Part/Block/Lot: Part lot 5  
Street Name and Number: E. of Church / W of North Sparks St  
(If corner lot, please include both Street Names)

Water Access only: \_\_\_\_\_  
(Name of Waterbody)

Area of subject lands (ha): .25 Frontage (m): 20.11 Depth (m): 50.29

5) **OFFICIAL PLAN / ZONING STATUS**

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

community boundary

What is the current Zoning?

village residential

6) **REASONS FOR REQUEST**

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

Building known as the orange hall requires a new staircase on front to access building as per insurance demand. MTD requested as hwy 52D has a 12' window from the road allowance. Using their numbers, leaves me 4" to build a landing and stairs

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?

wood frame w/steel roof

What are they used for?

family gatherings

Please complete the following for each building or structure:

	Building One	Building Two	Building Three
Type of Building	wood frame		
Setback from Front Lot Line	13' 6"		
Setback from Rear Lot Line	130' 6"		
Setback from Side Lot Line	19'		
Setback from Side Lot Line	22' 6"		
Height (metres)	9.45		
Dimensions	24' 6" x 34' 6"		
Floor Area	845.25 sq ft		
Date of Construction	1912		

What is the proposed future use of the subject lands: family gatherings

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? Oct 2019

How long have the "existing uses" continued on the subject lands? 4 years

9) **SERVICING**

	<u>Municipal</u>	<u>Private</u>	<u>Other</u>
Water Supply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal	<input type="checkbox"/>	<input 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: \_\_\_\_\_





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.

August 23, 2023  
Date

Robert Pees  
Signature of Registered Owner(s) or Agent  
Elle MacKinnon

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.

August 23, 2023  
Date

Robert Pees  
Signature of Registered Owner(s) or Agent  
Elle MacKinnon

14) PAYMENT OF FEE AND DEPOSIT

- Application Fee As per the current fees and charges By-law
- Deposit Fee As per the current fees and charges By-law (By-law 2004-09)

\$ 2000.00  
750.00  
2750.00 VIA ONLINE TRANSFER

The 'deposit' shall be used for expenses as defined below. As of 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.

August 23, 2023  
Date

Robert Pees  
Signature of Registered Owner(s)  
Elle MacKinnon

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, Robert Rainey of the Magnetawan 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 Magnetawan in the Municipality of Magnetawan this 23rd day of August, 23

August 23, 2023  
Date

Robert Pees  
Signature of Registered Owner(s) or Agent

Laura Brandt  
Laura Brandt  
Deputy Clerk

Commissioner for taking oaths  
Municipality of Magnetawan  
District of Parry Sound

**COMMITTEE OF ADJUSTMENT NOTICE OF  
HEARING**

**IN THE MATTER OF Subsections (1 and 2) of Section 45 of the Planning Act, R.S.O., 1990.**

**TAKE NOTICE** that the Municipality of Magnetawan has received a complete application for Minor Variance and that the Committee of Adjustment of the Corporation of the Municipality of Magnetawan will hold a Public Hearing on:

**September 13th, 2023**

At 1:00 pm. at the

Municipality of Magnetawan Municipal Office, 4304 Hwy #520, Magnetawan, Ontario

**THE PURPOSE OF THE PUBLIC HEARING** is to consider a Minor Variance application submitted by the Owner of Village of Magnetawan, Plan 319 PT Lot 5, W North Sparks Street Municipally known as 4289 Highway 520. The proposed a minor variance application for relief from Zoning By-law 2001-26, as amended, Section 4.3.2 iii).

The applicant has requested the following Minor Variance to permit:

Provision	By-law 2001-26	Requested
4.3.2 iii) Village Residential	6 meter to the front lot line	1. A front yard setback of 2. meters to accommodate the replacement of a front entrance deck and attached side landings.

**INFORMATION AVAILABLE**

Information relating to the proposed Minor Variance application is available for public review on the municipal website – [www.magnetawan.com](http://www.magnetawan.com) – or by request during business hours, Monday to Friday from 8:30 am to 4:00 pm, at the Municipality of Magnetawan Municipal Office (4304 Hwy #520 Magnetawan, Ontario, POA 1P0) or by emailing: [ekellogg@magnetawan.com](mailto:ekellogg@magnetawan.com)

**NOTICE OF DECISION**

If you wish to be notified of the decision of Municipality of Magnetawan on the proposed Minor Variance, you must make a written request to Erica Kellogg, Acting Deputy Clerk 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 and the Municipality of Magnetawan to the Local Planning Appeal 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 Minor Variance is approved, the person or public body is not entitled to appeal the decision and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal 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:**

**RAINEY - MINOR VARIANCE**

Erica Kellogg, Deputy Clerk,

[ekellogg@magnetawan.com](mailto:ekellogg@magnetawan.com)

Municipality of Magnetawan,

P.O. Box 70

Magnetawan, Ontario, POA 1P0 705-

387-3947 ext. 1001

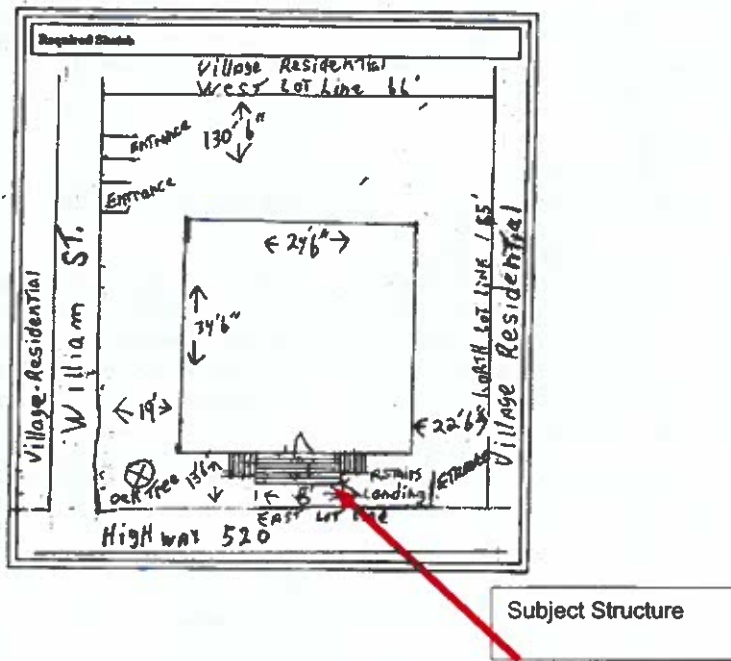
DATED at the Municipality of Magnetawan this 4<sup>th</sup> day of September, 2023.

*Please see reverse side for map and site plan (not to scale)*

KEY MAP OF SUBJECT PROPERTY



PROPOSED SITE PLAN



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

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

**WHEREAS** the Council of the Municipality of Magnetawan passed motion 2023-193 agreeing to lease the Ahmic Harbour Community Centre to the Magnetawan Daycare Centre Inc;

**AND WHEREAS** the lease agreement is for 1 year, with option to renew and the periods between 6 A.M. and 6 P.M., Monday through and inclusive of Friday during the Term;

**AND WHEREAS** the Municipality reserves to right to rent to third parties outside of these hours – including weekends -- with 72 hours written notice to the Magnetawan Daycare Centre;

**AND WHEREAS** Council receives the DRAFT lease and directs Staff to include language such that the Magnetawan Daycare Centre Inc can also utilize the space behind the building, accessed by the fire door, as a playground and storage equipment, to be fenced by the daycare and with a gate to the parking area;

**NOW THEREFORE BE IT RESOLVED**, that the Council of the Municipality of Magnetawan authorizes the Mayor and Clerk to enter into the Lease Agreement substantially as attached and amended as directed.

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			

## Proposed lease of Ahmic Harbour Community Centre

Thank you for the opportunity of reviewing the draft lease. Overall it looks fine. Following are our comments.

The daycare will need a playground. The space behind the building accessed by the fire door is suitable. The area as regulated by the Ministry is 5.6 sq.m. per child for a total of 84 sq.m. (904 sq. ft.) The area will be fenced by the daycare. It will have a gate to the parking area and some storage for equipment. As this space is not noted in the lease, would Council comment on its inclusion.

We look forward to moving ahead with the lease.

Elizabeth White

On behalf of the Magnetawan Daycare

THIS INDENTURE made this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

IN PURSUANCE OF THE SHORT FORMS OF LEASES ACT.

BETWEEN:

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN**

(hereinafter called the ALessor@ or AMunicipality@)

OF THE FIRST PART

- and -

**MAGNETAWAN DAYCARE CENTRE INC.**

(hereinafter called the ALessee@)

OF THE SECOND PART

WITNESSETH that in consideration of the rents, covenants and agreements hereinafter reserved and contained on the part of the Lessee the Lessor doth demise and lease unto the Lessee the lands and premises described in Schedule AA@ which is attached hereto and forms part hereof (the foregoing hereinafter referred to as the APremises@).

1. PREMISES, TERM AND OCCUPATION

(a) Premises: The Ahmic Community Centre Building and such area surrounding it as shown in Schedule "A" located at 60 Ahmic Street (legal description).

(b) The term shall be for one year commencing on \_\_, \_\_\_\_\_, 2023 and ending upon the \_\_\_ day of \_\_\_\_\_, 2024 (the "Term") subject to the limitation set out in subsection (c) and the Lessor's rights set out in subsection (d).

(c) The Lessee acknowledges and agrees that its possession of the Premises shall be limited to the periods between 6 A.M. and 6 P.M., Monday through and inclusive of Friday during the Term.

(d) The Lessee acknowledges and agrees that, during the Term, the Lessor shall retain use, possession and control over the Premises at all times other than the times set out in subsection (c) and without limitation, that the Lessor shall have the right to rent the Premises to third parties during such times, provided that the Lessor shall give the Lessee 72 hours written notice of any such rental.

(e) Where the Premises are rented to third party pursuant to subsection (d), the Lessor will document condition of the Premises, before and after such third party rental and the Premises shall be left in the same condition as existed prior to such third party rental.

(f) Extension of Term – The Lessee may request an extension of the Term on an as needed basis; such request for an extension shall be submitted for Council approval not later than 60 days prior to the expiry of the Term. Council shall have the discretion to extend term for such period as it deems appropriate and may impose conditions thereupon.

2. LESSEE=S COVENANTS

The Lessee covenants with the Lessor as follows:

(a) To pay Rent and all related expenses as further set out in subsection (b).

(b) (1) Rent shall be Five Hundred Dollars (\$500.00) per month.

(2) The related expenses shall include heat and electricity charges (including the cost of any inspections related thereto) subject to pro rata allocation as provided for in subsection (4).;

- (3) The maintenance obligations set out in subsection (2) shall not include any major capital improvements.
- (4) The payment of all of the related expenses set out in subsection (2)(i) shall be subject to the Lessee paying only such pro rata share of such expenses that exceed the amount set out in the annual budget for the Ahmic Community Centre (of which the Premises form part of and in consideration of potential use of the Premises by third parties.).
- (c) To use the Premises only as a not-for-profit daycare centre and functions ancillary to the daycare – eg. Meet and greets, parent interview, fundraising.
- (d) To maintain the Premises in a good state of repair and a clean and safe condition in consideration of the intended uses specified in subsection (c). Without limitation this obligation includes:
  - (1) the obligation to undertake regular cleaning and sanitization of the Premises such that each day at 6 P.M., the Premises are in a condition that is appropriate for use by third parties provided that notice of such third party use has been given;
  - (2) the obligation to undertake all winter maintenance to the entrance for staff, students and parents (snow ploughing, sanding, application of ice melter); and the Municipality will maintain the reset of the parking lot as per under its usual maintenance program which includes snow ploughing, sanding and application of ice melter as needed.
- (e) Not to carry on any activities on the Premises that the Lessor may determine, in its reasonable discretion, are a nuisance or which interfere with the use of the adjoining lands.
- (f) To comply with all provisions of the By-laws of the Municipality as amended from time to time.
- (g) To comply with all Provincial Legislation, Regulations, and Guidelines including without limitation:
  - (1) with respect to the drinking water supply system, the Safe Drinking Water Act, and associated regulations including without limitation Regulation 170/03 and 243/07;
  - (2) with respect to any required inspections including without limitation, fire safety and health and welfare;
  - (3) with respect to the operation of a daycare facility.

With respect to sentence 1 and 3, the Lessee shall provide written confirmation from the applicable authority concerning its approval of the operation and/or licensing of drinking water supply and the daycare operation respectively.
- (h) Not to permit or cause to be done anything whereby any policy of insurance that may be maintained by any party on or in respect of the premises may become void or voidable or whereby the rate of premiums thereof may be increased and to repay to the Landlord on demand all sums paid by way of increased premiums and all expenses incurred by the Landlord in connection with any renewal or replacement of the policy rendered necessary by breach of this covenant.
- (i) To obtain the written approval of the Lessor before making or permitting to be made any improvements, renovations or additions to the Premises or any part thereof. The Lessee acknowledges that if approval is given by the Lessor that it may be subject to terms and conditions including a written Agreement between the parties. The Tenant shall be responsible for and pay the cost of any alterations, additions, installations or improvements that any governing authority, municipal, provincial or otherwise, may require to be made in, on or to the Premises.
- (j) To carry out all alterations or construction in a good and workmanlike manner in accordance with all applicable laws and to keep the Premises free of any liens filed under the Construction Act or any other legislation. To this end the Lessor may require, as part of the approval process for any project, that the Lessee obtain appropriate bonding to ensure completion of any contract and payment for all labour and material.

- (k) To maintain a sufficient temperature within the Premises at all times to ensure that the Premises shall not be damaged by the prevailing temperatures outside of the Premises.
- (l) Not to assign this Lease or sub-let the Premises in whole or in without the prior written consent of the Lessor. The Lessee acknowledges that the Lessor may refuse consent for any assignment or sub-let that the Lessor considers is not in the best interests of the public.
- (m) Upon the expiration of the term of this Lease or upon any earlier termination to surrender possession of the Premises to the Lessor in good condition and repair, reasonable wear and tear excepted. In addition to provide or permit the Landlord access to the Premises for the purposes of showing the Premises to prospective purchasers or tenants (in which latter case such access shall be limited to a period commencing 3 months before termination of the lease).
- (n) To maintain with respect to the Premises, insurance coverage insuring against:
  - (1) loss or damage by perils as are commonly provided under an Aall risks@ property policy with respect to damage to the Premises and other property owned or controlled by the Lessee or as may be reasonably required by the Lessor;
  - (2) liability for bodily injury or death or property damages sustained by third parties with a minimum limit of \$5,000,000.00 per occurrence;
  - (3) such insurance coverage shall show the Lessor as a named insured and the policy shall include a cross-liability endorsement. The insurance coverage will act as primary insurance for the Lessor with respect to the Premises and any activities or programs carried on by the Lessee.
  - (4) such policy shall require the insurer to give the Lessor a minimum of thirty (30) days written notice prior to cancellation or material change;
  - (5) the Lessee shall provide copies of the insurance coverage required herein to the Lessor prior to the execution of this Lease by the Lessor and proof of continuing coverage as required from time to time.
- (o) To release the Lessor, its councillors, officers, employees and agents (collectively the ALessor@) of and from any claims, actions, suits or losses arising directly or indirectly out of the Lessee=s use and occupation of the Premises or this Lease except to the extent that the Lessor is in default hereunder.
- (p) To indemnify and save harmless the Lessor, its councillors, officers, employees and agents (collectively the ALessor@) of and from any claims, actions, suits or losses, suffered by, imposed upon or asserted against the Lessor, including legal expenses incurred by the Lessor on a solicitor and his own client basis, as a result of, in respect of, or arising from any act, any failure to act or failure to perform any term or condition of this Lease to be performed or observed by the Lessee, its officers, employees and agents or in any way arising out of the Lessee=s operation and use of the Premises.
- (q) To store garbage and recyclable materials in such containers so as to prevent access by animals and to remove on a regular basis; for the purposes of this lease regular basis means no fewer than twice a week subject to the condition that no garbage or recyclables shall remain on the Premises after Friday at 6 P.M.
- (r) To arrange and pay for the pump out of the holding tank servicing the Premises in accordance with the provisions of the *Building Code Act, 1992*, its regulations and any other applicable law.

3. LESSOR=S COVENANTS

The Lessor covenants with the Lessee as follows:

- (a) To maintain insurance on the premises insuring against loss or damage by fire for the full insurable value as determined by the Landlord=s insurer.



- (b) To permit the Lessee to place signage on municipal property identifying the facility and directing the public to its location in accordance with the sign by-law of the Municipality and subject to the Lessor approving in writing the signage and the location.
- (c) Not to unreasonably withhold approval for the alteration of the interior of the Premises for the uses intended and set out in section 1(c).
- (d) For quiet enjoyment.
- (e) To undertake regular inspections of the Premises including the condition of the building and its mechanical systems.
- (f) To undertake general surface maintenance (grading and pothole repair) of such parking areas including those that form part of the Premises.
- (g) To provide for and undertake pest control through a licensed contractor.

4. DEFAULT AND TERMINATION

- (a) Each and every of the following events shall constitute an event of default (hereinafter referred to as an AEvent of Default@):
  - (1) If the Lessee neglects or fails to observe, perform or comply with any of its obligations pursuant to this Lease during the term; howsoever arising.
  - (2) If the Lessee abandons the Premises.
  - (3) If the Lessee fails to make prompt payment of any accounts for which it is responsible pursuant to the terms of this Lease.
  - (4) If the Lessee fails to comply with all applicable laws, by-laws or statutory regulations in force from time to time during the term of this Lease.
  - (5) If the Lessee fails to keep title to the Premises free of construction liens or other encumbrances.

The Lessor shall provide written notice to the Lessee of an Event of Default and the Lessee shall have a period of thirty (30) days from the date of receipt of the notice to cure the default to the satisfaction of the Lessor in its unfettered discretion. If any Event of Default continues for thirty (30) days the Lessor may terminate this Lease by delivery of notice in writing to that effect to the Lessee. Such termination shall not limit in any way the recourse by the Lessor to any remedies available to it pursuant to this Lease or otherwise at law or in equity.

If the Lessee fails to perform any of the covenants or obligations on its part set forth in this Lease, the Lessor shall have the right, but shall not be obligated, to perform or cause the same to be performed and to do or cause to be done such things as may be necessary or incidental thereto, including without limiting the foregoing, the right to make repairs, installations, erections and expend monies and all payments, expenses, costs, charges, fees, including all legal fees on a solicitor and his own client basis, and disbursements incurred that are paid by or on behalf of the Lessor in respect thereof shall be immediately due and payable by the Lessee upon demand.

- (b) Any sums owing by the Lessee to the Lessor pursuant to the terms of this Lease shall bear interest at the rate of 12% per annum calculated from the date of demand.
- (c) If, when an Event of Default has occurred, the Landlord chooses not to terminate the Lease and re-enter the Premises, the Landlord shall have the right to take any and all necessary steps to rectify any or all Events of Default of the Tenant and to charge the costs of such rectification to the Tenant and to recover the costs as Rent.
- (d) If, when an Event of Default has occurred, the Landlord chooses to waive his right

to exercise the remedies available to him under this Lease or at law the waiver shall not constitute condonation of the Event of Default, nor shall the waiver be pleaded as an estoppel against the Landlord to prevent his exercising his remedies with respect to a subsequent Event of Default:

- (e) No covenant, term, or condition of this Lease shall be deemed to have been waived by the Landlord unless the waiver is in writing and signed by the Landlord.

5. GENERAL PROVISIONS

- (a) Any notice or other communication required or permitted to be given or delivered pursuant to this Lease shall be in writing and shall be well and sufficiently given or delivered if delivered:
  - (1) personally; or
  - (2) by email to the email address listed below and provided the confirmation of delivery of said email is obtained.
 Any notice delivered after 6:00 P.M. is deemed to have been delivered on the next business day.

The Corporation of the Municipality of Magnetawan at 4304 Hwy # 520, P.O. Box 70, Magnetawan, Ontario, P0A 1P0 attn: CAO; email: Clerk@magnetawan.ca

Magnetawan Daycare Centre Inc. *INSERT address and email.*

- (b) This Lease, including the Schedules hereto, constitute the entire Lease between the parties and the parties hereto acknowledge that there are no covenants, representations, warranties, agreements or conditions, express or implied, collateral or otherwise, forming part of or in any way affecting or relating to this Lease save as expressly set out in this Lease, and that this Lease may not be amended except by written instrument executed by all the parties hereto.
- (c) No condonation, forgiveness, waiver or forbearance by the Lessor of any non-observance or non-performance by the Lessee of any of the provisions, terms or conditions of this Lease shall operate as a waiver or estoppel by or against the Lessor in respect of any provision, term or condition or any subsequent non-observance or non-performance by the Lessee of any provision of this Lease.
- (d) This Lease shall be binding upon and enure to the benefit of the Lessor and the Lessee and their permitted assigns.

IN WITNESS WHEREOF each of the parties has duly executed this Lease under the hands of its authorized signing officers.

By the Lessee on the \_\_\_\_\_ day of \_\_\_\_\_, 2023

**MAGNETAWAN DAYCARE CENTRE INC.**

per: \_\_\_\_\_  
Name:  
Title:

per: \_\_\_\_\_  
Name:  
Title:

We have authority to bind the Corporation.

By the Lessor on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

THE CORPORATION OF THE  
MUNICIPALITY OF MAGNETAWAN

per: \_\_\_\_\_

Name: Sam Dunnett  
Title: Mayor

per: \_\_\_\_\_  
Name: Kerstin Vroom  
Title: CAO/Clerk

**SCHEDULE AA@**

Map or Diagram

AHMIC HARBOUR COMMUNITY CENTRE  
60 AHMIC STREET  
AHMIC HARBOUR  
MAGNETAWAN, ONTARIO

LEGAL: CROFT PLAN 110 LOT 2 AHMIC ST NS REG 0.20AC 66.00FR 132.00D

DOES NOT INCLUDE USE OF THE FIRE BAYS



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

**BEING A BY-LAW TO LICENSE AND REGULATE THE USE OF SHORT-TERM ACCOMMODATION  
PROPERTIES IN THE MUNICIPALITY OF MAGNETAWAN**

**WHEREAS** Section 8 of the *Municipal Act, 2001, S.O. 2001, c.25* provides that the powers of the Municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on municipalities to enable municipalities to govern their affairs as they consider appropriate and to enhance the municipality's ability to respond to municipal issues;

**AND WHEREAS** Section 9 of the *Municipal Act, 2001, S.O. 2001, c.25* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purposes of exercising authority under the *Municipal Act, 2001, S.O. 2001, c.25* and any other Act;

**AND WHEREAS** Section 390 to 400 of the *Municipal Act, 2001, S.O. 2001, c.25* enables a municipality to pass By-laws for imposing fees or charges to permits and services provided or done by them;

**AND WHEREAS** pursuant to Section 434.1 of the *Municipal Act, 2001, S.O. 2001, c.25*, a municipality has the authority to impose a system of administrative monetary penalties and fees as an additional means of encouraging compliance with this by-law;

**AND WHEREAS** section 434.2 of the *Municipal Act, S.O. 2001, c. 25*, as amended provides that an Administrative Monetary Penalty imposed by the Municipality of a person constitutes a debt of the person to the Municipality and may be added to the Owner's tax roll and collected in the same manner as property taxes;

**AND WHEREAS** Section 23.1 of the *Municipal Act, 2001, S.O. 2001, c.25*, authorizes a municipality to delegate its powers and duties;

**AND WHEREAS** Section 151 of the *Municipal Act, 2001, S.O. 2001, c.25*, authorizes Council to exercise its authority to provide a system of licensing with respect to Short-term Accommodation businesses;

**NOW THEREFORE** the Council of the Corporation of the Municipality of Magnetawan enacts as follows;

## 1. DEFINITIONS:

**"Accessory Building or Structure"** means a detached building or structure where the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to, the principal use of the main building on the same lot including a trailer, travel or tent trailer of any kind as described within the Municipality's current Zoning By-law shall regardless of ownership.

**"Bedroom"** means a room offered for Short-term Accommodation intended primarily for overnight occupation, which complies with the standards for a bedroom, as set forth by the Ontario *Building Code Act 1992, S.O. 1992, c.23*, and/or a room with one or more beds, murphy beds, pullout beds, sofa beds, day beds, futons or similar places for sleeping.

**"Council"** means the Council of the Corporation of the Municipality of Magnetawan.

**"Declared Emergency"** as defined in the *Emergency Management and Civil Protection Act, R.O.S. 9* as a situation or an impending situation that constitutes a danger of major proportion.

**"Demerit points"** means points that are approved under this By-law, applied to a subject property upon successful determination of an alleged violation. These points will be tracked and kept on file as to ensure compliance with the by-law. Short-term Accommodation Licence may be revoked or reinstated based on the status of the demerit points applied against the subject property.

**"Dwelling Unit"** means a suite operated as a housekeeping unit, used or intended to be used by one or more persons which contains living, sleeping, sanitary facilities, and kitchen facilities, having a private entrance from outside the building or from a common hallway or stairway inside or outside the building. For the purpose of this By-law, a Dwelling Unit generally includes a house or cottage but shall not include an accessory structure (with or without habitable quarters), tent, trailer, park model trailer, mobile home, vehicle, watercraft, yurt, guest cabin, room or suite of rooms in a boarding or rooming house, hotel, motor home, or similar.

**"Fee"** means a Fee as set forth in the Municipality of Magnetawan Fees and Charges Bylaw as amended from time to time, which is not prorated and is non-refundable.

**"Guest"** means any person on the property who is not utilizing the property for overnight accommodation. For the purposes of this By-law, a Guest does not include a child under the age of (2) two years old at the time the Short-term Accommodation is utilized by the parent or guardian.

**"Licence"** means the licence issued under this By-law as proof of licensing under this By-law.

"**Licensed**" means to have in one's possession a valid and current Licence issued under this By-law and "Unlicensed" has the contrary meaning;

"**Licensee**" means the Owner of a Property who holds a Licence or is required to hold a Licence under this By-law for that Property;

"**Licensee Attestation**" means a document, as set forth in Schedule "B", that has been prepared by the Municipality that prescribes the roles and responsibilities of the Licensee, including but not limited to: behavioural expectations as they relate to non-disturbance of neighbours;

"**Officer**" means a Municipal By-law Enforcement Officer, Chief Building Inspector, Building Official, Fire Prevention Officer, Fire Chief, Police Officer or other person appointed by by-law to enforce the provisions of Municipal by-laws;

"**Owner**" means the Person(s) holding title to the Property where the Short-term accommodation is located, and "Ownership" has a corresponding meaning;

"**Parking Area**" means an area on the Property provided for the parking of motor vehicles and may include aisles, parking spaces, pedestrian walkways, and related ingress and egress lanes, but shall not include any part of a public street;

"**Property**" means the land upon which a Short-term Accommodation is operated, exclusive of buildings or structures or any part thereof;

"**Renter**" means a person responsible for the rental of the Property by way of concession, permit, lease, licence, rental agreement or similar commercial arrangement;

"**Responsible Person**" means an Owner or a Person, eighteen (18) years of age or older, duly appointed by an Owner to act on its behalf, and being responsible for ensuring the Short-term Accommodation is operated in accordance with the provisions of this By-law, the Licence and applicable laws;

"**Short-term Accommodation**" (**STA**) means the secondary use of a residential Dwelling Unit that offers a place of accommodation or temporary residence, or occupancy by way of concession, permit, lease, licence, rental agreement or similar arrangement for a minimum of seven (7) consecutive days but fewer than twenty-eight (28) consecutive calendar days throughout all or part of the year. Short-term Accommodation uses shall not mean a motel, hotel, bed and breakfast establishment, tourist establishment, tourist cabin establishment, or similar commercial accommodation use.

**"Municipality"** means The Corporation of the Municipality of Magnetawan;

**"Zoning By-law"** means the Municipality's Comprehensive Zoning By-law, as amended from time to time, or any successor comprehensive Zoning By-law, as amended.

## **2. APPLICATIONS**

2.1 The requirement of this By-law applies to the business or occupation of providing Short-term Accommodation within the geographic limits of the Municipality of Magnetawan.

2.3 Persons who own, operate or offer a premises for Short-term Accommodation as of the effective date of this By-law, must file an application, for a Licence under this By-law.

2.4 The determination of whether a Licence application is "complete" in accordance with this By-law shall be within the discretion of the Municipality.

2.5 This By-law does not apply to a motel, bed and breakfast establishment, institutional establishment, tourist establishment, tourist camping establishment, resort or similar commercial or institutional use as defined in the Municipality's current Zoning By-law.

2.6 As of October 1<sup>st</sup> applicants may apply for a licence which will be valid as of January 1<sup>st</sup> of the following calendar year, provided the requirements for a licence found in Section 6 of this By-law have been met.

2.7 Licences will be issued to complete applications on a first come first serve basis during the inaugural year.

2.8 For each year following the inaugural year, licences will be issued to complete applications on a first come first service basis with priority being given to licensees with a valid licence for the previous year.

2.9 A total of 300 licences will be issued annually and no new licences will be issued until the number of licences falls below 300. For the purposes of this Section, a licence shall not be considered active if it has been revoked.

## **3. GENERAL PROVISIONS:**

3.1 Only one Licence per property per structure shall be issued to a property owner(s).



3.2 No person shall use an accessory building or structure as Short-term Accommodation.

3.3 Applications for a Licence and issued Licences shall be posted on the Municipal website, the Short-term Accommodation Municipal Mapping and may include information such as:

- a) Active, revoked and licences not issued;
- b) Owner(s) name/contact information;
- c) Property legal description and civic address;
- d) Responsible Person's contact information; and
- e) Demerit points applied to the property.

3.4 There shall be a minimum distance of 300 metres between Short-term Accommodation Properties. Such distance shall be measured from the closest points between the Properties (i.e. Shortest distance between the lot lines of the two properties).

3.5 The Responsible Person identified on the Licence shall either attend the Property or contact the Renter at the request of the Municipality or a representative of the Municipality within the required time to address any complaints regarding the use of the property.

3.6 A Licensee shall ensure that any listing, advertisement, or publication etc. of the Short-term Accommodation property includes the corresponding Licence number issued by the Municipality.

3.7 The Licensee or the Responsible Person shall ensure all Renters and Guests are provided with waste diversion education, which shall include;

- a) location of Municipal Landfill sites;
- b) hours of operation for Municipal Landfill sites;
- c) Municipally supplied waste diversion stickers for household waste;
- d) Education on clear bag use; and
- e) Education on the sorting of refuse and/or recycling for Landfill disposal.

3.8 All refuse and recycling shall be sorted accordingly and located either in wildlife resistant containers if stored outside or appropriate containers if stored inside (garage/shed).

#### 4. PROHIBITIONS:

4.1 No Person shall operate, use, advertise or permit a Short-term Accommodation if:

- a) the Short-term Accommodation is not Licenced;

- b) the rental or use is greater than the number of bedrooms\additional sleeping spaces permitted by the Licence;
- c) there is a greater number of Renters and/or Guests than is permitted by the Licence;
- d) if the operation of the Property is not primarily for residential purposes;
- e) information contained and provided within the application is inaccurate or false;
- f) operation is in contravention of the approved floor plan.

4.2 No Person shall fail to produce a copy of the signed Licence or Short-term Accommodation Licensee Attestation upon the request of an Officer.

4.3 No Person shall fail to produce a Fire Safety Plan which shall be required for each Short-term Accommodation property with an occupancy of ten (10) Renters/Guests and shall be approved by the Chief Fire Official and posted in a location approved by the Chief Fire Official and shall be reviewed annually by the Licensee.

4.4 No Person shall permit the maximum number of Renters to exceed two (2) Renters for each bedroom and no more than two (2) additional occupants per additional sleeping space identified and approved as such on the floor plans submitted with the application for the Short-term Accommodation Licence, at any one time. For the purpose of this Section, children under the age of two (2) years old, shall not be considered a renter.

4.5 No Person shall permit the maximum number of Guests to exceed one (1) Guest per bedroom/additional sleeping space approved as such on the floor plans submitted with the application for the Short-term Accommodation Licence, at any one time. For the purpose of this Section, children under the age of (2) two years old, shall not be considered a guest.

4.6 No Person shall permit the maximum number of Renters and Guests on a Property at any given time, to exceed ten (10) regardless of the number of approved bedrooms and/or sleeping spaces.

4.7 No Licensee shall rent any room within the Property other than a Bedroom and/or additional sleeping space that was identified and approved as such on the floor plans submitted with the application for the Short-term Accommodation Licence.

4.8 The minimum required stay for a Short-term Accommodation rental shall be no less than seven (7) consecutive days.

4.9 No Person shall contravene the Requirements found in Section 7 of this By-law.

4.10 Short-term Accommodations shall comply with all applicable Municipal By-laws, Provincial and Federal Legislation, Electrical Safety Authority Regulations, North Bay Parry Sound District Health Unit, North Bay Mattawa Conservation Authority and any other applicable regulations or legislation.

4.11 A Licence shall not be granted to a Corporation and an application shall not be made by a Corporation.

4.13 Any Licensee operating a Short-term Accommodation property that is not located on a Municipality maintained year-round road, shall ensure all Renters and Guests are informed that emergency services may not be provided and how to access services should the need arise.

4.14 Any Licensee operating a Short-term Accommodation property that is a water access only property, shall ensure all Renters and Guests are informed that emergency services shall not be provided and how to access services should the need arise.

## **5. TERM OF LICENCE:**

5.1 A Licence that has been issued pursuant to this By-law shall expire upon the earliest of the following events:

- a) December 31st of the year issued; and/or
- b) Upon the sale or transfer of the Property. For clarity, a Licence cannot be assigned or transferred to another Person; and/or
- c) The Licence has been revoked in accordance with the provisions of this By-law.

5.2 The Municipality shall have the right to extend any active Licence for up to one (1) calendar year after a declared emergency under the *Emergency Management and Civil Protection Act, R.O.S. 1990, c. E.9* has ended.

## **6. LICENSING REQUIREMENTS:**

6.1 Every application for a new Licence, or the renewal of an existing Licence, will include:

- a) A completed application in the form required by the Municipality;
- b) Every Owner's name, address, telephone number, and email address;
- c) Proof of Ownership for the Property;
- d) Proof the Owner is at least eighteen (18) years of age;
- e) Statutory declaration signed by each and every Owner stating that the Property is used primarily for residential purposes and that each and every Owner understands their responsibilities as a Licensee;

- f) A name and contact information of the Responsible Person who can be readily contacted within thirty (30) minutes and respond to the property at the request of the Municipality or a representative of the Municipality, within sixty (60) minutes;
- g) Proof that the installed septic system will support the property;
- h) A water sample result from the North Bay Parry Sound District Health Unit that is not more than three (3) months old.
- i) A signed copy of the Short-term Accommodation Licensee Attestation for the Licensed property;
- j) Payment of the applicable Fees as noted within the Municipality's Fees and Charges By-law;
- k) An exterior site diagram, drawn to scale of the Property identifying:
  - i. The location of all buildings and structures on the property;
  - ii. The exterior decks and related site amenities;
  - iii. The location of wells and all components of sewage systems;
  - iv. Location of the Parking Area with a minimum number of parking spaces as set out in the Zoning By-law; and
  - v. Waste diversion locations.
- g) An interior floor plan, drawn to scale of the Property identifying:
  - i. The location of the electrical panel;
  - ii. The use of each room;
  - iii. The location of smoke and carbon monoxide alarms, and early warning devices;
  - iv. The location of fire extinguishers;
  - v. The location of all gas and electric appliances;
  - vi. The location of all fireplaces and fuel-burning appliances;
  - vii. All entrances/exits to and from the building;
  - viii. The location of waste diversion
- h) Records of tests and maintenance of smoke and carbon monoxide alarms, early warning devices and fire extinguishers;
- i) A certificate of insurance which includes a liability limit of no less than five million dollars (\$5,000,000) per occurrence for Property damage or bodily injury. Such insurance policy shall identify that a Short-term Accommodation is being operated on the Property and name the Municipality of Magnetawan as an additional insured on their general liability. The insurance coverage required herein shall be endorsed to the effect that the Municipality shall be given at least thirty (30) days' notice in writing of any cancellation or material variation to the policy;
- j) Where applicable, confirmation of inspection or certification as required below;
  - i. An Electrical Systems Safety Assessment certificate;
  - ii. Where there are wood burning appliances, a Wood Energy Technical Transfer (WETT) report dated no less than 5 years old issued by a certified WETT inspector;

- iii. An annual inspection report, indicating that the chimney, flue pipes etc. have been inspected by a WETT certified chimney sweep and are safe to be utilized;
- iv. An HVAC inspection report issued by an HVAC Technician. An updated report shall be required each year, and;
- v. At time of renewal: maintenance and records of tests for all smoke and carbon monoxide alarms along with the guest log/register.

6.2 A Licensee shall be responsible for informing the Municipality, in writing, of any changes to the information contained within the application or any deviation to the approved plans within seven (7) days of such change or deviation. As per the current Fees and Charges By-law, an administration fee may apply.

6.3 Nothing herein allows a Licensee to rent bedrooms other than those identified and approved on the interior floor plans submitted with the application unless the Municipality has approved same.

#### **REQUIREMENTS:**

7.1 The following shall be posted on the interior of the subject property and made available to Renters, and Guests and made available for inspection:

- a) A copy of the current Licence;
- b) A copy of the interior floor plan;
- c) A copy of the approved exterior site plan;
- d) A copy of the current Open-Air Burning By-law;
- e) A copy of the current Noise By-law;
- f) The occupant load of the residence;
- g) Emergency "911" instructions with the address of the Property clearly printed and posted in a conspicuous location;
  - a. if the Property is not located on a year-round municipality-maintained road, acknowledgement that emergency services may not be provided and how to access services should the need arise;
  - b. if the Property is a water access only property, acknowledgement that emergency services shall not be provided and how to access services should the need arise.
- h) A copy of the smoke and carbon monoxide alarms maintenance and use instructions;
- i) Name and contact information of the Responsible Person.

7.2 All Short-term Accommodations Properties must provide a class ABC portable fire extinguisher with a minimum rating of 2A 10BC on each floor of the Property and a Class 5BC kitchen extinguisher in all cooking areas.

7.3 Portable extinguishers shall be:

- a) Kept operable and fully charged;
- b) Located so that they are easily seen and shall be accessible at all times;
- c) Tested and maintained by either the Licensee, Responsible Person or by a qualified person in accordance with the manufacturer's specifications;
- d) Replaced according to manufacturer's recommendations, or as per NFPA 10, or every 5 years; and
- e) Records shall be kept identifying when an extinguisher was inspected, purchased and/or replaced.

7.4 Confirmation that the smoke and carbon monoxide alarms have been checked and are in working condition after a Renter leaves.

7.5 The Licensee shall maintain a guest register which indicates the Renters' and Guests' names, addresses, telephone numbers, number of Renters and Guests, length of stay. This guest register must be provided to the Municipality within twenty-four (24) hours upon request.

## **8. ISSUANCE OF LICENCE AND GROUNDS FOR REFUSAL AND REVOCATION:**

8.1 The Municipality reserves the right to issue, refuse to issue, renew a Licence, to revoke or to impose terms and conditions on a Licence if the Municipality has reason to believe there has been a contravention.

8.2 The Municipality may refuse to issue or renew a Licence where:

- a) The Owner fails to meet the requirements of the application or this By-law;
- b) There are reasonable grounds to believe that the operation of the Short-term Accommodation may be averse to the public interest;
- c) A Licence has been previously revoked or made subject to terms and conditions;
- d) An Owner has presented a history of contravention with this By-law;
- e) An Owner has presented a history of contravention with the Noise By-law;
- f) The proposed use of the property is not permitted by the Zoning By-law;
- g) The Owner is indebted to the Municipality in respect of fines, penalties, judgements, or any other amounts owing, including awarding of legal costs, disbursements, outstanding property taxes and late payment charges;

- h) The Property does not conform with applicable federal and provincial law and regulations or municipal by-laws, including, but not limited to, the Zoning By-law, Property Standards By-law, the Ontario *Building Code Act 1992, S.O. 1992, c.23*, the *Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4* and the *Electricity Act, 1998, S.O. 1998, c. 15, Schedule A*;
- i) The septic requirements have not been met;

8.3 The Municipality may revoke a Licence if it was issued in error or granted based on incorrect or false information.

8.4 Where the application for a License has been revoked, or cancelled, the fees paid by the Applicant, in respect to the License, shall not be refunded.

## 9. ORDERS:

9.1 If an Officer is satisfied that a contravention of this By-law has occurred, the Officer may make an order requiring the Renter, or Person who contravened this By-law, or Person who caused or permitted the contravention, or the Licensee to take actions to correct the contravention.

9.2 The order shall set out:

- a) Reasonable particulars of the contravention to identify the contravention and the location of the contravention; and
- b) The work to be done and the date by which the work must be done, if any.

9.3 An order may be served personally upon the Owner to whom it is directed to or sent by registered mail or electronic mail to the address shown on the last revised assessment roll or to the last known address.

9.4 In the event the Officer is unable to serve any Order under the provisions of this By-law, the Order shall be posted in a conspicuous place on the property, and the placing of the Order shall be deemed to be sufficient service of the Order on the Renter or Licensee/Owner.

9.5 An order under Section 10 may require action be taken even though the facts which constitute the contravention of this By-law were present before this By-law came into force.

9.6 No Person shall fail to comply with an order issued pursuant to Section 10.

9.7 An order under this By-law may require work to be done even though the facts which constitute the contravention of this By-law were present before this By-law came into force.

9.8 Any violations of this By-law shall be addressed pursuant to their respective remedies. In addition, demerit points will be levied against the Licensee.

#### **10. ENTRY AND INSPECTION:**

10.1 An Officer, Fire Chief or Building Official may, at any reasonable time, enter onto any land to determine whether this By-law is being complied with.

10.2 Every Owner shall permit an Officer, Fire Chief or Building Official to inspect any part of the Property for the purposes of determining compliance with this By-law.

10.3 Notwithstanding any provision of this By-law, an Officer or Building Official shall not enter or remain in any room or place actually being used as a Dwelling Unit, unless:

- a) The consent of the occupier is obtained after the occupier has been informed that the right of entry may be refused and, if refused, may only be made under the authority of a warrant issued under the *Provincial Offences Act*, R.S.O. 1990, c.P.33, as amended; or
- b) A warrant is issued under the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, is obtained.

10.4 A Fire Chief may, without a warrant, enter and inspect land and Property at a reasonable time for the purposes of assessing fire safety pursuant to section 19(2) of the *Fire Protection and Prevention Act*, 1997, S.O. 1997, c. 4, as amended.

#### **11. OBSTRUCTION:**

11.1 No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer, Fire Chief or Building Official exercising a power or performing a duty under this By-law.

11.2 Any person who has been alleged to have contravened any of the provisions of this By-law, shall identify themselves to the Officer, Fire Chief or Building Official upon request, failure to do so shall be deemed to have obstructed or hindered the Officer, Fire Chief or Building Inspector in the execution of their duties.

#### **12. PENALTY:**



12.1 Every Person who contravenes any of the provision of this By-law may be subject to one or more of the following:

- a) Administrative Penalty, as permitted under Section 434.1 of the *Municipal Act, 2001, S.O. 2001, c. 25* as amended; and/or
- b) Set fines as permitted under the *Provincial Offences Act*; and/or
- c) Set fines as permitted under the *Fire Protection and Prevention Act, 1197, S.O. 1997, c.4*, as amended; and/or
- d) Set fines as permitted under O.Reg. 213/07: Fire Code;
- e) Set fines as permitted under the *Building Code Act 1992, S.O. 1992, c.23*; and/or
- f) Fees, demerit points as outlined in Schedule "A" of this By-law and/or additional charges, which may be amended from time to time.

12.2 Every Person who contravenes an order under this By-law is guilty of an offence.

12.3 Each day a contravention occurs constitutes a new offence.

12.4 Every Person who contravenes any provision of this By-law is guilty of an offence and all contraventions of the By-law are designated as continuing offences pursuant to Section 429 of the *Municipal Act, 2001, S.O. 2001, c 25*.

12.5 Every Person or Owner who concurs in such contravention, is guilty of an offence and may be subject to an Administrative Penalty or set fine.

12.6 Every Person who contravenes any provision of this By-law is guilty of an offence pursuant to the provisions of the *Provincial Offences Act-R. S. O. 1990, Chapter P. 33*, as amended, and upon conviction, a Person is liable to a fine of not more than \$ 5,000, exclusive of costs.

12.7 Every Person who contravenes any provision of this By-law, is guilty of an offence and on conviction liable to a fine not exceeding \$25,000 for a first offence and \$50,000 for any subsequent offence.

12.8 Where a Person has been convicted for an offence under this By-law by a court of competent jurisdiction, the court may in addition to any other penalty imposed on the Person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the Person convicted directed toward the continuation or repetition of the offence.

12.9 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.

### **13. ADMINISTRATIVE MONETARY PENALTIES**

13.1 An Officer may issue an Administrative Monetary Penalty to the Person, Owner or Licensee found in contravention of any provision of this By-law.

13.2 Any Person who contravenes any provision of this By-law, upon receiving an Administrative Monetary Penalty pursuant to Section 14.1, may be liable to pay to the Municipality an Administrative Penalty.

### **14. COLLECTION OF UNPAID FINES**

14.1 Pursuant to Section 441 of the *Municipal Act, 2001, S.O. 2001, C 25*, if any part of a fine for a contravention of this By-law remains unpaid after the fine becomes due and payable under Section 66 of the *Provincial Offences Act, R. S. O. 1990, c P. 33; Provincial Offences Act* including any extension of time for payment ordered under that Section, the Licence Issuer may give the Person against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than 21 days after the date of the notice. If the fine remains unpaid after the final date specified in the notice, the fine is deemed to be unpaid taxes pursuant to Section 351 of the *Municipal Act, 2001, S.O 2001, c. 25* and may be added to the Owner's tax roll and collected in the same manner as Property taxes.

### **15. DEMERIT POINT SYSTEM**

15.1 Notwithstanding any other provision of this By-law, this section does not apply to Short-term Accommodation Properties for which a previously issued Licence has expired and/or been revoked.

15.2 If at any time an Officer determines that the operation of a licensed Short-term Accommodation does not comply with any part of this By-law, the Officer shall impose Demerit Points against the Short-term Accommodation Property.

15.3 Demerit Points shall remain in place until the three (3) year anniversary of the date on which the Demerit Points were imposed.

15.4 A Licence may be revoked if the total of Demerit Points in effect respecting a Short-term Accommodation is at least fifteen (15).

15.5 If the total number of Demerit Points in effect respecting a Short-term Accommodation is seven (7) or more but fewer than fifteen (15), the Owner is required to provide to the satisfaction of the Officer written confirmation of the measures to be implemented by the Owner to avoid the imposition of further Demerit Points.

15.6 If the total number of Demerit Points in effect respecting a Short-term Accommodation is fifteen (15) or more, the Officer shall immediately revoke the Licence.

## 16. SCHEDULES

16.1 The following schedules attached hereto form part of this By-law but may be changed by motion of Council:

- i. Schedule "A" Demerit Points for Violations
- ii. Schedule "B" Fines for Violations

## 17. MUNICIPALITY NOT LIABLE

17.1 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 of this By-law.

This By-law shall come into full force and effect as of January 1<sup>st</sup>, 2024, at which time all by-laws that are consistent with the provisions of this By-law and the same are hereby repealed insofar as it is necessary to give effect to the provisions of the By-law.

READ a FIRST, SECOND and THIRD time and passed this 13<sup>th</sup> day of September 2023.

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Mayor

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CAO/Clerk

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

**SCHEDULE "A"**

**DEMERIT POINTS FOR VIOLATIONS UNDER SHORT-TERM ACCOMMODATION LICENCE**

SECTION	SHORT FORM WORDING	DEMERIT POINT
4.3 4.4 4.5	Number of renters\renters on Premises contrary to Licence	4
6.1 iii	Parking contrary to approved Licence	4
3.3	Failure to post required documentation	4
7.2	Failure to provide fire extinguisher as required	4
6.1 f)	Failure to respond to concern within thirty (30) minutes	4
6.1 f)	Failure to attend Premises within sixty (60) minutes	4
6.2	Failure to notify of Licence changes within seven (7) days	4
4.1 a)	Operating STA without a Licence	7
4.1	Advertising STA without a Licence	4
2.5	Operating STA for Commercial activities	7
4.1 e)	Providing false information on STA application	7
4.1	Failure to provide Waste Diversion Education	4
4.1 b)	Renting rooms contrary to approved Licence class	5
12.1	Hinder/Obstruct an Officer while on duty	7
9.9	Removal of STA posted Order that is not under either the <i>Building Code Act 1992, S.O. 1992, c.23</i> or the <i>Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4</i> , without consent	7
9.1	Contravention of an Order under any Act or this By-law	5
8.2 h)	Confirmed Municipal by-law contravention of any by-law or this by-law	7
8.2 h)	Confirmed Ontario <i>Building Code Act 1992, S.O. 1992, c.23</i> contravention	7

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

**SCHEDULE "B"**

**BEING A BY-LAW TO LICENCE AND REGULATE THE USE OF SHORT-TERM ACCOMMODATION  
PROPERTIES IN THE MUNICIPALITY OF MAGNETAWAN**

SECTION	SHORT FORM WORDING	SET FINE
4.3 4.4 4.5	Number of guests/renters on Premises contrary to Licence	\$2500
6.1 iii	Parking contrary to approved Licence	\$5000
3.3	Failure to post required documentation	\$5000
7.2	Failure to provide fire extinguisher as required	\$5000
6.1 f)	Failure to respond to concern within thirty (30) minutes	\$1500
6.1 f)	Failure to attend Premises within sixty (60) minutes	\$1500
6.2	Failure to notify of Licence changes within seven (7) days	\$1500
4.1 a)	Operating STA without a Licence	\$5000
4.1	Advertising STA without a Licence	\$5000
2.5	Operating STA for Commercial activities	\$5000
4.1 e)	Providing false information on STA application	\$5000
4.1	Failure to provide Waste Diversion Education	\$1500
4.1 b)	Renting rooms contrary to approved Licence class	\$2500
12.1	Hinder/Obstruct an Officer while on duty	\$5000
9.9	Removal of STA posted order that is not under either the <i>Building Code Act 1992, S.O. 1992, c.23</i> or the <i>Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4</i> , without consent	\$5000
9.1	Contravention of an Order under any Act or this By-law	\$2500
8.2 h)	Confirmed Municipal by-law contravention of any by-law or this by-law	\$5000
8.2 h)	Confirmed <i>Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4</i> contravention	As Per The Act
8.2 h)	Confirmed Ontario <i>Building Code Act 1992, S.O. 1992, c.23</i> contravention	As Per The Act

## Erica Kellogg

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**From:** Adam Shea <a\_shea\_2003@yahoo.ca>  
**Sent:** August 15, 2023 3:01 PM  
**To:** Erica Kellogg  
**Subject:** Draft short term rental by-law

Hi Erica,

I just read though the draft proposal for short-term rentals in Magnetawan. I am completely opposed to STR licensing based on the lack of real data concerning the assumed negative affects of STRs in our community. Any arguments concerning noise, garbage, over crowding, etc can be addressed using existing by-laws. I believe that increased enforcement should be the first step in addressing any concerns regarding STRs. Other complaints about boat safety or increased dumping cannot be fairly associated with STRs, there is no proof of this. I also feel that a study to identify the increase in revenue that these accommodations bring to the township through tourism and related hospitality services has not been adequately explored. Council is taking a hard stance on STRs that is based more on personal discomfort and belief than economic sense. There is an opportunity to embrace change and be progressive that has been missed!

