



**Municipality of
Magnetawan**

COUNCIL MEETING MINUTES

September 13, 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 September 13, 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, and Deputy Clerk Planning and Development Erica Kellogg were present for the entire meeting. Public Works Superintendent Scott Edwards was present for his respective section in the meeting.

OPENING BUSINESS

1.1 Call to Order

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

1.2 Adoption of the Agenda

RESOLUTION 2023-259 Hetherington-Bishop

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan adopts the agenda as amended to defer item 2.2 DRAFT Short Term Accommodation Bylaw to a future meeting due to the threat of legal action received to provide our legal team an opportunity to review the documentation received from other legal counsel which is the typical process when threatened with a lawsuit.

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 2023-260 Bishop-Hetherington

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan adopts the minutes of the meeting on August 23, 2023, as copied and circulated.

Carried.

PLANNING ACT MEETING

Minor Variance – Rainey – 4289 Highway 520

RESOLUTION 2023-261 Hind-Bishop

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:

- *Plan 319 PART Lot 5 W North Sparks Street, Municipally known as 4289 Highway 520, Municipality of Magnetawan (Rainey)*

Carried.

RESOLUTION 2023-262 Bishop-Hind

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) Rainey - 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.

RESOLUTION 2023-263 Hind-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 DRAFT Magnetawan Daycare Centre Inc. Lease for Ahmic Harbour Community Centre

RESOLUTION 2023-264 Kneller-Hind

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 at periods between 6 A.M. and 6 P.M., Monday through and inclusive of Friday during the Term, with option to renew.

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 is in favour of entering into a e Lease Agreement substantially as attached and amended as directed;

AND FURTHER directs Staff to bring back a bylaw on this matter to a future meeting.

Recorded Vote Called by Sam Dunnett

Bill Bishop	Yea	
Deputy Mayor John Hetherington	Yea	
Jon Hind	Yea	
Brad Kneller	Yea	
Mayor Sam Dunnett		Nay

Carried.

~~2.2 DRAFT License and Regulate the Use of Short-Term Accommodation (STA) Properties Bylaw~~

2.3 Report from Deputy Clerk, Erica Kellogg, Short-Term Accommodation Third Party Monitoring

RESOLUTION 2023-265 Bishop-Hind

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the report from the Deputy Clerk Planning and Development Erica Kellogg for Third Party Short-term Accommodation Monitoring and awards the service Agreement to Avenu - Option One Monitoring and Compliance in the amount of \$9,720 USD (\$13,280 CAD) plus required set up fees \$5,000 USD (\$6,831 CAD) for an initial one-year term with an option to renew for additional one-year terms;

AND HEREBY authorizes Staff to enter into a contract for same

Carried.

**2.4 Consent Application – Wiens – CON 1, Part Lot 9 PLAN 42R-10938 Chapman
RESOLUTION 2023-266 Hind-Hetherington**

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.

2.5 DRAFT Consent Agreement – Green – 121 Trails End Lane

RESOLUTION 2023-267 Kneller-Hetherington

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the DRAFT Consent Agreement – Green – 121 Trails End Lane as presented and the by-law on this matter will be passed later in the meeting.

Carried.

2.6 Report from Public Works Superintendent, Scott Edwards Recycling at the Municipal Landfills

RESOLUTION 2023-268 Kneller-Hetherington

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives and approves the report Recycling at the Municipal Landfills from Public Works Superintendent Scott Edwards and approves the recommendations contained therein to 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;

AND FURTHER THAT 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 to repair them, and/or thrift stores, etc.

Carried.

2.7 Correspondence & Report from Public Works Superintendent Scott Edwards Magnetawan Watershed Land Trust Parking June 21, 2023

RESOLUTION 2023-269 Hetherington-Bishop

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.

2.8 District of Parry Sound Municipal Association Fall Meeting 2023

RESOLUTION 2023-270 Kneller-Hetherington

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the Correspondence District of Parry Sound Municipal Association 2023 Fall Meeting Friday September 29, 2023;

AND the following Council Members will attend the Fall Meeting in 2023

Jon Hind

Brad Kneller

John Hetherington

Carried.

2.9 Verbal Update Habitat for Humanity

RESOLUTION 2023-271 Hind-Kneller

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

Carried.

2.10 Discussion Highway Closures – Parades, Community Events, Etc.

RESOLUTION 2023-272 Bishop-Hetherington

WHEREAS the Council of the Municipality of Magnetawan supports community events including the Canada Day Parade and Magnetawan Agricultural Fall Fair Parade;

AND WHEREAS due to current legislation and Ministry of Transportation policy an encroachment permit must be obtained to legally traverse and temporarily close a portion of Highway 520 running through the Village of Magnetawan as it is part of the Parade Route for these events;

AND WHEREAS historically the Municipality of Magnetawan has obtained these permits from the Ministry of Transportation without the Ontario Provincial Police being in attendance but aware of the event;

AND WHEREAS the Magnetawan Fire Department and Magnetawan Roads Department are qualified to temporarily close any roads located within the Municipality including a Provincial Highway in case of emergency;

AND WHEREAS due to OPP staffing complements and overwhelming requests from other surrounding communities that may be hosting events on the same day, assigning an Ontario Provincial Police Officer to these Community Events has the possibility of putting the Community at large at Risk;

AND WHEREAS fulfilling a paid duty request is voluntary and the cost of the paid duty request puts undue financial obligations on the ratepayers of our Municipality and non-profit organizations;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan respectfully asks