I would like to submit an Official statement to be shared with council at the meeting in September to address the following 2 concerns:

1) 7 day minimum rental:

As I stated above, I oppose the draft by-law. I feel that the 7 day minimum is extremely restrictive and is unfair towards the majority of people who utilize online Short Term Rental platforms such as AirBnB. The intent of these apps and programs is for casual use. The average cottage or property owner is more likely to rent their home for a few weekends a year to help pay for taxes or the increasing costs associated with owning a vacation property. MOST people are not doing it as a business.

Our family has had great experiences renting our property for a weekends or even 3-4 weekdays during the summer so WE can enjoy the property on weekends. By restricting rentals to a 7 day period you are encouraging back-to-back rentals for the entire summer as property owners will try to re-coup the associated costs of the rental program during the busiest months of the year. In my experience there is not a very strong demand for weekly rentals from September to May. During these shoulder seasons there is a demand for weekend rentals or even 2-3 day rentals during the week when people see a few nice weather days and wish to "Explore the Mag" as your website encourages. Please lower the limit to 3 days minimum.

In addition, a restrictive STR program is going to increase the price of renting a cottage in Magnetawan as supply will be severely limited. Have you considered the affect on local tourist related businesses and service providers such as home cleaners and maintenance people? Short Term Rental owners employ these people each time a property is rented.

How about families such as mine who are shift workers? I would happily rent a cottage for a few days during the week in the summer or even the off-seasons when my work schedule allows. I rarely get 7 days off in a row.

2) Unique stays and experiences:

I did not see anything in the by-law that addresses unique properties such as off-grid cabins, yurts, tree houses, tiny homes, earthships, trailers, etc. I would like to recommend that these unique stays have an opportunity to meet the requirements of the program, or at least review the possibility of offering these accommodations if it can be done safely. These unique stays are very popular with young travelers and small families as they are often much cheaper than the typical \$5000 per week cottage on the water. Many people are looking for a rustic nature experience and these options currently exist in Magnetawan and are quite popular.

**Conclusion:**

In conclusion I feel that the current draft by-law does not represent the best interests of property owners and should be amended to allow for 3 day rentals and the inclusion of off-grid cabins, yurts, tiny homes, trailers, and other unique stays that meet the requirements of existing health and safety by-laws.

I also feel that restricting the availability licensing and limiting the geographical location of STRs in relation to other licensed STR property owners does little to benefit our community and is an unfair practice- law abiding STR owners will be excluded based on when they submitted their application. If there are set rules and penalties then it should not matter if STRs are located close to each other.

Finally, I would like to suggest that members of council go online and view some AirBnB rentals that are currently offered in Magnetawan. They might have to ask one of their grandchildren to help them download the app. Once they are all set up, go and read some of the reviews from guests who have stayed at an STR in our community. You will quickly notice the many positive comments and stories of amazing family vacations and time spend discovering Magnetawan, trips to local shops, and restaurants, and promises to return for another great experience. The guest experience supplied by the STR owners takes much time, effort, and planning. It results in money spent in our community is and is great publicly for the township- all free of charge!!

Thank you for your time

Adam Shea

[Sent from Yahoo Mail on Android](#)

## Erica Kellogg

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**From:** Edmund Seibels <Eseibels@outlook.com>  
**Sent:** August 16, 2023 8:43 AM  
**To:** Erica Kellogg  
**Cc:** Bob McCulloch  
**Subject:** Short Term Accommodations

**Categories:** Grants/General Government

Ms. Kellogg,

I speak from the perspective of a life long summer resident on Ahmic Lake. I believe we are trying to regulate where no problem exists. To my awareness, the number of rentals on the lake is minimal and those arrangements are informal, usually among known parties.

The lake community is a congenial group and, were a problem to arise, will easily resolve the issue amongst themselves.

The proposed regulations seem heavy handed, present an enforcement problem for the municipality, and are onerous, e.g., a \$5 mil liability policy is rare and expensive.

Many of the cottages have been in the same family for generations. Passing these along requires careful planning. In many cases these cottages have already been deeded to a younger generation, with the parents/ grandparents renting from the new owners. There are multiple reasons this situation exists, but it is not uncommon. How do you propose to regulate this situation?

The answer is to put this entire situation aside and skip implementation. The status quo is working well. Simply because neighboring communities have or are implementing a plan is not a reason for Magnetawan to do so.

Sent from my iPad



## Erica Kellogg

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**From:** William Ford <wford@tech-trek.com>  
**Sent:** August 16, 2023 12:33 PM  
**To:** Erica Kellogg  
**Cc:** Councillor Kneller; livingmagnetawan@gmail.com; john.s.hetherington@gmail.com; sdunnett2@gmail.com  
**Subject:** Meeting on STR Bylaw

Thanks for the notice on the council meeting for September with the focus on the draft STR bylaw.

I plan to attend even though it appears there will be no speakers allowed on the subject. The following are the issues we have with the draft.

1. It is not clear if it is 1 or 2 guest per bedroom as it says in the first part max 2 guests per bed room and further down maximum guests 1 guest per bedroom???
2. The section stating no corporations can apply. In all cases corporations are threatened as individuals in court with owner/ directors liable. Many "corporations" are set up for Trusts or tax planning and little to effect day to day operations of the STR but are liable. They pay taxes as all do. There is no such requirement for cottages , homes or property why?
3. The separation between STR is an issue if neighbors are operating a licenced STR and they are on 100 foot lots
4. On contacting owner I see no issue with contact withing 30 min however getting the owner at the property within 60 min is a big problem for most as they live in GTA, Sudbury, Niagara or just on vacation out of country. I see on the demerit sheet it says 60 hours???. Can the person attending be appointed by owner.
5. Septic is important who approve this? The original? Why does the municipality not require from all home cottage owners. Who will do it?
6. We lock off Water and electrical panels from renter as it opens up for problems if they touch them.
7. Adding Magnetawan to insurance policy? No reason. Why does everyone not have to do that? Why just STR, Town is no more liable than private cottages/properties.
8. Chimney cleaning? Do we keep a log ? I take it self cleaning is okay?
9. Divulging confidential names of renters to anyone is illegal and in most cases STR do not know renters at the time of getting a licence
10. I have never seem a " open air burning bylaw" published it changes week to week and renters are notified of any notices pushed out on Magnetawan web
11. I do not believe there is a noise bylaw to post. We post or own "code of conduct"
12. We take care of maintenance of smoke CO2 and fire extinguisher. We do not allow renters to change any.
13. Location of all electrical appliances is ridiculous> What is included? Fridge, stove, microwave , TV People can see

I would add that there should be a published WASTE disposal promoting taking it home or a published rules on using the dump

William Ford | Co founder/director | 416 616 1872 | [wford@tech-trek.com](mailto:wford@tech-trek.com)



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**Erica Kellogg**

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**From:** Valerie Hardy <valerie.hardy1@outlook.com>  
**Sent:** August 17, 2023 3:11 AM  
**To:** Erica Kellogg  
**Subject:** Objection to new bylaw

Good day,

I am a cottage owner in the Magnetawan area and I object to the new proposed bylaw concerning short term rentals.

With the new changes that violate the municipal act, I would be no longer able to rent my cottage and I would be forced to sell it. Due to the recent rise in interest rates I have no choice but to rent or loose my cottage and life savings. My young family and I live up here in the off season and had the hopes of moving up full time when I retire from the military in the next 5 years. It would be devastating to loose everything I have worked my whole life for because of a new bylaw that is completely unreasonable and illegal.

Valerie Hardy

Sent from my iPhone

## Erica Kellogg

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**From:** Norman Cameron <normcameron42@gmail.com>  
**Sent:** August 16, 2023 4:03 PM  
**To:** Perdi Living Inc; Bev; William Ford; June & Bill Ford; Bruce Stevens; Sam Dunnett; John Hetherington; Erica Kellogg  
**Subject:** Reactions to the Draft STA Bylaw

### Reactions to Draft Short Term Accommodation Bylaw

Norm Cameron, 1 Watson Island

There are issues with how the bylaw seeks to regulate the providers of Short Term Accommodation (STA from here on), and one big issue with how and whether it applies.

**Application Issue:** The bylaw provision 2.5 says the bylaw does not apply to persons operating a tourist establishment, as defined in the Municipality's current Zoning By-law. Both the current zoning bylaw and the draft new zoning bylaw define tourist establishment as follows:

*Any premises operated to provide sleeping accommodation for the traveling public or sleeping accommodation for the use of the public engaging in recreational activities, . . .* The definition then specifically excludes summer camps, members-only camps, and those operated by a charitable organization. All other providers of sleeping accommodation for those engaging in recreational activities are therefore included in the category of tourist establishment.

The definition of Short-Term Accommodation uses explicitly states that they *shall not mean . . . a tourist establishment, . . . or residential properties rented for less than three (3) weeks within a calendar year*. If what we are is a tourist establishment, then our rentals are not Short Term Accommodation uses and this bylaw does not apply to us.

My brief conversation with Erica Kellogg suggested to me that she had not realized that this provision makes the STA bylaw irrelevant to most of us. She promised some work 'cleaning up' the zoning bylaw to remove this lack of clarity. You can expect another exclusion to be added to the definition above, such as excluding "providers of Short-Term Accommodation as defined in the STA Bylaw." Hopefully that will not be sold, if at all, as just 'cleaning up the language'. The zoning bylaw clearly does not now mean to distinguish the treatment of STA from the treatment of tourist accommodation. Reversing that position should be done with more care than has been taken so far.

#### STA Bylaw issues:

1. In section I Definitions, Dwelling Unit is defined to exclude accessory structures: . . . *For the purpose of this By-law, a Dwelling Unit generally includes a house or cottage but shall not include an accessory structure (with or without habitable quarters), . . .*

Accessory structure is an important concept in what follows. "**Accessory Building or Structure**" means *a detached building or structure the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to, the principal use of the main building on the same lot.*

For a boathouse with habitable quarters in the second story, the use is sleeping accommodation, which is identical to rather than incidental or subordinate to the principal use of the main building on the same lot. Neither is it exclusively devoted to the principal use of the main building since the boathouse also stores boats.

So a boathouse loft, often containing the most attractive sleeping accommodation available in a cottage complex because of its superb lake views, should not be classed as an accessory structure at all. This matters because 3.2 says as plainly as possible: *3.2 No person shall use an accessory building or structure as Short-term Accommodation.* That is, no boathouse habitable quarters can be used at all under the licence required under this bylaw.

We were assured in the Town Hall meeting that the restrictions imposed on STA landlords by the upcoming bylaw would be restrictions also applicable to other owners of similar shoreline residential properties, when the Council got around to regulating them too. I do not believe Council will ever ban the use of sleeping quarters in the lofts of other boathouses in the municipality just because they are in an 'accessory structure'. We take pride in our boathouses; we put pictures of many of them in the G&G dining room; we do not ban them from use. This discrimination in the draft bylaw is a mistake.

2. *3.1 Only one Licence per property per structure shall be issued to a property owner(s).* It is not clear what per property per structure means. It probably means one licence for each separate property, regardless of how many accessory or other structures that property might have. But maybe this is not just a typo. In any case, what is the licence fee?

3. Accommodation properties are to be separated so widely that few will be permitted. Section 3.4 is *There shall be a minimum distance of 300 metres between Short-term Accommodation Properties. Such distance shall be measured from the closest points between the Properties (i.e. Shortest distance between the lot lines of the two properties).*

In an area with 100 foot lots, it will take ten properties between two STA properties to satisfy this provision. On the two big islands in Lake Cecebe, one STA property near the middle of either island would make it impossible to get a licence for any other. The owners of the lots prevented just by this provision from any short-term rental in their near future would surely feel themselves sideswiped by this unforeseeable change in the Council's vision for the community.

In some other jurisdictions, such unforeseeable changes in the ground rules for property owners have been struck down as unconscionable. If this is to be applied retroactively, it will seem even more unconscionable.

4. Section 4.6 not only bans parties, it can ban any guests at all. A family of six on an STA rental could invite a nearby family of four to visit, but not five. Two grandparents, four parents, and four children over 2 could not have any visitors at all because ten is the upper limit on the total of renters plus guests.

5. Despite the widespread practice of allowing shorter-term rentals in the offseason than in the eight peak weeks of the STA season on lakes, the draft bylaw imposes the same 7 day minimum stay year round, without rationale. Such unnecessary inflexibility undermines support for the broader objectives of this new type of regulation, which will make it more difficult to enforce.

6. Section 6.1 (i) still requires a 5 million dollar liability insurance policy, though professional insurance agents think it so irrelevant that companies typically do not even offer such policies. This seems to be just another piece of discrimination against the very people who bring in outsiders to the area whose spending keeps many of our merchants in business. Council earns no kudos for insisting on an unrealistic amount of insurance coverage. Property taxes are already enough of an irritant.

Norm Cameron

## Erica Kellogg

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**From:** Kelly Spear <wecater@vianet.ca>  
**Sent:** August 17, 2023 9:09 PM  
**To:** Erica Kellogg; john.s.hetherington@gmail.com  
**Subject:** Letter intended for public comment within the agenda package.

Dear Mayor and Councillors,

I'd like to introduce myself and my husband to you. Our names are Kelly and Lucas Spear. We purchased a property on Watson Island seven years ago and have never looked back. We absolutely love it here. During Covid we purchased a property 300 meters across from our island cottage on Chapman Drive. This is where we now reside and is our primary residence.

We rent our home on Chapman Drive in the summer while we live on the island and during the winter we move back into what we think of as our forever home. We thoroughly enjoyed fixing it up and have now made a beautiful home in a beautiful place. We hope to stay here and grow with the community.

Upon reading the proposed by-laws are hopes have been diminished. We are two cottages away from the Cameron's place and they also rent during the summer. I would like to say that I absolutely agree that new regulations are needed and reading through your draft I was quite pleased with almost all of it.

Such as:

Limited Number of Guests (So Necessary)

Weekly rentals (Although, I do feel that should be for prime summer and not off season. I find most families just can't get away that long from work in the off season)

Available owners at the ready (This is great)

Demerit points (Great)

Septic requirements (Yes, please)

Really most of what I have read in this draft is good news for people like myself that live here and want to protect the area but I feel a good renter/owner such as myself and others such as the Cameron's should not be penalized by location. I feel quite strongly that a good renter is a good renter and only adds to the community by supporting much needed local tourism. I also feel quite strongly that a bad one is a bad one and if your neighbours are not happy you should not be either. Our neighbour on the other side rents occasionally and like the Cameron's he does a spot-on job. Families that come back year after year with reasonable numbers, no parties and a high level of respect for the community and neighbours. I feel so lucky to be between these two, so much so that I had no issue buying the property and investing our savings in our home. We also chose the location so that we can monitor our rental and provide for our guests. Our guests know that we are involved during

their stay and are often on the premises. This leads to greater responsibility and we find this helps brings in the family friendly guests we rent to.

I had stayed out of this 'renters' conversation for some time because, quite frankly, I do not approve of stuffing places full, leaving a key under the mat and walking away. I believe in renting to families, having limited numbers, enforcement and bringing families back year after year to enjoy in our lovely town, which I have come to feel a part of.

I really hope you will reconsider the by-law for distance between rentals. We on Chapman Drive respect each other and are a close-knit protective group concerned with the same issues. We are happy to set the bar for excellent renters and bring in healthy tourism that supports the local community. I would ask you to please consider this is our home and not just some investment property, we are on site constantly as it is our access point and primary residence. Our neighbours are our friends and we theirs.

Kind Regards,

Kelly and Lucas Spear

## Erica Kellogg

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**From:** Norman Cameron <normcameron42@gmail.com>  
**Sent:** August 18, 2023 10:10 AM  
**To:** Sam Dunnett; William Ford; Bruce Stevens; John Hetherington; livingmagnetawan@gmail.com; Erica Kellogg; Councillor Kneller; Kerstin Vroom; Kelly Shipton; Jon Hind; Perdi Living Inc  
**Subject:** Response to the Short Term Accommodation Bylaw  
**Attachments:** Presentation to Council.docx

Whereas oral presentations will not be allowed at the Council meeting to decide on the STA Bylaw, and

Whereas it appears that Council's mind is not already made up,

Therefore I am sending you my suggestions for improvements that will make the draft much more acceptable to the STA community at which it is aimed. It is already a nice piece of work, but some dangerous flaws have appeared since we last discussed it.

The response is attached as a word file and included in this email as well.

### **Response to the Draft Short-Term Accommodation Bylaw**

**Norman Cameron  
Resident and STA landlord**

The Council has presided over a long process of discussion of how to handle short term rentals. The process has been well organized, very well publicized, and it has produced a wealth of ideas. Surveys of what other communities have done have given us even more options to consider. That is an impressive achievement.

The draft bylaw that has resulted has all the ingredients for a good regulatory scheme:

- it requires a licence for all short term rentals, and regular renewals of that licence, so landlords have to keep good contact with the municipality and vice versa;
- It requires absentee landlords to appoint a Responsible Person close to their rental site so issues that arise can be dealt with immediately; that allows us to tap some of Toronto's money to finance Magnetawan's hospitality sector, without losing control of how it is allowed to behave in Magnetawan.
- It imposes minimum standards for rental contracts that are easily observable, and creates powerful incentives in fines and demerits for both renters and landlords to live up to those standards;
- It addresses the problem of large parties and their likely noise violations by setting a limit of just 10 on the total number of persons at the rental site, whether staying there or just visiting, and requiring a log in the guest register of who they all are;
- It addresses cottage packing by limits on renter occupants tied sensibly to bedroom spaces and beds rather than floor space for sleeping bags;



- It brings rental operations out into the open by posting basic information on rental licences on the Municipal website, so other residents need not be in the dark about how many and where the renters are in the community.;
- It provides a mechanism for ensuring that septic and fire and safety issues will be addressed regularly at each rental site, benefitting the entire community and its waterways.

With all this in place, residents of Magnetawan need not worry as much about damage to the community from reckless renting on our abundant shoreline residential areas. That is a victory for all of us. Congratulations to all involved, and especially to Erica Kellogg of the Municipal office, who has been stickhandling much of the process to date.

Six additional features have generated angry complaints from many in the landlord group. If these features are not improved upon, we can expect some landlords to sell out and leave Magnetawan, causing a significantly smaller flow of tourists and tourist dollars to the shops and workers of Magnetawan. The rest of this letter is therefore about improvements, in order to provide some middle ground for the few contentious parts of the draft bylaw. My hope is that by Sept. 13 we can all stand on that middle ground to keep both the landlords and the rest of the community happy.

**Complaint 1.** The 7 day minimum rental stay specified in section 4.8 is fine for peak season, but not for the off season. Once schools are back in session, families are not as flexible to take weeks off, but they can manage three and four day weekends.

**Solution:** set the minimum at 7 days for July and August, and 3 nights the rest of the year. That is what almost all landlords do already.

**Complaint 2.** The liability insurance minimum of \$5 million appears to be way above any settlement granted by any court in Ontario. Most insurance companies do not even sell policies with that large an amount because there is no need. Yes it is cheap, but it is also as worthless as my hole in one insurance. Imposing this requirement on landlords using short term rentals is just a tax on landlords that is passed on to liability insurance companies.

**Solution:** go back to the standard \$2 million maximum that most of us already have, but keep the bylaw's provisions for specifying the municipality explicitly in the policy.

**Complaint 3.** The 300 metre separation buffer to be required between STR properties will prevent many of the existing, active rental properties from applying for a licence, putting them out of business. For shoreline access roads with on average 100 foot wide lots, that is a buffer of ten properties between any two STR properties. At today's cottage prices and interest rates, it would be hard to get a buffer of two adjacent properties whose owners had not thought about renting unused cottage weeks to help cover mortgage payments.

Putting existing businesses out of business by changing the rules invites retaliation in the form of suits to reclaim damages from lost income caused directly by the rule changers. Funds that might otherwise have gone to a new fire hall will instead go to lawyers for court suits. Destabilizing the supply of rental space is not good for renters either, or for the stores in which they do business.

**Solution:** At a minimum, do not impose this buffer requirement on existing businesses; grandfather the distribution of STR landlords that we currently have, and apply the new rules only to new applications. The requirement will spread to the others fairly quickly as properties change hands. Fines and demerits will speed up the turnover. Better still, revise the buffer to be either smaller in metres, or inclusive of the properties on either side. That is just a sop, but better than digging in.

**Complaint 4.** There is no rationale for disallowing the use of bedroom facilities in a Bunkie or boathouse loft from use as short term accommodation. Nothing in the definition of accessory structures supports this discrimination between bedrooms inside a main building and bedrooms in a separate structure. Boathouse lofts do not even fit any of the features that identify an accessory structure, but they are still banned from use in STA premises. This arbitrary amputation of rentable space invites retaliation in law suits for loss of income from that foregone rentable space.

**Solution:** Identify what features of accessory structures make them unsuitable for rental where the same feature inside a main building would be acceptable, then ban only the accessory structures that have those features. If there are no such features, abandon the whole idea.

**Complaint 5.** The first year freeforall in applying for licences (section 2.7) is grossly unfair to the existing landlords, who have committed serious money to the project of supplying attractive accommodation to tourist visitors to the community. These visitors come back year after year, identify with the community, and behave themselves at least as well as permanent residents. If their current landlords are just crowded out by new applicants in the rush for first year licences, their rentable space is no longer available to visitors. Some of the visitors will look elsewhere than Magnetawan, taking their business with them. Other potential landlords will learn from this episode and buy rental property in a different town where the municipality does not expose its hospitality sector to such arbitrary and existential risks.

**Solution:** Respect the large (sometimes very large) financial commitment and risk exposure of existing landlords in support of our hospitality sector by giving them priority in the first year of this brand new program so that they will all have their completed application considered for a licence before any licence is granted to a new applicant. They/we deserve at least that much acknowledgement and accommodation. Also, be flexible for the first year in deciding what constitutes a complete application; all of the application process is new and untried.

**Complaint 6.** A rigid total of 300 licences is redundant if it is larger than landlords will ever apply for. If it is smaller than landlords would apply for, such a quota invites market behaviour that we do not want. Disappointed investors will turn their attention to freeing up less-used licences, either directly with the licence holders by bidding, or indirectly by (trying to) influence the licencing process. Neither of those outcomes leads to a happier community.

**Solution:** If it (the market mechanism) works, don't fix it! The supply of short term rental space will adjust to what renters want as long as they are willing to pay what the rentals cost to operate. Nobody who wants to pay is left out, nobody else gets a free ride. Unless we think the renters and landlords are misguided or to be disregarded, we should let them do their thing as we do for all demands and supplies in the Saturday Farmers Market. And yes, this just repeats what you heard in your first economics class!

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Norm Cameron

Praise and Comment by Beverly Cameron,  
Magnetawan Resident and STR Operator for more than 15 years

Cameron Cottages on Lake Cecebe (cameroncottages.ca)

Dear Mr. Mayor and Magnetawan Council Members, Ms Vroom and Ms Kellog,

Thank you very much for all the time and effort you have spent working on a draft by-law for short term rentals (STRs). I agree that we need some regulation of STRs and I agree with many of the provisions in the draft by law.

I like the idea of licensing STRs.

- I don't like the idea of 'cottage packing' so I'm glad to see that you favor limiting occupancy to two individuals per bedroom with a maximum of 10 guests.
- I like the idea of requiring a responsible person to be available in case the guests have issues or their behavior becomes an issue.
- During the prime rental season, July and August, I like the idea of a minimum seven day rental period.
- I like the idea that all STRs with potable water should provide a report from Public Health Ontario showing that the water in the cottage is safe to drink.
- I like the idea that STRs should have to show that their septic system can handle the number of guests that the rental accommodates.
- I like the idea that the landlords should know the names of all the occupants and their contact information.

My husband, Norman, and I have operated two STRs on Lake Cecebe for more than 15 years and six years ago we added a third STR when our neighbors sold us their cottage. Their cottage needed a lot of upgrading and renovation which we did by ourselves and spending a lot of money for supplies and professional in the community.

During our 15 years of operating STRs we have built a guest clientele where 80% of our nights are repeat guests. Many families have been with us for 10 to 15 years. They have raised their families at our cottages, they have shopped at local businesses and participated in local activities. Our guests have become participating members of the Magnetawan community. We think this is special and we are proud of the business we have built, the people we have introduced to the community and the tourist dollars our rental guests have given to local businesses. We are proud of the jobs our STR business provides for cleaning help, lawn maintenance, and off season upgrades to our properties.

We are hands on STR operators. We greet every guest when they arrive, we say 'goodbye' when they leave, after a day or so we ask to see that everything in the cottage is okay for them, and we are very responsive if there is any issue. We provide our guests with a descriptive list of local businesses and activities. We are not "the key is under the mat" STR operators. When we have

rental guests we are here or on the rare occasion we have to leave we have a family member or friend available and we tell our guests about that person and our planned absence.

We do this hands on work for a number of reasons.

- we think it helps protect our property if our guests know us,
- it gives our guests the feeling of being part of the local community,
- it allows us to share local information that makes their stay more enjoyable, and
- it helps us set behavior expectations for our guests.

Our advertising specifically says we are family oriented and that our cottages are not suitable for those who want to party. With very few exceptions we don't allow rental groups of three couples. (Two couples isn't a party but three couples has more potential to become a party.) Our ideal guests would be mom, dad, two kids, and grandma.

We can do this because we live on Lake Cecebe. We understand that most STR owners do not live close enough to provide similar services and property monitoring but they could do so by hiring a responsible nearby local person. So, I like the idea that the Council's draft stipulates a responsible person must be available to guests.

Those are the positives but I do have some concerns:

First, why the 300 meter separation between STRs? If the bylaw passes with that provision we won't be able to operate two side by side STRs as we have done without incident for six years. That would cost us a significant loss of income. Also, several of our neighbors who have been responsibly operating STRs for fewer years than we have would no longer be able to operate. If the goal is to have responsible STR operators and good respectful guests, why must there be any set distance between them?

Second, why a year around minimum stay of seven days. In our experience a 7 day minimum will work for the prime July and August weeks but it won't work for the off season when most people come for a long weekend at most. Thanksgiving, the May Long weekend, Christmas, and so on should have much more flexible minimum stays. As long as both the STR owners and the guests are responsible and respectful the length of stay seems irrelevant. At least one local business own tells me she couldn't make it over the winter without STR guests.

Third, why the restriction on having guests in bunkies or boathouse lofts? We have a boathouse loft for guests that guests use at one of our STRs and multiple grandparents come because they want the separation they get as a result. They say, "We love the kids, but...." 😊 As long as we and our guests are responsible and we have no more than the mandated two guests per bedroom, why this restriction?

Fourth, why a requirement for \$5,000,000 liability insurance? Professional insurance brokers have told us there has never been an insurance settlement over \$2,000,000 in Ontario and as a result insurance companies rarely offer more than \$2 million in liability insurance.

There are other small things that I also think are excessive and I hope they can be removed. For instance, yearly HVAC inspections (let STR owners determine how often inspections occur since they will be responsible if there is an HVAC issue) and hotel/motel-like to scale building diagrams (certainly hand drawn diagrams showing exits would be sufficient).

My husband and I haven't been involved with the local STR owners group in the past because we felt some members didn't want any regulation at all. We believed that Council would come up with a fair, reasonable well thought out bylaw to regulate STRs that would take into account the interested of STR owners, local businesses, neighbors of STRs, the many tourists who want to vacation and spend their money here, and the general community.

While we were pleased in general with the draft bylaw, we hope that Council will rectify and moderate some of the more heavy handed and punitive parts of the draft bylaw.

Council may also want to wait a little to pass a STR bylaw until (1) it's known what legislation the province is putting in place for STRs, and (2) the outcome of the current law suit between Tiny Township and STR owners is known.

We all want to get rid of the few bad apple STR owners who are causing problems, but hopefully Council can find a way not to punish the majority of STR operators who are doing a good job and bringing much needed tourist dollars and jobs to Magnetawan.

## Erica Kellogg

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**From:** Randy Luck <rluck.ics@gmail.com>  
**Sent:** May 29, 2023 10:38 AM  
**To:** Erica Kellogg  
**Subject:** Short Term Rentals  
**Attachments:** Note on Cottage Sale and Municipal Short-term Rental Issues Karens Version.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Ms. Kellogg,

We are writing to express our support of individuals who choose to responsibly rent out their cottages in your municipality on a short-term basis. We in fact are one of this group. We have been asked to provide this communication by like minded groups who feel that the municipality was of the perception that there is not significant support for STR's and that there is little opposition to the proposed rules.

We sent a communication to Nichole back on April 12, 2022 (copy attached) upon learning of the municipality's desire to impose rules governing this particular activity. Additionally, we have attended meetings of the municipal council where these proposed "rules" - the last one the discussion was postponed until later in the year - sometime in April 2023. We were informed that this meeting would not allow any kind of discussion on this matter, but it was more a regular council meeting and that again no in-depth discussion would be undertaken, so we did not attend. We now understand that there will be another meeting on May 31, 2023, at your municipal offices and that a broader discussion will be allowed with regards to these proposed bylaws. We will be attending.

So now that we have dispensed with an introduction and preamble, we do have some comments on the proposals:

- We are not opposed to a Licensing mechanism, as long as the fee is fair and utilized to support by-law enforcement.
- We also agree with a "penalty" aspect to the fee should the protocols be breached. We suggest that on an initial breach of the rules a penalty be imposed for one season at a minimum (in addition to the annual license fee). The one season time period will be based on the breach of the rule being rectified. If the breach should happen again, then the penalty should escalate and be imposed for two seasons in addition to the annual license fee. A third infraction could involve the suspension of the license and the ability to have STR's at the property.
- We are also confused as to the purpose of the accommodation tax, as there is already a proposed fee for licenses, why would another fee be required? This seems redundant and a bit of a cash grab.
- In conjunction with the above, any infraction must be verifiable, not just the say so of a disgruntled cottager. We do live in a society where you are innocent until proven guilty.
- We have an issue with the imposition of a head count limit and feel this should be based on bed capacity and ultimately by the septic capacity. In our case, our bed count would support 18 individuals. We have arbitrarily limited it to 14 - 10 adults and 4 children. This is the ideal mix, but we have had different mixes, but all restricted to 14 in total. Our septic system is rated for 20, but we like to have people just occupy beds (not couches) and we like having some capacity safety net.
- One of the proposals we most strongly disagree with is the restriction on granting a license to a property held in a corporation. This seems arbitrary and prejudicial. This is how our property is structured. Our plan had always been to place this rental business into a corporation for three main reasons - HST claw back, liability protection, and estate planning. We worked with your building inspector and made no secret of our plans, with no pushback by your officials. If the concern is you are getting some large corporation involved in the business, that is easily addressable by putting in some wording that one; no public corporation can have an interest in the property, either directly or indirectly (you could also have this apply to any entity that is in excess of X\$ of assets, etc.) and two; that the Articles of Incorporation, the shareholder and directors list be submitted each time a license is renewed. We have availed ourselves of some legal assistance in this matter (we have 5 lawyers in our family) and they did find a case that essentially relates with our assertion above (arbitrary and prejudicial). The case they provided us with Puslinch v. Monaghan, 2015, Court File: 314/14, Date: 2015-04-27.

We do have some other issues around the STR subject that we would like to discuss, but we will leave that to the meeting on May 31.

I have requested some stats on the STR's in Magnetawan – number of STR's, nature and number of complaints received and any specifically against our property. You responded that you do not have this information, which begs the question as to why we are pursuing this issue if we do not have the data to support the reaction. Its hard to deal with an issue without hard data to support it. I would also suggest that a working group of STR's, STR management companies, local business representatives, a sampling of the public – both full time and seasonal and municipal government representatives be established to discuss the matter to come up with a fair and workable solution.

There is no doubt in our mind that there are irresponsible renters and owners, but we are just not aware of how extensive the issue is. STR's are good for the local economy. We hire cleaning staff during our busy season, we direct our guests to local businesses – Magnetawan Bait and Tackle, The Cornball Store (we personally know that Andy and Andrea are quite appreciative of our efforts), local restaurants, marina's, etc. We feel that this is something that can be worked out to a mutually satisfactory conclusion, it just requires some teamwork.

There is one other item we would like to obtain – the total number of residences in the municipality, how many are considered permanent and how many are seasonal and the gross tax receipts for a year, broken down between these two groups.

We thank you for your input and apologize if this is taken as some form of attack on your processes – rest assured it is not. This is a very important matter that impacts many individuals' livelihood, and impacts the economic well being of the municipality.

Thank you, Randy and Karen Luck

*This message is directed in confidence solely to the person(s) named above and may contain privileged, confidential or private information which is not to be disclosed. If you are not the addressee or an authorized representative thereof, please contact the undersigned and then permanently delete this message.*

Tuesday April 12, 2022

Good Day Nicole,

Our names are Randy and Karen Luck. After working with a knowledgeable and patient realtor for 2 years, we purchased property on Neighick Lake in 2014 and over several years and with significant planning and research, built a cottage. We have come to appreciate and enjoy the Magnetawan community and love having the opportunity to share the beauty and serenity the lake and surrounding area offers. We rent our cottage on a short term basis. Recently, it has come to our attention that there has been discussion by the Magnetawan Municipality to ban or regulate short term rentals. We contacted the president of the cottage association but he was unaware of the survey that was being completed so went on the Magnetawan site and found the survey. From what we have read it seems that regulating through licencing is the direction that Magnetawan plans to pursue.

We believe that regulating short term rentals while including a renters' code of conduct is a positive step. This summer will be our 3<sup>rd</sup> year renting with 70% repeat business. We have enclosed the information/code of conduct we provide for every group renting our cottage. With the exception of our second group of renters who will never be returning, we have hosted some fabulous families; many who see our cottage and property as their second home and treat it that way.

After reading the comments we found in the survey, we wanted to respond to some concerns so that hopefully those who are against rentals can see that not every short term rental is the same.

We rent for a week at a time and do not rent for weekends. Weekends only lends itself to parties. Occasionally we rent to a group for 2 weeks. Renting for a month would not be our preference because as we understand it anything 30 days and more enters into the realm of landlord and tenant and the complications that go with that.

Our cottage was built for families and extended families to enjoy a week or 2 together. Maximum occupancy is 14. We primarily rent to groups that include



grandparents, parents, children, aunts, uncles, nephews, nieces etc. Occasionally we rent to two or three unrelated families that includes parents and children. We do not rent to singles. In the future we would like to donate time at our cottage to people who are recovering from cancer treatment. We meet our guests as they arrive, give them a tour, and discuss many of the things you will find in the information attached. This gives us the opportunity to monitor the number of guests going into the cottage initially. In the past, we had a neighbour who was a full time resident, who let us know if more people came later so that we could deal with it. Our neighbour has moved so going forward we are going to install a camera at the front of the cottage so that we can monitor numbers.

As stated before we did a lot of research and planning before building. We learned that the Ahmic Lake chain is very clean and we wanted to ensure that we do our part to protect the water. We have installed a living septic system (with peat) that is much larger than needed. It will accommodate at least 20 people (our max is 14). It has also been installed farther away from the lake than required and is inspected and maintained yearly by the company we purchased it from.

We do not notice an increase in traffic on the road to our cottage. We spend time up at the cottage (doing maintenance, repairs and modifications) during all seasons and do find there are more cars in the summer but imagine that there would be an increase in traffic whether the people travelling to each cottage owns or rents it.

We have provided adequate parking for our guests there is more than enough room for 7 vehicles. Generally we find that there have been 3-5 vehicles.

We have not noticed garbage on the side of the road either. As you can see in our attached information, our guests are asked to separate their recyclables and garbage. We have a "bear bin" on our property. They leave the garbage and recyclables in the "bear bin." We deal with it when we come up to clean after they have left.

In the information attached you will also see that we explain to our renters the importance of respecting our neighbours in reference to noise and boating. Often people who have not been to a lake before do not realize how noise can travel across a large body of water. We also remind them to remain on our property and

public roads (No trespassing). They are also asked to keep their dog close to them on our property and on a leash when walking on the road. They are reminded to clean up after their dog as well.

We have a fire pit at the back of our cottage. It consist of a metal bowl on flagstone. We feel that this limits the size of the fire. A pail is provided and we ask guests to have a pail of water by the fire at all times. We monitor the Magnetawan site for fire rating. If there is a fire ban we let our guests know. Our guests are responsible adults and do not want to be the cause of a forest fire or be caught in a forest fire. We will add -No fireworks.

In the past we have had some issues with noise, bad language, and unsafe boating at a short term rental cottage close to ours. We found the cottage on the cottage rental management site and phoned them. Ten minutes later the noise etc. stopped. We also had an issue at the same cottage with some people with a huge fire being fed with some kind of propellant. We contacted the fire department. Problem solved.

Those who commented on the importance of tourists to the businesses in Magnetawan are right on the mark. We both come from communities who depend on tourists. In fact our family has a business in a small community on Lake Huron. We know that the pandemic has not been kind to Magnetawan and as a result we have seen some of our favourite restaurants/businesses struggle and even close. We have a binder we leave in our cottage with information about local restaurants, convenience stores, grocery stores, markets etc. for our guests. The people who are coming for the third time are looking forward to visiting their favourite businesses in the community again.

Hopefully this helps you to see that not every short term rental is a negative thing. We are very hands on and are doing our very best to make our guests stay enjoyable while respecting our neighbours, community, and environment. We would be fine with paying a reasonable licencing fee and complying with a code of conduct to help ensure that everyone is able to enjoy their lake property.

**From:** Chuck@lulusrepose.com <Chuck@lulusrepose.com>  
**Sent:** Tuesday, May 9, 2023 11:54 PM  
**To:** 'Sam Dunnett' <sdunnett2@gmail.com>; ekellogg@magnetawan.com; 'councillorhind@magnetawan.com' <councillorhind@magnetawan.com>; 'john.s.hetherington@gmail.com' <john.s.hetherington@gmail.com>; 'livingmagnetawan@gmail.com' <livingmagnetawan@gmail.com>; 'info@magnetawan.com' <info@magnetawan.com>  
**Cc:** Toni Mossman (tmossman@bradfordlasercentre.ca) <tmossman@bradfordlasercentre.ca>  
**Subject:** Short Term Rentals - Magnetawan (Lulu's Repose)

Greetings Mr. Mayor, Councillors & Colleagues,

My wife Toni and I are the owners of Lulu's Repose on Ahmic Lake and are writing this email as a follow-up to our correspondence of August 24, 2022.

Since we purchased Lulus Repose in 2021, the cost of ownership has increased dramatically because of mortgage rate hikes, and incredible increases to propane supply and hydro service. Despite this, we have invested well over \$100,000 in upgrading our cottage and amenities to ensure that we maintain our property to the highest standards. Moreover, a large portion of these improvements were completed by local area businesses, thereby contributing significantly to the local economy.

We have a strict limit imposed on the number of guests that our cottage can host. Our parking, well and septic systems are all sized to accommodate our occupancy limit. We think that it is unreasonable for the Municipality to legislate the number of guests we can host when non-STRs on our lake regularly host even larger gatherings without the same degree of control and scrutiny, thereby effectively creating a double standard. How is this equitable?

The path of legislating STR's has been a hot topic, with many municipalities opting to not choose this route to not expose themselves to costly litigation and reputational damage. Is this really the best use of taxpayer's money?

Based on the municipal report we received and reviewed, there were only a handful of complaints received against STRs, not exactly an epidemic by any sense. To the casual observer, it appears that you are painting all STR owners with the same brush expressly for the purpose of generating additional revenue streams.

When we talk with local area business owners, they support STRs and the local community spending that they intrinsically provide. It appears that the vocal minority is winning out over popular opinion here as you move forward with enactment of this new Bylaw. If local businesses principally support STRs, and there are negligible complaints to speak of, who is this Bylaw really being enacted for we would ask?

As stated in our previous correspondence, our rentals are limited to weekly stays only, during the Summer months. We use Cottage Link Rental Management to carefully screen our guests to ensure our strict code of conduct is enforced. All guests are advised that we have a good neighbour policy, and that raucous behavior will not be tolerated. Failing to abide by our rules could result in being banned from future stays at not only our property, but all properties managed under CLRM. We would add that most of our guests visit annually with their families and book a year in advance to secure their preferred vacation dates.

We have an excellent relationship with our neighbouring cottagers. They have our personal contact information if they ever feel their right to quiet enjoyment was being disrespected by any of our guests. We can honestly say that since we have owned Lulu's, we have not received a single call from our neighbours necessitating an intervention.

The Municipality already has the necessary Bylaws in place to regulate bad behaviours from either STRs or permanent residents alike. Implementing new legislation only further complicates matters and punishes those who are doing all the right things. Deal individually with those who choose to break the rules through the existing framework, which is working effectively. For the record, we **DO NOT** support this new Bylaw.

Regards,

Chuck & Toni Mossman

Owners, Lulu's Repose

[www.lulusrepose.com](http://www.lulusrepose.com)

September 1, 2023

Via Email ([ekellogg@magnetawan.com](mailto:ekellogg@magnetawan.com))

Erica Kellogg  
Deputy Clerk Planning and Development  
4304 Hwy #520, P.O. Box 70 Magnetawan  
Ontario, Canada  
P0A 1P0

**Re: Concerns with Proposed By-law to License and Regulate the Use of Short-Term Accommodation Properties ("STR") in the Municipality of Magnetawan (the "Proposed By-Law")**

We are counsel for the Association of Responsible Magnetawan STR Owners, a collective of STR owners and operators within the Municipality of Magnetawan (our "Clients" or the "Association"). The Association was formed to protect the interests of owners with lands in the Municipality which are used for STR purposes. We are writing to provide details with respect to our Client's concerns regarding the Proposed By-Law and our request that the Municipality reconsider its passage in light of these concerns.

Members of the Association have been operating STRs from their properties located in the Municipality. They are of the view that the Proposed By-Law would be illegal if passed because, among other things:

- 1) It is in bad faith and would be illegal.
- 2) It contravenes section 34(9) of the *Planning Act* and section 153(3) of the *Municipal Act* in that it offends the legal non-complying/conforming use rights of property owners in the Municipality and constitutes zoning regulation in the guise of a licensing regime;
- 3) It contravenes section 152(1) of the *Municipal Act*, 2001, insofar as a Municipality shall not refuse to grant a license for business by reasons only of the location of the business;
- 4) It is so restrictive that it is effectively prohibitory, not regulatory.<sup>1</sup> When a by-law is so restrictive that it makes the activity economically unviable to operate, it is *ultra vires* the power of the municipality and is illegal.<sup>2</sup>

<sup>1</sup> *Treesann Management Inc. v. Richmond Hill (Town)*, 2000 CanLII 5174 (ON CA),

<sup>2</sup> *Edwards v Faraday (Township)*, 2006 CarswellOnt 9598 (ON SC), [2006] OJ No 2741 at para 58; *Re Leavey et al and City of London*, 1979 CanLII 1957 (ON SC), 11 MPLR 19, at p 18.

The discretion of a municipality is not unfettered: municipalities must act within the powers granted to them, and they must exercise those powers in good faith.<sup>3</sup> A municipality acts in bad faith when, among other things, it enacts a bylaw that:

- is in an attempt to accomplish indirectly what it is not authorized by its statutory powers to achieve directly;
- is discriminatory;
- is unreasonable and passed in bad faith, is unfair, or undertaken for an improper purpose; or
- that is beyond the scope or the ambit of the powers delegated to the municipality.

A municipal bylaw is also invalid if it is effectively a zoning by-law that attempts to regulate land use rather than regulating and governing the manner in which a business is carried out on the land. Restrictions on land use are regulated under the *Planning Act*. Further, both the *Planning Act* and the *Municipal Act* expressly ensure that legal non-conforming uses cannot be impaired by either a zoning or licensing bylaw.<sup>4</sup>

That being said, many STRs are not carried on as businesses and hence cannot be regulated under the Proposed By-Law.

Moreover, the Municipality risks expressly contravening provincial planning legislation and may fail to comply with the strict requirements of the *Planning Act* to impose further zoning restrictions on the use of STRs.

There are many aspects of the Proposed By-Law that are troubling and which would render it illegal and subject to being quashed.

### **300 Metre License Exclusion Zone**

The *Municipal Act* does not provide for a prohibition on the issuance of a license based on geographic distance. Indeed, section 153(1) of the *Municipal Act* specifies that the Municipality shall not refuse to grant a license for a business for reasons only of the location of the business.

Section 3.4 of the Proposed By-Law provides that "There shall be a minimum distance of 300 metres between Short-term Accommodation Properties." This limitation is plainly in contravention of the above sections of the *Municipal Act* and ought to be struck from the Proposed By-Law. The Municipality is not at liberty to regulate the granting of a license based only on the location of the proposed STR and that is exactly what this section purports to do.

<sup>3</sup> *Grosvenor v East Luther Grand Valley (Township)*, 2007 ONCA 55 at para 41.

<sup>4</sup> *Municipal Act* s.153(3) "(3) Despite subsection (2), a municipality shall not refuse to grant a licence by reason only of the location of the business if the business was being lawfully carried on at that location at the time the by-law requiring the licence came into force so long as it continues to be carried on at that location." *Planning Act* s34(9) "(9) No by-law passed under this section applies,(a) to prevent the use of any land, building or structure for any purpose prohibited by the by-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the by-law, so long as it continues to be used for that purpose..."

Having regard to the limitations imposed by the *Municipal Act*, we ask that the Municipality promptly remove this limitation from the Proposed By-Law. Supporting our view are two legal opinions provided to two municipalities seeking to impose a similar limitation based on the location of a business. We attach these opinions for your review and consideration.

**The Proposed By-Law is Effectively Prohibitory, is an Impermissible Regulation of Land Use that can only be regulated under the Planning Act, and is in Bad Faith**

The Association is also deeply concerned with other elements of the Proposed By-Law which strip away legal non-complying/conforming uses, are zoning restrictions dressed up as licensing measures, or are prohibitory rather than regulatory and are being enacted in bad faith. These elements are overly restrictive and unduly limit the property rights of owners who previously lawfully operated STRs in the Municipality. In our view, the limitations outlined below effectively limit the viability of an STR in the Municipality in such a restrictive manner that they become prohibitive in all but a select few scenarios.

***Minimum Rental Period and Maximum Number of Renters and Guests***

The Proposed By-Law limits STR owners to a 7-day minimum rental period. It also has unreasonable restrictions on the number of renters and guests. Our view is that these terms of the Proposed By-Law are overly harsh and inhibits property owners' ability to rent their properties and are also, in effect, zoning prohibitions.

The 7-day restriction is problematic especially given the fact that many families and other renters take advantage of weekends to rent a property. Indeed, the minimum rental period will cause an acute loss of revenue from families with school-aged children who cannot take their children away from school from September to June, or who live in condos or rent apartments, and who look forward to weekend getaways outside of the city.

These restrictions are not reasonable and do not apply to properties that are not used for STR purposes despite similar concerns about noise, parking, or level of activity, for example. They are thus discriminatory besides being zoning restrictions in the guise of licensing restrictions.

***No Corporate Ownership***

The Proposed By-Law limits STR properties from being corporately owned. This is discriminatory and would be contrary to the *Municipal Act*. This is also an unreasonable restriction which will infringe on the legal non-complying/conforming use of corporately owned STRs. If these STRs are to continue operating they will need to transfer ownership and appears to have no purpose other than to prohibit certain classes of STRs. Such a restriction does not apply to similar properties not used for STR purposes.

***One Licence per Structure***

Section 3.1 would only permit one licence per structure. Section 3.2 would prohibit the use of accessory buildings or structures. These are prohibitory restrictions and would also offend the legal non-complying/conforming use rights.

***Other Troubling Prohibitions***

MTDOCS 48619793

Erica Kellogg - September 1, 2023

There are other troubling prohibitions that would also be illegal. For example:

- Proof that the installed septic system will support the property. Septic system regulation is governed by the *Building Code*, which cannot be varied in a discriminatory fashion only against STR operators.
- Requiring water samples every 3 months. This is onerous and is not reasonably required to regulate STRs. It also discriminates only against STR operators.
- Requirements for \$5 million in insurance with the Municipality being a named beneficiary. This insurance is unnecessary and is impossible to obtain. This prohibition alone makes the Proposed By-Law prohibitory. The other restrictions in Section 6.1(J) are extremely onerous and expensive and also appear as really designed to indirectly prohibit rather than regulate STRs.

Prohibitive licensing by-law schemes are illegal, as the entire purpose of licensing by-law is to regulate, not to prohibit. The Association's concern are that these limitations, in conjunction with the others noted above, effectively prohibit STRs in most scenarios, even where the use of the property as an STR would be entirely reasonable. This may effectively make the operation of an STR within the Municipality economically unviable—which is akin to prohibiting the activity altogether.<sup>5</sup>

### Privacy

Section 3 would permit the publication of personal information on the Municipality's website. The information provided to the Municipality should not be made public and any such publication would offend the privacy rights of hosts in the Municipality.<sup>6</sup> Section 7.5 is also problematic as it impermissibly requires hosts to collect personal information contrary to the Federal privacy law, *PIPEDA*.

### Penalties

The penalty regime is punitive. Moreover, the administrative monetary penalties (AMPs) may be an illegal criminal provision absent a due diligence defense.

### Legal Non-Complying/Conforming Uses

As noted above, many of the proposed terms of the proposed By-Law are, in effect, zoning prohibitions dressed up as licensing regulations and are hence, invalid. But, even beyond this, a municipality cannot do indirectly what it cannot do directly. In this regard, the Proposed By-Law would be invalid to the extent that it takes away or impinges on legal non-conforming use rights. This bylaw would have this effect. As you know, the benefit of a legal non-conforming/complying use runs with the land.<sup>7</sup> We gave examples of this above such as:

<sup>5</sup> *Edwards v Faraday (Township)*, 2006 CarswellOnt 9598 (ON SC), [2006] OJ No 2741 at para 58.

<sup>6</sup> *MFIPPA s 31*. See also, *Airbnb Ireland UC v Vancouver (City)*, 2023 BCSC 1137.

<sup>7</sup> See e.g. *Forbes v Caledon (Town of)*, 2021 ONSC 1442 at para 11.



- The Municipality arbitrarily limiting the number of STR licenses to 300 annually and those not within 300 m of another STR.
- S.5.1(b) of the Proposed By-Law provides that a license cannot be assigned or transferred to another person. This would likely impede sales of properties with legal non-complying/conforming uses from owners who obtain licenses, who will now be unable to sell their properties to be used for STR operations. This effectively strips property owners of their property rights that are guaranteed under the *Planning Act*. In the context of an impending recession with climbing interest rates that will further limit property sales, such an impediment will result in undue financial hardship for STR owners.

Moreover, the assignment prohibition, both alone and in conjunction with the limit on licenses within 300 m of another STR, undermines the proposition that the legal non-complying/conforming rights run with the land and are not dependant on the property owner. An STR license which is not attached to the land to which it was originally given is rights-abhorrent.

#### **Request to Reconsider Proposed By-Law**

While we write this letter on behalf of the Association, we also write on behalf of property owners in the Municipality that have legal non-complying/conforming uses and wish to ensure that their rights are fully protected. Our Client urges the Municipality not to proceed with the implementation of the Proposed By-Law as presently drafted—a regime that is unduly harsh, improperly prohibitory, and inconsistent with property owners' legal non-conforming/complying use rights.

The loss of property rights is not something to be taken lightly, as was highlighted by the court in the recent United States District Court of Hawai'i case, *Hawai'i Legal Short-Term Rental Alliance vs. City and County of Honolulu, et al.* In this case, the court granted an injunction to halt enforcement of an STR regulation, noting repeatedly that the deprivation of these rights constituted an irreparable injury.<sup>6</sup> In a similar vein, our office has brought an application against the Township of Tiny challenging a by-law that is similar in some ways to the Proposed By-Law – I enclose the Notice of Application for your review and consideration.

Our Client is prepared to further engage in dialogue with the Municipality where it can work collaboratively with the Municipality to address its concerns with the Proposed By-Law, some of which have been laid out above. In order to enter into such dialogue our Client requests to have the passing of the Proposed By-Law postponed.

Yours truly,



McCarthy Tetrault

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<sup>6</sup> *Hawai'i Legal Short-Term Rental Alliance vs. City and County of Honolulu et al.*, Civil No 22-00247 DKW-RT, at p. 26.

It would, however, be the writer's suggestion that after a fourth offence the use of municipal administrative penalties should cease and consideration be provided to commencing action through either the Superior Court of Justice or the Ontario Court of Justice for compliance with the license.

The alternative, of course, is to revoke the license on the basis of non-compliance on the issuance for administrative penalties.

It is of note that administrative penalties are not meant to be punitive in nature, but rather to compel compliance. It is for this reason that the number of administrative penalties is limited to a specified number following which other means of enforcement will need to be considered by the municipality.

**(c) Notification and Indemnification Requirements:**

With respect to the removal of the notification and indemnification requirements for insurance, this proposed amendment is not of concern so long as the requirements of obtaining a short term rental accommodation license requires the owner obtaining commercial general liability business insurance of at least two million dollars (\$2,000,000.00).

As indicated in earlier correspondence, a commercial reasonable limit for general liability insurance is currently five million dollars (\$5,000,000.00). However, if the municipality is comfortable with the owner/operator obtaining no less than two million dollars (\$2,000,000.00) the proposed amendment is satisfactory.

**(d) *Building Code Act, 1992 and Fire Protection and Prevention Act, 1997:***

Finally, with respect to specific references to the *Building Code Act, 1992*, and the *Fire Protection and Prevention Act, 1997*, there is no concern with using general language such as applicable Building Code and Fire Code insulation.

In doing so it prevents a possible challenge to the by-law in the event that a specific identified section of either the Building Code or Fire Code is not properly referenced in the by-law itself.

As you are aware, it is not uncommon for by-laws to often state that the Licensee shall comply with all applicable Federal and Provincial legislation and regulations.

Accordingly, there is no difficulty with the proposed amendment to use a general statement of applicable Building and Fire legislation rather than specific reference to particular legislation.

**Summary:**

Other than the comments set out above, I do not have any specific concern with the proposed amendments to By-law 2020.11.

## Erica Kellogg

---

**From:** Magnetawan Residents <magnetawanresidents@gmail.com>  
**Sent:** September 4, 2023 11:15 AM  
**To:** Erica Kellogg  
**Subject:** Re: STR By-Law Proposal

Good morning Erica:

Yes, please include this in the agenda with the public comments for the September 13 council meeting.

Thank you,

Magnetawan Residents

On Thu, Aug 24, 2023 at 9:56 AM Erica Kellogg <[ekellogg@magnetawan.com](mailto:ekellogg@magnetawan.com)> wrote:

Good Morning Victor and Alison,

Could you please affirm your intent is to have these comments noted in our agenda with Public Comments.

Thanks,

Erica

---

Erica Kellogg | Deputy Clerk – Planning & Development

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

Phone 705-387-3947 ext. 1011 | Fax 705-387-4875 | [ekellogg@magnetawan.com](mailto:ekellogg@magnetawan.com)

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**From:** Sam Dunnett <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>  
**Sent:** Thursday, May 11, 2023 11:29 AM  
**To:** Erica Kellogg <[ekellogg@magnetawan.com](mailto:ekellogg@magnetawan.com)>  
**Subject:** Fwd: STR By-Law Proposal

Sam Dunnett

----- Forwarded message -----

**From:** Magnetawan Residents <[magnetawanresidents@gmail.com](mailto:magnetawanresidents@gmail.com)>  
**Date:** Wed., May 10, 2023, 11:57 p.m.  
**Subject:** STR By-Law Proposal  
**To:** Bill Bishop <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>, <[councillorkneller@magnetawan.com](mailto:councillorkneller@magnetawan.com)>, John Hetherington <[john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com)>, <[councillorhind@magnetawan.com](mailto:councillorhind@magnetawan.com)>, Sam Dunnett <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>

Dear Mayor and Members of Council:

On behalf of a group of responsible Magnetawan STR owners, we would like to present a STR by-law draft proposal to you for consideration along with an abbreviated version highlighting the main points.

We believe that this proposed by-law is fair and equitable to the town and should meet the needs of the residents who have brought forward concerns about STR's while also providing a low-cost and fairly straightforward by-law to manage. It also addresses many of the concerns that are present in other townships similar to the size and demographic of Magnetawan.

It has always been our position that we support reasonable and fair licensing regulations. One that is reasonable and balances the needs of year-round residents' right to peaceful enjoyment; owner's rights to rent their property to respectful guests and visitors to Magnetawan and local businesses' need for a thriving tourist sector.

After review of our proposal, we would welcome the opportunity to meet to discuss working collaboratively to implement a reasonable and fair licensing by-law. If this is of interest, Victor Dias can be contacted at 905-716-0892 or [perdi.living.inc@gmail.com](mailto:perdi.living.inc@gmail.com) to arrange a meeting for him and other members of the group to discuss further with all of the council.

Thank you for your consideration and we look forward to hearing back from you with your feedback.

Regards,

Responsible Magnetawan STR Owners

## Erica Kellogg

---

**From:** ANA DIAS <anadias13@hotmail.com>  
**Sent:** September 4, 2023 11:57 PM  
**To:** Erica Kellogg  
**Subject:** Re: Objection to Draft STR Bylaw

Please include my email in your public agenda for the September 13<sup>th</sup> meeting as public comments.

Thank you,

Ana and Richard Pereira

---

**From:** Erica Kellogg <ekellogg@magnetawan.com>  
**Sent:** September 4, 2023 10:00 AM  
**To:** ANA DIAS <anadias13@hotmail.com>  
**Subject:** Re: Objection to Draft STR Bylaw

Good Morning,

Could you please affirm your intent is to have the below email included in our public agenda for the 13<sup>th</sup> meeting as Public Comments.

Thanks,  
Erica

---

Erica Kellogg | Deputy Clerk – Planning & Development  
Municipality of Magnetawan | PO Box 70 | 4304 Highway 520 | Magnetawan, ON POA 1P0  
Phone 705-387-3947 ext. 1011 | Fax 705-387-4875 | [ekellogg@magnetawan.com](mailto:ekellogg@magnetawan.com)

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**From:** ANA DIAS <anadias13@hotmail.com>  
**Sent:** August 28, 2023 10:43 PM  
**To:** Erica Kellogg <ekellogg@magnetawan.com>  
**Cc:** sdunnett2@gmail.com <sdunnett2@gmail.com>; livingmagnetawan@gmail.com <livingmagnetawan@gmail.com>;  
Councillor Kneller <councillorkneller@magnetawan.com>; john.s.hetherington@gmail.com  
<john.s.hetherington@gmail.com>; Jon Hind <councillorhind@magnetawan.com>  
**Subject:** Objection to Draft STR Bylaw

Erica,

We would like to express our opposition to the proposed STR bylaw. When we bought our cottage in Magnetawan, we did so hoping that it would be a wonderful opportunity for our families to work on a family project. Our kids have loved having this cottage and helping to upgrade it. When we go up as a family, the

memories we have made at the cottage are priceless and our families look forward to going up every time, whether it is for work or play. We are heartbroken at the thought that we may have to sell our family cottage because the proposed bylaws would not allow us to obtain a license. Below are the points to the bylaw that we would like to see amended or removed:

1. No corporations – The only way we could afford to buy this cottage was by getting together with my brother and his family. In order to obtain a mortgage, we were advised to incorporate, and that is what we did. By stating that corporations cannot obtain an STR license, the town of Magnetawan is discriminating against corporations. Other municipalities have not banned corporations from obtaining licenses.
2. Our cottage is situated within 300 metres of other STR properties. Based on this restriction, many STR owners including us, will not be able to get a license. If the town is already limiting licenses to 300, that should be enough of a restriction on STR owners.
3. The fines and point system unfairly discriminate us as an owner. We will have a different set of standards compared to other non STR residents in Magnetawan. Again, this is a discrimination against STR owners specifically.
4. The \$5 Million Insurance and adding Magnetawan as an additional insured on the general liability requirement is unattainable. No other municipality has required a \$5 million liability or adding the township as an additional insured, in fact Tiny Township backed down and amended their bylaw and now only requires a \$2 million liability.
5. We have serious concerns about the need for the town to acquire a list of all of our STR guests' contact information, as this goes against privacy laws. Our guests provide that information to us knowing that we will not in good faith share this information.
6. As owners we are a family of 11 people. Based on the proposed bylaw, we could not have our entire family stay the night to enjoy the cottage because the limit that is being proposed is a maximum of 10 people. Any resident of Magnetawan can have as many people as they wish up at their cottage/home for as long as they want. Even when we are not renting the cottage and trying to use it for personal use, we are being limited by this proposed bylaw.
7. We would like to see an amendment made to the bylaw that grandfathers pre-existing STR owners and makes it easier for them to obtain a license.

In summary, we strongly urge council to vote against the drafted STR bylaw in its current form. We fully support fair and reasonable regulations to allow seasonal and year-round residents and tourists to all co-exist peacefully.

Sincerely,

Ana and Richard Pereira

## Erica Kellogg

---

**From:** Bill Bishop <livingmagnetawan@gmail.com>  
**Sent:** August 29, 2023 2:58 PM  
**To:** Kerstin Vroom; Erica Kellogg  
**Subject:** Fwd: short term accommodations by law

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

FYI, you may have already seen this...

Bill

Sent from my iPad

Begin forwarded message:

**From:** "Ivy, Brent" <brent.ivy@scotiabank.com>  
**Date:** August 29, 2023 at 9:03:22 AM EDT  
**To:** livingmagnetawan@gmail.com, councillorkneller@magnetawan.com,  
john.s.hetherington@gmail.com, councillorhind@magnetawan.com, sdunnett2@gmail.com  
**Subject:** short term accommodations by law

Folks I wanted to share I have read the draft and I agree with the by law. Although it will be controversial to some the profit of these short rentals is coming at the expense of many residences.

*My work hours may not be your work hours. Please do not feel obliged to reply to this email outside of your normal working hours.*

**Brent Ivy** | Senior Manager, Sales, Ontario & GTA West |

**Scotiabank** | Home Financing Solutions  
4 King Street West, 2nd Floor, Toronto, Ontario M5H 1B6  
Mailing transit c/o #98186  
M: 905 308 2142  
[brent.ivy@scotiabank.com](mailto:brent.ivy@scotiabank.com)  
[awb://scotiabank.com](http://awb://scotiabank.com)  
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**Erica Kellogg**

---

**From:** Harry Schlange <schlangeharry@gmail.com>  
**Sent:** September 5, 2023 10:02 AM  
**To:** Erica Kellogg  
**Subject:** Re: Short-term Accommodation Draft By-law

thank you , very good work on this

harry

On Tue, Aug 15, 2023 at 10:28 AM Erica Kellogg <[ekellogg@magnetawan.com](mailto:ekellogg@magnetawan.com)> wrote:

Good Morning,

As you have asked to be informed of the continued progress Council is making regarding the proposed Short-term Accommodation licensing requirements, please take note.

Council will be reviewing the attached draft by-law presented for passing during the regular meeting on September 13<sup>th</sup>, 2023 at 1:00pm. With a previous Town Hall providing the opportunity to members of the public to make oral submissions, during the September 13<sup>th</sup> meeting, only written submissions of comment will be accepted. Council and Staff wish to extend their appreciation for all comments received and we look forward to continuing to move forward on the matter.

Regards,

Erica

<https://magnetawan.com/residents/planning-zoning/short-term-accommodations>

---

Erica Kellogg |Deputy Clerk – Planning & Development

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

Phone 705-387-3947 ext. 1011 | Fax 705-387-4875 | [ekellogg@magnetawan.com](mailto:ekellogg@magnetawan.com)

## Erica Kellogg

---

**From:** Kat Wong <kwongtooyen@gmail.com>  
**Sent:** September 4, 2023 5:16 PM  
**To:** livingmagnetawan@gmail.com; Councillor Kneller; john.s.hetherington@gmail.com; Jon Hind; sdunnett2@gmail.com; Erica Kellogg  
**Subject:** RE: Opposition to draft STR bylaw

I'd like to express my opposition to the proposed STR bylaw in its current state. In particular, I am opposed to:

- Minimum 7 day rental period
- \$5M insurance requirement with the municipality being a named beneficiary (all insurance providers contacted were not willing to provide this coverage)
- Minimum 300m license exclusion zone
- Publicly listing exact addresses, due to privacy concerns and risk of break in

### 1. Operational costs are significant

As a taxpayer, I have significant concerns around the cost and effort required to set up, review and issue licenses, and enforce this bylaw.

In 2023, Tiny Township budgeted **\$389,000 for STR licensing** ([source](#)). Tiny projected \$117,000 revenue to offset operating costs based on 300 licenses in Year 1 of operation. By late May 2023, **only 12% of applications had been accepted – a grand total of 31 licenses** ([source](#)). We can draw a conclusion that Tiny is far from their projected revenue target.

In its current form, the draft bylaw will be a significant budgetary item for Magnetawan to implement and enforce. **Tiny experienced a hefty increase in property taxes paid in 2023** ([source](#)), with STR licensing identified as one of the key reasons behind the tax hike.

### 2. Full-time residents employed in hospitality-adjacent areas are penalized

I believe that by voting in favour of this draft bylaw, you may compromise the future health and success of our municipality.

In its current draft, the bylaw is too strict and will weaken the local job market for residents and their families who depend on the income generated from their cleaning, lawncare, property management and tour operator companies. The lost tourism dollars spent at our beloved businesses such as Algonquin Fine Foods or The Snack Shop are unlikely to be recovered.

### 3. Legal costs are unknown

The draft bylaw may not be legally enforceable and in contravention of the Municipal Act. **Magnetawan must be prepared to set aside a large legal contingency reserve** by rushing to pass this draft bylaw without sufficient review.

As highlighted in their 2022 budget, Oro-Medonte stated that "Township has little control of the costs of participating in such hearings [with the Ontario Land Tribunal]."

In 2021 and 2022, Oro-Medonte had budgeted \$70,000 in legal costs. As STR licensing litigation got under way, Oro-Medonte then set aside an additional \$250,000 in legal contingency.

In the 2023/2024 budget, staff put forth a recommendation to further increase the legal budget and allocate another \$200,000 as legal contingency reserve (source). In Q1 2023, Oro-Medonte spent \$327,339.51 on legal costs (76% of their total legal budget). The 2023 budget for legal costs is \$428,900 (source). This is a significant increase in legal costs from what was originally forecast for 2022.

For Magnetawan, an equivalent legal fund would be an expensive endeavor. I do not believe your constituents would view this as a good use of their hard-earned money, when there are many other positive initiatives and capital investments that can bring our community together (e.g. Lions Pavilion, pickleball, road repairs, etc.).

In summary, I urge the council to vote against the STR bylaw in its current form. I fully support fair and reasonable regulation to allow full- and part-time residents, and visitors to all co-exist peacefully.

Thank you,

--

Katherine

**From:** Sam Dunnett <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>  
**Sent:** Tuesday, September 5, 2023 12:34 PM  
**To:** Erica Kellogg <[ekellogg@magnetawan.com](mailto:ekellogg@magnetawan.com)>; Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>; John Hetherington <[john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com)>; Jon Hind <[councillorhind@magnetawan.com](mailto:councillorhind@magnetawan.com)>; Bill Bishop <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>; Brad Kneller <[bradkneller@live.com](mailto:bradkneller@live.com)>  
**Subject:** Fwd: Magnetawan STR by-laws

Sam Dunnett

----- Forwarded message -----

**From:** Jacqueline Young <[jacqueline.id.young@gmail.com](mailto:jacqueline.id.young@gmail.com)>  
**Date:** Tue., Sep. 5, 2023, 12:27 p.m.  
**Subject:** Magnetawan STR by laws  
**To:** <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>

Dear Sir

I hope that you can read this email without any bias. Please be objective and see this through different lenses.

My cottage in the Mag has been in the family for over 60 years, so we are not unknowns to the area, although we have been met with some discrimination because we do not live there or were born there. Our taxes pay for a lot of things that we do not benefit from. Likely most recently, cell towers for internet connection.

We have only recently been providing a family oriented getaway this year for people that don't want the restrictiveness of a resort nor the prices.

What you are proposing in your new by-laws could have a major impact on tourism and businesses in the area. Cottage renters around us have NEVER been an issue for years. No noise, no garbage - not sure where this is coming from by the way. Cottage renters has been around since cottages. There are two types of people aka tourists that come to the area and stay: resort dwellers and cottagers. Cottagers prefer cottages and not resorts and I assume vice versa. So the only ones that will benefit are the limited resorts and bed and breakfasts, thus cutting the majority of places to stay, affecting businesses and \$ for the Mag.

## Erica Kellogg

---

**From:** Jacqueline Young <jacqueline.jd.young@gmail.com>  
**Sent:** September 5, 2023 12:48 PM  
**To:** Erica Kellogg  
**Subject:** Re: Magnetawan STR by-laws

sure - confirming it can be included as one of the many public comments for the upcoming September 13 agenda.

thanks

Jacquelinej

On Tue, Sep 5, 2023 at 12:42 PM Erica Kellogg <[ekellogg@magnetawan.com](mailto:ekellogg@magnetawan.com)> wrote:

Good Afternoon Jacqueline,

I am in receipt of your email, could you please confirm your intent is to have the email included as Public Comment in our September 13<sup>th</sup> agenda.

Thanks,

Erica

---

Erica Kellogg | Deputy Clerk – Planning & Development

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

Phone 705-387-3947 ext. 1011 | Fax 705-387-4875 | [ekellogg@magnetawan.com](mailto:ekellogg@magnetawan.com)

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Restrictions like 7 consecutive days, max # of people, proximity to other STRs - within 5 cottages adjacent to us, would mean that only one out of the 4 can rent; all making it essentially impossible to rent. Housing issues have nothing to do with cottage renters - especially 3 season cottages.

Seems like a few 'bad apples' have compromised others ability to be seen objectively.

We believe it should be more regulated perhaps - an annual fee would be something we would not be opposed to.

We're responsible cottage owners, in fact, we just declined one request to rent because we felt it could be a case of 'not an ideal renter'. We take this seriously.

Many other municipalities have decided, after a lot of review, to not impose these restrictive rules.

Jacqueline

## Erica Kellogg

---

**From:** Emil Story <emil.story@hotmail.com>  
**Sent:** September 4, 2023 10:22 AM  
**To:** Erica Kellogg  
**Subject:** Upcoming Bill/ Bylaw Vote

Hi,

We read over the new bill/ by-law vote and don't agree with it. The below sections and details are especially concerning. Heather and I oppose the bylaw/ bill.

- Section: 3.4. Minimum distance of 300 metres between Short term rentals... violation of the Municipal Act
- Section 4.8... minimum 1 week rentals. No weekend rental allowed. This will destroy local tourism because we hardly get any weekly rentals outside of high season.
- Section 4.11 License shall not be granted to a corporation..... violation of the Municipal Act
- Section 6.1 ... Certificate of Insurance. They are saying we need \$5MM of insurance. No where in Ontario requires this amount. This is obscene
- Section 7.5 ... Must provide Guest Registry of everyone in the rental group, including children's name, address, phone number. Must be provided to Magnetawan within 24 hours, if requested..

Thanks,

Heather and Emil

Magnetewan

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## Erica Kellogg

---

**From:** Beverly Cameron <beverlyjcameron@gmail.com>  
**Sent:** September 5, 2023 8:45 PM  
**To:** ivingmagnetawan@gmail.com; Councillor Kneller; john.s.hetherington@gmail.com; Jon Hind; Sam Dunnett; Erica Kellogg  
**Subject:** Legal and Admin costs experienced by other local governments with STR licensing

Comment and Concerns by Beverly Cameron,  
Magnetawan Resident and STR Operator for more than 15 years

Cameron Cottages on Lake Cecebe ([cameroncottages.ca](http://cameroncottages.ca))  
*These comments can be included in the public record.*

Dear Mr. Mayor and Magnetawan Council Members, Ms Vroom and Ms Kellog,

As there is more and more discussion in the community concerning the licensing of Short Term Rentals (STRs) I am reading more and more information about the administrative and legal costs that other municipalities have and are facing as a result of the particular STR bylaws they have passed. It seems unlikely that Magnetawan will avoid similar administrative and legal costs especially if the current draft bylaw is passed in its current very restrictive and punitive form.

- Tiny Township is said to be about \$270,000 below the projected revenue they had hoped would pay STR licensing administrative costs, and they are facing a major lawsuit that will further increase township expenses.
- Oro-Medonte has now budgeted \$320,000 for legal fees as STR litigation gets underway.
- Huntsville is reported to be underwater with their STR licensing plans having had to hire six new people to administer the bylaw.

**I thought the idea expressed last year by Mayor Sam Dunnett was very wise. That was that Magnetawan would wait on passing a STR bylaw until it saw the conclusion of the legal and administrative experience by other townships. What happened to this reasonable wait and see attitude that would save Magnetawan ratepayers unnecessary legal and administrative costs?**

**As a taxpayer I can think of many better ways to spend our hard earned money and improve the community rather than paying the inevitable legal bills.**

I am in favor of general reasonable licensing of STRs, but I have concerns that:

- (1) the \$5 million liability insurance requirement is excessive and largely unavailable from most insurers,
- (2) the 7 day year around minimum rental period is excessive except for July and August,
- (3) the minimum 300 m distance between STRs is excessive and will drastically the number of STRs, forcing some owners to sell and/or go out of business thus reducing local job opportunities, and seriously reducing the number of people at local businesses, and

(4) Publicly listing the exact addresses of STRs for privacy concerns and increasing break in risks.

## Erica Kellogg

---

**From:** Joanna Ford <joanna@quakemg.com>  
**Sent:** September 5, 2023 7:12 PM  
**To:** Erica Kellogg; sdunnett2@gmail.com; livingmagnetawan@gmail.com; Councillor Kneller; john.s.hetherington@gmail.com; Jon Hind  
**Subject:** Small Term Rental Proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello,

I am emailing today to voice my concern over the proposed requirements for Short Term Rental properties in Magnetawan. I am a property owner on Whalley Lake and have many friends that rent on the lake - and have even purchased property because of their time spent on previous vacations.

I have spent a tremendous amount of time in Magnetawan over the last 48 years and I know what the town looks like during peak tourist season compared to the cold quiet days of winter. Why this council would consider bringing in laws that make it more difficult for tourists to visit is baffling to me.

When we have friends and family visit the area they ALWAYS spend a SIGNIFIGANT amount of money in town. From the Bait and Tackle, to the Grill, to the Restaurants, I am positive their contribution makes a huge impact on these businesses and the people that are employed there.

I can't speak for every lake, but I know on my lake the main problems with noise comes from certain people with permanent residences. Hardly ever the "renters".

I have reviewed the proposed list of regulations and many of them do not make any sense at all. I think council needs to go back to this proposal and really look at what makes sense for the Magnetawan community if you want it to prosper.

Thank you for your attention,  
Joanna Ford



**Joanna Ford**  
Vice President, Operations

joanna@quakemg.com

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**From:** Valerie Barker <valeriebarker14@gmail.com>

**Sent:** August 29, 2023 3:56 PM

**To:** William Bishop <billbishop205@gmail.com>; sdunnett2@gmail.com <sdunnett2@gmail.com>; Erica Kellogg <ekellogg@magnetawan.com>; Jon Hind <councillorhind@magnetawan.com>; Councillor Kneller <councillorkneller@magnetawan.com>

**Subject:** The Use of Short-Term Accommodation Properties in Magnetawan By-law

Good afternoon:

I have recently read the amended bylaw that is to be presented I believe at the next council meeting set for September 13.

I'm not certain how comments are being requested from citizens but thought that I would send my initial thoughts on this document for consideration.

Reason for the bylaw from my perspective:

- Magnetawan is a beautiful area and should be maintained as such. I have lived here since 2010 purchasing a cottage or \_\_\_\_\_ and have supported local businesses and enjoyed the town and everything it has to offer.
- Unfortunately, short term rentals have been a major issue for local residents and cottagers because:
  - Garbage is strewn throughout the forested areas and beside the road ways
  - Parties, which include fireworks, loud music at all hours and general disturbances to residents, are ongoing but particularly bad on weekends
  - The waterways have become very unsafe as boaters probably without licences are driving their water crafts dangerously resulting in swimmers fearing for their lives and just sitting on a dock enjoying the day becoming a very bad experience.

- That said, in today's world, sometimes the only way to become a cottage owner is to rent it out for a period of time to help defer the costs of ownership.
- Also STA helps with employment in the area as those cottages must be cleaned after their visitors and it adds to the tourism benefits for the area.
  - Bluntly, if people just used common sense and respected the area, a bylaw would not be necessary but unfortunately that is not the case

Comments on the bylaw:

- Garbage:
  - I was going to suggest that it be mandated that every rental have an animal resistant garbage container on their property where the renters are to place their garbage and then the owner could deal with it
  - I note that you have commented on this but not mandated it
  - Section 3.8 makes a comment but frankly I do not think that this would be understood or followed – I believe that since this is a major issue (based on discussions with other residents and people at our dump locations and the marina), it should be amended to indicate that the owner must provide specific details on how to handle garbage and suggest that the wildlife resistant containers be used on their property – emphasizing that throwing it in the forest or on the roadside is NOT allowed.
- Applications
  - Section 2.9 states that there will only be 300 licences allowed and the section that it will be done on a first come first serve basis has been removed. As I'm not sure how many licences will be requested (300 seems more than ample in a town that has a population of 1,700 people), my question is simply on what basis will the decision be made on who gets a licence.
  - Section 2.6 indicates that October 1 is when applications will begin to be accepted for the new year but does not indicate an end date – so presumably, it is until the limit is reached.
- Rental time period
  - If I am reading section 4 correctly, weekend only rentals are not allowed – as every time period seems to be only for 7

days? (section 4.8 states that explicitly if my interpretation is correct). This will no doubt help with the party people but will be tough on the owners and their revenue stream.

- Requirements
  - I suggest that garbage handling be included in section 7.1 given its importance
- Boating/seadooing/kayaking/canoeing/etc.
  - Common sense states that people who use items listed know the laws and realize that they need a licence, should not be drinking when they are doing any of those, should wear a life jacket with a whistle in some cases, etc., etc.
  - BUT unfortunately common sense sometimes does not prevail.
  - I suggest that the section 7 where you are listing what needs to be posted for the renters that something should be done in this area – too many times boats have sped by my dock with young kids driving them and almost hitting swimmers in the water.
- Fires and fireworks
  - Very happy to see that included was the information on fires – again, this year was very unusual with the lengthy fire ban but sometimes renters do NOT listen to that as this is “their vacation” and “their right” to have a fire
  - Fireworks – seems to be every vacationers right to have fireworks when they are up north – not sure when that happened but definitely has been that way since I’ve been up here – I believe that you are covering this aspect as well.

Question:

- So if you put up a tent on your property because you want to give the kids who are family the experience of camping, is this no longer allowed because of this bylaw?

I would like to acknowledge all of the work that has gone into the production of this bylaw – it is definitely longer and more detailed than I anticipated – and the review of other areas and what they have in place was extremely interesting. I recognize that this is a difficult topic and has many sides to it.

Thank you all for the work conducted – I truly wish that this was not necessary but unfortunately I believe it is required sooner rather than later.

Any questions on my comments or any further information required, please do not hesitate to contact me.

Valerie Barker  
[Valeriebarker14@gmail.com](mailto:Valeriebarker14@gmail.com)

**Erica Kellogg**

---

**From:** Jeff Seymour <jeffseymour.4@gmail.com>  
**Sent:** September 7, 2023 10:53 AM  
**To:** Laura Brandt; livingmagnetawan@gmail.com; Councillor Kneller,  
john.s.hetherington@gmail.com; Jon Hind; sdunnett2@gmail.com; Erica Kellogg  
**Subject:** OPPOSING proposed BYLAW NO. 2023- Short Term Rental Bylaw

Good morning,

I wanted to reach out to advise that as one of the part owners at Port Carmen Marina we strongly oppose this bylaw:

***THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN***

***BY-LAW NO. 2023-***

***BEING A BY-LAW TO LICENSE AND REGULATE THE USE OF SHORT-TERM ACCOMMODATION***

***PROPERTIES IN THE MUNICIPALITY OF MAGNETAWAN***

Our small business **OPPOSES** the draft STR (Short Term Rentals) Bylaw because much of it is unreasonable and harmful to the tourism in our community.

These overly strict restrictions negatively impact STRs.

Tourism is the #1 industry in the Magnetawan economy.

Regards,

Jeff Seymour  
Partner / Owner

Port Carmen Marina



## Erica Kellogg

---

**From:** Patty Gilchrist <pattyboyce@hotmail.com>  
**Sent:** September 6, 2023 8:31 PM  
**To:** Bill Bishop; Councillor Kneller; john.s.hetherington@gmail.com; Jon Hind; sdunnett2@gmail.com; Erica Kellogg  
**Subject:** Draft By-Law

Good Evening,

I am writing as a concern to the proposed by-law for the Short-Term Accommodation properties. I am upset to review this proposed by-law and how you are making it next to impossible for people to obtain a license. I am curious as to why Magnetawan is so against tourism and growing to a lively community and a hub of activity. Does Magnetawan not want to grow and share the amazing place that it is with others? There are some locals that are kicking and screaming and I feel they have a very fixed mindset and don't realize when people work together to come to a common ground great things can happen. Short Term Rentals generate a lot of business for more than just retail. There is property maintenance that everyone spends money on and the people maintaining the properties I'm sure rely on that income to some degree.

I am concerned about the how the extra fees are going to be covered if there are not enough licenses issued as I can only assume that a lot of licenses will not be issued as is the case in many municipalities. Who is going to cover the short fall on costs to cover the extra man power and the programs to regulate and track this. Has there been forethought about the potential that only 30 licenses are issued so how is that going to be even close to cover costs.

I do not agree with the minimum seven day rental period as this restricts a lot of shoulder season and winter rentals.

Obviously, I do not agree with publicly listing short term rentals as this is a breach of privacy and opens the door for potential break-ins etc. Would you want your personal residence listed somewhere online for everyone to view?

There is a lot of issues with the draft by-law. I feel the Municipality is not trying to work with STA at all and the costs associated with what is proposed is going to cost the tax payers a lot of money in the end.

I would be curious to hear how many legit complaints the Municipality has received about short term rentals in the past five years even and is it enough to warrant all of the extra costs to police something that likely isn't even a big problem. I know on my lake the owners of the cottages are louder and more disruptive than the renters. Is there somewhere to obtain the complaints and know what the actual complaint is?

These are the main concerns with the by-law and I really hope that there can be some collaboration to come to something that will work for all parties and keep Magnetawan the beautiful place it is but still be able to share it with others.

Thanks  
Patty Gilchrist

## Erica Kellogg

---

**From:** Nehmetallah, Jonathan <jnehmetallah@mccarthy.ca>  
**Sent:** September 7, 2023 4:07 PM  
**To:** Erica Kellogg; Barredo, Hayley  
**Cc:** Sookman, Barry B.; Kerstin Vroom  
**Subject:** RE: [EXT] RE: Follow-up - Concerns with Proposed STR By-law  
**Attachments:** Issues with Proposed STR By-law

Hi Erica,

My apologies, the client group is referenced in the companion letter that our office sent September 1, 2023 (attached). The client is Association of Responsible Magnetawan STR Owners. We'd ask that it be brought to the attention of council together with its inclusion in the agenda as public comments together with the attached letter.



**Jonathan Nehmetallah**  
Associate | Sociétaire  
Real Property and Planning | Droit immobilier et planification  
T: 416-601-8146  
C: 416-522-2646 | 416-522-2646  
E: [jnehmetallah@mccarthy.ca](mailto:jnehmetallah@mccarthy.ca)  
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Toronto ON M5K 1E6

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**From:** Erica Kellogg <ekellogg@magnetawan.com>  
**Sent:** Thursday, September 07, 2023 4:01 PM  
**To:** Barredo, Hayley <hbarredo@mccarthy.ca>  
**Cc:** Sookman, Barry B. <BSOOKMAN@MCCARTHY.CA>; Nehmetallah, Jonathan <jnehmetallah@mccarthy.ca>; Kerstin Vroom <Clerk@magnetawan.com>  
**Subject:** [EXT] RE: Follow-up - Concerns with Proposed STR By-law [MT-MTDOCS.FID3719508]

Ms. Barredo,

I am in receipt of the correspondence. Can you please confirm who your clients are, and if your intent is to have this correspondence included in our agenda as Public Comments.

Please advise,  
Erica

---

Erica Kellogg | Deputy Clerk – Planning & Development

Municipality of Magnetawan | PO Box 70 | 4304 Highway 520 | Magnetawan, ON POA 1P0  
Phone 705-387-3947 ext. 1011 | Fax 705-387-4875 | [ekellogg@magnetawan.com](mailto:ekellogg@magnetawan.com)

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From: Barredo, Hayley <[hbarredo@mccarthy.ca](mailto:hbarredo@mccarthy.ca)>  
Sent: Thursday, September 7, 2023 3:55 PM  
To: Erica Kellogg <[ekellogg@magnetawan.com](mailto:ekellogg@magnetawan.com)>  
Cc: Sookman, Barry B. <[BSOOKMAN@MCCARTHY.CA](mailto:BSOOKMAN@MCCARTHY.CA)>; Nehmetallah, Jonathan <[jnehmetallah@mccarthy.ca](mailto:jnehmetallah@mccarthy.ca)>; Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>  
Subject: Follow-up - Concerns with Proposed STR By-law [MT-MTDOCS.FID3719508]

Good afternoon,

Please find attached a letter from Mr. Jonathan Nehmetallah of today's date with respect to the above-noted matter.

Thank you,  
Hayley



**Hayley Barredo**  
Legal Assistant | Adjointe juridique  
Municipal | Municipal  
Michael Foderick, Phillip Sanford, Belinda Schubert,  
Jonathan Nehmetallah, Robert Jefferson  
T: 416-601-8200 (542065)  
E: [hbarredo@mccarthy.ca](mailto:hbarredo@mccarthy.ca)

**MT Services Limited Partnership**  
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**mccarthy  
tetrault**

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**Jonathan Nehmetallah**  
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Direct Line: 416-601-8146  
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Assistant: *Hayley Barredo*  
Direct Line: 416-601-8200 (542065)  
Email: [hbarredo@mccarthy.ca](mailto:hbarredo@mccarthy.ca)

September 7, 2023

Via Email ([ekellogg@magnetawan.com](mailto:ekellogg@magnetawan.com))

Erica Kellogg  
Deputy Clerk Planning and Development  
4304 Hwy #520, P.O. Box 70 Magnetawan  
Ontario, Canada  
P0A 1P0

**Re: Follow-up - Concerns with Proposed By-law to License and Regulate the Use of Short-Term Accommodation Properties ("STR") in the Municipality of Magnetawan (the "Proposed By-Law")**

We write as a follow up to our letter dated September 1, 2023 where we provided our Client's serious concerns with respect to the Proposed By-Law. We have since been advised by our Client that it is its view that the Proposed By-Law is likely to pass in its present form.

We have been instructed to advise that if the Proposed By-Law is passed in its present form our Client will be proceeding with bringing an application to quash the Proposed By-Law pursuant to Section 273(1) of the *Municipal Act* on the basis of illegality. The details of the illegality can be found in our above noted correspondence.

Again, we would like to reiterate that our Client is prepared to further engage in dialogue with the Municipality where it can work collaboratively to address its concerns with the Proposed By-Law.

Yours truly,

McCarthy Tétrault



Jonathan Nehmetallah  
Associate | Sociétaire



## REPORT TO COUNCIL

To:	Mayor and Council
From:	Erica Kellogg Deputy Clerk
Date of Meeting:	September 13 <sup>th</sup> , 2023
Report Title:	Short-term Accommodation Third Party Monitoring

**Recommendation:** THAT Council receives and approves this report and directs Staff to enter into a service agreement with Avenu Insights and Analytics for a one-year contract for third party monitoring of Short-term Accommodations at an approximate cost of \$37,000 for 2024.

**Background:**

During the special meeting of Council on April 24<sup>th</sup>, 2023, Staff was directed to bring back a Short-term Accommodation (STA) draft by-law for Council Consideration.

Staff have brought back a draft Short-term Accommodation By-law and with it would like to provide Council two quotes supplied from Avenu Insights and Analytics (Avenu) and Granicus. Staff have recommended that the Municipality engage in third party monitoring to assist Staff with monitoring compliance once the draft by-law for STA licencing is adopted. After reviewing service levels of both companies, Staff are recommending Council accept a service agreement with Avenu Insights and Analytics.

**Financial Implications:**

Council should be aware, the quotes provided are based on a screen shot of Short-term Accommodations operating at the time the quote was generated. These quotes were generated at what is considered the 'off season' of STA operation. It is anticipated that the contract cost will increase due to the increase in STA operation within the Municipality. It is reasonable to assume that with the growing number of STA operating provincially, there may be an increase of contract fees anywhere from 10%-20% from the quoted cost.

**Financial Cost:**

The licence fee needs to ensure this financial burden is covered by the fees for licence issuance and applied fines, not the general tax bas, similar to current licences issued by the Municipality. To suite the Municipality's needs, a cost comparison has been provided below, based on the maximum number of licences being issued.

Avenu Insights and Analytics: \$37,000 for the first year with the fee being reduced in the second year as the one time set up fee of would be removed.

Granicus: \$54,066, all one-time fees have been waived.

**Conclusion:**

The Short-term Accommodation licencing program will be unlike any other licence program the Municipality currently facilitates. With STA's advertising on a variety of platforms, third party monitoring will assist Staff with compliance and ease the implementation of the licencing program.

Respectfully Submitted,

  
Erica Kellogg

Acting Deputy Clerk – Planning and Development



**RESOLUTION NO. 2023 -**

**September 13, 2023**

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

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

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

**WHEREAS** the Municipal planning consultant had provided a report indicating the application was absent a Lake Capacity Study that did not consider specifics of The Lands nor did it recommend mitigation measures for the adjacent property to the west;

**AND WHEREAS** the Council of the Municipality of Magnetawan deferred the application until the applicant provided site specific mitigation measures for The Lands and the proposed development:

**AND THEREFORE** Council for the Municipality of Magnetawan has received confirmation from RiverStone Environmental Solutions Inc. site specific mitigation measures for the proposed development;

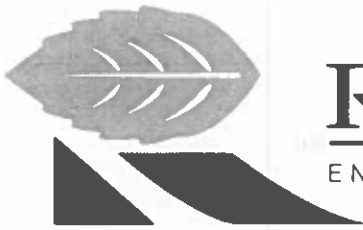
**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Municipality of Magnetawan supports in principle the consent application for The Lands, which is valid only for a period of six (6) months; subject to the following conditions:

- That the foregoing conditions be fulfilled within two years of the notice of decision of the Planning Board;
- Draft Reference Plan to be approved by the Municipality prior to registration;
- Two (2) true certified paper copies of the registered plan and an electronic version with a certification that it is a true copy be provided to the Municipality;
- Draft copy of the deeds (with all schedules) to be approved by the Municipality prior to registration;
- A copy of the original executed transfer (deed) with all schedules be provided to the Municipality;
- Confirmation from the North Bay Mattawa Conservation Authority (NBMCA) that the proposed Severed and Retained Lots can be adequately serviced by individual on-site septic systems;
- Payment of all taxes, municipal legal fees, planning fees and fees as per the current Fees and Charges By-law, Park Land Dedication By-law and all other fees associated with the processing of this application;
- That the Applicant submit and obtain approval for a Zoning By-law Amendment to rezone the Severed lot and Retained Lot to the Shoreline Residential Exception Zoning to bring the lots into compliance with the Zoning By-law, including the application of increased setbacks (50 Meters) from the "other wetland" located on the Severed Lot;
- Applicant enter into a Limited Service Agreement with the Municipality to be registered on title;
- The Applicant enter into a Consent Agreement to be registered on title implementing the recommended measures of the RiverStone Environmental Solutions Inc. August 3, 2023 letter.

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

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

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



# RIVERSTONE

ENVIRONMENTAL SOLUTIONS INC.

August 3, 2023  
RS#222-245

Mr. Henry Wiens

Via email: wienshenry111@gmail.com

**SUBJECT: Lake Capacity and Fish Habitat Mitigation - Wiens Property, Horn Lake  
Municipality of Magnetawan**

Dear Henry:

As you know, RiverStone Environmental Solutions Inc. (hereafter RiverStone), completed a review of lake capacity for your consent application on Horn Lake. The review was based on knowledge of the science behind lake capacity and the report submitted by Hutchinson Environmental Sciences in support of a neighbouring property on the lake where they addressed the capacity issue for the lake as a whole. The results of the Hutchinson lake capacity assessment for the neighbouring property showed that Horn Lake is not at capacity, and the addition of one (1) new lot on your property will not have any impact on water quality. As a result, our letter was accepted by Township council.

In consideration of our letter for your property and the Hutchinson report on the neighbour's property, council noted that there were several recommendations put forward by Hutchinson to mitigate any potential impacts to water quality and fish habitat. There were questions from council as to whether these same recommendations should be applied to the Wiens severance. In particular, the following recommendations were considered to be potentially applicable:

From Hutchinson Report regarding Lake Capacity (pg 19)

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

4. We recommend implementation of an Erosion and Sediment Control plan during construction, which should (CISEC Canada 2012):
  - Utilize a multi-barrier approach;
  - Retain existing vegetation;
  - Minimize land disturbance area;
  - Slow down and retain runoff to promote settling;
  - Divert runoff from problem areas;
  - Minimize slope length and gradient of disturbed areas;
  - Maintain overland sheet flows and avoid concentrated flows; and
  - Store/stockpile soil away from watercourses, drainage features. and tops of steep slopes.
5. Utilize Waterloo Biofilter Systems with EC-P units to minimize sewage related-TP.

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

From Hutchinson Report regarding Fish Habitat (pg 30)

- Avoid construction of shoreline structures on or within 10m of the groundwater seepage area identified on Figure 6. A 10 m buffer is sufficient to protect the functionality of the seepage area from adjacent development of docks or boardwalks since 10 m is a suitable base buffer width for water quality, screening of human disturbance and core habitat protection (Beacon Environmental Ltd. 2012).
- Implement a timing window of March 15th to July 15th and October 15th to May 31st to protect spring and fall spawning species. that is dock construction should be completed outside of that timing window (July 16th to October 14th).
- Utilize a dock design that has a small footprint on the lakebed such as a floating, cantilever or a pole supported dock. If a larger footprint is used (i.e. cribs) then the cribs should be constructed in an open- faced manner and filled with large rocks to provide accessible crevices for fish and other small organisms. Cribs should be spaced (2 m) and located at least 2 m from the high-water mark to allow nearshore water to circulate.
- Develop and implement an Erosion and Sediment Control Plan for the site that minimizes risk of sedimentation of the waterbody during all phases of the project. For dock construction this includes:
  - Installation of effective erosion and sediment control measures before starting work to prevent sediment from entering the water body.
- Clearing of riparian vegetation should be kept to a minimum.
- Minimize the removal of natural woody debris, rocks, sand or other materials from the banks, the shoreline or the bed of the waterbody below the ordinary high water mark. If material is removed from the waterbody, set it aside and return it to the original location once construction activities are completed.



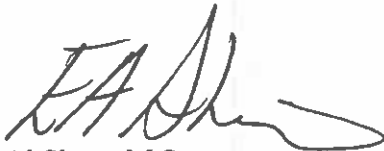
RIVERSTONE ENVIRONMENTAL SOLUTIONS INC.

- Immediately stabilize shoreline or banks disturbed by any activity associated with the project to prevent erosion and/or sedimentation. preferably through re-vegetation with native species suitable for the site.
- Restore bed and banks of the waterbody to their original contour and gradient; if the original gradient cannot be restored due to instability, a stable gradient that does not obstruct fish passage should be restored.
- If replacement rock reinforcement/armouring is required to stabilize eroding or exposed areas, then ensure that appropriately-sized, clean rock is used: and that rock is installed at a similar slope to maintain a uniform bank/shoreline and natural stream/shoreline alignment.
- Remove all construction materials from site upon project completion.

The application of these lake capacity and fish habitat mitigation measures to your severed lot is reasonable; however, it should be noted that some of these recommendations are provided as there is a difference in scale of the proposed development on the neighbouring parcel, four (4) lots, compared to the single severance of your property. For example, a sediment and erosion control plan for a single lot can be very simple as the slopes are moderate and construction straight forward, whereas, the terrain across four lots may be more variable and challenging, requiring engineering support. The same can be said for stormwater management.

I trust this information will be suitable for the Township to further review your application for severance and proceed with the approvals. Please do not hesitate to call should there be any questions.

**RiverStone Environmental Solutions Inc.**



Al Shaw, M.Sc.  
Senior Ecologist / Principal

**RESOLUTION NO. 2023 - 174** **JUNE 21, 2023**

Moved by: Jon Hind  
Seconded by: B Bishop

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

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Municipality of Magnetawan defers the application until such time as the Applicant provides to the satisfaction of the Municipality a Lake Capacity Assessment that specifically considers the proposed development and provides specific mitigation measures as a requirement of a complete application for consent.

Carried  Defeated  Deferred

Sam Dunnett  
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			



Knowing our heritage  
we will build our future

**THE MUNICIPALITY OF MAGNETAWAN**

**PLANNING REPORT**

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

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

**DATE:** May 31, 2023

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

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**Recommendations**

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

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

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

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

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

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

### **Proposal / Background**

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

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

*Figure 1: Subject Property*



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

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

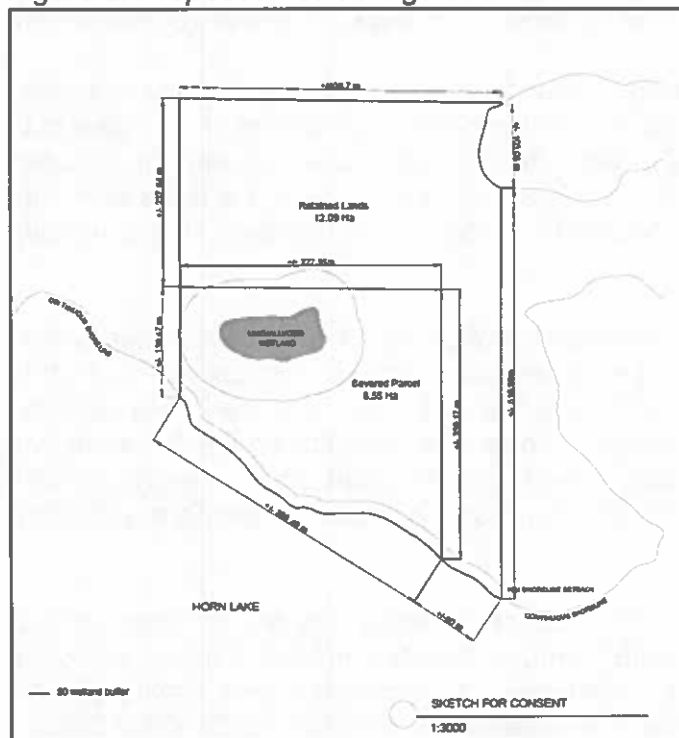
The proposal is to create one additional water access lot for a future seasonal residential dwelling fronting onto Horn Lake. Table 1 identifies the proposed lot frontage, lot area and proposed uses of the Severed and Retained Lots. These measurements are based on the drawing submitted with the Consent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

*Table 1: Proposal Summary*

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

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

*Figure 2: Proposed Lot Configuration*



## **Area Context**

**North:** Crown Land

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

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

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

## **Policy Analysis**

### **Provincial Policy Statement**

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

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

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

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

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

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

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

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

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

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

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

#### Municipality of Magnetawan Official Plan

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

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



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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

Municipality of Magnetawan Zoning By-law

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

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

*Table 3: Zone Standards*

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

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

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

## Summary

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

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

Respectively submitted,



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



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

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

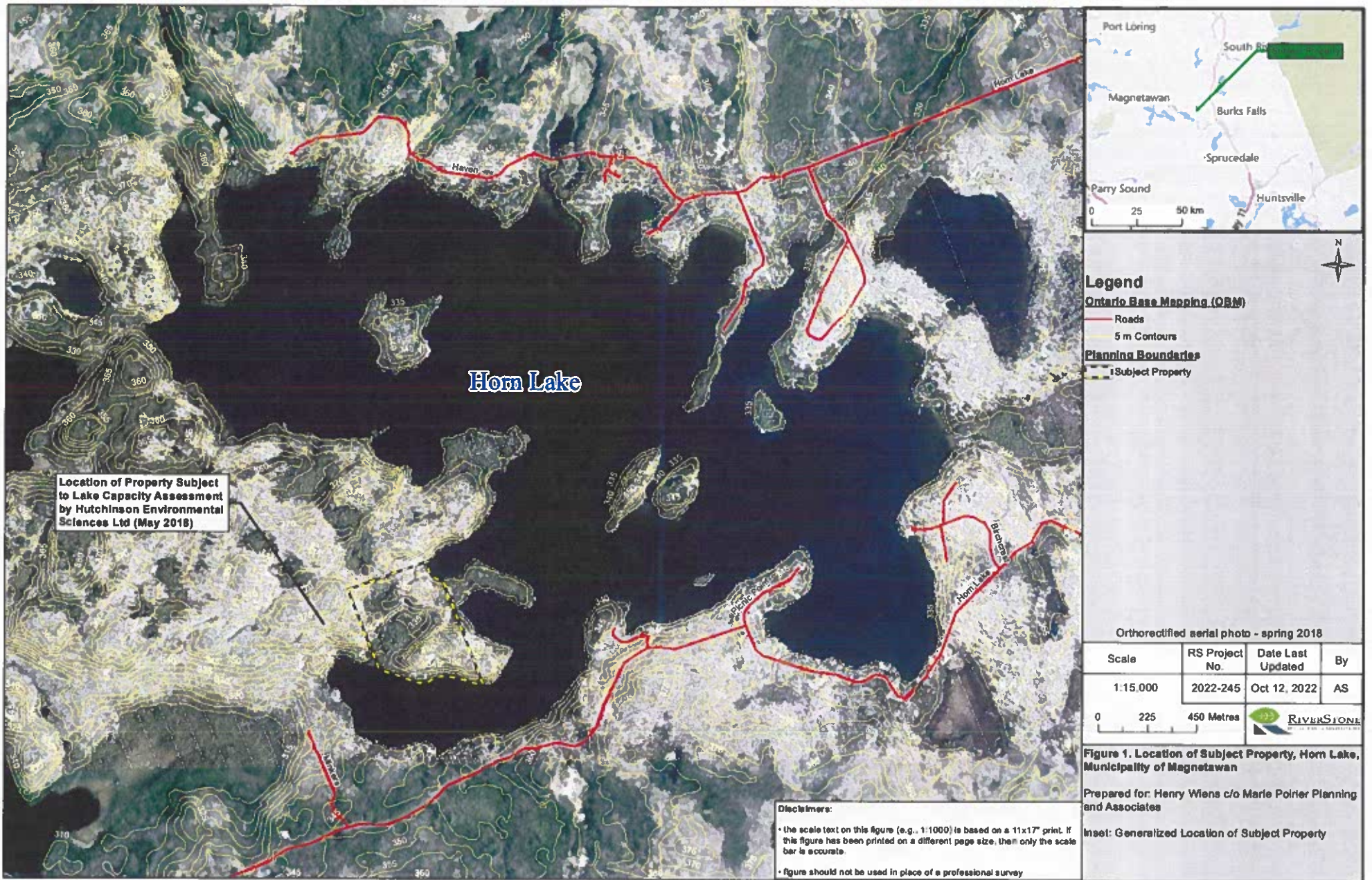
Attachment 2: Update to Application and Planning Justification Report prepared by Marie Poirier Planning & Associates Inc. dated March 8, 2023

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

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

Attachment 5: Confirmation of Mainland Parking and Docking

*for full attachments please view the June 21/2023 agenda package, located on the municipal website*





C:\Users\Sarah\OneDrive\Hutchinson Environmental Sciences Ltd 2022\Projects - 220001 - 121 Trails End Lane\GIS\Shapefiles\Proposed EIR - 2022\Fig 4 - ggr - Sarah\Aakru

24

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

BY-LAW 2023 -

BEING A BY-LAW TO PROVIDE FOR THE EXECUTION OF A CONSENT AGREEMENT, AS A  
CONDITION OF AN APPROVED ZONING BY-LAW AMENDMENT, WITH THE OWNERS  
OF THE LANDS:

LYNN AND WILLIAM GREEN - PART OF LOT 20 CONCESSION 8, FORMERLY IN THE  
GEOGRAPHIC TOWNSHIP OF CROFT, NOW IN THE MUNICIPALITY OF  
MAGNETAWAN, WITH THE MUNICIPAL ADDRESS OF 121 TRAILS END LANE, AHMIC  
LAKE, ROLL: (49 44 030 005 04500).

WHEREAS, an application for a Consent was approved by the Council with the condition of a development agreement being entered into and registered on title, pursuant to Section 53 (12), 51(25) and 51 (26) of the Planning Act, R.S.O. 1990, regarding the aforementioned lands;

AND WHEREAS, the Council has applied a Consent condition to require an agreement to be entered into;

AND WHEREAS, Council is granted the power pursuant to Section 53(12) and 51(26) of the Planning Act, R.S.O. 1990, to enter into an agreement to be registered against the land to which the consent applies;

AND WHEREAS Council is entitled to enforce the provisions of such an agreement against the owner of the land, pursuant to Section 51(26) of the Planning Act, R.S.O. 1990

AND WHEREAS, Council is satisfied that the proposed development of the lands is appropriate and in conformity with the Municipality's requirements;

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

1. That the Municipality of Magnetawan enter into a development agreement substantially in the form attached hereto as "the Agreement."
2. That the Mayor and the Clerk are hereby authorized to execute the Agreement and all documents in connection with the Agreement.
3. The Municipality's solicitor is hereby authorized to register the Agreement against the title of the lands to which it applies.

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

THE CORPORATION OF THE  
MUNICIPALITY OF MAGNETAWAN

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CAO/Clerk



DEVELOPMENT AGREEMENT

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

BETWEEN:

GREEN, Lynn and  
GREEN, William

(hereinafter called the "OWNERS")  
OF THE FIRST PART

- and -

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

(hereinafter called the "MUNICIPALITY")  
OF THE SECOND PART

**WHEREAS** the lands that are the subject to this Agreement are the lands described in Schedule "A" attached hereto and as specifically shown on Schedule "B" and which lands are referred to herein as "said land";

**AND WHEREAS** the OWNER has obtained a provisional consent from the Central Almaguin Planning Board on March 1, 2023, under File B001/23, MAGNETAWAN;

**AND WHEREAS** one of the conditions of the approval of this consent is that the Owners enter into a Development Agreement to ensure the mitigation measures and recommendations contained in the Environmental Impact Statement be implemented through Consent Approval with the Municipality of Magnetawan;

**NOW THEREFORE THIS AGREEMENT WITNESSED** that, in consideration of the premises and for other good and valuable consideration (the receipt of which is hereby acknowledged), the parties hereto covenant and agree with one another as follows:

1. SCOPE OF AGREEMENT

1.1 DESCRIPTION OF LANDS

The land affected by this Agreement are the lands described in Schedule "A" attached hereto, and as specifically shown on Schedule "B" attached hereto and referred to herein as "said lands".

1.2 CONFORMITY OF AGREEMENT

The OWNERS covenant and agree that all new work performed on the subject lands shall be in conformity with:

- a) The provisions of this Agreement;
- b) All applicable Municipal By-laws and all applicable Provincial and Federal legislation.

2. REGISTRATION OF THE AGREEMENT

- 2.1 The OWNERS agree that all documents required herein shall be submitted in a form suitable to the MUNICIPALITY and suitable for registration.

- 2.2 The Agreement shall be registered on title to the subject lands as provided for by Section 53(12) and 51(26) of the Planning Act R.S.O. 1990, by the Municipality, at the expense of the OWNERS.
- 2.3 The OWNERS agree to reimburse the MUNICIPALITY for all administrative and professional costs incurred in preparing, executing, and registering this Agreement.
- 2.4 The OWNERS agree not to make any application or request to deregister this Agreement without the authorization in writing from the MUNICIPALITY.
- 2.5 All offers of Purchase and Sale shall contain a clause advising the potential purchaser of this Agreement.

3. **ISSUANCE OF BUILDING PERMITS**

- 3.1 The OWNERS agree to not request the Chief Building Official to issue a building permit to carry out the development until the Agreement has been registered on title to the subject lands and a registered copy of same has been provided to the MUNICIPALITY.
- 3.2 It is agreed that if the OWNERS fails to apply for a building permit or permits to implement this Agreement within two (2) years after registration, then the MUNICIPALITY, at its option, has the right to terminate the Agreement and require that a new Consent Agreement be submitted for approval and execution.

4. **DEVELOPMENT PROVISIONS**

- 4.1 The OWNERS agree to develop the subject lands in accordance with the Development Agreement and all recommendations and mitigation measures contained in the Scoped Environmental Impact Study prepared by Hutchinson Environmental Sciences Ltd. dated October 3, 2022, and attached hereto in Schedule C, and agree that no work will be performed on the subject lands except in conformity with all provisions of this Agreement.

5. **OTHER REQUIREMENTS**

- 5.1 The OWNER agrees that nothing in this Agreement shall relieve him or her from complying with all other applicable agreements, by-laws, laws, or regulations of the MUNICIPALITY or any other laws, regulations or policies established by any other level of government. Nothing in this Agreement shall prohibit the MUNICIPALITY or its Chief Building Official from instituting or pursuing prosecutions in respect of any violations of the said by-laws, laws, or regulations.

6. **BINDING PARTIES. ALTERATION. AMENDMENT. EFFECT. PENALTY**

- 6.1 This Agreement may only be amended or varied by a written document executed by the parties hereto and registered against the title to the subject lands.
- 6.2 Following the completion of the works, the OWNERS shall maintain to the satisfaction of the MUNICIPALITY, and at their sole expense, all the facilities or works described on Schedule "C".
- 6.3 This Agreement shall ensure to the benefit of and be binding upon the respective successors and assigns of each of the parties hereto.
- 6.4 The OWNERS acknowledge that the Agreement is entered into under the provisions of Section 51(25) and 51(26) of the Planning Act, and that the expenses of the MUNICIPALITY arising out of the enforcement of this Agreement may, in addition to any other remedy the Municipality may have at law, be recovered as taxes under Section 427 of the Municipal Act, 2001, S.O. 2001, c.25 as amended.
- 6.5 The Agreement shall come into effect on the date of execution by the MUNICIPALITY.

6.6 Nothing in this Agreement shall relieve the OWNERS from complying with all other applicable by-laws, laws or regulations of the MUNICIPALITY or any other laws, regulations or policies established by any other level of government. Nothing in this Agreement shall prohibit the MUNICIPALITY from instituting or pursuing prosecutions in respect of any violations of the said by-laws, laws, or regulations.

6.7 The definitions of Municipality of Magnetawan Zoning By-law 2001-26, as amended, shall be used to define any terms used in this Agreement.

7. CONDITIONS PRIOR TO EXECUTION OF AGREEMENT BY THE MUNICIPALITY

7.1 Prior to the execution of this Agreement by the MUNICIPALITY, the OWNERS shall:

- a) Taxes - have paid all municipal tax bills issued and outstanding on the said lands;
- b) Postponements to this Agreement - have delivered to the MUNICIPALITY all postponements of any prior encumbrances so that this Agreement will be first priority against the said lands;
- c) Land Ownership - be the registered owners in fee simple of the lands described in Schedule 'A'.

8. NOTICE

8.1 Any notice, required to be given pursuant to the terms hereto, shall be in writing and mailed or delivered to the other at the following addresses:

OWNERS NAMES AND ADDRESS: William and Lynn Green  
264 Riverview Place  
Guelph, ON, N1E 7H8

MUNICIPALITY: Kerstin Woodin, CAO / Clerk  
Municipality of Magnetawan  
P.O. Box 70  
Magnetawan, ON P0A  
1P0

**THIS AGREEMENT** shall inure to the benefit of and be binding upon the OWNERS and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF the OWNER and the MUNICIPALITY have caused their corporate seals to be affixed over the signatures of their respective signing officers.

SCHEDULE <sup>11</sup>A<sup>11</sup>

LEGAL DESCRIPTION OF THE LANDS

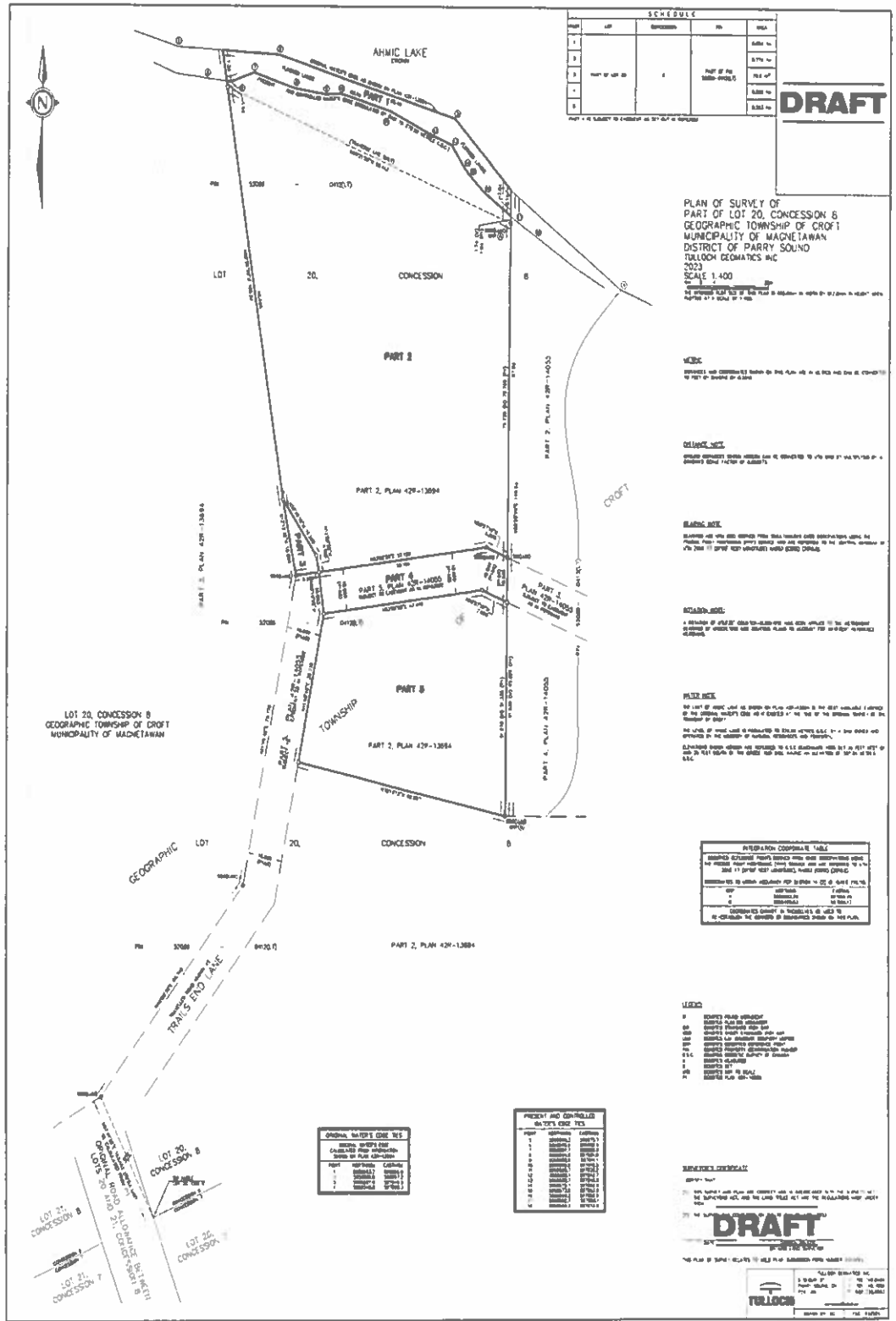
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Part of Lot 20, Concession 8, Geographic Township of Croft, Municipality of Magnetawan

Part of PIN 52086-0412(LT)

DRAFT

SCHEDULE "B"  
THE LANDS (not to scale)



## SCHEDULE "C"

### Environmental Mitigation Measures

#### 1. Site Selection

The size and location of building envelope(s) can influence its impact on the surrounding environment. The building envelope(s) should be concentrated as much as possible so that encroachment into, and fragmentation of, natural habitat is avoided or minimized. Areas for construction laydown and storage should be kept as small as possible and away from sensitive natural heritage features. HESL provided Environmental Constraints (Figure 4) for the proposed lot to guide future development away from sensitive areas and minimize or prevent impacts to these features.

#### 2. Timing

Future development and site alteration should be scheduled for times of the year that avoid or minimize wildlife disturbance. These periods vary depending on wildlife species and habitat types. For example, hibernating wildlife are vulnerable to site clearing if it destroys their overwintering habitat (e.g., dens), while the spring and summer season is a sensitive period for many species that reproduce and raise young during this time.

Migration period is a higher risk period for many species of birds (Government of Canada 2019). Where it is not possible to avoid construction during sensitive wildlife periods, additional mitigation measures should be implemented as described in the following sections (i.e., buffers, exclusion fencing, lighting, wildlife inspections, fill management, retention of vegetation etc.). The federal *Migratory Birds Convention Act (1994)* protects the nests, eggs and young of most bird species from harm or destruction. Development activities that could disturb breeding birds, such as clearing of vegetation, should be scheduled outside of the periods identified by the Act (Government of Canada 2019). The peak breeding bird season for the west Parry Sound area extends from mid-April through late August for most species (ECCC 2017).

To avoid harm to SAR bats that may be utilizing the treed areas on the property, tree clearing activities should take place after October 1st and before April 1st of any year.

Amphibian and reptile populations are active from March to October in southern Ontario (MNR 2016). Construction activities should be scheduled outside of these periods in areas close to, or including, potential habitat (such as wetlands and upland woodland habitat) to avoid disturbance of these species, and their habitats and movement corridors. For example, adult Snapping Turtles migrate from winter hibernation sites to summer habitat in April and May, while hatchlings move to water in early fall (MNR 2016). Amphibian species generally breed from mid-March to the end of July (Bird Studies et al. 2009).

#### 3. Erosion and Sediment Control Plan

An erosion and sediment control (ESC) plan should be developed to control erosion and subsequent sedimentation associated with development or site alteration to protect adjacent aquatic habitat. Controls, such as sediment barriers, should be securely installed prior to the initiation of work to avoid leakage during inclement weather. Regular monitoring and inspection should be carried out to ensure control measures are sound and functioning effectively (including within 24 hours following any storm event). Adjustments to controls should be made as necessary to improve performance. Control measures should be maintained until vegetation has established on exposed soils.

#### 4. Retention of Vegetation and Habitat Features

The natural vegetation in the study area should be protected as much as possible, to maintain native plant diversity and the wildlife habitat it provides. Any future development should avoid removing snags that are larger than 10 cm in diameter unless a bat snag survey has been completed to confirm the presence/absence of potential bat habitat.

Vegetation that must be removed during development or site alteration should be replaced with plantings of native species once development is complete. Future development plans for the proposed lot should aim to maintain at least 85% of the existing vegetation and limit the size of the building envelope. It is recommended that no tree is removed or injured that is located more than 10 m from the outer edge of a building, accessory structure, access road or septic system.

Topsoil management should be implemented as part of revegetation efforts. Stripped topsoil should be retained, stored, and used in restoration works so that the native and local seedbank is retained. Revegetated areas should be monitored to ensure successful establishment of native plantings.

## 5. Buffers

A 30 m buffer has been established from Ahmic Lake, inland for the protection of Blanding's Turtle habitat, which in turn will further protect any sensitive fish habitat and maintain a natural buffer between the development and Ahmic Lake.

Shoreline buffers can play an important role in protecting lake health. The physical separation they provide between upland human activity and the aquatic environment can aid in mitigating the effects of development and site alteration on water quality, erosion and flood control, and wildlife habitat. As stated in Section 4.3 of the OP,

*'a natural shoreline vegetation buffer shall be preserved within at least 20 metres of all water courses and Municipality of Magnetawan Official Plan 11 Update - June 27, 2012 water bodies wherever possible except for the removal of hazardous trees and a narrow area to allow a pathway to the shoreline. Council may require a wider buffer depending on site-specific conditions and the sensitivity of the adjacent natural heritage features.'*

The area from the highwater mark extending inland a depth of a minimum of 20 metres, for the entire width of the lot, should be maintained with natural vegetation and preservation of at least 85% of trees within buffer. It is acknowledged that access to the shoreline will be required and where possible disturbance to the vegetated buffer should be kept to a minimum. Where a walkway is required through the buffer, it should meander to the shoreline and be constructed of permeable material or be raised off the ground allowing for growth beneath the structure (Muskoka Watershed Council 2013). There are no specific guidelines in the Municipality of Whitestone's Official Plan or Zoning By-Law No. 07-2018 for walkway access to the shoreline, therefore HESL recommends a maximum width of 1.6 metres based on nearby Township of Georgian Bays Zoning By-Law (2014-75).

### 5.1 Blanding's Turtle Habitat Protection

Natural vegetated buffers provide many important functions, including provision of shade, food, nesting habitat, movement corridors, and protection from predators. The Constraints Analysis depicted in Figure 4 should be used to direct development outside of the 30 m buffer for Blanding's Turtle habitat. The following additional mitigation measures are recommended to provide protection of Blanding's Turtles and their habitat:

- Installation of all Erosion and Sediment Control (ESC) measures prior to onsite disturbance;
- Work outside of species sensitive periods or mitigation including construction of barriers and exclusion fencing to occur during species-specific timing windows; and,
- Establishing and maintaining a 30 m natural buffer from the highwater mark of Ahmic Lake

## 6. Fish Habitat

The incorporation of the following mitigation measures will further minimize impacts to fish habitat should in-water structures be constructed in future:

- Utilize a dock design that has a small footprint on the lakebed, such as a floating dock;
- Implement a timing window for dock installation outside of October 15 to July 15th to protect spring and fall spawning species;
- Clearing of riparian vegetation should be kept to a minimum;
- Minimize the removal of natural woody debris, rocks, sand or other materials from the banks, the shoreline or the bed of the waterbody below the ordinary highwater mark. If material is removed from the waterbody, set it aside and return it to the original location once construction activities are completed;
- Immediately stabilize shoreline or banks disturbed by any activity associated with the project to prevent erosion and/or sedimentation, preferably through re-vegetation with native species suitable for the site;
- Restore bed and banks of the waterbody to their original contour and gradient; if the original gradient cannot be restored due to instability, a stable gradient that does not obstruct fish passage should be restored; and,
- If replacement rock reinforcement/armouring is required to stabilize eroding or exposed areas, then ensure that appropriately-sized, clean rock is used; and that rock is installed at a similar slope to maintain a uniform bank/shoreline and natural stream/shoreline alignment.

#### Regulatory Authorization

Natural heritage related permitting may be required should the proposed lot be developed in the future. Details on potential regulatory authorization requirements are provided below.

1. MECP Consultation

It is recommended prior to any development that the Ministry of Environment Conservation and Parks is consulted regarding Species at Risk to determine any requirements under the ESA, 2007.

2. DFO - Self-Review Process

Prior to any installation of in-water structures it is recommended that the future property owner or ideally, an environmental consultant undertake a self-assessment to determine if the project requires a review from the Department of Fisheries and Oceans.

DRAFT





## REPORT TO COUNCIL

To:	Mayor and Council
From:	Public Works Superintendent
Date of Meeting:	September 13, 2023
Report Title:	Recycling at the Municipal Landfills

**Recommendation:** THAT Council receives and approves this report as presented and recommends that the Municipality post signage with messaging at the landfills as well as update any Municipal social media platforms with the same messaging to ensure that unwanted electrical and gas/fuel powered items are at their life's end before placed in the Scrap Metal Section. It is also recommended that the Landfill Staff be directed to encourage Residents to redirect the unwanted items and to donate them to other organizations like the Magnetawan Agricultural Society White Elephant Sale, give for free to neighbours who may want repair them, and/or thrift stores.

**Background:** At the August 2, 2023, Meeting of Council passed Motion 2023-209 thanking Ed Kneller for his Deputation Lack of Recycling and directed Staff to bring back a report to a future meeting. The Municipal Landfills receive many unwanted gas/fuel powered or electrical items that have been deemed in disrepair or unwanted from residents such as lawnmowers, snowblowers, chainsaws, toasters, blenders, vacuum cleaners, etc. Once deposited at the Municipal Landfills these items are deemed Municipal Property. Due to liability, the Municipality has a duty to our residents to ensure that they are safe therefore "dumpster diving" and or picking (the climbing and sorting through the landfill) cannot be allowed. Additionally, the Municipality can also be held liable if these unwanted items are taken by residents and when returning home, the item is faulty/defective and causes injury or destruction of property such as a fire. As well some items may not be able to be repurposed due to recalls or legislation.

The Municipal Re-Use Centers were created to help alleviate the amount of refuse that were being deposited and so that Residents could have access to non-electric or non gas/fuel powered safe slightly used items such as wooden chairs, old record collections etc. that are not deemed as a risk of liability to the Municipality.

It should be noted that unwanted metal items that are brought into the landfills by residents are deposited in the scrap area which the Municipality gets upwards of an estimated \$25,000 annually to help offset landfill costs. The electronic items are sorted and disassembled for parts by a third party and do not go into our landfill.

**Conclusion:** In conclusion, the Public Works Superintendent recommends that the Municipality post signage, at a cost of approximately \$240, and update Municipal Social Media Platforms to help residents redirect items that are repairable.

Respectfully Submitted,

Scott Edwards, Public Works Superintendent

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

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

**BE IT RESOLVED THAT** the Council of the Municipality of Magnetawan receives the report from Public Works Superintendent Scott Edwards and approves the recommendation contained therein to ensure that the Magnetawan Watershed Land Trust provide parking at the trail head of Old Man’s Creek or to secure lands for suitable parking and/or relocate the entrance to the trail at their own risk.

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			

## Laura Brandt

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**From:** Kerstin Vroom  
**Sent:** September 5, 2023 11:43 AM  
**To:** Laura Brandt

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**From:** Scott Edwards <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>

Hi Howard

Hope you had a good long weekend

My Report will be back on the Agenda along with this correspondence and the motion that was previously deferred

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the report from Public Works Superintendent Scott Edwards and approves the recommendation contained therein to ensure that the Magnetawan Watershed Land Trust provide parking at the trail head of Old Man's Creek or to secure lands for suitable parking and/or relocate the entrance to the trail.*

*Deferred.*

Have a good day.

Scott Edwards

Public Works Superintendent

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**From:** Howard Rosen <[president@mwlt.org](mailto:president@mwlt.org)>

**Sent:** Monday, August 28, 2023 1:04 PM

**To:** Scott Edwards <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>

**Subject:** Re: council meeting

Thanks for the email Scott but I was looking for a clarification on what public works was going to recommend to Council on Oct 4.

Howard Rosen

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**From:** Scott Edwards <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>

**Sent:** Monday, August 28, 2023 12:23:20 PM

**To:** [president@mwlt.org](mailto:president@mwlt.org) <[president@mwlt.org](mailto:president@mwlt.org)>; Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>

**Cc:** 'Mayor' <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>; [john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com) <[john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com)>; 'Bill Bishop'

<[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>; [bradkneller@live.com](mailto:bradkneller@live.com) <[bradkneller@live.com](mailto:bradkneller@live.com)>; Jon Hind

<[councillorhind@magnetawan.com](mailto:councillorhind@magnetawan.com)>; 'General Mail MWLT' <[info@mwlt.org](mailto:info@mwlt.org)>; 'John McKenna'

<[johnalexmkenna@gmail.com](mailto:johnalexmkenna@gmail.com)>; 'Brian Chemnitz' <[stewardship@mwlt.org](mailto:stewardship@mwlt.org)>

**Subject:** RE: council meeting

Hi Howard

Thank you for clarification.

Have a good day

Scott Edwards

Public Works Superintendent

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**From:** [president@mwlt.org](mailto:president@mwlt.org) <[president@mwlt.org](mailto:president@mwlt.org)>

**Sent:** Tuesday, August 22, 2023 4:40 PM

**To:** Scott Edwards <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>; [president@mwlt.org](mailto:president@mwlt.org); Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>

**Cc:** 'Mayor' <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>; [john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com); 'Bill Bishop' <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>;

[bradkneller@live.com](mailto:bradkneller@live.com); Jon Hind <[councillorhind@magnetawan.com](mailto:councillorhind@magnetawan.com)>; 'General Mail MWLT' <[info@mwlt.org](mailto:info@mwlt.org)>; 'John

McKenna' <[johnalexmkenna@gmail.com](mailto:johnalexmkenna@gmail.com)>; 'Brian Chemnitz' <[stewardship@mwlt.org](mailto:stewardship@mwlt.org)>

**Subject:** RE: council meeting

Good afternoon Scott,

Thanks for the email reply and follow-up to my email of August 17.

Regarding your specific question on the parking location, I am describing the location at #2926, being the only official road entrance and approved parking. We are not thinking of any other entrances.

I hope this is helpful, and of course, happy to answer any other questions or discuss any additional thoughts.

Howard Rosen

President

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**From:** Scott Edwards <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>

**Sent:** Tuesday, August 22, 2023 10:44 AM

**To:** [president@mwlt.org](mailto:president@mwlt.org); Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>

**Cc:** 'Mayor' <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>; [john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com); 'Bill Bishop' <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>; [bradkneller@live.com](mailto:bradkneller@live.com); Jon Hind <[councillorhind@magnetawan.com](mailto:councillorhind@magnetawan.com)>; 'General Mail MWLT' <[info@mwlt.org](mailto:info@mwlt.org)>; 'John McKenna' <[johnalexmkenna@gmail.com](mailto:johnalexmkenna@gmail.com)>; 'Brian Chemnitz' <[stewardship@mwlt.org](mailto:stewardship@mwlt.org)>

**Subject:** RE: council meeting

Good Morning Howard

I would just like to confirm the location of the road entrance you are describing is #2926 and if your intent is to have the cars park in that entrance way much like a driveway to which I think at best would be 2 cars?

Or were you also thinking of the field entrance to the West where the milkweed is hence have 2 entrances?

Also to note our commercial truck traffic lessons some during the weekend but is still there.

Please advise

Thank you

Scott Edwards

Public Works Superintendent

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**From:** [president@mwlt.org](mailto:president@mwlt.org) <[president@mwlt.org](mailto:president@mwlt.org)>

**Sent:** Thursday, August 17, 2023 12:39 PM

**To:** Scott Edwards <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>; Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>

**Cc:** 'Mayor' <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>; [john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com); 'Bill Bishop' <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>; [bradkneller@live.com](mailto:bradkneller@live.com); Jon Hind <[councillorhind@magnetawan.com](mailto:councillorhind@magnetawan.com)>; 'General Mail MWLT' <[info@mwlt.org](mailto:info@mwlt.org)>; 'John McKenna' <[johnalexmkenna@gmail.com](mailto:johnalexmkenna@gmail.com)>; 'Brian Chemnitz' <[stewardship@mwlt.org](mailto:stewardship@mwlt.org)>

**Subject:** RE: council meeting

Good morning Scott,

Further to our recent deputation and subsequent email correspondence and as my offered follow-up to these discussions, I have a proposal that I hope would be satisfactory to the Town. Without reviewing and reciting all the discussions (as it is well documented in the deputations and in this email thread), we are unable to alter or otherwise utilize the land under our conservation management for parking.

Regarding the traffic concerns you have noted, as offered in the recent emails, we have conferred with other conservation organizations on Ontario. In short, given that the biggest concern voiced was of the commercial traffic during the week, particularly trucks, using the road when visitors to OMCR were present, what we would like to propose is to have access to the site from the road entrance be officially opened only on weekends. We feel that, in conjunction with our previously having noted that the road entrance would be signed as closed during the winter months as well as the Town having reduced the speed limit to 60 kph, should address the issue and allow local residents and visitors to enjoy the OMCR property.

I am sure you appreciate that we have no physical ability to prevent anyone from using that entrance but for purposes on those who choose to market it as a site to visit, we would hope they would, at the very least, indicate the days/time of year it is deemed open to the public, as would we.

We have particularly beautiful land in our area, and this being the only lands under our management that is public, the Town and the Land Trust have a wonderful gift to be able to share with local residents to access via the road entrance.

In that regard, we sincerely hope this suggestion would be acceptable to the Town to enable some road access to the local residents and visitors.

Thanks Scott for your consideration,  
Howard

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**From:** [president@mwlt.org](mailto:president@mwlt.org) <[president@mwlt.org](mailto:president@mwlt.org)>

**Sent:** Monday, July 24, 2023 4:21 PM

**To:** 'Scott Edwards' <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>; 'Kerstin Vroom' <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>

**Cc:** 'Mayor' <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>; [john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com); 'Bill Bishop' <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>; [bradkneller@live.com](mailto:bradkneller@live.com); 'Jon Hind' <[councillorhind@magnetawan.com](mailto:councillorhind@magnetawan.com)>; 'General Mail MWLT' <[info@mwlt.org](mailto:info@mwlt.org)>; 'John McKenna' <[johnalexmckenna@gmail.com](mailto:johnalexmckenna@gmail.com)>; 'Brian Chemnitz' <[stewardship@mwlt.org](mailto:stewardship@mwlt.org)>

**Subject:** RE: council meeting

Good afternoon Scott,

Thanks for the clarifications, and for further clarification, so its understood I was not operating on hearsay, the discussions you had regarding those curbside parking areas were in fact with Kristina and myself (as you may recall Brian was addressing a local who had gone into the trail with an axe attempting to cut something down). And to your point, yes, if I recall the exercise, you had noted you were not authorized to approve any parking, but if you were to be so authorized, you had pointed out the curb spots that would satisfy the concerns as articulated at the time.

As to your comments regarding the trail. Though it is on lands that are under the conservation of the Magnetawan Watershed LandTrust, as noted in our deputation in March, the trail has existed over 100 years as both a trail to the old mill, and before that, as a portage trail by early settlers/locals who lived in the area. All to say, I am not aware that any previous owners being required to have parking in the area, so if you have that documentation, that would be very helpful as it was withheld from the Land Trust as part of the transaction. To that, the LandTrust has not made any material changes to the area nor the trail when it came under conservation, than existed prior to the lands being donated to the Land Trust. In addition, as I am sure you are aware, to add to this discussion, there are rules, laws, guidelines under the Province of Ontario that deal with such legacy trails and what can and cannot be done to cut-off access.

That all said, we have reached out to other Conservation groups in Ontario to see how they have managed this type of circumstance, to the extent they may have experience.

I will be back to you in short order,

Howard Rosen

President

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**From:** Scott Edwards <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>

**Sent:** Friday, July 21, 2023 2:31 PM

**To:** [president@mwlt.org](mailto:president@mwlt.org); Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>

**Cc:** 'Mayor' <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>; [john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com); 'Bill Bishop' <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>; [bradkneller@live.com](mailto:bradkneller@live.com); Jon Hind <[councillorhind@magnetawan.com](mailto:councillorhind@magnetawan.com)>; 'General Mail MWLT' <[info@mwlt.org](mailto:info@mwlt.org)>; 'John McKenna' <[johnalexmckenna@gmail.com](mailto:johnalexmckenna@gmail.com)>; 'Brian Chemnitz' <[stewardship@mwlt.org](mailto:stewardship@mwlt.org)>

**Subject:** RE: council meeting

Good Afternoon Howard

I just want to clarify, your statement: *when Public Works had noted the curb spaces off the road that could be used for cars safely as noted in our deputation.* is taken out of context.

When I spoke with, I believe Brian, we were tossing ideas around to help with the parking situation and he suggested we ( the Municipality) just drop off extra gravel to widen the road to have people park there. At that time I stated, it could be a possibility, but we probably wouldn't do it.

The Municipality has obtained legal advice advising that the Municipality should not allow people to park on the road to access a private trail. The road is meant for the travelling public and shoulders are meant to enable vehicles to move off to the side in case of emergency.

The Municipality has not completed any traffic studies and for this issue it would be irrelevant anyway. The Land Trust is responsible for providing suitable parking for users of their trail.

Appreciate you contacting other Ontario Conservation Agencies to find out how they are able to provide parking for their trail users.

Have a good weekend

Scott Edwards

Public Works Superintendent

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**From:** [president@mwlt.org](mailto:president@mwlt.org) <[president@mwlt.org](mailto:president@mwlt.org)>

**Sent:** Tuesday, July 18, 2023 11:27 AM

**To:** Scott Edwards <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>; Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>

**Cc:** 'Mayor' <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>; [john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com); 'Bill Bishop' <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>; [bradkneller@live.com](mailto:bradkneller@live.com); Jon Hind <[councillorhind@magnetawan.com](mailto:councillorhind@magnetawan.com)>; 'General Mail MWLT' <[info@mwlt.org](mailto:info@mwlt.org)>; 'John McKenna' <[johnalexcmckenna@gmail.com](mailto:johnalexcmckenna@gmail.com)>; 'Brian Chernitz' <[stewardship@mwlt.org](mailto:stewardship@mwlt.org)>

**Subject:** Re: council meeting

Good morning Scott,

Thanks for the follow-up email and clarifications. We very much appreciate your continuing offer to help build a parking area which was the discussion we had when Public Works had noted the curb spaces off the road that could be used for cars safely as noted in our deputation.

As to lands in the vicinity, we are not aware of anyone willing to donate the lands, and to be honest, I am not sure how that could work as under our non-profit status, we can only accept property that have an environmental/conservation component to it such as there being environmentally challenged species (animal or plant) or protected species (animal or plant). That said, though we have already consulted with other similar organizations, we will reach out and do a deeper dive given the additional context you have provided, to see what other conservation groups in Ontario have been able to do, or not, in these circumstances.

As to there being a parking lot previously on Old Mans Creek? Aside from the single spot at the entrance that was approved by the Town, I am not aware of there having been any form of official/approved parking on the protected lands. If you have any documentation you can share, that would be extremely helpful. But to be honest, in any event, as it didn't exist when the lands were donated nor referenced in any of the related documents including the base line environmental documentation (on which the donations is based), we would still be precluded from creating a parking lot now.

As to your question on insurance? Yes, we carry the requisite insurance for all our properties including Old Mans Creek Reserve.

And further to our previous emails, have you had an opportunity to do a traffic study in the area once the speed limit had been reduced? And similarly, when we have the entrance closed in the winter months?

Thanks again Scott, we will be back to you with a follow-up on what has been done with other Ontario conservation associations in similar circumstances.

Howard Rosen

President

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**From:** Scott Edwards <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>

**Sent:** Monday, July 17, 2023 12:56:50 PM

**To:** [president@mwlt.org](mailto:president@mwlt.org) <[president@mwlt.org](mailto:president@mwlt.org)>; Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>

**Cc:** 'Mayor' <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>; [john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com) <[john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com)>; 'Bill Bishop' <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>; [bradkneller@live.com](mailto:bradkneller@live.com) <[bradkneller@live.com](mailto:bradkneller@live.com)>; Jon Hind <[councillorhind@magnetawan.com](mailto:councillorhind@magnetawan.com)>; 'General Mail MWLT' <[info@mwlt.org](mailto:info@mwlt.org)>; 'John McKenna' <[johnalexcmckenna@gmail.com](mailto:johnalexcmckenna@gmail.com)>; 'Brian Chernitz' <[stewardship@mwlt.org](mailto:stewardship@mwlt.org)>; 'General Mail MWLT' <[info@mwlt.org](mailto:info@mwlt.org)>

**Subject:** RE: council meeting

Good Afternoon Howard,

Thank you for your patience and for reviewing the report.

You are correct, it was 5/6 Sideroad – that was a typo and it has been corrected for the public record. And just for clarification, the use of the word 'sever' was to refer to 'dedicating'

There is no consultant report, as maintaining and building roads is the responsibility of the Roads Department and the Public Works Superintendent.

Although we are sympathetic to the needs of the Watershed visitors, the Municipality has been fair in offering to install a parking lot. Perhaps one of the landowners in the vicinity would be willing to sell a piece of their land or even donate for the use of a parking lot. Our offer to help build it, still stands.

From what I understand, the Land Trust used to have a parking lot. Do you know what became of it?

Also what does the Land Trust's insurance coverage include for patrons parking and using the trail?

Thank you

Scott

**From:** [president@mwlt.org](mailto:president@mwlt.org) <[president@mwlt.org](mailto:president@mwlt.org)>

**Sent:** Tuesday, July 11, 2023 12:34 PM

**To:** [president@mwlt.org](mailto:president@mwlt.org); Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>

**Cc:** Scott Edwards <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>; 'Mayor' <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>;

[john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com); 'Bill Bishop' <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>; [bradkneller@live.com](mailto:bradkneller@live.com); Jon Hind

<[councillorhind@magnetawan.com](mailto:councillorhind@magnetawan.com)>; 'General Mail MWLT' <[info@mwlt.org](mailto:info@mwlt.org)>; 'John McKenna'

<[johnalexcmckenna@gmail.com](mailto:johnalexcmckenna@gmail.com)>; 'Brian Chemnitz' <[stewardship@mwlt.org](mailto:stewardship@mwlt.org)>; 'General Mail MWLT' <[info@mwlt.org](mailto:info@mwlt.org)>

**Subject:** RE: council meeting

Good afternoon Mr. Edwards,

Further to our recent emails regarding a parking issue noted by the Town staff, and specifically a Report to Council of June 21, 2023 prepared by Town staff I have provided some information. In particular, being provided less than 24 hour notice, we were unable to have representation organized nor have adequate time to review the report, except to have noted (upon quick review) a number of factual errors. In that regard, we appreciate the opportunity to provide our comments with the desire to work with the Town for a solution that addresses the practical limitations in working with conserved lands.

As to the Report, for ease of review, I have attached the .PDF of the report with our specific comments/clarification and factual issues to be addressed for your review. Based on references in the Report, what would be very helpful to better understand some of the conclusions, is a copy of the consultants report. So we appreciate receiving a copy for review.

As to our meeting, I am no longer available on July 17, so would look to re-schedule. That said, as you had indicated you were not prepared to change the conclusion of your report subject to additional information or direction from Council. You also indicated you wanted additional information regarding the Land Trust not being able to create a parking lot on protected lands. I addressed this issue on my email to you of June 27, 2023 (in this email thread and annotated below for ease of review) and had not received a response. I presume therefore, that this is no longer an issue for our discussions.

*Regarding the specifics of severing the land. We made a deputation in detail to the Council on March 29 why the Land Trust is not able to sever the land. Are you suggesting that our deputation and explanation was not acceptable to Council? As I attested then, the issue is extremely complex due to provincial, federal, Canadian and US tax structures under which these lands are conserved and that cannot be unraveled. So to help me understand what is being asked, as you are intimating a lack of acceptance of our assertions, are you suggesting we now go to the expense of provincial/federal/Canada/US tax opinions, provincial/federal/Canada/US legal opinions, as well as expert opinion from the respective conservation authorities on the ability, actually, lack thereof, to sever protected lands or are you asking to review copies of confidential agreements?*

In addition, what would be helpful to this discussion is the effect on some of the issues with the recent reduction of the speed limit on the road as well as the contribution to reducing concerns as a result of the Land Trust's closing the entrance during the winter months (as I noted in my deputation to Council on March 23, 2023)

I look forward to your thoughts on our issues with the report as well as a copy of the consultants report as we continue to work with the Toen on finding a solution to the parking issue of concern to the Town.

Howard Rosen

President

**From:** [president@mwlt.org](mailto:president@mwlt.org) <[president@mwlt.org](mailto:president@mwlt.org)>

**Sent:** Tuesday, June 27, 2023 2:37 PM

**To:** 'Kerstin Vroom' <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>; 'Howard Rosen' <[president@mwlt.org](mailto:president@mwlt.org)>

**Cc:** 'Scott Edwards' <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>; 'Mayor' <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>;

[john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com); 'Bill Bishop' <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>; [bradkneller@live.com](mailto:bradkneller@live.com); 'Jon Hind'

<[councillorhind@magnetawan.com](mailto:councillorhind@magnetawan.com)>; 'General Mail MWLT' <[info@mwlt.org](mailto:info@mwlt.org)>; 'John McKenna'

<[johnalexmkenna@gmail.com](mailto:johnalexmkenna@gmail.com)>

**Subject:** RE: council meeting

Good afternoon Kerstin,

Thanks for the clarifications as to what staff is able to respond to versus Council, that is very helpful.

As to the Towns reference to the Old Man Creek Reserve, as discussed at the deputation, there were references of the trail as a tourist attraction, which wasn't refuted, so we appreciate that having been addressed.

As to our website referencing Old Mans Creek as a protected property? Of course we have a reference, as it is one of our protected properties? What we had been accused of, was advertising the property, which we don't do, but is done by 3<sup>rd</sup> parties out of our control such as local Air BnB's.

As noted, I appreciate the clarification as to what should be addressed to whom and we shall direct our questions and clarifications accordingly.

Howard Rosen

President

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**From:** Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>

**Sent:** Tuesday, June 27, 2023 2:01 PM

**To:** Howard Rosen <[president@mwlt.org](mailto:president@mwlt.org)>

**Cc:** Scott Edwards <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>; 'Mayor' <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>;

[john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com); 'Bill Bishop' <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>; [bradkneller@live.com](mailto:bradkneller@live.com); Jon Hind

<[councillorhind@magnetawan.com](mailto:councillorhind@magnetawan.com)>; 'General Mail MWLT' <[info@mwlt.org](mailto:info@mwlt.org)>; 'John McKenna'

<[johnalexmkenna@gmail.com](mailto:johnalexmkenna@gmail.com)>

**Subject:** FW: council meeting

Hello Howard,

Thank you for your email. Council gave the direction to have the Land Trust attend Council to respond to Scott's report and to hear about another solution for the Land Trust's parking problem and wanted to hear about the factual errors in Scott's report. As you may not be aware, Staff is not authorized to speak on behalf of Council, and some of your questions would need to be answered by Council during the deputation.

Also, I just wanted to clarify that Staff is not aware of anywhere on our website that the Municipality advertises Old Man's Lake Trail. Could you please provide me the information as to where it is. Just click the url code at the top of the page it is on and send it to me. I will have it taken down immediately.

It appears you may not be aware, but this is from your website: <https://www.mwlt.org/protected-properties> and notes that the *AFoCC subsequently transferred the property to MWLT to create Old Man's Creek Reserve (OMCR) after it had demonstrated its stewardship abilities. The Reserve is open to the public for hiking, paddling, and nature enjoyment, but remains in a natural state with no improvements.*

Take Care

Kerstin

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**From:** [president@mwlt.org](mailto:president@mwlt.org) <[president@mwlt.org](mailto:president@mwlt.org)>

**Sent:** Tuesday, June 27, 2023 12:20 PM

**To:** Scott Edwards <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>; [president@mwlt.org](mailto:president@mwlt.org); Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>

**Cc:** 'Mayor' <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>; [john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com); 'Bill Bishop' <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>;

[bradkneller@live.com](mailto:bradkneller@live.com); Jon Hind <[councillorhind@magnetawan.com](mailto:councillorhind@magnetawan.com)>; 'General Mail MWLT' <[info@mwlt.org](mailto:info@mwlt.org)>; 'John

McKenna' <[johnalexmkenna@gmail.com](mailto:johnalexmkenna@gmail.com)>

**Subject:** RE: council meeting

Good afternoon Scott,



Thank-you for the email and confirmation of the proposed date/time. And sure, let's confer as we get closer to the date as to where we meet.

Regarding the specifics of your email, first of all, of course public safety is a priority for all concerned. To your email comments, am I to presume however, regardless of our inability to sever the land (as detailed at our deputation and again below) and the factual errors in the report that led to your conclusion, am I to understand that the town is standing by the conclusion nevertheless?

As to the recommendation in the report, is it strictly binary where either the Land Trust "sever land" as the only option aside from requiring a private land owner and charitable organization to close it's entrance? (for a site by the way that the Land Trust does not publicize for public use but is publicized as a tourist destination by the Town of Magnetawan).

Regarding the specifics of severing the land. We made a deputation in detail to the Council on March 29 why the Land Trust is not able to sever the land. Are you suggesting that our deputation and explanation was not acceptable to Council? As I attested then, the issue is extremely complex due to provincial, federal, Canadian and US tax structures under which these lands are conserved and that cannot be unraveled. So to help me understand what is being asked, as you are intimating a lack of acceptance of our assertions, are you suggesting we now go to the expense of provincial/federal/Canada/US tax opinions, provincial/federal/Canada/US legal opinions, as well as expert opinion from the respective conservation authorities on the ability, actually, lack thereof, to sever protected lands or are you asking to review copies of confidential agreements?

Your clarification of the above will help as we prepare documents for our discussion on July 17.

Howard Rosen  
President

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**From:** Scott Edwards <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>  
**Sent:** Tuesday, June 27, 2023 9:10 AM  
**To:** [president@mwl.org](mailto:president@mwl.org); Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>  
**Cc:** Mayor <[sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)>; [john.s.hetherington@gmail.com](mailto:john.s.hetherington@gmail.com); Bill Bishop <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>; [bradkneller@live.com](mailto:bradkneller@live.com); Jon Hind <[councillorhind@magnetawan.com](mailto:councillorhind@magnetawan.com)>  
**Subject:** RE: council meeting

Good Morning Howard

At this point in time July 17<sup>th</sup> at 1300 looks open however the location will have to be "TBD" at this point given the busy time of year.

We can discuss the Report however my position remains the same unless convinced and or otherwise directed to do different as public safety and municipal liability are my main concerns. If you could bring to the meeting any pertaining notes and or documents at to why the Trust cannot severe a section of the land discussed to use as parking would be most be beneficial to this additional process given this busy time of year as mentioned.

Thank you and have a great Canada Day Weekend!

Scott Edwards  
Public Works Superintendent

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**From:** [president@mwl.org](mailto:president@mwl.org) <[president@mwl.org](mailto:president@mwl.org)>  
**Sent:** Monday, June 26, 2023 12:21 PM  
**To:** Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>; [president@mwl.org](mailto:president@mwl.org)  
**Cc:** 'Bill Bishop' <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>; Scott Edwards <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>  
**Subject:** RE: council meeting

Thanks Kerstin.

Hi Scott,

Further to Kerstin's email, I will be back in town the week of July 17. Are there a couple of dates/times that week you would be available for us to meet? Such as Monday July 17 @ 1:00 or Tuesday July 18 @ 10:00?

At this stage we have visited the site enough times we could meet at the Municipal building unless you suggest otherwise.

I look forward to firming up a convenient date & time.

Thanks,

Howard Rosen  
President

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**From:** Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>

**Sent:** Thursday, June 22, 2023 3:47 PM

**To:** [president@mwt.org](mailto:president@mwt.org)

**Cc:** 'Bill Bishop' <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>; Scott Edwards <[publicworks@magnetawan.com](mailto:publicworks@magnetawan.com)>

**Subject:** RE: council meeting

Hello Howard,

I agree that meeting directly with Scott would be best. I have copied him on this email; however, he is away until Monday.

Perhaps if you could let Scott know some dates/times that might work for you, he could advise what would work on his end.

Stay well,

*Kerstin*

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**From:** [president@mwt.org](mailto:president@mwt.org) <[president@mwt.org](mailto:president@mwt.org)>

**Sent:** Thursday, June 22, 2023 3:32 PM

**To:** Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>

**Cc:** 'Bill Bishop' <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>

**Subject:** RE: council meeting

Thank-you Kerstin for the update on the deferment of the Council motion. As to next steps, perhaps what would be most valuable for everyone's time is to meet again with public works to discuss the recent report and look to solutions that addresses respective issues and true restrictions.

If that makes sense to you as well, would organizing that go through your office or directly with Superintendent Edwards?

I look forward to your thoughts .

Howard Rosen

President

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**From:** Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>

**Sent:** Thursday, June 22, 2023 1:20 PM

**To:** [president@mwt.org](mailto:president@mwt.org)

**Cc:** 'Bill Bishop' <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>

**Subject:** RE: council meeting

Hello Howard

Thank you for your patience; it has been a very busy morning. I have attached for you a copy of the motion that was deferred.

Council would like to give the Magnetawan Watershed Land Trust the opportunity to respond to the report presented by Scott Edwards, Public Works Superintendent. As well Council is looking forward to hearing from the Land Trust another solution for your parking problem and is interested in learning of the factual errors in Scott's report.

If you could let me know if someone would be interested in doing a presentation on Wednesday, August 2 at 1:00 pm, that would be greatly appreciated. We have pencilled you in. The next available date would be Wednesday, August 23<sup>rd</sup>.

If you would like to attend on August 02, we would need your presentation by Wednesday, July 26, and for the August 23 meeting we would need it by Wednesday, August 16 - for inclusion in the public agenda package.

Please let me know if either of these dates work for you,

Thanks!

*Kerstin*

**From:** Howard Rosen <[president@mwlt.org](mailto:president@mwlt.org)>

**Sent:** Tuesday, June 20, 2023 10:18 PM

**To:** Bill Bishop <[livingmagnetawan@gmail.com](mailto:livingmagnetawan@gmail.com)>; [kvroom@magnetawan.com](mailto:kvroom@magnetawan.com)

**Subject:** Re: council meeting

Good evening Kerstin,

I am emailing you at the suggestion of Bill Bishop regarding the Report received today and notice that it will be tabled tomorrow.

In short, we are extremely disappointed in the process whereby we have not been provided with any reasonable notice to review the document, nor discuss it with town staff, nor make any accommodation to ensure we had representation at Council meeting (particularly when it is well known that the Land Trust Board is made up of cottagers who live primarily out of town).

In addition, we are greatly concerned, having had opportunity to make only a cursory review, that there are a great many factual errors in the report. Hence, Council would be asked to review and provide consideration on erroneous informaton.

And lastly, as discussed at my deputation in March, and as clearly understood by the Council members, there is not an option for the Land Trust to build a parking lot on its lands, aside from the one that presently exists at the entrance as previously approved by the town.

For the reasons as noted above, we request that the report not be presented at the meeting tomorrow, in order to provide us with an opportunity for proper review and discussion with town staff.

Our objective remains finding a solution in collaboration with the town for our private conservation property for which we provide public access and on which the town actively promotes for tourism.

I will call you in the morning to provide any additional context you may require.

Thanks for the consideration.

Howard Rosen

President

Magnetawan Watershed Land Trust

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## REPORT TO COUNCIL

To:	Mayor and Council
From:	Public Works Superintendent
Date of Meeting:	June 21, 2023
Report Title:	Magnetawan Watershed Land Trust Parking

**Recommendation:** THAT Council receives and approves this report as presented and accepts the recommendation of the Public Works Superintendent regarding the unsuitability of providing parking on the unopened road allowance at 15/16 Sideroad; and that the Magnetawan Watershed Land Trust, if they cannot provide parking to their trail head to Old Man's Creek, to secure other private lands that would be suitable for parking and/ or relocate the entrance to the trail.

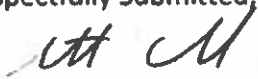
**Background:** There has been requests from the Magnetawan Watershed Land Trust to provide Parking spaces along the Ahmic Lake Rd by the Old Man's Trail. This was determined by the Municipality to be unsafe and "No Parking Signs "were installed to discourage the Public from parking along the road and walking to get onto the trail. The Municipality had offered to install a small parking area on the Magnetawan Watershed Land Trust property using local material from ditching followed by a donation of gravel. The Land Trust claims they are not permitted to have any type of parking on the donated property and on March 23, 2023 requested Council to consider the Unopened Road Allowance at the 5/6<sup>th</sup> Side Road and possibly the North/East corner Right of Way.

**Evaluation:** The location at the 5/6<sup>th</sup> Side Road Unopened Road Allowance is between two steep hills on winding bends and the sight lines are unacceptable. To create adequate sight lines, Staff would need to cut back the forest substantially to the West and to construct the Parking Area major tree and brush clearing would also be required. As well it is estimated that there would be a need of fill and gravel to bring the elevation up so as not to have drainage issues. Further, the parking area would be approximately 100 metres (328 feet) to the trail head which requires pedestrians to be crossing a potentially hazardous intersection. Adequate signage, which should include a 4 way stop and a pedestrian crosswalk with the signal lights. Yearly maintenance as well as 'clean up' of refuse of the parking lot would rest with the Municipality. Another consideration, it is not in the Municipality's best interest to encourage groups of hikers to utilize this area, particularly because of the characteristics (gravel, small shoulders) of the road and the sight lines. And as the Municipality is creating the parking area, all liability for potential injury, will be borne by the Municipality, which is not recommended by our legal counsel. Other conservancy groups, such as the Bruce Trail, a charitable organization which provides Canada's longest marked footpath, provides parking lots for many of its trailheads. The onus should be on the Magnetawan Watershed Land Trust to confer with its directors to include the purchase of lands for creation of parking areas for their properties being advertised on their website for the public to access.

**Financial Implications:** The estimated cost to the Municipality to create a parking lot on our unopened Road Allowance for the Magnetawan Watershed Land Trust, is between \$14,000 to \$20,000 given the Staff, Equipment, Supplies, and time to complete the project not including yearly maintenance.

**Conclusion:** The Public Works Superintendent recommends that the 5/6<sup>th</sup> Unopened Road allowance not be used as a Parking Area for Old Man's Trail. It is recommended that the Magnetawan Watershed Land Trust, if they cannot provide parking on the trail head to Old Man's Creek, which the Municipality offered to build free of charge, that the Land Trust secure other private lands that would be suitable for parking and/ or relocate the entrance to the trail.

Respectfully Submitted,



Scott Edwards  
Public Works Superintendent



# DPSMA FALL MEETING 2023

SEPTEMBER 29, 2023

8:15AM - 2:30PM

DUNCHURCH COMMUNITY CENTER

**SHORT  
TERM  
RENTALS**

Presented by MMBC

## THE SPEAKERS



**James Robinson**  
MMBC Planning Ltd.



**Dr. C. Zimbalotti**  
NBPSD Health Unit



**Almaguin Hatchery**  
Jerry Brandt, VP



**Mike Brett**  
Brett & Associates

## DISCUSSIONS AND INSIGHTS



### BLUEBOX TRANSITION

Mike Brett is extremely knowledgeable in Bluebox Legislation having 12 years experience as the Managing Director at the Continuous Improvement Fund.



### AODA COMPLIANCE 2025

The Ministry for Seniors and Accessibility will provide updates to the legislation where all Municipal facilities will need to be in compliance by 2025.



### HIGH SPEED INTERNET PROGRAM

Infrastructure Ontario will provide an update on the Accelerated High Speed Internet Program (AHSIP).

### DUNCHURCH COMM CENTER

2199 HWY 124, DUNCHURCH POA 1G0

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## REGISTRATION

EMAIL: [deputyclerk@dnchc.com](mailto:deputyclerk@dnchc.com)

Please email questions for the STR Presentation before September 26th.



## District of Parry Sound Municipal Association

c/o Township of McKellar, 701 Hwy 124 McKellar, ON P0G 1C0

**President:** Lynda Carleton    **Secretary-Treasurer:** Karlee Britton

**Fall 2023 Agenda – 167<sup>th</sup> Meeting – Friday, September 29, 2023**

**Hosted by the Municipality of Whitestone**

**Dunchurch Community Centre, 2199 Hwy 124, Ontario**

- 8:15-9:00**                    Registration / Coffee sponsored by **Aird & Berlis, LLP**
- 9:00-10:00**                Opening Remarks by Mayor George Comrie, Municipality of Whitestone  
Introduction of the Head Table  
Greetings from the Office of Scott Aitchison, MP Parry Sound-Muskoka  
Appointment of Vice-President {Res}  
Adoption of Minutes from Spring 2023 and Treasurer's Report {Res}  
Lynda Carleton, FONOM Update  
Greetings from the Office of Graydon Smith, MPP Parry Sound-Muskoka
- 10:00-10:15**              Meeting Accessibility Standards by 2025 under the *AODA* presented by the Ministry for Seniors and Accessibility
- 10:15-10:30**              Accelerated High-Speed Internet Program (AHSIP) presented by Luke Barker, Director of Commercial Projects, Infrastructure Ontario
- 10:30-10:45**              Coffee break sponsored by **Tulloch**
- 10:45-11:15**              North Bay Parry Sound District Health Unit Updates presented by Dr. Carole Zimbalatti, Acting Medical Officer of Health
- 11:15-11:30**              Almaguin Community Hatchery Program presented by Jerry Brandt, Vice President
- 11:30-12:00**              Bluebox Transition Presentation and Q&A presented by Mike Birett, Birett & Associates
- 12:00-1:00**                Lunch – 3 course plated and served Roast Beef dinner by **Tanners Inn & Dining**, with salad, mixed veg, Yorkshire pudding, mashed potatoes, gravy and pie for dessert
- 1:00-2:00**                 Short Term Rentals presented by Jamie Robinson and Kathy Suggitt of MHBC Planning Ltd.
- 2:00**                         Resolutions / Business Meeting  
Draw for Mystery Door Prize: Must be present to claim  
Host and Date of Next Meeting: East Side host and date to be determined  
Adjournment

## Laura Brandt

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**From:** Vincer, Doug (OPP) <Doug.Vincer@opp.ca>  
**Sent:** August 23, 2023 12:56 PM  
**To:** John Theriault (Clerk-Treasurer Administrator); Katey Brimacombe; Kerstin Vroom; Laura Brandt; clerk@mcmurrichmonteith.com; Beth Morton; Nicky Kunkel; nicole.gourlay@townofkearney.ca; Brayden Robinson; Nancy Austin; Don McArthur; Caitlin Haggart; bpaulmachar@vianet.ca  
**Subject:** Highway Closures - Parades, community events, etc.

Good afternoon everyone,

I have been approached on numerous occasions, as have previous Detachment Commanders, to have an officer assist with temporary highway closures (Hwy 11, 124, 518, 520, 592) for various community events. I take pride in being part of these events, as do the officers in our detachment. My response to these requests has remained consistent – as long as emergent calls for service don't require our presence elsewhere, we'll be there. We look forward to taking part in these events.

The MTO has become more stringent than they have previously. Therefore, our response that we will take part in these events, barring emergent calls for service, will no longer suffice and your MTO permit application is likely to be denied.

I can not extend our commitment unless you make application for a paid duty officer(s) to attend and manage the closure. Utilizing your various fire and/or road departments will minimize the requirement for multiple officers.

I share this information so you, your Agricultural Societies, etc., can appropriately plan for the finances/resources you'll require for these closures, or consider changing parade routes so you do not *require* an officer to attend. This does not change our willingness/want to attend and take part as we're able to, but I will not be able satisfy the requirement from the MTO without committing a paid duty officer to fulfill the role.

Keep in mind, events often take part in our various communities at the same time – although I will do my best to ensure a paid duty officer is available, I can not guarantee this, especially last minute.

Should you elect to make application for a paid duty officer, you can contact the detachment directly and our administrative clerks will forward you the necessary information.

I leave this with you and encourage you to share this with any of your organizations that might be affected and reach out to the MTO for any clarification required during the application process.

Thank you,  
Doug



G.D. (Doug) Vincer | Staff Sergeant | Detachment Commander | Almaguin Highlands Detachment  
Ontario Provincial Police | 46 Highway 520 | Burks Falls, ON | POA 1C0  
Office: (705) 382-2015 | Cell: (705) 498-1900 | Fax: (705) 382-2495





**Municipality of  
Magnetawan**

**Magnetawan Community Centre Board**

**RESOLUTION No. 2023- 15 SEPTEMBER 06, 2023**

Moved by: *Mark Ford*

Seconded by: *Hay*

**WHEREAS** the Magnetawan Community Centre Board receives the correspondence Request Magnetawan Agricultural Society Cabinets;

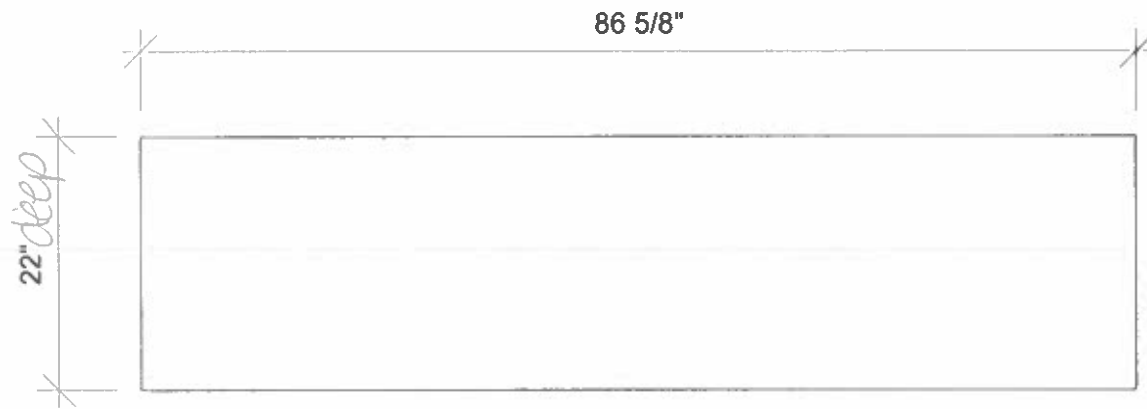
**NOW THEREFORE BE IT RESOLVED** that the Magnetawan Community Centre Board respectfully requests that the Council of the Municipality of Magnetawan approve the installation of ~~the~~ *same length* number of base cabinets of the same likeness and quality of the current upper cabinets be installed in the Community Centre hallway directly below the Magnetawan Agricultural Society Trophy Case for use by the Magnetawan Agricultural Society Cabinets at no cost to the Municipality.

Carried  Defeated  Deferred

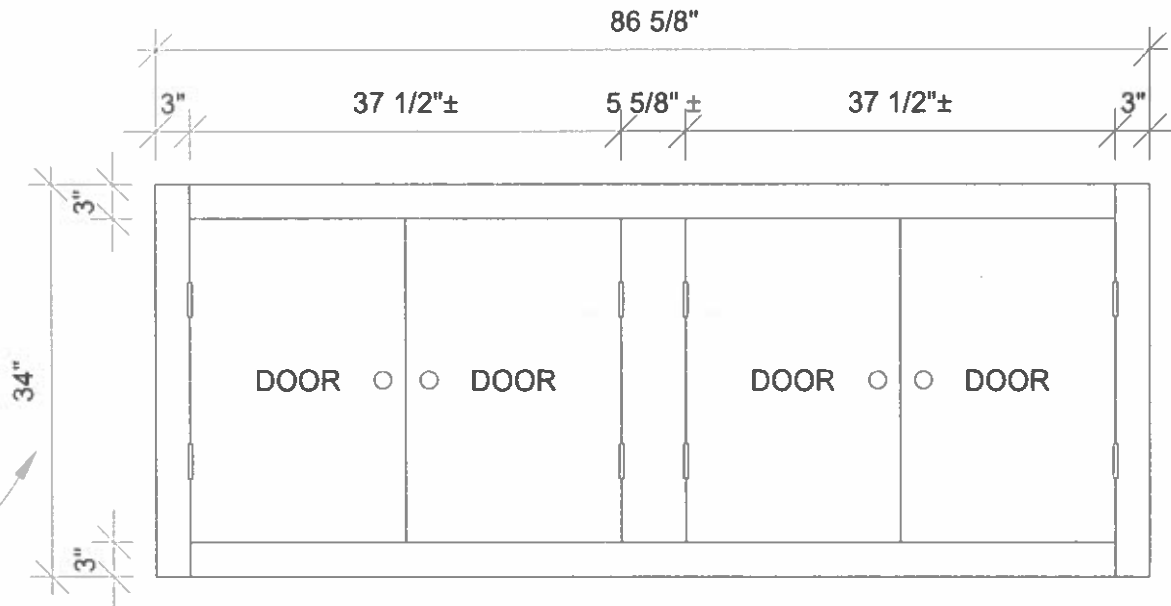
*Jan Paul Roberts*  
Chair,

Declaration of Pecuniary Interest by: \_\_\_\_\_

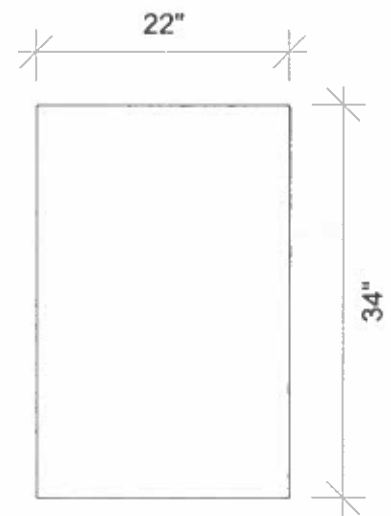




TOP VIEW



FRONT VIEW



SIDE VIEW

4 CABINETS REQUIRED

NOTE: IF WHEELS ARE TO BE USED SUBTRACT HEIGHT OF WHEELS FROM OVERALL HEIGHT

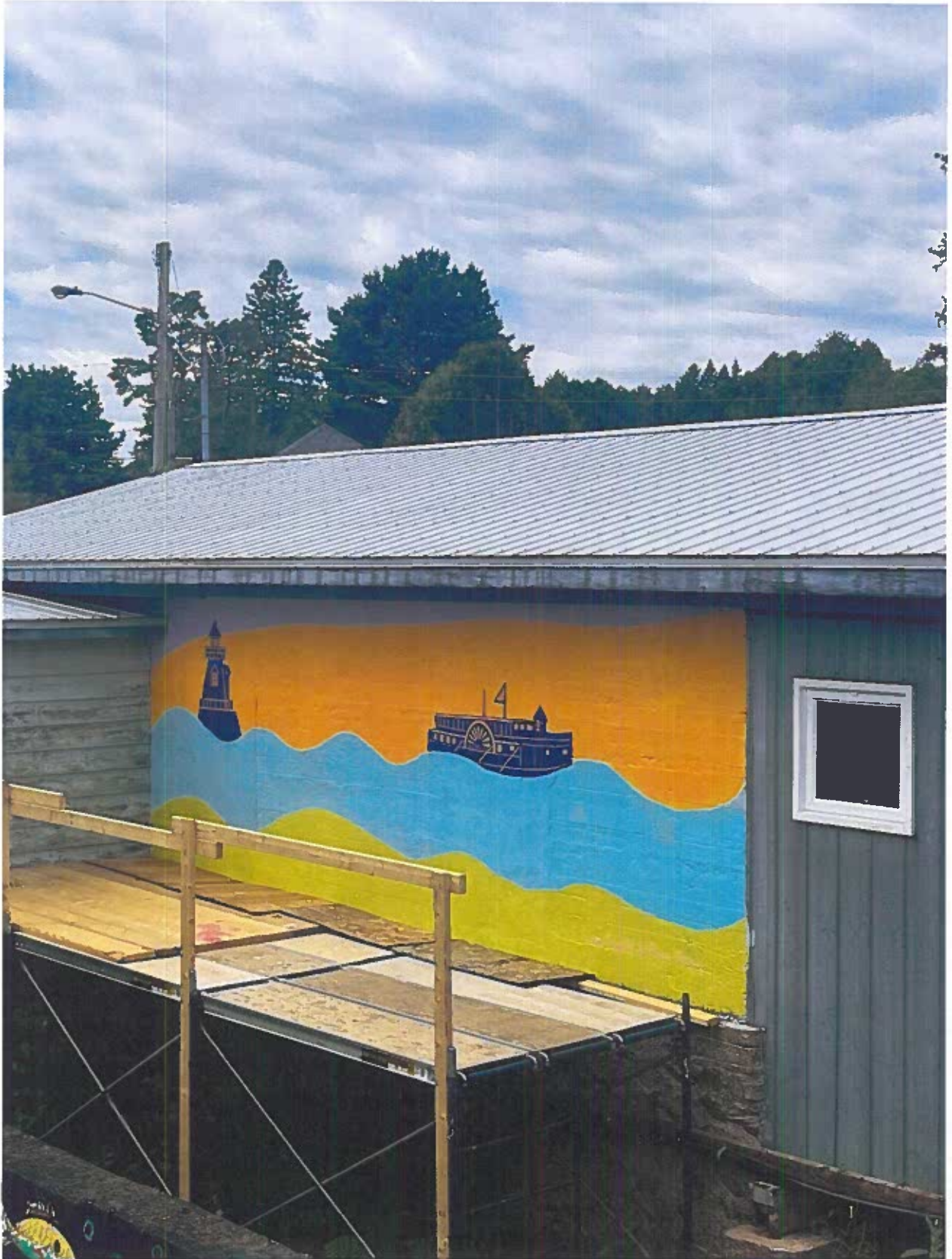
NOTE: DOOR SIZE AND MIDDLE UPRIGHT CAN BE CHANGED TO SUIT

Project:  
MAGNETAWAN AGRICULTURAL SOCIETY CABINETS

Sheet: 1 OF 1

Date: JUNE 12, 2023


2.13 ART MURAL  
DESIGNS









 <p><b>Municipality of Magnetawan</b></p>	<p><b>REPORT TO COUNCIL</b></p>
<p>To:</p>	<p>Mayor and Council</p>
<p>From:</p>	<p>Deputy Clerk Laura Brandt</p>
<p>Date of Meeting:</p>	<p>September 13, 2023</p>
<p>Report Title:</p>	<p>Year End Report Locks and Heritage Museum Centre, &amp; Summer Recreational Events</p>

**Recommendation:** THAT Council receives this report for information only.

**Background:** This report is to inform Council on how the Magnetawan Locks and Heritage Museum Centre operated over the course of the 2023 summer season.

Eight students were hired for the 2023 summer season – four for the locks and four for the museum. Four of the students were return hires and four students were new hires (one of the new hires was a volunteer for Archery the previous year). Four students are off to their first years of university and/or college this fall, and the majority of the students would like to return next season with two unable to return due to university/college co-ops.

The Municipality of Magnetawan received one grant from the Province of Ontario under the Summer Experience Program Grant Funding. This program aims to provide funding for municipalities to create career-related summer employment opportunities for students. Through this program, the Municipality was able to fund one summer student to operate and maintain the Heritage Centre Museum. The Municipality also received grant funding (in 2022) in the amount of \$4,000 from the Museum Assistance Program Intake #2 to go towards ongoing operations, salaries and wages, utilities, insurance, materials/supplies, and minor capital costs (up to 10% of total amount awarded in the amount of \$400) as well as other programming at the Museum. \$400 of this funding was utilized in 2022 with the remaining \$3,600 to be utilized in the 2023 budget.

Students participated in a training day on June 24, 2023, led by myself. Rules, policies, and training on customer service, opening and closing of the Heritage Museum Centre, operating the locks, emptying garbage cans, cleaning of the washrooms, and cleaning of the docks, etc., was included in the training. All students received Staff uniforms (t-shirts and a 'hoodie'). Water coolers were purchased for the students in 2021 and 2022 to use in conjunction with their refillable water bottles to help eliminate the use of plastic water bottles and were utilized again this year. New chairs were purchased this year for both the locks and museum which were a welcomed addition.

A majority of the students participated in an archery training day in June of 2022. A National Archery in the Schools Program (NASP) instructor facilitated the training and six students, and two volunteers participated in the training. This training ensured that our Free Archery Programming could continue to run successfully and safely for the summer season. Each Monday the Recreation Leader and multiple students would attend Archery to ensure that consent forms



were completed, helped with set up, tear down and supporting our two volunteers in running programming. This season there were 144 registrants that participated in the archery programming which was an increase of 35 registrants in comparison to 2022. Staff will be including in the 2024 budget a request for the purchase of two new left-handed bows which are approximately \$500 plus HST that will remain with the Municipality and not be shared with the two public schools. Staff will also be including in the 2023 budget monies in the amount of \$1,300 to bring a NASP trainer to provide training for the 2024 students and any volunteers to ensure that our programming can run safely and smoothly in the future.

This year Staff implemented Free Rollerskating Friday Nights from 6pm to 9pm. This new programming was kicked off with a skate demonstration from Nitro Skates. The Rollerskating programming became widely popular drawing many visitors from outside the Municipality. This season there were 323 participants that joined in the Rock “N’ Roll Fun and Staff will be including monies in the amount of \$500 in the 2024 budget for another skate demonstration as well as \$1,000 to purchase more six more pairs of skates in the sizes 8, 10, 11 and 13 as these sizes were highly popular. Our students showed maturity and professionalism during several weeks of this new programming as they dealt with some difficult situations during this event.

This year students from both the Locks and Heritage Museum Centre assisted with the Canada Day Event (closing of the road, clean up, assisting vendors with set up etc.) as well as Archery and Rollerskating which enabled programs to run as currently the Municipality do not have a large volunteer base and relies heavily on Staff. The assistance of the students and the recreation leader helped in making Staff workload more manageable.

A summer student Staff photo was taken at the end of the season again this year and will be displayed in the Heritage Museum along with the last two years of pictures to help promote a sense of family and tradition as many former residents have worked for the Municipality in this capacity and they have fond memories of working at the Locks and Heritage Museum Centre.

At the end of the season, the students provided feedback during their reviews. Comments included having a mini fridge that the students could utilize to keep their lunches and drink cold was suggested by many of the students which will be included in the 2024 Budget for Council’s consideration.

**Magnetawan Locks:**

\$5 a day	2023	2022	2021	2020	2019
<b>Number of Boats</b>	179	203	223	182	177
<b>Gross Revenue</b>	\$895	\$1,015	\$1,115	\$910	\$885

This year, 179 boats travelled through the Locks which is a decrease of 24 boats in comparison to the 2023 season. The decrease in the number of boats the past two years could be a result of the increased cost of gas and cost of living or that we are going back to 2020/2019 levels.

There were four summer students that worked at the Locks this summer (one being the recreational leader), manually opening, and closing the lock gates, providing boaters with a safe and enjoyable experience while travelling through the locks as well as ensuring that the washrooms and garbage’s at the beach were attended to. The Locks students demonstrated

great initiative this season and were diligent at ensuring their daily tasks were completed. The Locks students also stepped up and helped out cleaning up after the fireworks.

Many compliments were received from residents and travellers about our Locks students this season commending the Locks students for going over and beyond and including children in an interactive way and explaining how the locks work as well as giving top notch fishing advice!

A fire pump system was purchased in 2022 to help clean the dock on the Lake Cecebe side of the locks affectionally named the "Seagull Poop Dock". This system worked much more effectively than our lock attendants scrubbing them with brooms and brushes. This year the locks students also utilized it to power wash the wall on the Heritage Museum Centre to prepare it for the new mural. New windows for the locks booth have been ordered and delivered and Staff are currently sourcing a contractor for installation.

The Magnetawan Lock System brochure developed at the end of the 2020 season, was made available again this season at the Locks Information Booth, Heritage Museum Centre as well as other various organizations and/or businesses within our Municipality and surrounding communities. Further we include this brochure in our Municipality's "Welcome Package".

The new sign off system which was created in 2022 was again utilized this season. This system is where at the end of each night one student locks the wheels, and initials that they completed this task while the second student double checks the lock. and then initials that they completed this task.

Our Recreation Leader helped out with Pickleball Tuesday evenings after finishing his shift at the Locks. He would assist our Volunteer Dianne with tear down of the nets and equipment. Pickleball is very well attended and consistently receives approximately 25-40 participants during the day times and 10-15 participants in the evenings.

**Heritage Museum Centre:** As of 2020, the fee to visit the Heritage Museum Centre is by donation. There were three books that were available for purchase: Nipissing Road book, Historical Site pamphlet and the Looking Back book.

	2023	2022	2021	2020	2019 *breakdown estimated
<b>Number of Visitors</b>	2010	2006	1089	409	232*
<b>Gross Revenues</b>	\$1,560	\$1678	\$965	\$417	\$871 (includes books)
<b>Book Sales</b>	\$73	\$33	\$30	\$48	unknown

<b>Free Rentals/ Programming</b>	2023	2022
<b>Bikes</b>	28	35
<b>Games</b>	10	9
<b>Rock Snake</b>	481	184
<b>Activity Book</b>	20	25
<b>Beach Toys</b>	6	N/A

This year, 2010 visitors attended the museum which is an increase of 4 visitors in comparison to the 2022 season. The farthest one coming from Taiwan, and other visitors attending the museum came from Paris (France), Calgary (Alberta), Whitecourt (Alberta), and Yellowknife (NWT). The busiest day of the season was Canada Day July 1<sup>st</sup> with 114 visitors. This number does not include visitors who visited the Log Cabin, Public Murals, Geocaches, and Steam Engine but might not have necessarily gone up to visit the Heritage Museum Centre.

This season the Heritage Museum Centre was open at the same hours as the locks (10 am to 6:30 pm). There were four summer students who worked at the Heritage Museum Centre this summer, providing information to visitors about the history of Magnetawan and its surrounding areas. Visitors reported in the visitor guest book and in-person on the friendliness of the Staff and how helpful and knowledgeable they were as well as how interesting the history of Magnetawan is.

A landline was installed at the Heritage Museum Center so that Heritage students can contact supervisors and authorities if an emergency arises. All students (Locks and Heritage) were given 'walkie talkies' to be able to contact each other which were utilized frequently this season.

Several projects at the Heritage Museum Centre were implemented this season, providing visitors with an interactive experience, and enriching their cultural and historical experiences including a new mural located on the rear of the building.

This summer the "Bear Chair" was again placed outside the entrance of the Museum to attract visitors. As well as our two additions of our Free Kids "Activity Book was made available to visitors and was very positively received.

The Digital Frame Project (which shows historical photos in a looped video) was again on display at the Heritage Museum Centre and in the Hallway of the Magnetawan Community Centre.

Our Community Rock Snake project help Maggie "Reach the Beach" is still underway, and a Community Rock Snake Activity station was created which consisted of a table with rocks, brushes, paint, and outdoor varnish. This station was set up daily (weather permitting) and was monitored by the Heritage students. The students received many compliments regarding this, and this activity helped Maggie grow to over 836 rocks this Summer. A new table was also purchased this season due to the popularity of this project to ensure that a larger amount of visitors can partake in this activity at once.

Our recreation equipment lending program was implemented again this year which consisted of lending out our recreational games (connect four games, ladder ball, and other lawn games). Residents and Visitors could sign games out free of charge and utilize them at the Centennial Park, Village Green, or any of the Municipalities green spaces. This year a new connect four game was purchased to replace the well-used and loved previous wood one.

Our bike share/lending program was also implemented again this year. Four youth bikes and Four adult bikes were purchased last season along with helmets and bike locks. The Students were diligent in obtaining consent forms from participants as well as sanitizing and cleaning the bikes and helmets after each use. Residents and Visitors could sign bikes out free of charge and utilize them to take in the beautiful views of our Municipality while being active.

This season a new beach toy lending program was implemented. Four complete sets of beach toys were purchased and available to be signed out at the Heritage Museum Centre for any residents or visitors who wanted to use them for the day. This program was well received and garnished a lot of media attention!

Two new murals were to be installed this season. Nomi Drory and Crave Fluidity were selected for our 2023 public call for submissions for a duo mural at the Heritage Museum Centre and Lions' Pavilion. The first mural is a great addition to the Heritage Museum Centre, drawing more residents and visitors. Staff will be implementing a media campaign in the upcoming weeks as soon as the second mural is completed at the Magnetawan Lions' Pavilion. The Recreation Leader and Heritage Museum Students helped assist the artists in any needs that arose throughout the project.

Staff implemented Art in the Park Series again this season inviting local artists to showcase their art at the Village Green Saturdays from 10am to 1pm, which the Recreation Leader oversaw. The Recreation Leader would meet the artists, assist with set up and tear down, as well as take pictures to promote the event on all municipal social media platforms. Signage was posted throughout the downtown core and at the village green to promote this new initiative.

Staff implemented Music in the Park Series again this season inviting local artists to showcase their music at the Centennial Park Gazebo from 7pm to 8:30pm on Saturday nights from the start of July to September long weekend which the Recreation Leader oversaw. The Recreation Leader would meet the artists, assist with set up and tear down, as well as take pictures to promote the event on all municipal social media platforms. Signage was posted throughout the downtown core, Ahmic Harbour and at Centennial Park to promote this season's line-up. The majority of the Music in the Park consistently drew crowds of over 60-80 attendees which is double the average from 2022 with our closing weekend in 2023 drawing a record crowd of 200 attendees. Staff recommend keeping the Music in the Park to 10 Saturdays to run from the first weekend in July to the September long weekend and once again applying for NOHFC funding to help offset the cost of this Free Concert Series.

Staff implemented a weekly aquafit class in July and August this year which was very well attended. This programming was paid for with monies awarded through the 2023/2024 Seniors Community Grant Program and consistently had participants of approximately 24 weekly. Staff also purchased three swim belts for this programming due to the high number of participants which were well within the recreational programming budget. Staff will include in the 2024 budget monies in the amount of \$800 for Aquafit Programming and \$200 for the purchase of three more belts in 2024.

Staff implemented a weekly history campaign again this season. The Heritage Museum Students each week picked an artifact and submitted a write up, pictures and sometimes a short video clip that was posted on Municipal Social Media Platforms to promote our Heritage Museum Centre and the rich history it has to offer.

Staff assisted with two drumming circle events this season which were run by volunteer Sandra. Sandra supplied her drums and equipment for this programming. The drumming circles were very well received and had participants of over 20 attendees each circle. Our Heritage Museum Students helped out by taking pictures of the programming for promotion on all Municipal social platforms. Staff would like to offer this programming again next year if volunteers allow and

Sandra has asked if the programming continues next year that she be supplied with Staffing to help with consent forms and sign in sheets.

Our Heritage Museum Centre Students assisted in the repainting and revamping of the second exterior door of the Heritage Museum Centre.

Staff created an Instagram account to help promote our public art projects and events and use hashtags such as #kisshtemoose #magswhereitsat #magnetawan #whatsgoingonovertheremagnetawan #magnetawan. Instagram is a great social media tool to promote destinations and help attract new visitors to our area.

Staff implemented the Geocache programming again this year and placed another seven new geocaches this season. It should be noted that more people have probably located the geocaches than logged in as some geocachers do not log that they have found them in the app. 9 of the 16 geocaches also contain a trackable with a goal for geocachers to achieve. The Municipality has received many positive responses and Staff will be placing more geocaches around the municipality in 2024.

**Geocache Stats:**

Geocache Location	2023 Number of Logs	Trackable	Movement
Harry the Heritage Turtle located at the Heritage Museum Centre	37 logged with 3 favoriting this geocache for a total of 64 logged.	Yes, with the goal to visit the ocean	Has moved 2517 miles and is currently in the Bahamas
Creepy Crawly located at the Lions' Pavilion	24 logged with 1 favoriting this geocache for a total of 44 logged.	No	
Lake Cecebe	18 logged with 2 favoriting this geocache for a total of 37 logged.	No	
Knoepfli Falls	9 logged for a total of 20 logged.	Yes, with the goal to take it to another waterfall	Has moved 122 miles and is currently near Orangeville.
Old Nipissing Road	Total of 6 logged.	Yes, with the goal to get to another historical site.	Currently is being relocated by a geocacher.
Ahmic Harbour Beach	6 logged for a total of 15 logged.	No	
Midlothian Road	Total of 8 logged.	Yes, with the goal to take it to another Province outside of Ontario.	Has moved 2828 miles and is currently in Utah.
Friendship Centre	14 logged with 2 favoriting this geocache for a total of 39 logged.	Yes, with the goal to give it a new home with a friend.	Has moved 191.5 miles and is currently near London.

Whalley Lake	Total of 8 logged.	Yes, with the goal to move to another town or city.	Currently is being relocated by a geocacher.
<b>NEW IN 2023</b>			
Maggie the Rock Snake	10 logged	no	
Golf Course	10 logged	no	
Rockwyn Landing	10 logged	Yes, with the goal to move it to another lake in Canada.	Has moved 955 miles and is currently in New Brunswick.
Orange Valley	10 logged with 1 favoriting.	Yes, with the goal to move it to another cemetery.	Has moved 79 miles and is currently in Cachetown, Ontario
Ahmic Harbour Community Centre	10 logged		
Croft Recreational Park	10 logged	Yes, with the goal to move to it to another public park in northern Canada lets get it to the North West Territories!	Has moved 91 miles and is currently in Cachetown, Ontario
Ahmic Lake Hwy 124 Boat Ramp	10 logged with 1 favoriting.		
<b>TOTALS</b>	<b>178 LOGGED IN 2023 WITH A TOTAL OF 311 IN 2023/2024 9 FAVOURITES</b>		<b>6783.50 MILES IN TOTAL FOR 2023/2024</b>

**Future Projects:** Staff continues to investigate festivals (food truck, carnival, inflatable waterpark, etc.) and events and incorporating the Heritage Museum Centre in yearly reoccurring events (Canada Day, Magnetawan Agricultural Fair, etc.) as well as other recreational programming.

Staff looked into installing Basketball Nets in Ahmic Harbour as there are currently basketball nets in storage and unfortunately all the equipment is in disrepair or are odds and ends. Staff will include in the 2024 budget for Council's approval monies in the amount of \$2,500 for the installation of a basketball net or nets depending on costs.

Staff would like to build on the Art in the Park series to host more artists and attract larger crowds for the 2024 season. Staff will look into organizing Art in the Park every Saturday for the 2024 season or hosting one large event to build upon. Staff will include in the 2024 budget the temporary art installation "Fish Out of Water" that was approved by Council which will build upon the Village Green as an artist's venue. Staff is also hoping to actively source grant funding for the creation of an Artist Village at the Village Green which would compliment this greenspace and elevate the profile of the Municipality as a public art/artisan destination drawing residents and visitors to our Municipality.

Staff have also been working closely with the Northern Ontario Art Association (NOAA) Chair Lois Cookman to host the NOAA Juried Art Show in the Fall of 2024. Staff will include in the 2024 budget the cost of a wine and cheese/boat tour as previously donated and hosted in the past. The NOAA Juried Show and Annual Meeting will bring NOAA members, executives and visitors to our Municipality after Labour Day Weekend and Staff are working on hosting the Juried Show for a months' time in our Municipality.

Staff are hoping to build upon the three new Public Art Installations that have been installed over the past three years. Staff would like to commission Jake Rhodes from Northern Rhodes Artistry to do a large steamship carving to be housed at a municipally owned public space chosen by Council. This project will be included in the 2024 budget and will be offset 30% of cost by the RED Grant Intake #2 funding that was awarded for Public Art Projects in 2024. Council could consider having a large steamship carving completed in 2024 and another one completed in 2025 to allow for one carving to be placed in Ahmic Harbour and one in the Village of Magnetawan as there will still be RED Grant Intake #2 funding available for Public Art Projects in 2025.

Staff would also like to revamp the horseshoe pits that are in disrepair at the Village Green and will be including this project along with the purchase of horseshoes to be available to be loaned out at the Heritage Museum Centre in the 2024 Budget.

Staff is looking to support the baseball programming that was run by Volunteer Jim Sheddon Staff will be including in the 2024 budget monies for the additional rider needed for the baseball programming to run at the Croft Recreational Park in the amount of \$500 and will also be including in the 2024 budget a new catcher's mask, chest pad and shin pads as well as additional youth baseball bats in the amount of \$600

Staff are currently working on the Dinner and a Drive-In Movie Event to be held Saturday September 23<sup>rd</sup>. This year's event is a double feature and will include the Banger Food Truck as well as the Almaguin Gazelles selling their popcorn and cotton candy to help them fundraise to keep registration costs down.

Staff are currently working on the first Senior's Dinner and Learn Series and have actively planned two more of the five/six Dinner and Learn Series that will be occurring between now and the end of March 2024. These events are funded by the Province of Ontario under the 2023/2024 Seniors Community Grant Funding that the Municipality was successfully awarded.

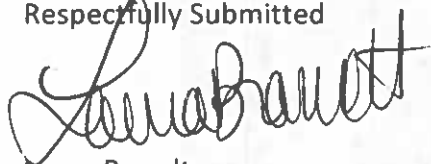
**Financial Implications:** Staff has applied for the RED Grant Intake #2 and was successful in their application to help offset the costs by 30% for public art in 2024.

Staff will also be once again applying for the NOHFC Community Event Stream Funding in hopes of offsetting the cost of Music in the Park by 30%. Staff will also be reaching out to the program advisor regarding the eligibility of receiving funding to offset the cost of the NOAA Juried Art Show Opening Gala.

Staff will also be actively sourcing any other applicable grants and funding streams to maximize the Municipality's profile to ensure that we deliver free recreational programming to our residents and visitors.

**Conclusion:** The Magnetawan Locks and Heritage Museum Centre is increasingly becoming a main focal point for residents and visitors within our Municipality. By building upon these attractions and providing fun and new recreational events, we can improve the Municipality's public spaces and attract more residents and visitors to our area to make our Municipality a better place to work, live, stay and play!

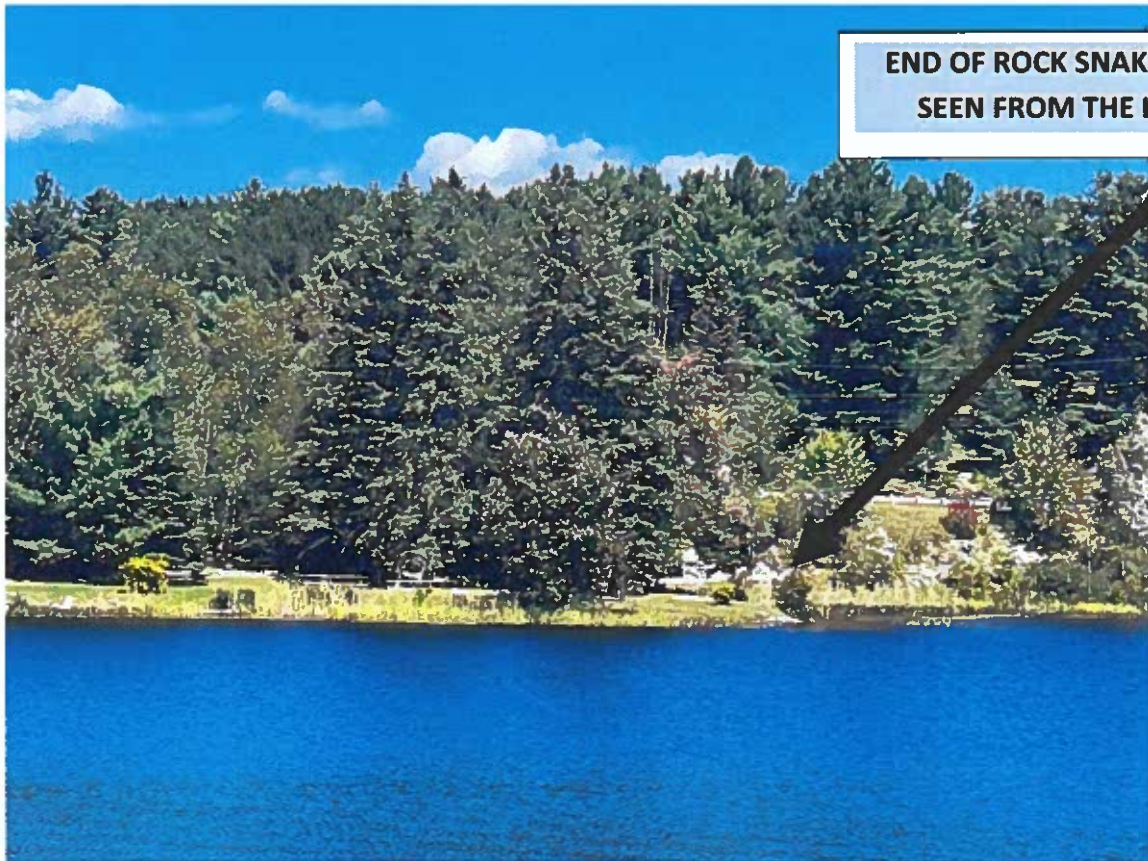
Respectfully Submitted



Laura Brandt  
Deputy Clerk Recreation and Communications

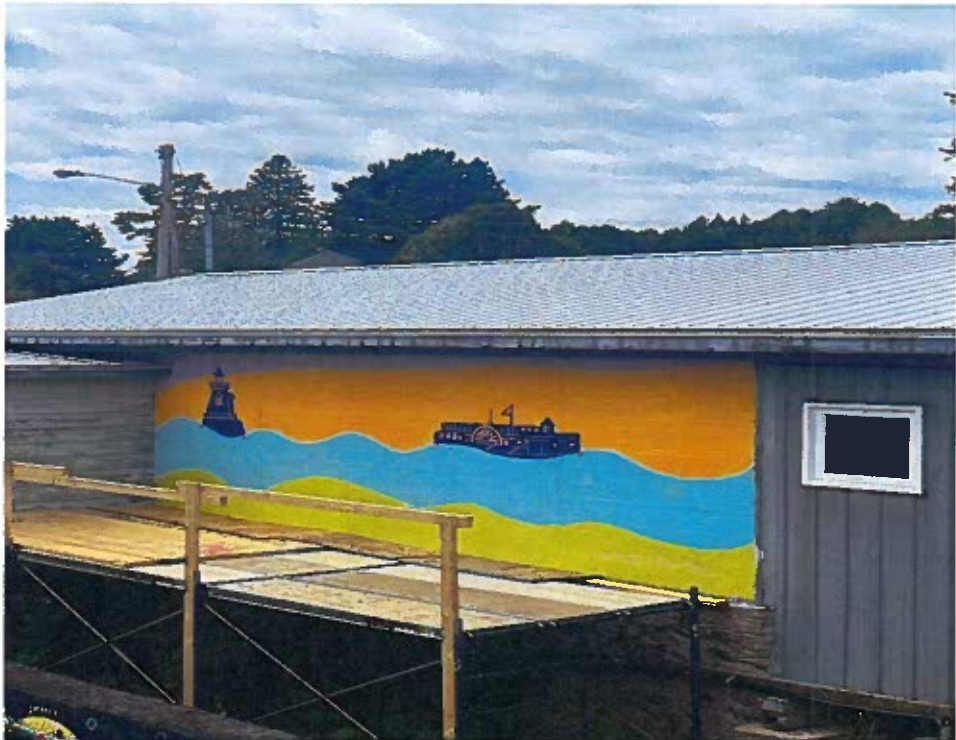






**END OF ROCK SNAKE CAN BE SEEN FROM THE LOCKS!**





Central Almaguin Planning Board

MINUTES

Wednesday, June 7, 2023

At the Village of South River Municipal Office located at  
63 Marie Street, South River (705-386-2573)

Board Meeting Minutes for June 7, 2023 – 5:30 p.m. - DRAFT

Attending:

<b>Vice Chair</b>	Magnetawan Member Sam Dunnett		
<b>Machar</b>	Member Lynda Carleton	Strong	Member Jeff McLaren
<b>Chair</b>	Provincial Member John MacLachlan	Joly	Member Chris Nicholson
<b>Sundridge</b>	Member Jim MacLachlan		

Regrets: South River Member Jim Coleman

Secretary-Treasurer: Christine Hickey

Guests (Virtually) – Glenn Hubert, Kathy Kujala, Greg Wilson, Dave McAllister

1. The Chair called the meeting to order at 5:31 p.m.
2. Declaration of Pecuniary Interests - None
3. Minutes of the May 3, 2023, meeting.

**Res #1 Lynda Carleton-Jeff McLaren**

BE IT RESOLVED THAT this Board does hereby adopt the minutes of Wednesday, June 7, 2023; as written. **CARRIED**

4. Payment of June Accounts:

**Res #2 Jim MacLachlan-Chris Nicholson**

Ch# 543 - Village of South River – Rent for June 2023 - \$341.92  
Ch# 544 - Christine Hickey – Wages (May 3– May 31 – 27 hours)  
Online CRA Payments for May (\$116.24)

**CARRIED**

5. Decisions on the following Files

B003/23 Lount – Concession 8, Part Lot 10 – 291 Rye Road

The Chair confirmed if there were any questions or comments from those attending electronically, no further comments on the application from those in attendance.

The Secretary-Treasurer advised that there were questions received on the application, although no comments were submitted.

**Res #3 Sam Dunnett-Jeff McLaren**

Be it resolved that this Board does hereby approve File B003/23 Lount

That this approval applies to create one (1) lot which will have:

91m (+/-) Frontage on Rye Road with a Depth of 137m (+/-) and an area of 1.04 ha (+/-).  
Retained lot will be an area of 15.14ha (+/-);

The subject lands are located at Concession 8, Part Lot 10, with an address of 291 Rye Road, Township of Lount, District of Parry Sound.

The Board requires that all conditions of draft approval from the Central Almaguin Planning Board must be met before the deeds can be stamped and final approval given.

**CARRIED**

**B005/23 Magnetawan – Concession 6, Lot 34 – 597 Fords Road**

The Chair confirmed if there were any questions or comments from those attending electronically, no further comments on the application from those in attendance.

The Secretary-Treasurer advised that there were questions received on the application, although no comments were submitted.

**Res #4 Chris Nicholson-Jeff McLaren**

Be it resolved that this Board does hereby approve File B005/23 Magnetawan

That this approval applies to create three (3) lot which will have:

Lot 1: 111m (+/-) Water Frontage with a Depth of 329m (+/-) and an area of 1.0ha (+/-), with 118m (+/-) of access from Fords Road.

Lot 2: 110m (+/-) Water Frontage with a Depth of 338m (+/-) and an area of 1.0ha (+/-), with 76m (+/-) of access from Fords Road.

Lot 3: 95m (+/-) Water Frontage with a Depth of 393m (+/-) and an area of 1.0ha (+/-), with 46m (+/-) of access from Fords Road.

Retained lot will be an area of 1.0ha (+/-)

The subject lands are located at Concession 6, Part Lot 34, with a municipal address of 597 Fords Road, Township of Magnetawan, District of Parry Sound.

The Board requires that all conditions of draft approval from the Central Almaguin Planning Board and the Municipality of Magnetawan must be met before the deeds can be stamped and final approval given.

**CARRIED**

6. New Files

B004/23 Laurier – Concession 13, Lot 10 – 140 Beachey Drive

The Board accepted the new application and directed the Secretary-Treasurer to proceed with the Notice of a Public Meeting.

B006/23 Lount – Concession A & B, Part Lot 136 & 137 – 3144 Old Nipissing Road

The Board accepted the new application and directed the Secretary-Treasurer to proceed with the Notice of a Public Meeting.

B007/23 Magnetawan - Concession 1, Part Lot 26 & 27 – 499 Rosskopf Road

The Board accepted the new application and directed the Secretary-Treasurer to proceed with the Notice of a Public Meeting.

B008/23 Magnetawan - Concession 1, Part Lot 26 & 27 – 499 Rosskopf Road

The Board accepted the new application and directed the Secretary-Treasurer to proceed with the Notice of a Public Meeting.

B009/23 Strong – Concession 14, Part Lot 24

The Board accepted the new application and directed the Secretary-Treasurer to proceed with the Notice of a Public Meeting.

7. Follow-up/New Items

- 7.1 Canada Revenue Agency – Pensionable and Insurable Earnings Review  
Re: Meeting Honourarium – Secretary-Treasurer – Contribution Deficiency

**Res #5 Chris Nicholson-Jim MacLachlan**

BE IT RESOLVED that the Central Almaguin Planning Board receive the update provided regarding the Pensionable and Insurable Earnings Review for the Meeting Honourarium that the Secretary-Treasurer receives, consistent to the Honourarium all Board Members receive.

AND THAT the Central Almaguin Planning Board authorize the Secretary-Treasurer to pay the \$283.95 as indicated in the Pensionable and Insurable earnings Review dated May 11, 2023.

**CARRIED**

- 7.2 CAPB Decisions/Conditions of Consent  
Re: Inclusion of Statement Regarding the Focus of Development on Rural Lands

**Res #6 Lynda Carleton-Jeff McLaren**

BE IT RESOLVED that the Central Almaguin Planning Board discussed the inclusion of a statement regarding the Focus of Development in Unorganized Townships;

AND THAT the Central Almaguin Planning Board authorize the Secretary-Treasurer to include the following statement on the Application, Notice and Decision as a reference to the requirements of the Provincial Policy Statement.

On rural lands located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences). **CARRIED**

- 7.3 Application for Consent – B027/21 Laurier  
Re: Application Withdrawn

**Res #7 Jim MacLachlan-Sam Dunnett**

BE IT RESOLVED that the Central Almaguin Planning Board receive the request to withdraw application for Consent B027/21 Laurier and consider the above noted file to be closed. **CARRIED**

8. Correspondence - None

9. Closed Session

- 9.1 Closed Session as provided for by Section 239 (b) of the Municipal Act, 2001, as amended to deal with: Personal matters about an identifiable individual, including municipal or local board employees.

**Res #8 Sam Dunnett- Lynda Carleton**

Be it resolved that the Central Almaguin Planning Board hold a Closed Session as provided for by Section 239 (b) of the Municipal Act, 2001, as amended to deal with: Personal matters about an identifiable individual, including municipal or local board employees. **CARRIED**

**Res #9 Jeff McLaren-Chris Nicholson**

Be it resolved that the Central Almaguin Planning Board does hereby return to open session at 6:27 p.m. **CARRIED**

10. Adjournment until Wednesday, July 5, 2023.

**Res #10 Jeff McLaren-Jim MacLachlan**

BE IT RESOLVED THAT this Board does hereby adjourn until Wednesday, July 5, 2023 or  
at the call of the Chair.

**CARRIED**



A regular meeting of the Board of Health for the North Bay Parry Sound District Health Unit was held on Wednesday, June 28, 2023, via teleconference. The meeting was open to the public and live streaming of the proceedings was provided for the media and public through a link on the Health Unit's website.

**PRESENT:**

**Nipissing District:**

Central Appointee

Karen Cook

Central Appointee

Sara Inch

Central Appointee

Jamie Lowery

Central Appointee

Dave Wolfe

Eastern Appointee

Rick Champagne (*Chairperson*)

**Parry Sound District:**

Northeastern Appointee

Blair Flowers

Southeastern Appointee

Marianne Stickland

Western Appointee

Jamie McGarvey (*Vice-Chairperson*)

**Public Appointees:**

Tim Sheppard

**ALSO IN ATTENDANCE:**

Acting Medical Officer of Health/Executive Officer

Dr. Carol Zimbalatti

Executive Director, Clinical Services

Shannon Mantha

Executive Director, Community Services

Louise Gagné

Management Administrative Assistant, Facilities Operations  
and Information Technology

Amanda Horn

Executive Assistant, Office of the Medical Officer of Health/  
Executive Officer

Nelly Bothelo

**REGRETS:**

Central Appointee

Maurice Switzer

Western Appointee

Jamie Restoule

Public Appointee

Gary Guenther

**RECORDER:**

Management Administrative Assistant

Shelly Maki

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**1.0 CALL TO ORDER**

The Board of Health members joined the meeting in person from the Nipissing Room at 345 Oak Street West, North Bay, Ontario, and virtually via Teams video conference.

Rick Champagne, Board of Health Chairperson, called the meeting to order at 6:18 p.m.

## 2.0 APPROVAL OF THE AGENDA

The agenda for the June 28, 2023, Board of Health meeting was reviewed, and the following motion was read:

### **Board of Health Resolution #BOH/2023/06/01 \*Cook/Flowers**

*Be It Resolved, that the Board of Health Agenda, dated June 28, 2023, be approved.*

The recorded vote was as follows:

#### RECORDED VOTE FOR CIRCULATION: Yes / No (Please circle one)

Name:	For:	Against:	Abstain:	Name:	For:	Against:	Abstain:
Rick Champagne	X			Jamie McGarvey	X		
Karen Cook	X			Jamie Restoule	R		
Blair Flowers	X			Marianne Stickland	X		
Gary Guenther	R			Maurice Switzer	R		
Sara Inch	X			Dave Wolfe	X		
Jamie Lowery	X			Tim Sheppard	X		

"Carried"

## 3.0 CONFLICT OF INTEREST DECLARATION

There were no conflicts of interest declared.

## 4.0 APPROVAL OF PREVIOUS MINUTES

### 4.1 Board of Health Minutes – April 26, 2023

The minutes from the Board of Health meeting held on April 26, 2023, were reviewed and the following motion was read:

### **Board of Health Resolution #BOH/2023/06/02 \*Wolfe/McGarvey**

*Be It Resolved, that the minutes from the Board of Health meeting held on April 26, 2023, be approved as presented.*

The recorded vote was as follows:

**RECORDED VOTE FOR CIRCULATION: Yes / No (Please circle one)**

Name:	For:	Against:	Abstain:	Name:	For:	Against:	Abstain:
Rick Champagne	X			Jamie McGarvey	X		
Karen Cook	X			Jamie Restoule	R		
Blair Flowers	X			Marianne Stickland	X		
Gary Guenther	R			Maurice Switzer	R		
Sara Inch	X			Dave Wolfe	X		
Jamie Lowery	X			Tim Sheppard	X		

*"Carried"*

**5.0 DATE OF NEXT MEETING**

Date: September 27, 2023

Time: To be determined

Location: To be determined

**6.0 BUSINESS ARISING**

Dr. Zimbalatti, Acting Medical Officer of Health/Executive Officer, and Rick Champagne, Board of Health Chairperson, reported on their recent attendance at the Association of Local Public Health Agencies (alPHa) Annual General Meeting and Conference 2023.

Points of note included:

- Keynote speaker, Dr. Eileen De Villa, Medical Officer of Health for Toronto Public Health, highlighted current and future challenges related to the pandemic, and expressed confidence in public health's ability to address these challenges.
- Dr. Jim Chirico was awarded Emeritus membership by the Council of Medical Officers of Health (COMOH) for his contributions to public health.
- Resolutions on the following topics were passed at the combined business meeting and resolutions session:
  - An amendment to the constitution to increase the number of votes that public health units with populations over 1,000,000 (currently three health units) are allocated.
  - Recommending a renewed smoking and nicotine strategy in Ontario.
  - Advocating for strengthened building codes to prevent respiratory infections.
  - Supporting the Association of Municipalities of Ontario (AMO)'s call to action on housing and homelessness and call upon the Province of Ontario to work with alPHa, AMO, and other partners to develop an action plan to end homelessness.
  - Monitoring food affordability and inadequacy of social assistance rates.
- Dr. Kieran Moore, Chief Medical Officer of Health, and Dr. Christopher Simpson, Executive Vice President, and Chief Medical Officer of Health at Ontario Health, took

part in a panel discussion on “What’s Next” following the pandemic. Some emerging themes included:

- Recognition that Public Health and acute care scaled up quickly to respond to the pandemic,
  - The goal to use sharper instruments in future emergencies (as opposed to blunt instruments like lockdowns and school closures),
  - The need to keep the government accountable for funding gaps and gaps in emergency planning,
  - The need to move away from disease/sick care to health promotion and illness prevention,
  - Being able to collect and use quality and timely data, and moving away from indicators of volume and focusing instead on quality and effectiveness of interventions, and
  - The need to turn the tide on mis/disinformation as a key challenge affecting the health of populations.
- Board of health leaders continue to advocate for increased public health funding at the provincial level; and
  - Several medical officers of health continue to advocate for a hybrid Association of Local Public Health Agencies Annual General Meeting and Conference delivery model that allows virtual attendance to reduce costs for northern health units while maintaining the networking value of in-person meetings.

## **7.0 REPORT OF THE MEDICAL OFFICER OF HEALTH**

The Report of the Medical Officer of Health for the June 28, 2023, meeting was presented to the Board of Health for information purposes.

Comments and questions were taken and answered.

Dr. Zimbalatti and Louise Gagné provided additional information about the Icelandic Model noted on page 4 of the report:

- The model was developed in Iceland in 2005 in response to negative youth trends related to substance/alcohol/cigarette use and lack of connection to home by sponsoring youth to participate in after school activities supervised by adult role models and providing parents with opportunities to collaborate on ways to enhance a sense of community for youth. The model is based on collecting and using robust evidence to develop interventions at a community level.

- Planet Youth has exported this model globally whereby they facilitate data collection, data analysis, and community-lead interventions; and it has been adopted through an agreement with them by many locations including several in Canada.
- The Public Health Agency of Canada is very interested in the model, and Dr. Theresa Tam, Chief Public Health Officer, recently moderated a conference in Ottawa supporting it.
- Public health units do not need to lead the project as demonstrated in Lanark County where the program was spearheaded by the Rotary Club.
- Porcupine Health Unit has signed on with Planet Youth, and Timiskaming Health Unit is very interested, which may offer collaborative opportunities with shared school boards.
- Following some preliminary meetings in our districts, this health unit is close to obtaining buy in from all district school boards, and many community partners and organizations have expressed interest in participating or providing monetary support.
- Signing on with Planet Youth involves a five-year commitment at an approximate cost of \$40,000 plus additional costs for interventions, and funding ideally for a coordinator as well. Funding for interventions and coordinator role does not necessarily default to the project lead organization, and all costs are not the sole responsibility of the lead.
- This is not a provincially funded project, however there may be some provincial dollars available. Additionally, there are federal dollars available, as well as cost-sharing opportunities with community partners and municipalities, and in-kind financial support from interested organizations.

The Board of Health requested more information at the next regular meeting in the form of a presentation and/or briefing note describing the business case, how this model could look locally, and recommended actions.

## 8.0 BOARD COMMITTEE REPORTS

### 8.1 Personnel Policy, Labour/Employee Relations Committee

A Personnel Policy, Labour/Employee Relations Committee meeting was held prior to the Board of Health meeting.

The following motion was read:

#### **Board of Health Resolution #BOH/2023/06/03 \*Lowery/Wolfe**

*Whereas, Dr. Carol Zimbalatti was appointed as full-time Medical Officer of Health/Executive Officer for the North Bay Parry Sound District Health Unit by the Board of Health at the Board of Health meeting held on April 26, 2023; and*

**Whereas, An Employment Contract needs to be negotiated between the Health Unit and Dr. Carol Zimbalatti.**

**Therefore Be it Resolved, That the Personnel Policy, Labour/Employee Relations Committee recommends that the Board of Health approves the creation of an ad hoc committee of the Board of Health called "Employment Contract Negotiations - Medical Officer of Health/Executive Officer Ad Hoc Committee", and the Chair of the Personnel Policy, Labour/Employee Relations Committee will call a meeting in August to review the draft contract with the Personnel Policy, Labour/Employee Relations Committee and get approval by the Board of Health; and**

**Furthermore Be It Resolved, That the Personnel Policy, Labour/Employee Relations Committee recommends the Board of Health approves the following members of the Employment Contract Negotiations - Medical Officer of Health/Executive Officer Ad Hoc Committee: Josée Goulet, Rick Champagne, and Jamie Lowery; and**

**Furthermore Be It Resolved, That the Personnel Policy, Labour/Employee Relations Committee recommends the Board of Health approves remuneration for activities related to this ad hoc committee in accordance with Board of Health policy #B-F-004 – Remuneration, Board of Health Members.**

The recorded vote was as follows:

**RECORDED VOTE FOR CIRCULATION: Yes / No (Please circle one)**

Name:	For:	Against:	Abstain:	Name:	For:	Against:	Abstain:
Rick Champagne	X			Jamie McGarvey	X		
Karen Cook	X			Jamie Restoule	R		
Blair Flowers	X			Marianne Stickland	X		
Gary Guenther	R			Maurice Switzer	R		
Sara Inch	X			Dave Wolfe	X		
Jamie Lowery	X			Tim Sheppard	X		

"Carried"

## 9.0 CORRESPONDENCE

Board of Health correspondence listed for the June 28, 2023, meeting is made available for review by Board members in the Board of Health online portal.

## 10.0 NEW BUSINESS

## 11.0 IN CAMERA

There was no in camera session.

**12.0 ADJOURNMENT**

Having no further business, the Board of Health Chairperson adjourned the Board of Health meeting at 6:55 p.m.

*Original signed by Rick Champagne*

*2023-08-16*

Chairperson/Vice-Chairperson

Date (yyyy/mm/dd)

*Original signed by Shelly Maki*

*2023-08-16*

Shelly Maki, Recorder

Date (yyyy/mm/dd)



**Municipality of  
Magnetawan**

**Magnetawan Cemetery Board (MCB)**  
**Meeting Minutes**  
**August 9, 2023**

The meeting of the MCB was held on Wednesday, August 9, 2023, 2:00pm at the Spence Cemetery with the following present:

Garfield Robertson (Chair)  
Doris Langford (Vice Chair)  
Bill Bishop (Absent)  
MaryJane Campbell  
Jack Crossman  
Brad Lewis  
Keith Miller  
Wayne Smith  
Erica Kellogg (Secretary)

**OPENING BUSINESS**

**1.1 Call to Order** Meeting was called to order by the Chair at 2:00 pm.

**1.2 Adoption of the Agenda**

*RESOLUTION 2023-08 Langford - Lewis*

*BE IT RESOLVED THAT the Magnetawan Cemetery Board adopts the agenda as presented.  
Carried.*

**1.4 Adoption of Previous Minutes**

*RESOLUTION 2023-09 Miller - Smith*

*BE IT RESOLVED THAT the Magnetawan Cemetery Board approves and accepts the Cemetery Board Minutes from June 14<sup>th</sup>, 2023, as presented.  
Carried.*

**DISCUSSION ITEMS**

**2.1 Cemetery Write Ups for Municipal Website**

The Secretary asked Member Langford for an update on the write up for the Spence Cemetery. Member Langford will continue to compose a write up for the website.

**2.2 Spence Cemetery – BAO follow up**

The Secretary informed the Committee that she is continuing to work with the BAO to have the newly acquired land added to the existing Cemetery.

**2.3 General Discussion – needs, records keeping, wish list, future projects.**

The Cemetery Board conducted a walkthrough of the existing Spence Cemetery while also viewing the vacant land that will become part of the Cemetery in the future. Discussion ensued about the possibility of brushing the vacant land to keep underbrush to a minimum.



**ADJOURNMENT**

**5.1 Adjournment**

*RESOLUTION 2023-10 Crossman - Campbell*

*BE IT RESOLVED THAT the Magnetawan Cemetery Board adjourns this meeting at 2:54 pm to meet again on September 13<sup>th</sup> at 2:00pm at the Chapman Cemetery.*

*Carried.*

Approved by:

Chair, Robertson

Secretary, Kellogg

Draft



**Magnetawan Community Centre Board (MCCB)**

**Meeting Minutes**

**Wednesday September 9, 2023**

**9:00 am**

**Magnetawan Community Centre  
4304 Highway 520, Magnetawan**

**Committee members in attendance:**

Chair Garfield Robertson  
Vice Chair Garry Johnston  
Councillor Brad Kneller  
Victor Belyea  
Maria Dunnett  
Mark Langford  
Harvey Sohm  
Martina Winstone

**Staff members in attendance:**

Deputy Clerk Laura Brandt (Secretary)

**Regrets:**

Steve Robinson

**OPENING BUSINESS**

**1.1 Call to order**

The meeting was called to order at 9:00 AM

**1.2 Adoption of the Agenda**

*RESOLUTION 2023-13 Belyea-Johnston*

*BE IT RESOLVED THAT the Magnetawan Community Centre Board adopts the agenda for this regular meeting of Wednesday September 06, 2023 Carried.*

**1.3 Disclosure of Pecuniary Interest**

Chair Robertson 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 Previous Minutes**

*RESOLUTION 2023-14 Winstone-Dunnett*

*BE IT RESOLVED THAT the Magnetawan Community Centre Board adopts the minutes from the committee meeting of Wednesday July 05, 2023, as copied and circulated. Carried.*

**ITEMS BROUGHT FORWARD**

**2.1 Verbal Update Ahmic Harbour Community Centre and Magnetawan Fire Station #2**

The Secretary advised the Committee that the digital sign has been hard wired into the panel to ensure that ESA standards are met as the wiring for the sign goes through the exterior wall to the interior. The Secretary also advised the Committee that the counters have been installed in the kitchen and the backyard area has been cleaned up and there is no longer any refuse located behind the building (steel drums, tires, etc.). The Secretary advised the Committee that the new garage doors on the fire hall portion of the building have been installed and the Mural Project has been relocated to the Heritage Museum Centre and Lions' Pavilion. A Public Art Project will be revisited in 2023/2024 subject to Council approval as the Municipality still has grant funding available for those years under the RED Grant Intake#2 Funding Stream. The Committee discussed the clearing and thinning of the property line of dead trees, stumps etc. and the Secretary advised the Committee that it will be noted as a budget item to be discussed at the next Committee Meeting to be brought forward in the budget process for the approval of Council. It should also be noted that if this project moves forward that the residents located beside the centre should be contacted as they may want the buffering that is provided from the vegetation for privacy as the postal boxes are located right on the property line. The Committee also discussed the water well that was recently located and dug up as it was covered previous to the Municipality taking over the Community Centre. The Committee discussed the leasing of the Centre to the Daycare and there are no new updates as the lease has not been signed.

**2.2 Verbal Update Magnetawan Community Centre Projects**

The Secretary advised the Committee that the windows that were backorder have now been delivered and Staff are currently sourcing a contractor for the installation. The concrete walkway at the Municipal Office/Community Centre has been completed and the Committee agreed that it looked fabulous. The Secretary advised the Committee that the exhaust fan in the kitchen has recently been inspected and Staff are currently waiting for parts to arrive for general maintenance as well as Staff are sourcing a contractor to complete this work. The Secretary also advised the Committee that the Parks and Maintenance Staff and Roads Staff are currently working on a plan to take the spacers out of the drain. The Committee discussed that the only two items left outstanding are the repair of the rock/granite stairs leading up to the Pavilion and the drain in the Community Centre parking lot as it has heaved. The Committee also discussed that the Community Centre Kitchen is in need of a deep clean, the stove needs oiled and cleaned and that new paring knives, nylon cutting boards, and more tea towels need to be purchased. The Committee discussed possible budget items including the painting of the kitchen and revamping of the storage room to include a

closet to separate kitchen items from cleaning items. The Secretary advised the Committee that these items will be put on the next meeting's agenda to discuss and forward to Council in the budgeting process for their consideration.

**2.3 Verbal Update Lions' Pavilion Projects**

The Secretary advised the Committee that the furnace repair is currently in progress and Staff are actively trying to source a distributor for a replacement but are experiencing some supply demand issues.

**2.4 Verbal Update Trees at Community Centre/Municipal Office**

The Secretary advised the Committee that Deputy Mayor John Hetherington has advised that wrapping the trees for the winter will damage the trees. The Committee discussed other alternatives and Staff will be looking into steel fencing or electric fencing to protect the trees from the deer this winter.

**2.5 Update Magnetawan Agricultural Society Murals**

The Committee discussed that the Murals have now been updated and that Signcraft has done an excellent job of revamping the signs. The Secretary bring forward to the Committee that perhaps a Christmas themed cover could be made if budgeting allows to dress up the signs for the Christmas Tree Lighting.

**2.6 Request Magnetawan Agricultural Society Murals**

*RESOLUTION 2023-15 Langford-Sohm*

*WHEREAS the Magnetawan Community Centre Board receives the correspondence Request Magnetawan Agricultural Society Cabinets;*

*NOW THEREFORE BE IT RESOLVED that the Magnetawan Community Centre Board respectfully requests that the Council of the Municipality of Magnetawan approve the installation of the same length of base cabinets of the same likeness and quality of the current upper cabinets be installed in the Community Centre hallway directly below the Magnetawan Agricultural Society Trophy Case for use by the Magnetawan Agricultural Society Cabinets at no cost to the Municipality.*

*Carried.*

**2.7 Discussion Roles of Community Centre Board Members**

The Chair advised the Committee Members that the mandate is for the Magnetawan Community Centre, Ahmic Harbour Community Centre, and the Lions' Pavilion. The Chair advised that if any Committee Members see anything that is in disrepair or dangerous to reach out to the Secretary so that concerns can be addressed immediately or put on a future agenda for the Committees consideration. The Secretary advised that if a public space is rented for a fee that that public space would be under the Committee's mandate. The Secretary also advised the Committee that if members are feeling overwhelmed with requests that Committee Members can always redirect residents to Municipal Staff and that if Committee Members are unsure if items or issues are covered under the mandate to reach out to Staff for confirmation.

**FOR MORE INFORMATION ONLY**

**3.1 Outcome of Report Ahmic Harbour Community Centre Mural**

**Adjournment**

**4.1 Confirm the Proceedings of Committee and Adjourn**

*RESOLUTION 2023-16 Sohm-Langford*

*BE IT RESOLVED THAT the Magnetawan Community Centre Board adjourns this meeting at 9:35 am to meet again on November 01, 2023 at 9:00 am at the call of the Chair.*

*Carried.*

Approved by:

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary

DRAFT

**Laura Brandt**

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**From:** King, James <james.king@pc.ola.org>  
**Sent:** September 1, 2023 9:26 AM  
**To:** Laura Brandt  
**Subject:** Highway 520 Response from MTO

Good morning Laura,

I wanted to include you on the response I received from MTO regarding Highway 520. There were a few residents that sent in concerns and I wanted to make sure the Municipality was also aware in case complaints came into the office. Below is the information I sent to those who contacted my office. Have a great weekend!!

Thank you for your patience in getting a response from the Ministry of Transportation regarding Highway 520. I sent in your concern along with the concerns from others who use the road daily. I also sent in my own account of the road conditions as I personally drove the stretch between Burk's Falls and Magnetawan on August 16<sup>th</sup>, 2023.

Officials with MTO reviewed the concerns and sent out a response. They say that the resurfacing work on Highway 520 between Burk's Falls and Magnetawan is ongoing and expected to be completed by mid-September. The work includes a double surface treatment from Burk's Falls to Lakeview Drive West as well as an asphalt slurry treatment. The slurry treatment is also to be applied over the portion of the highway that was completed last year. When finished, the Highway will be done in the same manner as Highway 510.

The surface type on Highway 520 is based on several factors including traffic volume, truck volumes, and road use or classification. The traffic volumes on Highway 520 between Burk's Falls and Magnetawan are an average of 1100 vehicles per day. Based on the traffic volumes and road classification, surface treatment remains the most appropriate surface for Highway 520.

While the work is being completed, any potholes requiring immediate attention will be filled as soon as possible and staff will continue to monitor the highway. Any other surface issues not needing immediate attentions will be reviewed for repair ahead of the slurry application. The Ministry will continue to monitor the work being completed on Highway 520 and make sure that it remains safe and reliable for all users.

Hopefully when the work is completed this fall, the road will be in great shape. If you have any further questions or concerns, please feel free to sending them my way.

If you have any further questions or concerns, feel free to reach out.

Thanks again and have a great long weekend,

**James King** | Constituency Assistant  
MPP Graydon Smith  
Parry Sound-Muskoka

**Ministry of  
Municipal Affairs  
and Housing**

Office of the Minister

777 Bay Street, 17th Floor  
Toronto ON M7A 2J3  
Tel.: 416 585-7000

**Ministère des  
Affaires municipales  
et du Logement**

Bureau du ministre

777, rue Bay, 17e étage  
Toronto (Ontario) M7A 2J3  
Tél. : 416 585-7000



234-2023-4205

August 22, 2023

Dear Head of Council,

**Subject: Building Faster Fund**

The housing supply crisis affects all of Ontario – from rural communities to large, urban centres. Our government is committed to building at least 1.5 million homes by 2031, with municipalities across the province as our key partners.

On August 21, 2023, Premier Ford announced the new Building Faster Fund, a new three-year-\$1.2 billion program to help municipalities meet or exceed their share of the province's 1.5 million homes goal.

**As announced by Premier Ford, 10% of the overall funding will be set aside for small, rural and northern communities that have not been assigned a housing target by the province, in order to address their unique needs in supporting growth in housing supply.**

Ontario will be consulting with the Association of Municipalities of Ontario and the Housing Supply Action Plan Implementation Team on program design details of the Building Faster Fund, including how the funds can best support small, rural and northern communities, and I look forward to sharing more information with you in the future. As Ontario grows, we need to build more homes. I look forward to your support in ensuring that everyone – newcomers, young families and seniors – can afford a place to call home.

Sincerely,

A handwritten signature in blue ink that reads "Steve Clark".

Steve Clark  
Minister

c: Hon. Nina Tangri, Associate Minister of Housing  
Ryan Amato, Chief of Staff, Minister's Office  
Martha Greenberg, Deputy Minister  
Joshua Paul, Assistant Deputy Minister, Market Housing Division  
Sean Fraser, Assistant Deputy Minister, Planning and Growth Division  
Casper Hall, Assistant Deputy Minister, Local Government Division

Ontario  
Provincial  
Police

Police  
provinciale  
de l'Ontario



**Municipal Policing Bureau**  
**Bureau des services policiers des municipalités**

777 Memorial Ave.  
Orillia ON L3V 7V3

777, avenue Memorial  
Orillia ON L3V 7V3

Tel: 705 329-6140  
Fax: 705 330-4191

Tél. : 705 329-6140  
Télééc.: 705 330-4191

File Reference:

612-10

September 6, 2023

To All OPP-policed Municipalities

Re: Distribution of Police Record Check Revenue to Municipalities

In June 2022, the Ontario Provincial Police (OPP) centralized the police record check process by transferring the responsibility for the process from detachment staff to an Online Police Record Check Unit (OPRCU). The centralization of the police record check process eliminates the need for detachment staff to perform duties associated with the police record checks, with the exception of fingerprinting. This OPRCU has been staffed by reinvesting numerous administrative detachment positions from across the province. The change in staffing at OPP detachment locations will be captured in the overall municipal policing cost-recovery in accordance with the terms set out in *Police Services Act*, Ontario Regulation 267/14.

Historically, the revenue generated from detachment staff completing record checks for municipal residents has been credited back to the applicable municipalities. With the reassignment of the police record check workload to the OPRCU, there will be a gradual reduction of the revenue provided to municipalities, except for the revenue for fingerprinting. Fingerprinting remains a detachment responsibility and, therefore, the revenue for conducting fingerprint services at the detachments will continue to be allocated to municipalities. The gradual reduction of police record check revenue (not related to fingerprinting) will be accompanied by the introduction of some cost savings for municipalities resulting from the impact of reinvesting some detachment positions into the OPRCU. This will provide municipalities with an extended period of time to make appropriate adjustments to any impacted financial plans.

**OPP-policed municipalities will continue to receive police record check revenue in 2023 and 2024.** Commencing in 2025, the revenue will be reduced by 25% per year. In 2028, OPP-policed municipalities will cease to receive police record check revenue associated with police record checks processed by the OPRCU. Municipalities will continue to receive revenue for fingerprinting services provided at the detachment.

Page 1 of 2



The OPP will continue to deliver adequate and effective policing services while focusing on meeting the municipalities' unique policing needs.

Should you have any questions, please email the OPP Municipal Policing Bureau Financial Services Unit at [OPP.Financial.Services.Unit@opp.ca](mailto:OPP.Financial.Services.Unit@opp.ca).

Respectfully,



Phil Whitton Superintendent  
Commander,  
Municipal Policing Bureau

cc OPP Deputy Commissioner Chris Harkins  
OPP Provincial Commander Mary Silverthorn  
A/Inspector Kirsten Buligan, Community Safety Services  
OPP Detachment Commanders

**Laura Brandt**

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**From:** OPP MPB Financial Services Unit (OPP) <OPP.MPB.Financial.Services.Unit@opp.ca>  
**Sent:** August 18, 2023 3:06 PM  
**To:** Laura Brandt; Stephanie Lewin  
**Subject:** Magnetawan M - April to June 2023 Detachment Revenues

Good afternoon,

Revenues collected for worked performed by detachment staff is credited to municipalities quarterly throughout the year, approximately two months after the end of the quarter.

We are pleased to advise April to June 2023 revenue credits have been sent to Ontario Shared Services (OSS) for processing and should be issued within the week. Your municipality will be receiving a credit memo in the amount of \$385.52.

The breakdown of the April to June revenue credit is as follows:

Security Checks = \$328  
Reports = \$0  
Fingerprints = \$57.52  
Other = \$0

We have been advised by OSS a call to 1-877-535-0554 is required to apply the credit to an outstanding invoice.

Should you have any questions please email [OPP.MPB.Financial.Services.Unit@opp.ca](mailto:OPP.MPB.Financial.Services.Unit@opp.ca).

Respectfully,

MPB Financial Services Unit

**Laura Brandt**

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**Subject:** FW: Local Share Update & Next Almaguin Heads of Council Meeting

**From:** Mayor Rod Ward <[rward@armourtownship.ca](mailto:rward@armourtownship.ca)>

**Sent:** Thursday, August 17, 2023 5:24 PM

**To:** [brianmccabe@townshipofjoly.com](mailto:brianmccabe@townshipofjoly.com); [grobinson@mcmurrichmonteith.com](mailto:grobinson@mcmurrichmonteith.com); [infomachar@vianet.ca](mailto:infomachar@vianet.ca); [ileveque@sundridge.ca](mailto:ileveque@sundridge.ca); Mayor, Burk's Falls <[mayor@burksfalls.ca](mailto:mayor@burksfalls.ca)>; [mayor@ryersontownship.ca](mailto:mayor@ryersontownship.ca); [mayor@southriver.ca](mailto:mayor@southriver.ca); [mayor@strongtownship.com](mailto:mayor@strongtownship.com); [mayorcherylphilip@gmail.com](mailto:mayorcherylphilip@gmail.com); [norm.hofstetter@townshipofperry.ca](mailto:norm.hofstetter@townshipofperry.ca); [sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)

**Cc:** Beth Morton <[beth.morton@townshipofperry.ca](mailto:beth.morton@townshipofperry.ca)>; [bpaulmachar@vianet.ca](mailto:bpaulmachar@vianet.ca); Kerstin Vroom <[Clerk@magnetawan.com](mailto:Clerk@magnetawan.com)>; [clerk@mcmurrichmonteith.com](mailto:clerk@mcmurrichmonteith.com); [clerk@strongtownship.com](mailto:clerk@strongtownship.com); Don McArthur <[clerk@southriver.ca](mailto:clerk@southriver.ca)>; John Theriault (Clerk-Treasurer Administrator) <[clerk@armourtownship.ca](mailto:clerk@armourtownship.ca)>; Judy Kosowan <[clerk@ryersontownship.ca](mailto:clerk@ryersontownship.ca)>; [naustin@sundridge.ca](mailto:naustin@sundridge.ca); [office@townshipofjoly.com](mailto:office@townshipofjoly.com); 'Nicole Gourlay' <[nicole.gourlay@townofkearney.ca](mailto:nicole.gourlay@townofkearney.ca)>; Denis Duguay <[clerk@burksfalls.ca](mailto:clerk@burksfalls.ca)>; Nancy Field <[deputyclerk@ryersontownship.ca](mailto:deputyclerk@ryersontownship.ca)>

**Subject:** Local Share Update & Next Almaguin Heads of Council Meeting

Good day, Mayors of Almaguin! I hope everyone is enjoying a nice summer 😊

First off, we normally would have been due for our quarterly meeting over the summer, but I thought a break from meetings would be good. I will suggest that we set up our next meeting for Thursday, September 28 from 1-3pm. We'd be happy to host at Armour again, unless someone else would like to host. Please check your schedules and let me know if that day will work.

Another reason for pushing out our next meeting is that there is a critical MAHC Hospital Local Share meeting scheduled for September 19. I should have a substantial update for you regarding the Local Share as a result of that meeting (i.e "go or no-go").

Now for the MAHC Local Share updates. First off, a big thank you to Magnetawan, who stepped up with a 100k contribution for 2023 at the beginning of August! As far as our most recent Local Share meeting with MAHC, the hospital foundations, and all municipalities in Muskoka on Monday (August 14), here is the summary update:

- There has been no movement on Local Share commitments since our last meeting – that is, we remain stuck at about \$185-million of the \$225-million required (about 82% of the way there)
- Having said that, the municipal contributions are getting very close to what we had originally estimated (50% of the 225-m, or \$112.5-m, was the original estimate in total for municipalities, and we are still awaiting confirmation via resolutions from some municipalities in Muskoka)
- And having said that, municipal contributions are still considered a bit "tenuous" - they assume, for example, that Almaguin will reach our \$9.5-m target number in 12 years, and we still have a ways to go
- MAHC is limited (by virtue of their public-sector status) in how much money they can raise themselves...they will be relying on the 2 foundations (Huntsville and South Muskoka) to commit more. At the same time, it is MAHC who has to take the big risk at the end of the day and make the call on whether or not we have enough Local Share commitment to move forward to the next phase of the project. If we can't get any higher than \$185-m, MAHC won't be in any position to hope for the best and press forward. They would likely need to halt the process.

We now await the various Muskoka councils and their commitments, along with the Foundations and their ability to increase their share of the money-raising. Hence the September 19 Local Share meeting will lead to a critical decision on moving forward. MAHC and the Local Share committee continue to praise the work we're

doing in Almaguin, showing on-going support and continuing to talk. All of our councils have done a great job of just trying to make anything work, no matter how challenging it is from a budget standpoint. We will shortly be getting some communication materials to make your jobs easier...assuming, of course, we successfully get passed September 19 moving in the right direction 😊

Hopefully we'll see you all on September 28.

Rod

*Rod Ward*

Mayor – Township of Armour  
PO Box 533, 56 Ontario Street  
Burk's Falls, Ontario P0A 1C0  
Office: 705-382-3332...  
Direct: 705-380-7654 (cell) or 705-380-7177 (home)  
Email: [rward@armourtownship.ca](mailto:rward@armourtownship.ca)  
Website: [www.armourtownship.ca](http://www.armourtownship.ca)

**Laura Brandt**

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**Subject:** FW: Ahmic Lake Golf Course rehabilitation

> -----Original Message-----

> From: Ted McKenna

> Sent: Wednesday, August 23, 2023 1:11 PM

> To: Kerstin Vroom <Clerk@magnetawan.com>

> Subject: Ahmic Lake Golf Course rehabilitation

>

>

>

.

>

> Hi,

>

> My name is Ted McKenna, president of 647704 Ontario Corp which owns the golf course property. I am a seventh generation seasonal resident of the lake, and in fact my grandfather, Bud Caudwell, was the first president of the corporation.

>

> I'd like to make sure anyone in the municipality with interest in the golf course and its future are aware of our current status and know how to contact us to share their thoughts and contribute to future plans.

>

> The board of the corporation has decided to pursue a major rehabilitation project for the golf course, which will be funded by a sale of a conservation easement on the entire property to the Magnetawan Watershed Land Trust. We have engaged Bill Stewart, who has extensive experience in the area of golf course management, to bring the golf course back to playability, and provide programming like youth lessons and community evenings, and we are hopeful for a very successful 2024 season after an encouraging start in 2023.

>

> We will be raising funds in concert with the Land Trust from now through the early spring next year with a hope to be fully funded by the end of March. Donations maybe eligible for a charitable tax receipt/income tax benefit.

>

> Anyone with interest in the project or donating to the fund can contact the board by email, 647704ontariocorp@gmail.com.

>

> Thank you,

>

> -Ted McKenna

*The Municipality of Magnetawan presents*

**SENIORS FREE  
DINNER AND LEARN EVENT  
WEDNESDAY OCTOBER 11<sup>TH</sup>**



**Location: Magnetawan Community Centre**

***Presentation by Jessica Busch, Program Manager for Women's  
Own Resource Centre at 5:00 pm***

***Turkey Dinner by North Point Catering to be served at 6:00 pm***

***Come join us to learn about the programs that are offered in  
the East Parry Sound Area!***

**RESERVATIONS ARE REQUIRED BY WEDNESDAY SEPTEMBER 28<sup>TH</sup>  
AS THERE IS LIMITED SEATING**

**To register, please contact the Municipal Office at (705) 387-3947 or by email at  
recreation@magnetawan.com**

**Ontario** 

**FUNDED BY THE GOVERNMENT OF ONTARIO**





# ICYMI In Case You Missed It! Council Highlights August 23, 2023



To read the complete minutes, agenda packages and by-laws please visit our website at [www.magnetawan.com](http://www.magnetawan.com)

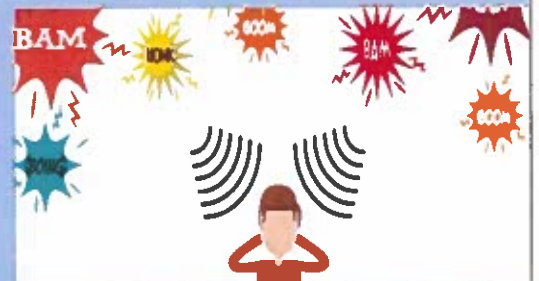


Council passed resolution 2023-251 and 2023-252 approving the DRAFT Regulate Dog By-law and DRAFT Trailer License By-law. The DRAFT By-laws will be brought back to a future meeting of Council for passing. To view the DRAFT By-laws in their entirety, visit our Agenda & Minutes page on our website!

Council passed resolution 2023-249 receiving the Verbal Update Habitat for Humanity for information only. This 946 square foot two bedroom home is suitable for small families or individuals! Fundraising is still ongoing to donate or find out more information on this project visit their website at [habitatgatewaynorth.com](http://habitatgatewaynorth.com)



Council passed By-law 2023-40 "The Noise By-law". To read the By-law in its entirety visit our 2023 Bylaw page or Frequently Requested By-laws page under By-laws, Government on our website. For Noise Exemption Forms and Noise Reporting Forms visit our Applications Page under Residents on our website!



Council passed resolution 2023-255 supporting the resolution Black Ash Tree Endangered Species Act passed by the Township of Emo. To view the resolutions, check out the agenda package posted on our website!



That the Public Works Department uses an estimated 14,000 tons of gravel per year depending on the number of washouts the Municipality experiences.

**SAVE THE DATE**

The next open public meeting of Council is September 13, 2023, at 1:00 pm at the Magnetawan Community Centre.

Questions? Concerns? Ideas? Contact the Municipal Office at (705) 387-3947 or by email at [info@magnetawan.com](mailto:info@magnetawan.com)

Council Approval Accounts Payable and Payroll

Meeting Date: **Sept. 13/2023**

**Accounts Payable** **Amount**

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Batch # 2023-00115	\$ 300.00
Cheque Date: Aug. 17/2023	
From: 24807 To: 24807	
Batch # 2023-00117	\$ 6,700.90
Cheque Date: Aug. 17/23	
From: 24808 To: 24808	
Batch # 2023-00118	\$ 300.00
Cheque Date: Aug. 17/23	
From: 24809 To: 24809	
Batch # 2023-00120	\$ 1,026.00
Cheque Date: Aug. 23/23	
From: 24810 To: 24811	
Batch # 2023-00122	\$ 1,000.00
Cheque Date: Aug. 18/23	
From: 24823 To: 24823	
Batch # 2023-00124	\$ 393,480.65
Cheque Date: Aug. 31/23	
From: 24824 To: 24857	
Batch # 2023-00126	\$ 68,111.22
Cheque Date: Sept. 13/23	
From: 24858 To: 24884	

Batch # \$  
 Cheque Date:  
 From: To:

EFT  
 Batch # 2023-00127 \$ 90,873.98  
 Total Accounts Payable \$ 561,492.75

---

Cancelled Cheques ~~#024754~~ <1,087.45> ~~#24807~~ <300.00>  
 Wrong amount entered wrong Vendor

**Payroll**  
 Staff Pay \$ 55,275.96  
 Pay Period: # 17  
 Direct deposit and



heque #            to #

Council Pay

ay Period: # 17

ll Direct deposit

\$ 4,653.49

Total Payroll

\$ 59,929.45

Total for Resolution

\$ 621,422.20

**Municipality of Magnetawan  
List Of Accounts for Approval**  
Batch: 2023-00115 to 2023-00130

Bank Code - CURR - CURRENT ACCOUNT

COMPUTER CHEQUE

Payment # Invoice #	Date	Vendor Name GL Account	GL Transaction Description	Detail Amount	Payment Amount
24807	2023-08-17	REV - MATT, ALLEN			
24808 15045	2023-08-17	PRIMEAU MULTIMEDIA LTD 1-4-2600-2015 - REC - EVENTS	DRIVE IN CINEMA-SEPT. 2	6,034.38	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	666.52	6,700.90
24809 20230816	2023-08-17	MATT, ALLEN 1-4-2600-2015 - REC - EVENTS	MUSIC IN THE PARK-AUG	300.00	300.00
24810 20230801RE	2023-08-23	BRETT, BAKER 1-4-2600-2015 - REC - EVENTS	MUSIC IN THE PARK-AUG	800.00	800.00
24811 20230817	2023-08-23	TIM'S HOME & COTTAGE IMPROVEMENTS 1-2-1000-1011 - A/P-PUBLIC TR	CREMATION INTERNMEN'	203.52	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	22.48	226.00
24812	2023-08-24	VOID - USED FOR PAYROLL			
24813	2023-08-24	VOID - USED FOR PAYROLL			
24814	2023-08-24	VOID - USED FOR PAYROLL			
24815	2023-08-24	VOID - USED FOR PAYROLL			
24816	2023-08-24	VOID - USED FOR PAYROLL			
24817	2023-08-24	VOID - USED FOR PAYROLL			
24818	2023-08-24	VOID - USED FOR PAYROLL			
24819	2023-08-24	VOID - USED FOR PAYROLL			
24820	2023-08-24	VOID - USED FOR PAYROLL			
24821	2023-08-24	VOID - USED FOR PAYROLL			
24822	2023-08-24	VOID - USED FOR PAYROLL			
24823 11634	2023-08-18	NORTHPOINT CATERING 1-4-2600-2015 - REC - EVENTS	OCT/23 SENIORS DINNER	900.54	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	99.46	1,000.00
24824 24136	2023-08-31	ABC OVERHEAD GARAGE DOORS 1-4-7700-8000 - AHMIC - CAPIT	60 AHMIC ST-NEW GARA	13,470.00	

**Municipality of Magnetawan**  
**List Of Accounts for Approval**  
Batch: 2023-00115 to 2023-00130

**COMPUTER CHEQUE**

Payment # Invoice #	Date	Vendor Name	GL Account	GL Transaction Description	Detail Amount	Payment Amount
24169		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code		1,751.10	15,221.10
		1-4-3101-2400 - J - BUILDING M	18 MILLER RD-GARAGE D		3,462.24	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code		382.42	3,844.66
				Payment Total:		19,065.76
24825	2023-08-31	<b>AGRICULTURE FORESTRY CONSTRUCTION INC</b>				
4288		1-4-3217-2070 - BH4 - REPAIR	BH #4 REPAIR-LANDFILL		1,422.67	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code		157.14	1,579.81
24826	2023-08-31	<b>ARNSTEIN LAWN AND GARDEN COMPANY INC.</b>				
01-133026		1-4-7200-2010 - PARKS - MATE	ANTI-VIBRATION GLOVES		123.43	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code		13.63	137.06
24827	2023-08-31	<b>BELL CANADA</b>				
3620AUGUST2		1-4-4020-2120 - LF - OFFICE	LANDFILL OFFICE TELEPI		93.56	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code		10.32	103.88
24828	2023-08-31	<b>Bell Mobility</b>				
519949447AUG		1-4-1200-2052 - ADMIN - CELL	CELL TELEPHONES-AUGI		440.41	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code		48.71	489.12
24829	2023-08-31	<b>CARR AGGREGATES INC</b>				
9794		1-4-3045-2010 - D5 - MATERIAL	ROADS GRAVEL		673.81	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code		73.52	747.33
9861		1-4-3045-2010 - D5 - MATERIAL	ROADS GRAVEL		923.79	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code		100.80	1,024.59
9768		1-4-3045-2010 - D5 - MATERIAL	ROADS GRAVEL		857.62	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code		93.58	951.20
9621		1-4-3041-1010 - D1 - WAGES A	ROADS GRAVEL-PATCHIN		1,536.86	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code		167.69	1,704.55
9027		1-4-4030-2400 - RECY - REPAI	FLOAT PICKUP TO CROFT		814.08	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code		89.92	904.00
				Payment Total:		5,331.67
24830	2023-08-31	<b>CANADIAN UNION OF PUBLIC EMPLOYEES</b>				
APRIL2023		1-2-1000-1044 - UNION DUES I	APRIL 2023 UNION REMIT		685.03	685.03
MAY2023		1-2-1000-1044 - UNION DUES I	MAY 2023 UNION REMITT,		779.39	779.39
JUNE2023		1-2-1000-1044 - UNION DUES I	JUNE 2023 UNION REMIT		781.10	781.10
JULY2023		1-2-1000-1044 - UNION DUES I	JULY 2023 UNION REMITT		824.10	824.10
				Payment Total:		3,069.62
24831	2023-08-31	<b>CRITTENDEN, ROBERT</b>				
4328963078		1-4-3101-2020 - J - SAFETY SL	SAFETY SUPPLIES-BOOT		180.11	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code		19.89	200.00
24832	2023-08-31	<b>COMPUTER TECH CD</b>				
2232		1-4-1200-2130 - ADMIN - COMP	MONTHLY SERVICE CON		271.70	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code		30.01	301.71
24833	2023-08-31	<b>CRAIG'S WELDING &amp; FABRICATION</b>				
2111		1-4-3218-8000 - BH5 - CAPITAL	BH #5 - WELD REPAIR		377.37	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code		41.68	419.05
24834	2023-08-31	<b>CURRIE TRUCK CENTRE</b>				
0456552P		1-4-3228-2070 - TR28 - REPAIF	TRUCK #28 SUPPLIES		62.93	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code		6.95	69.88

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Payment # Invoice #	Date	Vendor Name GL Account	GL Transaction Description	Detail Amount	Payment Amount
<b>24835</b>	<b>2023-08-31</b>	<b>DEKRA - LITE</b>			
DLIO2021765		1-4-2600-2010 - REC - MATERI	XMAS WREATHS	3,055.06	
		1-4-2600-2015 - REC - EVENTS	XMAS WREATHS	1,512.59	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	504.51	5,072.16
<b>24836</b>	<b>2023-08-31</b>	<b>ECOVUE CONSULTING SERVICES</b>			
21-2125-106		1-4-8010-5012 - PLN - OFFICIA	TOWN OF MAGNETAWAN	381.60	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	42.15	423.75
21-2125-212		1-4-8010-5012 - PLN - OFFICIA	ZONING BY-LAW UPDATE	484.63	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	53.53	538.16
			Payment Total:		961.91
<b>24837</b>	<b>2023-08-31</b>	<b>FASKEN MARTINEAU DUMOULIN LLP</b>			
1881008		1-4-1000-1011 - COUNCIL - INT	INTEGRITY COMMISSIONI	152.64	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	16.86	169.50
<b>24838</b>	<b>2023-08-31</b>	<b>FOWLER CONSTRUCTION COMPANY</b>			
70926		1-4-3045-2010 - D5 - MATERIAI	TENDER 2023-01-GRAVEL	177,293.09	
		1-4-3045-4010 - D5 - CONTRAC	TENDER 2023-01-GRAVEL	75,982.76	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	27,975.27	281,251.12
<b>24839</b>	<b>2023-08-31</b>	<b>GILROY'S TIRE</b>			
3823		1-4-3217-2070 - BH4 - REPAIR	BH #4 TIRE	319.02	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	35.24	354.26
<b>24840</b>	<b>2023-08-31</b>	<b>GREER GALLOWAY CONSULTING ENGINEERS</b>			
27679		1-4-3011-4010 - A - CONTRACT	2023 OSIM BRIDGE INSPE	3,994.09	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	441.16	4,435.25
27761		1-4-2000-8000 - FD - CAPITAL	FIRE STATION RFP	2,624.60	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	289.90	2,914.50
			Payment Total:		7,349.75
<b>24841</b>	<b>2023-08-31</b>	<b>HUBB CAP</b>			
1032774		1-4-3011-2010 - A - MATERIALS	BRIDGE #24 CULVERT	13,995.49	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	1,545.85	15,541.34
<b>24842</b>	<b>2023-08-31</b>	<b>JOHNSTON CALVIN</b>			
24		1-4-3042-4010 - D2 - CONTRAC	ROADS-GRADING	814.08	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	89.92	904.00
<b>24843</b>	<b>2023-08-31</b>	<b>BRANDT LAURA</b>			
20230818		1-4-2600-2015 - REC - EVENTS	MILEAGE REIMBURSEMEI	22.11	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	2.44	24.55
<b>24844</b>	<b>2023-08-31</b>	<b>MADD MESSAGE YEARBOOK</b>			
95571		1-4-1000-5018 - COUNCIL - DO	MOM AD	304.26	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	33.61	337.87
<b>24845</b>	<b>2023-08-31</b>	<b>NEAR NORTH LABORATORIES INC.</b>			
97242		1-4-4300-2010 - W-SYS - MATE	AUGUST 2023 WATER TE	145.65	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	16.09	161.74
<b>24846</b>	<b>2023-08-31</b>	<b>Hydro One Networks</b>			
3189AUG2023		1-4-3800-5016 - STREET - ROC	14 CONCESSION LOT 18	32.77	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	3.94	36.71
<b>24847</b>	<b>2023-08-31</b>	<b>POLLARD DISTRIBUTION INC</b>			

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Payment #	Date	Vendor Name	GL Transaction Description	Detail Amount	Payment Amount
Invoice #		GL Account			
7989		1-4-3043-2010 - D3 - MATERIAL	ROADS-DUST CONTROL	15,299.64	
		1-4-3043-4010 - D3 - CONTRAC	ROADS-DUST CONTROL	7,535.64	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	2,522.25	25,357.53
8467		1-4-3045-2010 - D5 - MATERIAL	ROADS-DUST CONTROL	7,069.77	
		1-4-3045-4010 - D5 - CONTRAC	ROADS-DUST CONTROL	3,482.13	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	1,165.50	11,717.40
			Payment Total:		37,074.93
<b>24848</b>	<b>2023-08-31</b>	<b>SERVICE 1 MUFFLERS &amp; MORE</b>			
5340		1-4-3101-2080 - J - SMALL TOC	SMALL TOOL SUPPLIES-F	327.33	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	36.16	363.49
524935		1-4-3101-2010 - J - MATERIALS	CM-DUST PLUG	-17.43	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	-1.93	-19.36
			Payment Total:		344.13
<b>24849</b>	<b>2023-08-31</b>	<b>SDB TRUCK &amp; EQUIPMENT REPAIRS</b>			
13005		1-4-3228-2070 - TR28 - REPAIF	TRUCK #28 SAFETY INSP	661.44	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	73.06	734.50
13009		1-4-3227-2070 - TR27 - REPAIF	TRUCK #27 MONTHLY INS	152.64	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	16.86	169.50
13008		1-4-3222-2070 - TR22 - REPAIF	TRUCK #22 MONTHLY INS	625.83	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	69.12	694.95
			Payment Total:		1,598.95
<b>24850</b>	<b>2023-08-31</b>	<b>CHARLES SAUNDERS</b>			
17024		1-4-3101-2010 - J - MATERIALS	REIMBURSEMENT-REPAI	225.72	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	24.94	250.66
<b>24851</b>	<b>2023-08-31</b>	<b>STAPLES BUSINESS ADVANTAGE</b>			
63949928		1-4-7600-2010 - HERITAGE - R	SCISSORS-HERITAGE CE	10.17	
		1-4-1200-2010 - ADMIN - OFFIC	OFFICE SUPPLIES	98.78	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	12.02	120.97
63828519		1-4-2600-2010 - REC - MATERI	CANADA DAY & VOLUNTE	73.33	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	8.09	81.42
			Payment Total:		202.39
<b>24852</b>	<b>2023-08-31</b>	<b>SPECTRUM TELECOM GROUP LTD</b>			
26426-N9Z5		1-4-2010-2070 - TR510 - REPAI	LIGHT REPLACEMENT	572.91	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	63.28	636.19
C1292044		1-4-3101-2053 - J - COMMUNIC	TOWER RENTAL-FIRE & F	203.52	
		1-4-2000-2053 - FD - COMMUN	TOWER RENTAL-FIRE & F	203.52	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	44.96	452.00
			Payment Total:		1,088.19
<b>24853</b>	<b>2023-08-31</b>	<b>SAM'S COUNTRY CLEANING</b>			
1418		1-4-3101-2400 - J - BUILDING M	OFFICE CLEAN-ROADS	91.58	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	10.12	101.70
<b>24854</b>	<b>2023-08-31</b>	<b>SIGNCRAFT CANADA INC.</b>			
2348		1-4-3011-8000 - A - CULVERT/E	BRIDGE #8-OVR GAS TAX	234.05	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	25.85	259.90
2355		1-4-4030-2010 - RECY - MATEF	LANDFILL RE-USE CENTE	200.98	
		1-4-4020-2010 - LF - MATERIAL	LANDFILL RE-USE CENTE	200.97	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	44.40	446.35
2345		1-4-2600-2010 - REC - MATERI	MUSIC IN THE PARK	49.86	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	5.51	55.37

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				Payment Total:	761.62
<b>24855</b>	<b>2023-08-31</b>	<b>TRI-CITY EQUIPMENT</b>			
101947		1-4-3023-3015 - B3 - RENTED I	DITCHING-RENTAL EQUIF	7,137.46	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	788.36	7,925.82
<b>24856</b>	<b>2023-08-31</b>	<b>VAUGHAN PAPER PRODUCTS INC.</b>			
2421314		1-4-7300-2010 - HALL - MATER	WHITE PAPER BANQUET	79.14	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	10.29	89.43
<b>24857</b>	<b>2023-08-31</b>	<b>D.M. WILLS ASSOCIATES</b>			
24242		1-4-3011-8000 - A - CULVERT/I	BRIDGE #8 - ORANGE VAI	999.92	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	110.44	1,110.36
<b>24858</b>	<b>2023-09-13</b>	<b>THE ENGRAVING SHOPPE</b>			
96818		1-4-1200-2010 - ADMIN - OFFIC	NAME PLATES	55.97	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	6.18	62.15
<b>24859</b>	<b>2023-09-13</b>	<b>Township Of Armour</b>			
ARM23-83		1-4-2200-2010 - BLEO - MATEF	BYLAW-JULY EXPENSES	5.74	
		1-4-2200-1010 - BLEO - WAGE	BYLAW-JULY EXPENSES	2,213.89	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	245.17	2,464.80
<b>24860</b>	<b>2023-09-13</b>	<b>CARR AGGREGATES INC</b>			
20230831		1-1-1200-1200 - TAXES - CURF	TAX ADJUSTMENT-CARR	1,098.21	1,098.21
9908		1-4-3041-2010 - D1 - MATERIAI	GRAVEL PATCHING/WASI	253.15	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	27.62	280.77
			Payment Total:		1,378.98
<b>24861</b>	<b>2023-09-13</b>	<b>CINDY LEGGETT</b>			
20230831		1-4-2600-2400 - REC - RECRE/	FITNESS CLASSES, AUG.	1,680.00	1,680.00
<b>24862</b>	<b>2023-09-13</b>	<b>ECOVUE CONSULTING SERVICES</b>			
22-2125-604		1-1-1100-1138 - A/R - W. GREE	GREEN SEVERANCE	2,222.19	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	245.49	2,467.68
23-2125-403		1-1-1100-1180 - R/A - CORDUA	CORDUE CONSENT	363.79	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	40.19	403.98
			Payment Total:		2,871.66
<b>24863</b>	<b>2023-09-13</b>	<b>EJ WILLIAMS SURVEYING LIMITED</b>			
3377		1-4-2000-8000 - FD - CAPITAL	SURVEY - CHAPMAN WA1	4,011.79	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	443.12	4,454.91
<b>24864</b>	<b>2023-09-13</b>	<b>HAMELIN'S OUTDOOR POWER EQUIPMENT</b>			
119973		1-4-3101-2080 - J - SMALL TOC	WATER TANK PUMP- MOE	150.34	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	16.61	166.95
<b>24865</b>	<b>2023-09-13</b>	<b>KIDD'S HOME HARDWARE BUILDING CENTRE</b>			
2917811		1-4-3101-2020 - J - SAFETY SU	ROADS SAFETY SUPPLIE	117.00	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	12.93	129.93
<b>24866</b>	<b>2023-09-13</b>	<b>BRANDT LAURA</b>			
20230828		1-4-7600-2010 - HERITAGE - R	MILEAGE REIMBURSEMEI	45.09	
		1-4-2600-2400 - REC - RECRE/	PARADE CANDY	319.82	
		1-4-7600-2010 - HERITAGE - R	STAFF PARTY	75.97	
		1-4-7500-1010 - LOCKS - WAG	STAFF PARTY	60.70	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	53.79	555.37

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<b>24867</b>	<b>2023-09-13</b>	<b>MAGNETAWAN BUILDING CENTRE (PARKS)</b>			
101-126667		1-4-7200-2010 - PARKS - MATE	SUPPLIES	21.69	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	2.39	24.08
102-45767		1-4-7200-2400 - PARKS - REPA	SUPPLIES	13.70	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	1.51	15.21
101-125369		1-4-7300-2010 - HALL - MATER	SUPPLIES	49.98	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	6.50	56.48
102-45923		1-4-7300-2400 - HALL - REPAIF	SUPPLIES	17.98	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	2.34	20.32
104-93883		1-4-7200-2400 - PARKS - REPA	TOILET	384.53	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	42.47	427.00
101-125807		1-4-7300-2010 - HALL - MATER	SUPPLIES	103.26	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	13.42	116.68
102-46021		1-4-7100-2400 - WHARFS - REI	SUPPLIES	130.94	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	14.46	145.40
103-117255		1-4-7100-2400 - WHARFS - REI	AHMIC BEACH WHARF RE	113.98	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	12.59	126.57
101-125578		1-4-7200-2400 - PARKS - REPA	SUPPLIES	99.80	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	11.02	110.82
104-93776		1-4-7200-2400 - PARKS - REPA	SUPPLIES	4.57	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	0.50	5.07
102-46219		1-4-7200-2400 - PARKS - REPA	PARKS GARAGE BATHRO	366.33	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	40.46	406.79
102-46140		1-4-7200-2400 - PARKS - REPA	SUPPLIES	68.47	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	7.57	76.04
102-46493		1-4-7300-2010 - HALL - MATER	SUPPLIES	118.68	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	15.43	134.11
103-117634		1-4-7200-2400 - PARKS - REPA	SUPPLIES	1.37	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	0.16	1.53
101-126490		1-4-7200-2400 - PARKS - REPA	SUPPLIES	54.07	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	5.97	60.04
101-125282		1-4-7200-2400 - PARKS - REPA	SUPPLIES	82.36	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	9.10	91.46
101-124612		1-4-7300-2010 - HALL - MATER	SUPPLIES	330.89	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	43.02	373.91
			Payment Total:		2,191.51
<b>24868</b>	<b>2023-09-13</b>	<b>MAGNETAWAN BUILDING CENTRE (ROADS)</b>			
103-117179		1-4-7200-2400 - PARKS - REPA	SUPPLIES	280.78	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	31.01	311.79
103-116563		1-4-3101-2010 - J - MATERIALS	SUPPLIES	17.51	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	1.94	19.45
103-116629		1-4-3101-2020 - J - SAFETY SL	SUPPLIES	38.66	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	4.27	42.93
			Payment Total:		374.17
<b>24869</b>	<b>2023-09-13</b>	<b>MAGNETAWAN BUILDING CENTRE (LANDFILL)</b>			
101-125566		1-4-4020-2120 - LF - OFFICE	SUPPLIES	19.97	
		1-4-4030-2120 - RECY - OFFIC	SUPPLIES	18.97	38.94
101-125843		1-4-4030-2120 - RECY - OFFIC	SUPPLIES	26.95	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	2.97	29.92
101-126187		1-4-4020-2120 - LF - OFFICE	SUPPLIES	12.98	

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Payment # Invoice #	Date	Vendor Name GL Account	GL Transaction Description	Detail Amount	Payment Amount
		1-4-4020-2120 - LF - OFFICE	SUPPLIES	12.98	25.96
				Payment Total:	94.82
<b>24870</b>	<b>2023-09-13</b>	<b>MAP SUNDRIDGE</b>			
837808/3		1-4-3220-2070 - TR20 - REPAIF	TRUCK #20 12 VOLT AUTC	248.16	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	27.41	275.57
<b>24871</b>	<b>2023-09-13</b>	<b>METROLAND MEDIA GROUP LTD.</b>			
7658853		1-3-1700-7120 - TREAS - OTHE	SALE OF LAND-PUBLIC TI	431.46	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	47.66	479.12
7661335		1-3-1700-7120 - TREAS - OTHE	SALE OF LAND-PUBLIC TI	172.99	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	19.11	192.10
				Payment Total:	671.22
<b>24872</b>	<b>2023-09-13</b>	<b>MACCALLINI RAY</b>			
230443-024		1-1-1100-1200 - A/R - MACCAL	REIMBURSEMENT OF PLA	4,000.00	4,000.00
<b>24873</b>	<b>2023-09-13</b>	<b>MAGNETAWAN BAIT &amp; TACKLE (PARKS)</b>			
1351703		1-4-7300-2010 - HALL - MATER	VINYL TABLECLOTHS	23.97	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	3.12	27.09
<b>24874</b>	<b>2023-09-13</b>	<b>JIM MOORE PETROLEUM</b>			
628672		1-4-3101-2023 - J - DYED DIES	DYED DIESEL	521.31	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	57.58	578.89
628678		1-4-3101-2023 - J - DYED DIES	DYED DIESEL-CROFT LF	439.05	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	48.50	487.55
628671		1-4-3101-2022 - J - CLEAR DIE	CLEAR DIESEL-18 MILLEF	759.81	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	83.93	843.74
627777		1-4-3101-2022 - J - CLEAR DIE	CLEAR DIESEL-18 MILLEF	1,380.30	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	152.45	1,532.75
627778		1-4-3101-2023 - J - DYED DIES	DYED DIESEL-18 MILLER	932.16	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	102.97	1,035.13
628111		1-4-3101-2022 - J - CLEAR DIE	CLEAR DIESEL-18 MILLEF	396.98	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	43.84	440.82
628215		1-4-3101-2021 - J - PREMIUM C	PREMIUM GASOLINE-18 M	1,569.06	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	173.31	1,742.37
				Payment Total:	6,661.25
<b>24875</b>	<b>2023-09-13</b>	<b>MINISTER OF FINANCE</b>			
51-45821		1-4-3101-1310 - J - CONFEREN	REGISTERED TECHNICIA	43.50	43.50
<b>24876</b>	<b>2023-09-13</b>	<b>NEAR NORTH INDUSTRIAL SOLUTIONS</b>			
88050		1-4-3011-2010 - A - MATERIALI	ROADS-HYDRAULIC OIL 1	247.87	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	27.38	275.25
<b>24877</b>	<b>2023-09-13</b>	<b>NORTHPOINT CATERING</b>			
11637		1-4-2600-2015 - REC - EVENTS	SENIORS DINNER-CHINE:	915.84	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	101.16	1,017.00
<b>24878</b>	<b>2023-09-13</b>	<b>Hydro One Networks</b>			
0309-AUG2023		1-4-7200-2030 - PARKS - HYDF	18 MILLER RD. TWSP	138.06	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	16.91	154.97
8809AUG2023		1-4-3101-2030 - J - HYDRO	18 MILLER RD. NEW GAR.	433.42	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	53.09	486.51
				Payment Total:	641.48
<b>24879</b>	<b>2023-09-13</b>	<b>ORKIN CANADA CORPORATION</b>			



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**COMPUTER CHEQUE**

Payment # Invoice #	Date	Vendor Name GL Account	GL Transaction Description	Detail Amount	Payment Amount
C-4142821		1-4-7700-2400 - AHMIC - REPA	AHMIC HARBOUR RODEN	90.00	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	11.70	101.70
C-4142245		1-4-7300-2400 - HALL - REPAIF	MAG-RODENT & WASHRC	286.94	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	37.30	324.24
			Payment Total:		425.94
<b>24880</b>	<b>2023-09-13</b>	<b>WASTE CONNECTIONS OF CANADA INC.</b>			
7113-00003340		1-4-4010-4010 - GARBAGE - C	AUGUST WASTE DISPOS	1,925.71	
		1-4-4030-4012 - RECY - RECY	AUGUST WASTE DISPOS	2,589.10	
		1-4-4020-4022 - LF - MATTRES	AUGUST WASTE DISPOS	12,607.74	
		1-4-4030-4014 - RECY - RECY	AUGUST WASTE DISPOS	10,062.01	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	3,002.63	30,187.19
<b>24881</b>	<b>2023-09-13</b>	<b>RUSSELL CHRISTIE LLP</b>			
63-283-438		1-1-1100-1138 - A/R - W. GREE	GREEN CONSENT AGREE	552.31	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	53.39	605.70
63-283-432		1-1-1100-2023 - A/R LANGFOR	LANGFORD FAMILY INVE	579.78	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	56.42	636.20
63-283-430		1-4-1200-2210 - ADMIN - LEGA	LEGAL-HABITAT FOR HUM	1,028.93	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	113.65	1,142.58
63-283-354-3		1-4-6350-8000 - PROPERTY - C	EMPLOYMENT LAND-LEG	396.86	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	43.84	440.70
63-283-380-3		1-1-1100-1139 - A/R - KLAHANI	KLAHANIE CAMPERS-BUI	1,529.52	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	168.94	1,698.46
			Payment Total:		4,523.64
<b>24882</b>	<b>2023-09-13</b>	<b>STAPLES BUSINESS ADVANTAGE</b>			
64036134		1-4-1200-2010 - ADMIN - OFFIC	OFFICE SUPPLIES	67.33	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	7.44	74.77
<b>24883</b>	<b>2023-09-13</b>	<b>SAM'S COUNTRY CLEANING</b>			
1424		1-4-3101-2400 - J - BUILDING M	ROADS BUILDING, CLEAN	53.42	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	5.91	59.33
<b>24884</b>	<b>2023-09-13</b>	<b>UNITED RENTALS OF CANADA INC.</b>			
223265506-001		1-4-3022-3015 - B2 - RENTAL C	CHIPPER RENTAL-CROFT	2,523.96	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	278.78	2,802.74
			Total COMPUTER CHEQUE:		470,618.77

**ONLINE BANKING**

Payment # Invoice #	Date	Vendor Name GL Account	GL Transaction Description	Detail Amount	Payment Amount
<b>AUG. 15/2023</b>	<b>2023-08-15</b>	<b>RECEIVER GENERAL</b>			
JULY15-31/202:		1-2-1000-1047 - CPP PAYABLE	JULY 15-31 PAYROLL REM	5,853.90	
		1-2-1000-1048 - EI PAYABLE	JULY 15-31 PAYROLL REM	1,724.88	
		1-2-1000-1049 - INCOME TAX F	JULY 15-31 PAYROLL REM	8,716.70	16,295.48
JULY15-31/202:		1-2-1000-1047 - CPP PAYABLE	JULY 2023 PAYROLL REM	756.84	
		1-2-1000-1048 - EI PAYABLE	JULY 2023 PAYROLL REM	628.75	
		1-2-1000-1049 - INCOME TAX F	JULY 2023 PAYROLL REM	1,610.33	2,995.92
			Payment Total:		2,995.92
<b>AUG. 25/2023</b>	<b>2023-08-25</b>	<b>OMERS EFT</b>			
JULY2023		1-2-1000-1022 - OMERS PAYAI	JULY 2023 OMERS REMIT	19,836.08	19,836.08

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**ONLINE BANKING**

Payment # Invoice #	Date	Vendor Name GL Account	GL Transaction Description	Detail Amount	Payment Amount
<b>AUG. 25/2023</b>	<b>2023-08-25</b>	<b>RECEIVER GENERAL</b>			
AUG. 1-15/2023		1-2-1000-1047 - CPP PAYABLE	AUG. 1-15/2023 PAYROLL	11,081.48	
		1-2-1000-1048 - EI PAYABLE	AUG. 1-15/2023 PAYROLL	3,436.06	
		1-2-1000-1049 - INCOME TAX F	AUG. 1-15/2023 PAYROLL	17,611.42	32,128.96
AUG. 1-15/2023		1-2-1000-1047 - CPP PAYABLE	AUG. 1-15/2023 PAYROLL	1,902.94	
		1-2-1000-1048 - EI PAYABLE	AUG. 1-15/2023 PAYROLL	1,808.28	
		1-2-1000-1049 - INCOME TAX F	AUG. 1-15/2023 PAYROLL	8,055.43	11,766.65
			Payment Total:		<u>11,766.65</u>
<b>AUG. 31/2023</b>	<b>2023-08-31</b>	<b>WORKPLACE SAFETY &amp; INSURANCE BOARD - EF</b>			
JULY2023		1-2-1000-1046 - WSIB PAYABL	JULY 2023 WSIB REMITTA	4,870.49	
		1-4-2000-1010 - FD - WAGES 8	JULY 2023 WSIB REMITTA	569.50	5,439.99
			Total ONLINE BANKING:		<u>88,463.08</u>

**AUTOMATIC WITHDRAWAL**

Payment # Invoice #	Date	Vendor Name GL Account	GL Transaction Description	Detail Amount	Payment Amount
<b>SEPT. 9/2023</b>	<b>2023-09-09</b>	<b>LAKELAND POWER - EFT</b>			
072693AUG202		1-4-7600-2030 - HERITAGE - H	HERITAGE CENTRE	91.77	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	11.46	103.23
072642AUG202		1-4-2005-2030 - MAG STATION	81 ALBERT ST.	140.28	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	17.51	157.79
073252AUG202		1-4-7300-2030 - HALL - HYDR	4304 HWY 520	987.34	
		1-1-1100-1101 - HST RECEIVA	HST100%Reb Tax Code	145.36	1,132.70
076598AUG202		1-4-3800-5012 - STREET - MAC	61 SPARKS ST.	39.49	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	4.93	44.42
073239AUG202		1-4-3800-5012 - STREET - MAC	STREET LIGHTS	670.79	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	83.72	754.51
076283AUG202		1-4-7200-2030 - PARKS - HYDF	4135 HWY 520 PARK	106.52	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	13.30	119.82
077271AUG202		1-4-3800-5012 - STREET - MAC	SPARKS ST STLGT	87.51	
		1-1-1100-1102 - HST RECEIVA	HSTBIReb Tax Code	10.92	98.43
			Payment Total:		<u>2,410.90</u>
			Total AUTOMATIC WITHDRAWAL:		<u>2,410.90</u>

Total CURR: 561,492.75

Certified September 13, 2023

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Treasurer

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN**

**BY-LAW NUMBER 2023-**

**A BY-LAW TO DEEM PART OF REGISTERED PLAN 319 IN THE MUNICIPALITY OF  
MAGNETAWAN NOT TO BE A PART OF A REGISTERED PLAN OF SUBDIVISION  
FOR THE PURPOSES OF SECTION 50(4) OF THE PLANNING ACT**

---

WHEREAS Section 50(4) of the *Planning Act*, R.S.O. 1990, Chapter P.13, (hereinafter the *Planning Act*) authorizes a municipality to designate any plan of subdivision or part thereof that has been registered for eight years or more as not being a plan of subdivision for subdivision control purposes;

AND WHEREAS Plan 319 for the Municipality of Magnetawan is a registered plan of subdivision for the purposes of section 50(4) of the *Planning Act*;

AND WHEREAS the Plan has been registered for more than eight years;

AND WHEREAS it is deemed expedient in order to control the development of land in the municipality that a by-law be passed pursuant to Section 50(4) of the *Planning Act* affecting certain lands contained in the Plan;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN HEREBY ENACTS AS FOLLOWS:

1. THAT Plan M433 Lot 9 PCL 19233 S\S and Plan M433 Lot 10 PCL 2122 S/S, Magnetawan are hereby deemed not to be part of a registered plan of subdivision for the purposes of Subsection 50(3) of the *Planning Act*, R.S.O. 1990, Chapter P.13.
2. THAT this By-law shall take effect as the date of registration as provided for in subsections 50(27) and (28) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended.

BY-LAW read a first, second and third time and finally passed this 13<sup>th</sup> day of September, 2023.

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

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

**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 1<sup>st</sup> to October 1<sup>st</sup> 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



**Municipality of  
Magnetawan**

**THE MUNICIPALITY OF MAGNETAWAN**

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

**Schedule "A"**

**Dog Licence Fees**

<b>Description</b>	<b>Annual Fee</b>
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
<b>Dog redemption from impound</b>	
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"**

<b>ITEM</b>	<b>SHORT FORM WORDING</b>	<b>PROVISION CREATING/DEFINING OFFENCE</b>	<b>SET FINE</b>
<b>1</b>	<b>Owner Fail to purchase dog license</b>	<b>2.1</b>	<b>\$300.00</b>
<b>2</b>	<b>Fail to affix dog tag</b>	<b>2.5</b>	<b>\$300.00</b>
<b>3</b>	<b>Fail to notify Clerk or Animal Control Officer of changes to owner information</b>	<b>2.6</b>	<b>\$300.00</b>
<b>4</b>	<b>Allowing more than 4 dogs to reside in a residence</b>	<b>3.1</b>	<b>\$300.00/dog</b>
<b>5</b>	<b>Fail to remove excrement</b>	<b>3.2</b>	<b>\$300.00</b>
<b>6</b>	<b>Owner permit dog to run at large</b>	<b>3.4</b>	<b>\$300.00</b>
<b>7</b>	<b>Owner permit dog to trespass on private property</b>	<b>3.6</b>	<b>\$300.00</b>
<b>8</b>	<b>Owner permit persistent dog barking</b>	<b>3.7</b>	<b>\$300.00</b>
<b>9</b>	<b>Fail to leash dog in park or trail</b>	<b>3.8</b>	<b>\$300.00</b>
<b>10</b>	<b>Permit dog on or in water at Community Beach</b>	<b>3.9</b>	<b>\$300.00</b>
<b>11</b>	<b>Owner permit dog into Municipal facility or</b>	<b>3.10</b>	<b>\$300.00</b>

	<b>building</b>		
<b>12</b>	<b>Fail to obey muzzle order</b>	5.1	<b>\$300.00</b>
<b>13</b>	<b>Operate kennel - no license</b>	6.1	<b>\$300.00</b>

**NOTE: The general penalty provision for the offences listed above this section 7.1 and 7.4 of By-law 2023-\_\_ a certified copy of which has been filed.**

**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 1<sup>st</sup> to November 30<sup>th</sup> 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 13th day of September 2023

**THE CORPORATION OF THE  
MUNICIPALITY OF MAGNETAWAN**

---

Mayor

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CAO/Clerk



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

<b>Item</b>	<b>Short Word Form Wording</b>	<b>Provision Creating/Defining Offence</b>	<b>Set Fine Within a Twelve (12) Month Period</b>
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 withing the permitted period (May 1 <sup>st</sup> to November 30 <sup>th</sup> ) without a license.	3.6	\$500
6	Trailer being used as a place for living, sleeping, or eating during the period commencing December 1 <sup>st</sup> of a calendar year and inclusive of April 30 <sup>th</sup> 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 2023 -**

**BEING A BY-LAW TO PROVIDE FOR THE EXECUTION OF A CONSENT AGREEMENT, AS A CONDITION OF AN APPROVED ZONING BY-LAW AMENDMENT, WITH THE OWNERS OF THE LANDS:**

**LYNN AND WILLIAM GREEN - PART OF LOT 20 CONCESSION 8, FORMERLY IN THE GEOGRAPHIC TOWNSHIP OF CROFT, NOW IN THE MUNICIPALITY OF MAGNETAWAN, WITH THE MUNICIPAL ADDRESS OF 121 TRAILS END LANE, ROLL: (49 44 030 005 04500).**

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**WHEREAS**, an application for a Consent was approved by the Council with the condition of a development agreement being entered into and registered on title, pursuant to Section 53 (12), 51(25) and 51 (26) of the Planning Act, R.S.O. 1990, regarding the aforementioned lands;

**AND WHEREAS**, the Council has applied a Consent condition to require an agreement to be entered into;

**AND WHEREAS**, Council is granted the power pursuant to Section 53(12) and 51(26) of the Planning Act, R.S.O. 1990, to enter into an agreement to be registered against the land to which the consent applies;

**AND WHEREAS** Council is entitled to enforce the provisions of such an agreement against the owner of the land, pursuant to Section 51(26) of the Planning Act, R.S.O. 1990

**AND WHEREAS**, Council is satisfied that the proposed development of the lands is appropriate and in conformity with the Municipality's requirements;

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

1. That the Municipality of Magnetawan enter into a development agreement substantially in the form attached hereto as "the Agreement."
2. That the Mayor and the Clerk are hereby authorized to execute the Agreement and all documents in connection with the Agreement.
3. The Municipality's solicitor is hereby authorized to register the Agreement against the title of the lands to which it applies.

**READ A FIRST, SECOND, AND THIRD TIME**, passed, signed and the Seal of the Corporation affixed hereto, this 13<sup>th</sup> day of September, 2023

**THE CORPORATION OF THE  
MUNICIPALITY OF MAGNETAWAN**

---

Sam Dunnett MAYOR

---

Kerstin Vroom CAO/Clerk

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

DEVELOPMENT AGREEMENT

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

BETWEEN:

GREEN, Lynn and  
GREEN, William

(hereinafter called the "OWNERS")  
OF THE FIRST PART

and-

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

(hereinafter called the "MUNICIPALITY")  
OF THE SECOND PART

**WHEREAS** the lands that are the subject to this Agreement are the lands described in Schedule "A" attached hereto and as specifically shown on Schedule "B" and which lands are referred to herein as "said land";

**AND WHEREAS** the OWNER has obtained a provisional consent from the Central Almaguin Planning Board on March 1, 2023, under File B001/23, MAGNETAWAN;

**AND WHEREAS** one of the conditions of the approval of this consent is that the Owners enter into a Development Agreement to ensure the mitigation measures and recommendations contained in the Environmental Impact Statement be implemented through Consent Approval with the Municipality of Magnetawan;

**NOW THEREFORE THIS AGREEMENT WITNESSED** that, in consideration of the premises and for other good and valuable consideration (the receipt of which is hereby acknowledged), the parties hereto covenant and agree with one another as follows:

1. SCOPE OF AGREEMENT

1.1 DESCRIPTION OF LANDS

The land affected by this Agreement are the lands described in Schedule "A" attached hereto, and as specifically shown on Schedule "B" attached hereto and referred to herein as "said lands".

1.2 CONFORMITY OF AGREEMENT

The OWNERS covenant and agree that all new work performed on the subject lands shall be in conformity with:

- a) The provisions of this Agreement;
- b) All applicable Municipal By-laws and all applicable Provincial and Federal legislation.

2. REGISTRATION OF THE AGREEMENT

2.1 The OWNERS agree that all documents required herein shall be submitted in a form suitable to the MUNICIPALITY and suitable for registration.

- 2.2 The Agreement shall be registered on title to the subject lands as provided for by Section 53(12) and 51(26) of the Planning Act R.S.O. 1990, by the Municipality, at the expense of the OWNERS.
- 2.3 The OWNERS agree to reimburse the MUNICIPALITY for all administrative and professional costs incurred in preparing, executing, and registering this Agreement.
- 2.4 The OWNERS agree not to make any application or request to deregister this Agreement without the authorization in writing from the MUNICIPALITY.
- 2.5 All offers of Purchase and Sale shall contain a clause advising the potential purchaser of this Agreement.
3. **ISSUANCE OF BUILDING PERMITS**
- 3.1 The OWNERS agree to not request the Chief Building Official to issue a building permit to carry out the development until the Agreement has been registered on title to the subject lands and a registered copy of same has been provided to the MUNICIPALITY.
- 3.2 It is agreed that if the OWNERS fails to apply for a building permit or permits to implement this Agreement within two (2) years after registration, then the MUNICIPALITY, at its option, has the right to terminate the Agreement and require that a new Consent Agreement be submitted for approval and execution.
4. **DEVELOPMENT PROVISIONS**
- 4.1 The OWNERS agree to develop the subject lands in accordance with the Development Agreement and all recommendations and mitigation measures contained in the Scoped Environmental Impact Study prepared by Hutchinson Environmental Sciences Ltd. dated October 3, 2022, and attached hereto in Schedule C, and agree that no work will be performed on the subject lands except in conformity with all provisions of this Agreement.
5. **OTHER REQUIREMENTS**
- 5.1 The OWNER agrees that nothing in this Agreement shall relieve him or her from complying with all other applicable agreements, by-laws, laws, or regulations of the MUNICIPALITY or any other laws, regulations or policies established by any other level of government. Nothing in this Agreement shall prohibit the MUNICIPALITY or its Chief Building Official from instituting or pursuing prosecutions in respect of any violations of the said by-laws, laws, or regulations.
6. **BINDING PARTIES. ALTERATION. AMENDMENT. EFFECT. PENALTY**
- 6.1 This Agreement may only be amended or varied by a written document executed by the parties hereto and registered against the title to the subject lands.
- 6.2 Following the completion of the works, the OWNERS shall maintain to the satisfaction of the MUNICIPALITY, and at their sole expense, all the facilities or works described on Schedule "C".
- 6.3 This Agreement shall ensure to the benefit of and be binding upon the respective successors and assigns of each of the parties hereto.
- 6.4 The OWNERS acknowledge that the Agreement is entered into under the provisions of Section 51(25) and 51(26) of the Planning Act, and that the expenses of the MUNICIPALITY arising out of the enforcement of this Agreement may, in addition to any other remedy the Municipality may have at law, be recovered as taxes under Section 427 of the Municipal Act, 2001, S.O. 2001, c.25 as amended.
- 6.5 The Agreement shall come into effect on the date of execution by the MUNICIPALITY.

- 6.6 Nothing in this Agreement shall relieve the OWNERS from complying with all other applicable by-laws, laws or regulations of the MUNICIPALITY or any other laws, regulations or policies established by any other level of government. Nothing in this Agreement shall prohibit the MUNICIPALITY from instituting or pursuing prosecutions in respect of any violations of the said by-laws, laws, or regulations.
- 6.7 The definitions of Municipality of Magnetawan Zoning By-law 2001-26, as amended, shall be used to define any terms used in this Agreement.
7. CONDITIONS PRIOR TO EXECUTION OF AGREEMENT BY THE MUNICIPALITY
- 7.1 Prior to the execution of this Agreement by the MUNICIPALITY, the OWNERS shall:
- a) Taxes - have paid all municipal tax bills issued and outstanding on the said lands;
  - b) Postponements to this Agreement - have delivered to the MUNICIPALITY all postponements of any prior encumbrances so that this Agreement will be first priority against the said lands;
  - c) Land Ownership - be the registered owners in fee simple of the lands described in Schedule 'A'.

8. **NOTICE**

- 8.1 Any notice, required to be given pursuant to the terms hereto, shall be in writing and mailed or delivered to the other at the following addresses:

OWNERS NAMES AND ADDRESS: William and Lynn Green  
264 Riverview Place  
Guelph, ON, N1E 7H8

MUNICIPALITY: Kerstin Vroom, CAO / Clerk  
Municipality of Magnetawan  
P.O. Box 70  
Magnetawan, ON  
POA IPO

**THIS AGREEMENT** shall inure to the benefit of and be binding upon the OWNERS and their respective heirs, executors, administrators, successors, and assigns.



IN WITNESS WHEREOF the OWNER and the MUNICIPALITY have caused their corporate seals to be affixed over the signatures of their respective signing officers.

SCHEDULE <sup>11</sup>A<sup>11</sup>

LEGAL DESCRIPTION OF THE LANDS

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Part of Lot 20, Concession 8, Geographic Township of Croft, Municipality of Magnetawan

Part of PIN 52086-0412(LT)



## SCHEDULE "C"

### Environmental Mitigation Measures

#### 1. Site Selection

The size and location of building envelope(s) can influence its impact on the surrounding environment. The building envelope(s) should be concentrated as much as possible so that encroachment into, and fragmentation of, natural habitat is avoided or minimized. Areas for construction laydown and storage should be kept as small as possible and away from sensitive natural heritage features. HESL provided Environmental Constraints (Figure 4) for the proposed lot to guide future development away from sensitive areas and minimize or prevent impacts to these features.

#### 2. Timing

Future development and site alteration should be scheduled for times of the year that avoid or minimize wildlife disturbance. These periods vary depending on wildlife species and habitat types. For example, hibernating wildlife are vulnerable to site clearing if it destroys their overwintering habitat (e.g., dens), while the spring and summer season is a sensitive period for many species that reproduce and raise young during this time.

Migration period is a higher risk period for many species of birds (Government of Canada 2019). Where it is not possible to avoid construction during sensitive wildlife periods, additional mitigation measures should be implemented as described in the following sections (i.e., buffers, exclusion fencing, lighting, wildlife inspections, fill management, retention of vegetation etc.). The federal *Migratory Birds Convention Act (1994)* protects the nests, eggs and young of most bird species from harm or destruction. Development activities that could disturb breeding birds, such as clearing of vegetation, should be scheduled outside of the periods identified by the Act (Government of Canada 2019). The peak breeding bird season for the west Parry Sound area extends from mid-April through late August for most species (ECCC 2017).

To avoid harm to SAR bats that may be utilizing the treed areas on the property, tree clearing activities should take place after October 1st and before April 1st of any year.

Amphibian and reptile populations are active from March to October in southern Ontario (MNR 2016). Construction activities should be scheduled outside of these periods in areas close to, or including, potential habitat (such as wetlands and upland woodland habitat) to avoid disturbance of these species, and their habitats and movement corridors. For example, adult Snapping Turtles migrate from winter hibernation sites to summer habitat in April and May, while hatchlings move to water in early fall (MNR 2016). Amphibian species generally breed from mid-March to the end of July (Bird Studies et al. 2009).

#### 3. Erosion and Sediment Control Plan

An erosion and sediment control (ESC) plan should be developed to control erosion and subsequent sedimentation associated with development or site alteration to protect adjacent aquatic habitat. Controls, such as sediment barriers, should be securely installed prior to the initiation of work to avoid leakage during inclement weather. Regular monitoring and inspection should be carried out to ensure control measures are sound and functioning effectively (including within 24 hours following any storm event). Adjustments to controls should be made as necessary to improve performance. Control measures should be maintained until vegetation has established on exposed soils.

#### 4. Retention of Vegetation and Habitat Features

The natural vegetation in the study area should be protected as much as possible, to maintain native plant diversity and the wildlife habitat it provides. Any future development should avoid removing snags that are larger than 10 cm in diameter unless a bat snag survey has been completed to confirm the presence/absence of potential bat habitat.

Vegetation that must be removed during development or site alteration should be replaced with plantings of native species once development is complete. Future development plans for the proposed lot should aim to maintain at least 85% of the existing vegetation and limit the size of the building envelope. It is recommended that no tree is removed or injured that is located more than 10 m from the outer edge of a building, accessory structure, access road or septic system.

Topsoil management should be implemented as part of revegetation efforts. Stripped topsoil should be retained, stored, and used in restoration works so that the native and local seedbank is retained. Revegetated areas should be monitored to ensure successful establishment of native plantings.

## 5. Buffers

A 30 m buffer has been established from Ahmic Lake, inland for the protection of Blanding's Turtle habitat, which in turn will further protect any sensitive fish habitat and maintain a natural buffer between the development and Ahmic Lake.

Shoreline buffers can play an important role in protecting lake health. The physical separation they provide between upland human activity and the aquatic environment can aid in mitigating the effects of development and site alteration on water quality, erosion and flood control, and wildlife habitat. As stated in Section 4.3 of the OP,

*'a natural shoreline vegetation buffer shall be preserved within at least 20 metres of all water courses and Municipality of Magnetawan Official Plan 11 Update - June 27, 2012 water bodies wherever possible except for the removal of hazardous trees and a narrow area to allow a pathway to the shoreline. Council may require a wider buffer depending on site-specific conditions and the sensitivity of the adjacent natural heritage features.'*

The area from the highwater mark extending inland a depth of a minimum of 20 metres, for the entire width of the lot, should be maintained with natural vegetation and preservation of at least 85% of trees within buffer. It is acknowledged that access to the shoreline will be required and where possible disturbance to the vegetated buffer should be kept to a minimum. Where a walkway is required through the buffer, it should meander to the shoreline and be constructed of permeable material or be raised off the ground allowing for growth beneath the structure (Muskoka Watershed Council 2013). There are no specific guidelines in the Municipality of Whitestone's Official Plan or Zoning By-Law No. 07-2018 for walkway access to the shoreline, therefore HESL recommends a maximum width of 1.6 metres based on nearby Township of Georgian Bays Zoning By-law (2014-75).

### 5.1 Blanding's Turtle Habitat Protection

Natural vegetated buffers provide many important functions, including provision of shade, food, nesting habitat, movement corridors, and protection from predators. The Constraints Analysis depicted in Figure 4 should be used to direct development outside of the 30 m buffer for Blanding's Turtle habitat. The following additional mitigation measures are recommended to provide protection of Blanding's Turtles and their habitat:

- Installation of all Erosion and Sediment Control (ESC) measures prior to onsite disturbance;
- Work outside of species sensitive periods or mitigation including construction of barriers and exclusion fencing to occur during species-specific timing windows; and,
- Establishing and maintaining a 30 m natural buffer from the highwater mark of Ahmic Lake.

## 6. Fish Habitat

The incorporation of the following mitigation measures will further minimize impacts to fish habitat should in-water structures be constructed in future:

- Utilize a dock design that has a small footprint on the lakebed, such as a floating dock;
- Implement a timing window for dock installation outside of October 15 to July 15th to protect spring and fall spawning species;
- Clearing of riparian vegetation should be kept to a minimum;
- Minimize the removal of natural woody debris, rocks, sand or other materials from the banks, the shoreline or the bed of the waterbody below the ordinary highwater mark. If material is removed from the waterbody, set it aside and return it to the original location once construction activities are completed;
- Immediately stabilize shoreline or banks disturbed by any activity associated with the project to prevent erosion and/or sedimentation, preferably through re-vegetation with native species suitable for the site;
- Restore bed and banks of the waterbody to their original contour and gradient; if the original gradient cannot be restored due to instability, a stable gradient that does not obstruct fish passage should be restored; and,
- If replacement rock reinforcement/armouring is required to stabilize eroding or exposed areas, then ensure that appropriately-sized, clean rock is used; and that rock is installed at a similar slope to maintain a uniform bank/shoreline and natural stream/shoreline alignment.

#### Regulatory Authorization

Natural heritage related permitting may be required should the proposed lot be developed in the future. Details on potential regulatory authorization requirements are provided below.

1. MECP Consultation

It is recommended prior to any development that the Ministry of Environment Conservation and Parks is consulted regarding Species at Risk to determine any requirements under the ESA, 2007.

2. DFO - Self-Review Process

Prior to any installation of in-water structures it is recommended that the future property owner or ideally, an environmental consultant undertake a self-assessment to determine if the project requires a review from the Department of Fisheries and Oceans.



C:\Users\ankr\Anken Hutchinson Environmental Sciences Ltd 2022\Projects - 220091 - 121 Trails End Lane City Municipality Proposed Lot 502,00000 - Magnetawan, Ontario

24

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN**

**BY-LAW NO. 2023-**

**Being a By-law to confirm the proceedings of Council September 13, 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 13th day of September 2023.

**THE CORPORATION OF THE  
MUNICIPALITY OF MAGNETAWAN**

---

Mayor

---

CAO/Clerk

RECEIVED

Ahmic Harbour Community Centre Petition

SEP 11 2023

CODE:

DESC:

We the undersigned being Residents, Tenants and property owners of the (hamlet) Village of Ahmic Harbour and surrounding area, want our Community Centre, available for community functions, and not to be used as a Day - Care - Centre. Initiated by Jack Crossman

Original  
September  
13, 2023





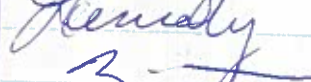


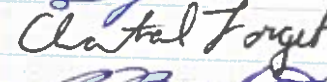

PRINT NAME	ADDRESS	SIGNATURE	Telephone
JOHN CROSSMAN	7 AHMIC ST AHMIC HARBOUR	John Crossman	(705) 746-0921
STEVEN CROSWELL	24 MARY STREET AHMIC HARBOUR	Sty Mv	705-705-026
ANNIE CAUDURO	7 JOHN ST.	Auduro	705 387 187.
TERRY CAUDURO	7 JOHN ST.	Terry Cauduro	705 387 187.
Victor Belya	40 Ahmic St	Victor Belya	705-746-014
RANDY KENDRICK	40 AHMIC ST	Randy Kendrick	705-74-593-
Victor Brillant	81 Ahmic St	Victor Brillant	705-774-6312
Belinda Binkson	81 Ahmic St	Belinda Binkson	705-774-512
Joyce Crossman	49 AHMIC ST.	Joyce Crossman	705 387 3504
DAVID THOMPSON	230 CLAYTONS BAY TR	David Thompson	(289) 242-1996
MERU HAYENS	6536 HWY 124	Meru Hayens	705-718-7495
Glaire Gauthier	33 Kristina Court	Glaire Gauthier	705-387-0085
CANDACE GAUDREAU	13 QUEEN ST.	Candace Gaudreau	705 787 8176
RAY GAUDREAU	13 QUEEN ST	Ray Gaudreau	705 387 0794
DAVID WILSON	41 AHMIC ST	David Wilson	705 753 947
Chris McKee	71 Ahmic St	Chris McKee	705
VIN ZAINY	1265 AHWAVE RD	Vin Zainy	705 773 8600
JIM DENNIS	100 Ahmic Rd	Jim Dennis	416-622 7155
JOHN MATT	3281 Hwy 124	John Matt	705-571-2596
Brenda Matt	3281 Hwy 124	Brenda Matt	705-571-7596
Jim Mc Lam	14 AHMIC ST	Jim Mc Lam	705-771-003
Linda Mc Lam	14 AHMIC ST	Linda Mc Lam	705-203-506
MARY PARKS	22 AHMIC ST	Mary Parks	905 967 442
PETER HAMBLY	22 AHMIC ST	Peter Hambly	905 251 787
DAVE HINES	132 STANLEY RD	Dave Hines	705 795 2200
APRILE TAYLOR	36 MARY ST	Aprile Taylor	647-839-710
Marion	Dillon	Marion	705 387-3394
MARILYN	RIGGALS FURN	M. Riggs	705-387-4894



# Ahmik Harbour Community Centre Petition

We the undersigned being Residents, Tenants and property owners of the (hamlet) Village of Ahmik Harbour and surrounding area, want our Community Centre, available for community functions, and not to be used as a Day-Care-Centre. Initiated by Jack Crossman

PRINT NAME	ADDRESS	SIGNATURE	Telephone
Ted McEwen	Ahmik Harbour	[Signature]	705-774-641
KEN BARRY	AHMIC HARBOUR	[Signature]	905-868-6601
Ric Bell	Ahmik Harbour	[Signature]	705-380-173
Corrie Diphig	Ahmik Harb.	[Signature]	519-938-67
LEE FERRIER	69 Annie's lane	[Signature]	416-580-058
Shannon Ferrier	69 Annie's Lane	[Signature]	416-705-05
Phil Allard	50 Ahmik St.	[Signature]	416-319-685
Judy Coates	Ahmik Harbour	[Signature]	416-791-928
Julie Baucher	35 Ahmik Harbour	[Signature]	905-319-350
Andi Albert	39 Bay St	[Signature]	705-203-0115
Colin Watson	Ahmik Harbour	[Signature]	416-605-7225
Susan Rafter	AHMIC HARBOUR	[Signature]	705-783-8131
Renee Crossman	Ahmik Harbour	[Signature]	705-788-464
Steven Godfrey	35 Ahmik St. Ahmik Harb.	[Signature]	905-251-2409
TERRY SWAIL	15 NEWELL RD	[Signature]	705-773-92
Mill Corbitt	1680 Lakeside TR	[Signature]	647-227-959
Jim Crossman	371 Ahmik Hk RD.	[Signature]	705-788-464
Loene Bolte	12-25/26 SIOXON	[Signature]	519-939-224
Nadine Rodney	Whitestone	[Signature]	647-529-586
PATTI PRICE	mas	[Signature]	705-38748
Tom Price	ma	[Signature]	(705) 491-9931
Arlene Allard	50 Ahmik st.	[Signature]	416-785-797
Ana Desoza	238 15th 16th Siderade	[Signature]	
Vincent Charbonneau	207 Berry Ln	[Signature]	289-209-234
Norman Kribs	57 Pott 1A0	[Signature]	416-445-167
PATRICK KENNEDY	PO Box 296 MATHNET	[Signature]	815-954-98
Jay Gales	6040 Mangrove Pl. Newmarket	[Signature]	905-898-7691
Elinor Mahoney	8 Pitt Rd, Dunchurch	[Signature]	

NAME	ADDRESS	SIGNATURE	TELEPHONE
CHRISTOPHER BLAKE-CHRIST	JANYSO'S 2526 E 102 RD		387-0363
Shannon Kribs	57 Kribs Rd		226-206-0520
Connor Kribs	57 Kribs Rd		416-454-5483
Julie Kennedy	6703 Hwy 124		416-305-5476
RAY Boyton	38 BROADWAY		705-241-8288
Beth Dagenais	21 Queen St. Anne		705-767-5980
Duane Eagles	12 25th St. side road		705-387-1421
Chantal Forget	19 John St Anne		514-234-0939
JAMES BUSHEY CD	19 JOHN ST ANNE		(705) 346-9520 (705) 346-9520

THIS INDENTURE made this

day of

, 2023.

encl  
Sept 13, 2023

IN PURSUANCE OF THE SHORT FORMS OF LEASES ACT.

BETWEEN:

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN**

(hereinafter called the Lessor)

OF THE FIRST PART

- and -

**MAGNETAWAN DAYCARE CENTRE INC.**

(hereinafter called the Lessee)

OF THE SECOND PART

WITNESSETH that in consideration of the rents, covenants and agreements hereinafter reserved and contained on the part of the Lessee the Lessor doth demise and lease unto the Lessee the lands and premises described in Schedule A which is attached hereto and form's part hereof (the foregoing hereinafter referred to as the Premises).

1. PREMISES, TERM AND OCCUPATION

(a) Premises: The Ahmic Community Centre Building and such area surrounding it as shown in Schedule "A" located at 60 Ahmic Street (legal description).

(b) The term shall be for one year commencing on \_\_, \_\_\_\_\_, 2023 and ending upon the \_\_ day of \_\_\_\_\_, 2024 (the "Term") subject to the limitation set out in subsection (c) and the Lessor's rights set out in subsection (d).

(c) The Lessee acknowledges and agrees that its possession of the Premises shall be limited to the periods between 6 A.M. and 6 P.M., Monday through and inclusive of Friday during the Term.

(d) The Lessee acknowledges and agrees that, during the Term, the Lessor shall retain use, possession, and control over the Premises at all times other than the times set out in subsection (c) and without limitation, that the Lessor shall have the right to rent the Premises to third parties during such times, provided that the Lessor shall give the Lessee 72 hours written notice of any such rental.

(e) Where the Premises are rented to third party pursuant to subsection (d), the Lessor will document condition of the Premises, before and after such third-party rental and the Premises shall be left in the same condition as existed prior to such third-party rental.

(f) Extension of Term – The Lessee may request an extension of the Term on an as needed basis; such request for an extension shall be submitted for Council approval not later than 60 days prior to the expiry of the Term. Council shall have the discretion to extend term for such period as it deems appropriate and may impose conditions thereupon.

2. LESSEE'S COVENANTS

The Lessee covenants with the Lessor as follows:

(a) To pay Rent and all related expenses as further set out in subsection (b).

(b) (1) Rent shall be Five Hundred Dollars (\$500.00) per month.

(2) The related expenses shall include heat and electricity charges (including the cost of any inspections related thereto) subject to pro rata allocation as provided for in subsection (4).

- (3) The maintenance obligations set out in subsection (2) shall not include any major capital improvements.
  - (4) The payment of all of the related expenses set out in subsection (2)(i) shall be subject to the Lessee paying only such pro rata share of such expenses that exceed the amount set out in the annual budget for the Ahmic Community Centre (of which the Premises form part of and in consideration of potential use of the Premises by third parties.).
- (c) To use the Premises only as a not-for-profit daycare centre and functions ancillary to the daycare – e.g. Meet and greets, parent interview, fundraising.
  - (d) To maintain the Premises in a good state of repair and a clean and safe condition in consideration of the intended uses specified in subsection (c). Without limitation this obligation includes:
    - (1) the obligation to undertake regular cleaning and sanitization of the Premises such that each day at 6 P.M., the Premises are in a condition that is appropriate for use by third parties provided that notice of such third-party use has been given;
    - (2) the obligation to undertake all winter maintenance to the entrance for staff, students, and parents (snow ploughing, sanding, application of ice melter); and the Municipality will maintain the rest of the parking lot as per under its usual maintenance program which includes snow ploughing, sanding and application of ice melter as needed.
  - (e) Not to carry on any activities on the Premises that the Lessor may determine, in its reasonable discretion, are a nuisance or which interfere with the use of the adjoining lands.
  - (f) To comply with all provisions of the By-laws of the Municipality as amended from time to time.
  - (g) To comply with all Provincial Legislation, Regulations, and Guidelines including without limitation:
    - (1) with respect to the drinking water supply system, the *Safe Drinking Water Act*, and associated regulations including without limitation Regulation 170/03 and 243/07;
    - (2) with respect to any required inspections including without limitation, fire safety and health and welfare;
    - (3) with respect to the operation of a daycare facility.
- With respect to sentence 1 and 3, the Lessee shall provide written confirmation from the applicable authority concerning its approval of the operation and/or licensing of drinking water supply and the daycare operation respectively.
- (h) Not to permit or cause to be done anything whereby any policy of insurance that may be maintained by any party on or in respect of the premises may become void or voidable or whereby the rate of premiums thereof may be increased and to repay to the Lessor on demand all sums paid by way of increased premiums and all expenses incurred by the Lessor in connection with any renewal or replacement of the policy rendered necessary by breach of this covenant.
  - (i) To obtain the written approval of the Lessor before making or permitting to be made any improvements, renovations or additions to the Premises or any part thereof. The Lessee acknowledges that if approval is given by the Lessor that it may be subject to terms and conditions including a written Agreement between the parties. The Lessee shall be responsible for and pay the cost of any alterations, additions, installations, or improvements that any governing authority, municipal, provincial or otherwise, may require to be made in, on or to the Premises.
  - (j) To carry out all alterations or construction in a good and workmanlike manner in accordance with all applicable laws and to keep the Premises free of any liens filed under the *Construction Act* or any other legislation. To this end the Lessor may require, as part of the approval process for any project, that the Lessee obtain appropriate bonding to ensure completion of any contract and payment for all labour and material.

- (k) To maintain a sufficient temperature within the Premises at all times to ensure that the Premises shall not be damaged by the prevailing temperatures outside of the Premises.
- (l) Not to assign this Lease or sub-let the Premises in whole or in without the prior written consent of the Lessor. The Lessee acknowledges that the Lessor may refuse consent for any assignment or sub-let that the Lessor considers is not in the best interests of the public.
- (m) Upon the expiration of the term of this Lease or upon any earlier termination to surrender possession of the Premises to the Lessor in good condition and repair, reasonable wear and tear excepted. In addition to provide or permit the Lessor access to the Premises for the purposes of showing the Premises to prospective purchasers or Lessees (in which latter case such access shall be limited to a period commencing 3 months before termination of the lease).
- (n) To maintain with respect to the Premises, insurance coverage insuring against:
  - (1) loss or damage by perils as are commonly provided under an Aall risks@ property policy with respect to damage to the Premises and other property owned or controlled by the Lessee or as may be reasonably required by the Lessor.
  - (2) liability for bodily injury or death or property damages sustained by third parties with a minimum limit of \$5,000,000.00 per occurrence.
  - (3) such insurance coverage shall show the Lessor as a named insured and the policy shall include a cross-liability endorsement. The insurance coverage will act as primary insurance for the Lessor with respect to the Premises and any activities or programs carried on by the Lessee.
  - (4) such policy shall require the insurer to give the Lessor a minimum of thirty (30) days written notice prior to cancellation or material change.
  - (5) the Lessee shall provide copies of the insurance coverage required herein to the Lessor prior to the execution of this Lease by the Lessor and proof of continuing coverage as required from time to time.
- (o) To release the Lessor, its councillors, officers, employees, and agents (collectively the Lessor) of and from any claims, actions, suits or losses arising directly or indirectly out of the Lessees use and occupation of the Premises or this Lease except to the extent that the Lessor is in default hereunder.
- (p) To indemnify and save harmless the Lessor, its councillors, officers, employees and agents (collectively the Lessor) of and from any claims, actions, suits or losses, suffered by, imposed upon or asserted against the Lessor, including legal expenses incurred by the Lessor on a solicitor and his own client basis, as a result of, in respect of, or arising from any Act, any failure to act or failure to perform any term or condition of this Lease to be performed or observed by the Lessee, its officers, employees and agents or in any way arising out of the Lessees operation and use of the Premises.
- (q) To store garbage and recyclable materials in such containers so as to prevent access by animals and to remove on a regular basis; for the purposes of this lease regular basis means no fewer than twice a week subject to the condition that no garbage or recyclables shall remain on the Premises after Friday at 6 P.M.
- (r) To arrange and pay for the pump out of the holding tank servicing the Premises in accordance with the provisions of the *Building Code Act, 1992*, its regulations and any other applicable law.

### 3. LESSOR'S COVENANTS

The Lessor covenants with the Lessee as follows:

- (a) To maintain insurance on the premises insuring against loss or damage by fire for the full insurable value as determined by the Lessors insurer.

- (b) To permit the Lessee to place signage on municipal property identifying the facility and directing the public to its location in accordance with the sign by-law of the Municipality and subject to the Lessor approving in writing the signage and the location.
- (c) Not to unreasonably withhold approval for the alteration of the interior of the Premises for the uses intended and set out in section 1(c).
- (d) For quiet enjoyment.
- (e) To undertake regular inspections of the Premises including the condition of the building and its mechanical systems.
- (f) To undertake general surface maintenance (grading and pothole repair) of such parking areas including those that form part of the Premises.
- (g) To provide for and undertake pest control through a licensed contractor.

#### 4. DEFAULT AND TERMINATION

- (a) Each and every of the following events shall constitute an event of default (hereinafter referred to as an Event of Default):
  - (1) If the Lessee neglects or fails to observe, perform, or comply with any of its obligations pursuant to this Lease during the term; howsoever arising.
  - (2) If the Lessee abandons the Premises.
  - (3) If the Lessee fails to make prompt payment of any accounts for which it is responsible pursuant to the terms of this Lease.
  - (4) If the Lessee fails to comply with all applicable laws, by-laws or statutory regulations in force from time to time during the term of this Lease, including without limitation failure to comply with such applicable laws, by-law or statutory regulations concerning the use set out in subsection 3(c) and those identified in subsections 3(g)(1)(2) and (3) .
  - (5) If the Lessee fails to keep title to the Premises free of construction liens or other encumbrances.

The Lessor shall provide written notice to the Lessee of an Event of Default and the Lessee shall have a period of thirty (30) days from the date of receipt of the notice to cure the default to the satisfaction of the Lessor in its unfettered discretion. If any Event of Default continues for thirty (30) days, the Lessor may terminate this Lease by delivery of notice in writing to that effect to the Lessee. Such termination shall not limit in any way the recourse by the Lessor to any remedies available to it pursuant to this Lease or otherwise at law or in equity.

If the Lessee fails to perform any of the covenants or obligations on its part set forth in this Lease, the Lessor shall have the right, but shall not be obligated, to perform or cause the same to be performed and to do or cause to be done such things as may be necessary or incidental thereto, including without limiting the foregoing, the right to make repairs, installations, erections and expend monies and all payments, expenses, costs, charges, fees, including all legal fees on a solicitor and his own client basis, and disbursements incurred that are paid by or on behalf of the Lessor in respect thereof shall be immediately due and payable by the Lessee upon demand.

The Lessee acknowledges and agrees that the Lessor may, but is not obliged to, rely upon other applicable authorities concerning the determination of a "failure to comply" under subsection 4(a)(4).

- (b) Any sums owing by the Lessee to the Lessor pursuant to the terms of this Lease

shall bear interest at the rate of 12% per annum calculated from the date of demand.

- (c) If, when an Event of Default has occurred, the Lessor chooses not to terminate the Lease and re-enter the Premises, the Lessor shall have the right to take any and all necessary steps to rectify any or all Events of Default of the Lessee and to charge the costs of such rectification to the Lessee and to recover the costs as Rent.
- (d) If, when an Event of Default has occurred, the Lessor chooses to waive his right to exercise the remedies available to him under this Lease or at law the waiver shall not constitute condonation of the Event of Default, nor shall the waiver be pleaded as an estoppel against the Lessor to prevent his exercising his remedies with respect to a subsequent Event of Default:
- (e) No covenant, term, or condition of this Lease shall be deemed to have been waived by the Lessor unless the waiver is in writing and signed by the Lessor.

5. GENERAL PROVISIONS

- (a) Any notice or other communication required or permitted to be given or delivered pursuant to this Lease shall be in writing and shall be well and sufficiently given or delivered if delivered:
  - (1) personally; or
  - (2) by email to the email address listed below and provided the confirmation of delivery of said email is obtained.,
 Any notice delivered after 6:00 P.M. is deemed to have been delivered on the next business day.

The Corporation of the Municipality of Magnetawan at 4304 Hwy # 520, P.O. Box 70, Magnetawan, Ontario, P0A 1P0 Attn: CAO/Clerk; email: Clerk@magnetawan.ca

Magnetawan Daycare Centre Inc. **INSERT address and email.**

- (b) This Lease, including the Schedules hereto, constitute the entire Lease between the parties and the parties hereto acknowledge that there are no covenants, representations, warranties, agreements or conditions, express or implied, collateral or otherwise, forming part of or in any way affecting or relating to this Lease save as expressly set out in this Lease, and that this Lease may not be amended except by written instrument executed by all the parties hereto.
- (c) No condonation, forgiveness, waiver, or forbearance by the Lessor of any non-observance or non-performance by the Lessee of any of the provisions, terms or conditions of this Lease shall operate as a waiver or estoppel by or against the Lessor in respect of any provision, term or condition or any subsequent non-observance or non-performance by the Lessee of any provision of this Lease.
- (d) This Lease shall be binding upon and enure to the benefit of the Lessor and the Lessee and their permitted assigns.

IN WITNESS WHEREOF each of the parties has duly executed this Lease under the hands of its authorized signing officers.

By the Lessee on the \_\_\_\_\_ day of \_\_\_\_\_, 2023

**MAGNETAWAN DAYCARE CENTRE INC.**

per: \_\_\_\_\_  
Name:  
Title:

per: \_\_\_\_\_  
Name:  
Title:

We have authority to bind the Corporation.

By the Lessor on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

THE CORPORATION OF THE  
MUNICIPALITY OF MAGNETAWAN

per: \_\_\_\_\_  
Name: Sam Dunnett  
Title: Mayor

per: \_\_\_\_\_  
Name: Kerstin Vroom  
Title: CAO/Clerk



**SCHEDULE A**

Map or Diagram

Sept 13, 2003  
on desk

# Magnetawan Daycare Centre

60 Ahmic Street, Magnetawan Ontario P0A 1A0

\*No fixed equipment

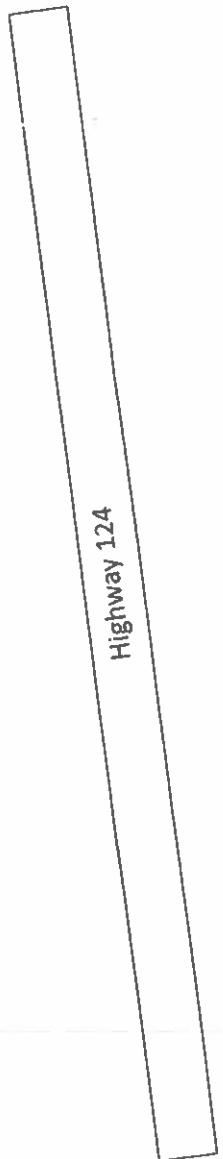
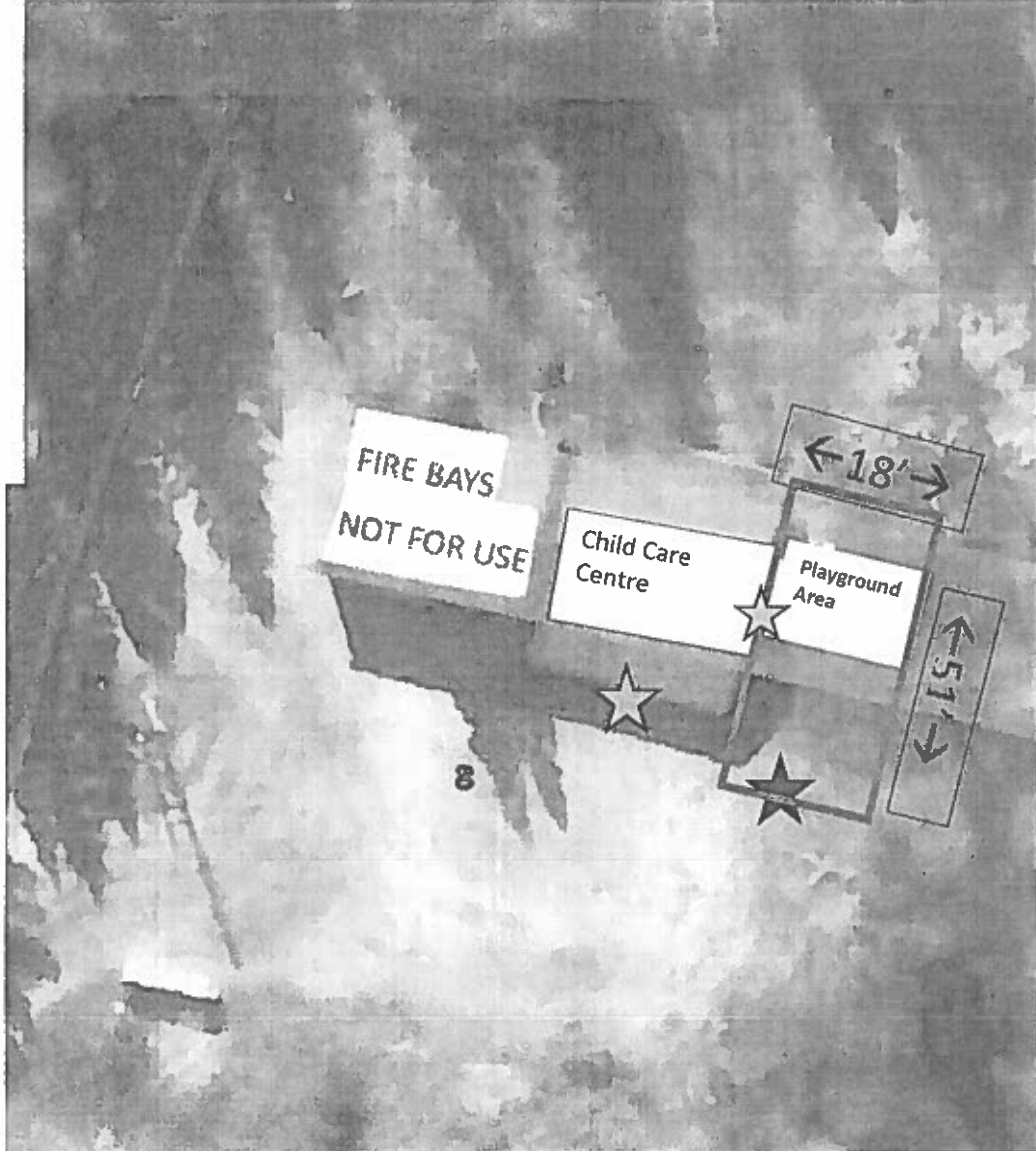
### Legend

 = 4' High Chain Link Fence

 = Secure Latched Gate

 = Main Entrance to Daycare

 = Fire Door



Ahmic Street

ON DESK  
Sept 13-23

Hello Council Members and Erica Kellogg,

Sept 7/23

I would like to object to the proposed STR bylaw in its current state. A minimum 7 day rental period would have a significant impact on our local economy. In our shoulder season we rely heavily on our tourist to keep our doors open. As you may or may not know we are very in tune with whom our customers are and I can tell you that a major part of our customer base in the shoulder seasons are tourist that are staying at STR's. They are often young professional couples coming from the city for weekend getaways. They shop at all our stores, eat at our restaurants, shop at the Liquor store and take in our various local attractions. As it is, some of our local stores and restaurants close several days per week during the shoulder seasons and I'm very concerned that more of them would close more days or perhaps even close for the entire shoulder season. Many of our elderly residents depend on our local stores during the shoulder season as travel at that time is more difficult. This would also have a negative effect on the many people that are employed by our local businesses. This does not include the people in our community that work behind the scenes such as cleaners, maintenance, lawncare and construction to mention a few. At Algonquin Fine Foods we have a staff of 6 that would be effected and everyone of our staff is a full time resident of the municipality of Magnetawan. I would like to ask council if they have done a risk assessment on our local economy? If so could I please see the results of that?

Now that our municipality has a noise bylaw I would encourage council to gather information on the issues and bylaw infractions, for at least one year and see what the data shows. I would also encourage council to be very transparent with the data and the sources of the data and

come up with a constructive STR bylaw that works well for all our local residents, cottagers, STR owners and businesses alike.

As a tax payer I have concerns over the cost to monitor this STR bylaw and those that aren't required to obtain a STR License. How are you going to monitor this, are you going to rely on neighbors to call on their neighbors? Perhaps you are going to employ someone to monitor cottagers social media? Is this really the road we want to go down? What would the cost be associated with this?

I do believe we need to license our STR businesses for all the right reasons, such as having contact numbers of the owners, should a problem arise, fire safety up held etc. If it is determined a STR owner has not been in good standing then they should have their license terminated.

In closing I would encourage council to vote against this STR bylaw the way it is written and ask council to consider the effects this would have on all local businesses and our local economy. If there has not been a risk assessment done on our local economy then perhaps that should be done first before we move forward with any STR Bylaws. We need to pause and be certain we are moving in the right direction for our community as a whole.

Regards

Aileen Ireland

Algonquin Find Foods

## Erica Kellogg

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**From:** Louise and Ray Maccallini <louiseandraymaccallini@gmail.com>  
**Sent:** September 7, 2023 5:21 PM  
**To:** Laura Brandt; livingmagnetawan@gmail.com; Councillor Kneller;  
john.s.hetherington@gmail.com; Jon Hind; sdunnett2@gmail.com; Erica Kellogg  
**Subject:** I OPPOSE the proposed STR Bylaw - its not good for tourism

Hello  
I want to communicate that I OPPOSE the proposed STR bylaw. I also would like this email made part of public comments / records.

My pizza place relies heavily on tourism. Short term renters constantly order pizzas from our place and contribute to the economy of Magnetawan. Many of the short term renters are referred to our pizza place by the owners and we get very large orders from them.

Short Term Renters and tourism in general are very important to Magnetawan and to our business.

**The parts of the proposed that are especially ridiculous are**

- 1) 300 metres between STRs. ... What does this accomplish? Are you trying to kill tourism in Magnetawan?
- 2) minimum 1 week rentals only. Why? 1 week rentals are summer only. Nobody is going to take their kids out of school and spend their 1 week winter vacation in Magnetawan. We need weekend cottage rentals too. We need to keep Magnetawan alive all year round, especially winter time.
- 3) \$5MM insurance. I really dont understand why STRs are required this when other businesses in Magnetawan aren't required this

Are you trying to make it impossible to have an STR in Magnetawan?

Louise & Ray MACCALLINI  
AURORA PIZZA  
Magnetawan, ON

## Erica Kellogg

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**From:** Adam Carter <carteradam72@yahoo.com>  
**Sent:** September 9, 2023 5:55 PM  
**To:** Erica Kellogg  
**Cc:** amy edmonds  
**Subject:** Fw: Concerned Magnetawan Property Owners

Hi Erika,

Can you please include the below email in the public comments?

Thank you,  
Adam Carter

Sent from Yahoo Mail for iPhone

On Saturday, September 9, 2023, 2:25 PM, amy@universalconcepts.ca wrote:

Dear Mr. Mayor and members of the council,

I am writing to you to express my family's utmost concern with the bylaw licensing that is being voted on at this coming council meeting.

My husband and I purchased our cottage in March of 2021. This was truly a dream come true for us and our children. The property we bought had already been running as a STR for the previous 15 years. We poured our heart and soul into making it our own. We are a midclass family that works very hard for what we have. The only way we could afford a cottage at this time of our lives is to rent the cottage out when we aren't using it. Our plan is to retire in the beautiful town of Magnetawan that we have grown to love so dearly over the last couple years. We have made so many wonderful family memories at the cottage with our two young children. If the bylaw is passed the way it is currently written, we deeply fear that we will need to sell our property. We are in favor of a licensing program and understand why it is needed. Unfortunately, the way the bylaw is currently written, it seems that the goal is to banish STRs in Magnetawan.

Our main concerns are the insurance component, 7 day rental requirement, and 300 meters between STRs. Our insurance company has already told us that we can't be insured for 5 million dollars. We heavily rely on weekend rentals throughout the off season. There is very little to almost no interest for weeklong rentals outside of July and August.

We are more than willing to work with the town to ensure we are renting responsibly and preserving the natural beauty of Magnetawan. We don't see how what is being proposed lines up with that common goal though.

A few of the things we currently do to ensure we are being responsible STR owners are --

We vet all our guests to ensure they are respectable and not coming to party etc.

We have noise monitors and cameras and communicate to all guests to be respectful in that category.

We give detailed instructions surrounding garbage disposal and provide a landfill card and stickers.

We have a welcome book that outlines all the local businesses in hopes they support them while in town. We hear from most of our guests how much they enjoy these local businesses and we know that this creates much needed revenue in Magnetawan.

We had our septic system inspected and drained upon purchasing the cottage. We ensure our guests know the importance of what can and cannot go down a septic system.

In closing I would like to say that we appreciate your efforts as a town council. The hours of work and dedication are not unnoticed. We know that STRs are a very hot topic in Magnetawan and unfortunately a lot of the residence have a very negative view. Our hopes are that we can come together and discuss the issues, create a bylaw that is fair for STR owners to be able to operate responsibly. The current bylaw is not something that we would be able to operate under. We love Magnetawan and want to continue to grow our roots here with our family, more and more over the years.

Please consider this as you vote on Wednesday.

Sincerely,

Amy & Adam Carter

## Erica Kellogg

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**From:** Kyle Lin <kylelin1@gmail.com>  
**Sent:** September 11, 2023 9:04 AM  
**To:** livingmagnetawan@gmail.com; Councillor Kneller; john.s.hetherington@gmail.com; Jon Hind; sdunnett2@gmail.com; Erica Kellogg  
**Subject:** Concerns about the Draft STR Bylaw

Dear Mayor, Council members and Erica,

I am a rate-payer and have reviewed the draft bylaw that will be voted on this Wednesday and i would like to raise my concerns with what i feel to be an imbalanced proposal.

There are many elements of the bylaw that effectively make renting out one's personal use cottage when not being used by the owner, completely infeasible. The requirements for commercial insurance, commercial fire extinguishers, professional drawings, annual inspections, as well as the potential for fines can only be considered by someone renting out for most of the year, but then this directly contradicts with the bylaw's no corporations stance. The 300 meter clause will also exclude many who are currently renting out their cottages, which may even force many to have to sell. The 7-day rental minimum, will most certainly drive off-season renters to go explore and spend their money elsewhere.

This draft seems intentionally written to eliminate STRs without explicitly banning them, which is contrary to the messaging and the need for balance that each one of you expressed in the lead-up to the election.

I am also very concerned about the effect this will have on the businesses and local economy that rely heavily on tourism, especially in the off-season and what it will do to the property values when businesses close and cottage owners who can't rent out their places are forced to sell all at once.

And finally i am very concerned that once implemented the cost to administer, enforce and fight legal challenges will far exceed any revenue this program brings in, which ultimately will increase taxes. Other Townships are currently in litigation (as well as incurring massive liabilities), so implementing something that will be directly impacted by the outcomes of those cases only increases the likelihood of future legal costs.

I urge you to table a motion to put off the vote so a more balanced and amenable bylaw can be considered and drafted. Thanks.

Sincerely,  
Ka-Yee Lin



## Erica Kellogg

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**From:** Ravi Mali <ravi\_mali@hotmail.com>  
**Sent:** September 10, 2023 3:03 PM  
**To:** Councillor Kneller; Jon Hind; john.s.hetherington@gmail.com; Bill Bishop  
**Cc:** Erica Kellogg; veenumali33@gmail.com  
**Subject:** Concerns on Present Magnetawan STR By law

Attn: Municipality Council Members  
cc: Erica - Deputy Clerk - Planning and Development

I have just reviewed the draft By-Law posted on the Municipality website dated 6<sup>th</sup> of September that is planned to go for voting next week. I had written to you with some of my concerns on the 7<sup>th</sup> of May 2023.

The proposed By-law is really restrictive for cottage owners like us who only rent out as STR's for a maximum of 60 to 90 days over a 12-month period to help us with cottage maintenance expenses.

Key issues with the present draft.

1. Section 3.4 - 300-meter minimum distance is really prohibitory.
2. 7-Days minimum restriction to rent takes away families who come together to spend time on our beautiful Lake Cecebe.
3. Collecting personal information of renters and sharing it with the Municipality can be a huge challenge as we will have to inform them that we will be doing this and they have the right to object. I am sure this will be in violation of Federal laws in Canada. Maybe you can clarify on this?
4. 5 million \$ insurance with the Municipality as beneficiary.

There are other restrictions as well including really high penalty amounts for non-compliance that need a reasonable review, quarterly water testing especially when I only rent the cottages for maximum 3 months and use it only for personal use there after.

I use local maintenance and cleaning services, Grocery, Carmen Marina, Home Hardware Store in Magnetawan who are part of my ecosystem that helps the local community, This yearly spend is approximately CAD 25k to 35k annually for both cottages we own. If you are assuming 300 such cottages in Magnetawan this amount seems to be north of app. CAD 10 million annually. I would assume this spent will be at risk as owners like me will have to rethink about keeping the cottage.

I am sure there can be reasonable dialog to come to some middle-ground as we pay taxes to the Municipality and if such restrictions are implemented, it will put us in a really difficult situation to maintain these cottages.

I sincerely request you to postpone the voting of the present draft and give more time for a fruitful dialog on this subject to make this a win-win for both of us. (Cottage Owners/STR's and Municipality)

Looking forward to hearing from you.

Ravi Mali  
Owner - 293 Holden Road

Parveen Mali  
Owner - 295 Holden Road

## Erica Kellogg

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**From:** Brown, William <William.Brown@nbpcd.com>  
**Sent:** September 11, 2023 2:44 PM  
**To:** Erica Kellogg  
**Subject:** Statement of Objection to Proposed STR By-Law by Bill Brown

Good afternoon Erica,

I'm sure we've met and talked on numerous occasions and I have also copied you on my emails to the Mayor and Council Members today. While this may be redundant I want to address you in your important role in the community directly as well. I need not repeat all of what I sent to the Council members and Sam, and have no intent to "shoot the messenger" and realize you are doing your job and may or may not have a lot of influence over the outcome of this issue, but I want you to know as a tax paying constituent with property rights that this STR By-Law in its current form is problematic to put it nicely. Illegal, prohibitory and discriminatory to put it not as nicely. As such I strongly object.

As I have offered to Sam, and to the other council members, that I am available to discuss or meet if you or they are interested to seek a more agreeable/fairer compromise that will address the concerns of the town's anti-STR contingent at the same time as preventing punishing losses on behalf of many pre-existing legal non-conforming STRs in the community, and setting out fair regulations for STRs going forward.

My email to Sam for your reference below:

**From:** Brown, William  
**Sent:** September 11, 2023 1:24 PM  
**To:** [sdunnett2@gmail.com](mailto:sdunnett2@gmail.com)  
**Cc:** [ekellogg@magnetawan.com](mailto:ekellogg@magnetawan.com)  
**Subject:** Statement of Objection to Proposed STR By-Law by Bill Brown

Sam,

I want this note to be on public record.

My wife and I are taxpayers on four properties in the Magnetawan area. We currently operate three of them as short term rentals ("STRs") and have been improving the fourth for possible rental as well, although our family and friends use the farm and all the cottages from time to time for personal use also. We have rented STRs for seven years with minimal issues. Consequently we have preserved our good relations with our neighbours on Holden Road. We have invested hundreds of thousands of dollars in our properties to upgrade them for STR purposes and we rely on the income that they provide. The rule changes to STRs as they stand will have a substantial negative impact on our rental income and the viability of what we have worked so hard to build for ourselves in this community.

When you and I spoke recently at the Magnetawan market you made a few interesting points that I had wanted to talk to you about at our then-agreed upon lunch meeting. Given that you chose to cancel this meeting I am summarizing some thoughts here that I wanted to discuss. First, you indicated that there are local motels and resorts that pay business expenses and taxes that are suffering as a result of increased short term rental activity in the area. Second you told me that in your view STRs do not support the local economy. Lastly you told me that you were seeking a balance in the STR rules, not wanting -- to use your words -- "to be the STR Capital of the Province" but confident that a compromise could be reached to regulate STRs. Let me address each of these points.

Regarding STRs competing with local resorts and motels/hotels, I can assure you that we do not cater to the same clientele. Almost none of the groups that we rent to -- multigenerational family groups; church and aboriginal groups, affluent professionals and business owners -- would stay in a motel or small cabin. If they do not find accommodation to their liking here in Magnetawan, they will go elsewhere—NOT to the local Motel nor a family camp with tiny cabins. Our guests rent our cottages because we offer a premium accommodation. Motel renters for the most part rent because they need accommodation in this area specifically. These are two entirely different markets. Of course once our renters discover the beauty of the area, they come back both for our accommodations and the surroundings. You also mentioned that part of the motivation to limit STRs to one week rentals was that the weekend renters were the bread and butter of the motel and resort business. While we rent for week long rentals from mid-June to mid-September; weekends, long weekends, and even mid-week rentals for the other eight months of the year are the difference between our STR efforts making and losing money

As for your belief that STRs generate little or no incremental spending in the community, this is incorrect. We have spent hundreds of thousands of dollars to build and upgrade our properties to be marketable as luxury short term rentals. Most of this money has been spent in this community on trades, general help, and building materials. In addition to these one-time initial expenditures, we spend tens of thousands of dollars a year on an on-going basis for locally sourced services. These include the services of a landscaping company; a husband and wife team for odd jobs and maintenance; several skilled local trades in carpentry, plumbing and electrical; and several cleaning staff. Were our four properties owned by four separate owners these owners would not likely have the need for such local help to the extent that we do. In addition to our own spending locally, we provide our renters with advice on places to go and things to do in the Magnetawan area. Contrary to some views that renters bring up all of their groceries and don't spend anything up here, we are the leading source of referrals to the Marina for boat rentals; and to our local restaurants and stores. While tough to quantify the actual spending that renters do in the area, it is meaningful for these business owners. The facts suggest that you are proposing rules that you hope will help the local motels and resorts, but at the cost of hurting a great many other businesses and many STR operators -- all at a time when the economy is showing signs of slowing already.

Finally, your stated objective of seeking a balanced outcome differs from what I see in the proposed document. It is clear that the proposed rules are intended to be prohibitory. They will make STRs largely non-viable. Although there are many rules proposed that are in my view unreasonable such as the frequency of water quality and SMM Liability Insurance requirement, In our instance in particular, the 300 Meter rule leaves us with only one of three of our properties for which we could obtain a license. The week long rule and no the no outbuilding rules further diminish the viability of the one place we will have left. This is not compromise, it is crushing. These rules discriminate against how our property can be used for STR purposes vs. how it can be used for our personal use—that is not fair. As such it violates a number of sections of the Planning Acts and the Municipal Acts and rights that we have as property owners. To be clear--the rules as they are proposed will cause material financial harm to my wife and I as they will have a combined effect of reducing our STR income and perhaps even our property values.

If as you said you actually want to table a fair, balanced, compromise By-Law to satisfy those constituents against STRs and yet enable STRs to continue to operate in the area on a regulated basis, I urge you and council to NOT pass the proposed rules this Wednesday. Please Sam....we are willing to strike a deal that would make sense for all stakeholders, and generate revenue for the township. In answer to your question to me when we spoke at the market--"Do you want Magnetawan to be the Short Term Rental Capital of the Province?" No. I do not. I have been coming up here for most of my life to enjoy the peace and quite and nature, I hunt and I fish and I hike and mountain bike and I paddle and we make maple syrup and honey and are improving the land at our farm and I plan on retiring up here...I don't like noise and congestion and pollution any more than your most ardent anti-STR constituents. I do not believe, however, that Magnetawan has to have the MOST restrictive STR bylaw in the province either. Please consider delaying this decision so that we can discuss a true compromise. Failing that, and if the Bylaw passes on Wednesday, I would ask that you consider some grandfathering or exception process for folks like my wife and I who have been running legal non-conforming STRs by keeping their renters under control and not causing problems for seven years--Perhaps applying some of the more onerous rules only to those who are contemplating getting into the STR business here for the first

time. I want to re-iterate that I am happy to be a part of any discussion/negotiation and would welcome the opportunity to discuss this with you in more detail. I can be reached by email or cell (416)540-5450.

Regards,

Bill Brown

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## Erica Kellogg

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**From:** Viktor Buzora <north-cape@hotmail.com>  
**Sent:** September 11, 2023 8:28 AM  
**To:** Erica Kellogg  
**Subject:** Fwd: Opposing proposed STR bylaw

Sent from my iPhone

Begin forwarded message:

**From:** Viktor Buzora <north-cape@hotmail.com>  
**Date:** September 11, 2023 at 8:15:33 AM EDT  
**To:** info@magnetawan.com  
**Subject:** **Opposing proposed STR bylaw**

Attention to all members of council and Erica Kellogg at the township of the municipality of Magnetawan,

We OPPOSE the proposed STR (short-term rental) bylaw. Our family live and work in this township which is a seasonal destination for tourists and cottagers. The main source of our local economy is based on exactly that. Property taxes and the general cost of living skyrocketed in the last few years and people have an increasingly difficult time making ends meet.

A significant percentage of tourism comes through STRs, which undeniably boosts our local economy; our family's personal experience, for example this summer, was that our teenage son applied to many local businesses in attempt to get a summer job, however, all positions were already occupied and the only option he had remaining was a short-term rental where he was hired to do maintenance work throughout the season. My wife works at the local restaurant, and whenever the establishment is fully occupied by customers, it is due to the STR tourism. As for myself, being a carpenter, 90% of the projects for which I was hired last year were short-term rental facilities and NOT the local motel, the local camps nor the local people, because they mostly cannot afford it. Most of the lumber and hardware was purchased at our local hardware store for these projects. I believe to bring regulatory bylaw for the STR, especially the way it was proposed by council, would be devastating to our community at large. Additionally, some of the proposed requirements in this bylaw are direct violations of the people's property rights.

We are also not in favour of spending our community's tax money on such bylaws that will simply not benefit our community. The financial expectation of our council regarding this bylaw should be reconsidered because not all present short-term rental may continue their seasonal, small, private operation once the bylaw would be in effect. If such risk assessment was not thoroughly done on the local economy, it should be the first action.

In conclusion, as a taxpayer and for all the aforementioned reasons, we strongly oppose the implementation of this bylaw, and I would encourage council to vote against it.

Sincerely,

Viktor Buzora  
Emi Molnár  
and family Sent from my iPhone

## Erica Kellogg

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**From:** Carole Marshall <carole.marshall@gmail.com>  
**Sent:** September 12, 2023 10:59 AM  
**To:** Erica Kellogg  
**Subject:** Short-term Rental Bylaw

Dear Ms Kellogg,

I'm writing to express my grave concerns about the proposed bylaws restricting short-term rentals on Lake Cecebe.

Over the last several years I have been employed by Bev and Norm Cameron to help manage their rental properties. The impact of this proposed bylaw, particularly the rules around 7-day minimum stays and 300m property separations, will have a dramatic impact on their business, and I will very likely lose my job.

The Camerons have rented their properties for 16 years and have had no complaints from anyone in the community. Their renters have shopped, dined, and enjoyed the many amenities in our district, and have contributed significantly to the regional economy during this time. The Camerons' rental properties provide other local jobs in addition to mine, and we all contribute to the local economy as well.

Please, don't vote in favour of this bylaw. The negative impact will be far-reaching for many people.

Sincerely,  
Carole Marshall



## Erica Kellogg

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**From:** melanie m <melanie.m.maurus@gmail.com>  
**Sent:** September 12, 2023 3:41 PM  
**To:** Erica Kellogg  
**Subject:** Short term rental by law

Hi Erica,

If you could include my email in the meeting tomorrow that would be great. I spoke to Brad and Sam on Friday and they encouraged me to write in.

We have become aware of the proposed by law and are very worried about the ban on corporations being allowed to rent. We rent our property once in a while and use that to help pay the mortgage. After discussing things with Brad and Sam I was encouraged to come up with suggestions. I contacted the by law officer in Tiny, Kayla Nelson, who said their township didn't ban corporations as that would be discriminatory. They instead allow for licensing but the owners need to fill out a sworn testament that they are renting it as residential property And not running a hotel. She directed me to the form.

I don't think a cottage that is owned by a corp is any different from personal ownership. It's the screening process of guests that makes good responsible ownership. Our brother in law owns on Lake cecebe and have very loud neighbours and they are there all the time and don't rent.

Please consider removing the ban on corporations as this is arbitrary and very discriminatory and unfair. People incorporate for various reasons, from accountants that advise it to be better for liability purposes or for shared ownership between families etc. Corporations have the same rights as individuals and banning them is simple discrimination.

Please see the tiny township form to support my statement that tiny allows corporations to rent.

Thanks,

Melanie

2:18



1 of 1

Pursuant to Township of Tiny By-law 2022-017, as amended, I am only becoming a Licensee if staff is satisfied that the property is for residential purposes.

1. I, \_\_\_\_\_ (name) hold the position of \_\_\_\_\_ for the corporation \_\_\_\_\_ also known as \_\_\_\_\_ who is the owner of \_\_\_\_\_
2. I have attached articles of incorporation or a corporation in the corporation as Exhibit "A" and swear to the knowledge to make this statement
3. I swear that this property, while owned by a corporation, its primary purpose of being a residential property.
4. I understand that using a property for commercial purposes is not permitted.

## Erica Kellogg

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**From:** Sam Dunnett <sdunnett2@gmail.com>  
**Sent:** September 8, 2023 6:57 PM  
**To:** Mark Allen  
**Cc:** Bill Bishop; Councillor Kneller; John Hetherington; Jon Hind; Erica Kellogg; Kerstin Vroom  
**Subject:** Re: STR By-law

Thank you for letting us know, we very much appreciate your support.

Sam

Sam Dunnett

On Fri., Sep. 8, 2023, 6:54 p.m. Mark Allen, <[markallen5642@gmail.com](mailto:markallen5642@gmail.com)> wrote:

We wanted to thank council and staff for the hard and difficult work that has gone into developing this by-law. We know some will not be happy with it, but I believe it will serve our community well. There are many excellent aspects to this by-law, and we believe one of the key points is the minimum 1-week rental period. Thank you for including this provision. Unfortunately we are away next week and unable to attend the council meeting, but we wanted to pass along our appreciation for your efforts on this issue.

Thanks

Mark Allen and Rachel Sullivan

## Erica Kellogg

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**To:** Sam Dunnett  
**Subject:** RE: STR - Kind Family Request

From: **Kristen Morrison** <kristenmorrison87@gmail.com>  
Date: Thu., Sep. 7, 2023, 11:34 p.m.  
Subject: STR - Kind Family Request  
To: <sdunnett2@gmail.com>, <livingmagnetawan@gmail.com>, <councillorkneller@magnetawan.com>, <john.s.hetherington@gmail.com>, <councillorhind@magnetawan.com>  
Cc: <ekellogg@magnetawan.com>

Hello Mayor Dunnett, Mr. Bishop, Mr. Kneller, Mr. Hetherington and Mr. Hind,

I will first introduce myself: My name is Kristen and along with my husband Dave we own a property in Magnetawan. I grew up coming to Magnetawan in the summer time, so we chose to invest in property in Magnetawan to provide the same opportunity for our 16 month old son to enjoy.

On behalf of our family I would like to formally oppose the short term rental by-law in its current state and I hope you stick with me through my email to explain why.

I will start by saying I do support short term rental licensing. A key factor in purchasing property in Magnetawan is the beautiful and natural area within Magnetawan, as well as the large clean lake and river systems that run through it. Structures can always change, businesses come and go, but the land and lake system is the most important piece of Magnetawan to ensure remains safe. I agree that by-laws need to be in place to protect this beautiful area.

The reality is to enjoy this beautiful area and to provide this opportunity for my family and son to grow up being a part of has a financial factor to it. We enjoy our property year round, however when we are unable to be there we rent it out to offset the costs that are prominent in our world today.

We are very careful hosts – we rent to a max of 4 adults, 6 or 7 total if they have children as we want to provide opportunities for families to make memories, just like we want to provide this opportunity for our own child. We are very respectful of our neighbours as we do not want to impose and they are wonderful people. I understand not everyone does this, which is why again I do support the idea of licensing.

However, we have not been able to secure the insurance requirements – we have gone through a broker with access to all companies – none are willing to provide 5 million insurance coverage with the municipality added. This requirement essentially will ban short term rentals in Magnetawan, which I dearly hope is not the route you are trying to go.

I also have gotten to know the businesses in the area. We encourage all of our guests to visit and support local businesses. I deeply worry about the financial impact that 7 day rentals will have in the off season for these businesses we have come to love and look forward to visiting.

I will also highlight the requirement to list our address publicly, as well as submit guest information. As I mentioned we have a 16 month old and our guests are primarily families with young children, so I worry about the safety ramifications of these requirements.

Lastly, as a Magnetawan taxpayer, I do worry about the extent of the costs to maintain the by-law as it is currently written. I have read about other municipalities incurring very large costs over this issue and I worry about the impact on everyone's taxes, as well as other programs in need.

I understand this is a very contiguous issue, but I am hopeful that we can create a balance of requirements to protect the lands and lakes, our visitors, but also not harm local businesses, as well as our ability to provide an opportunity for our family to enjoy the beautiful Magnetawan by renting as needed in a safe and conscious way.

Thank you for listening and I hope you are willing to adjust the by-law prior to voting next week, or take some more time to review the requirements, barriers, and overall impact.

Take care,

Kristen

## Erica Kellogg

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**From:** Carole Marshall <carole.marshall@gmail.com>  
**Sent:** September 12, 2023 10:59 AM  
**To:** Erica Kellogg  
**Subject:** Short-term Rental Bylaw

Dear Ms Kellogg,

I'm writing to express my grave concerns about the proposed bylaws restricting short-term rentals on Lake Cecebe.

Over the last several years I have been employed by Bev and Norm Cameron to help manage their rental properties. The impact of this proposed bylaw, particularly the rules around 7-day minimum stays and 300m property separations, will have a dramatic impact on their business, and I will very likely lose my job.

The Camerons have rented their properties for 16 years and have had no complaints from anyone in the community. Their renters have shopped, dined, and enjoyed the many amenities in our district, and have contributed significantly to the regional economy during this time. The Camerons' rental properties provide other local jobs in addition to mine, and we all contribute to the local economy as well.

Please, don't vote in favour of this bylaw. The negative impact will be far-reaching for many people.

Sincerely,  
Carole Marshall

Sept 13, 2023  
on desk

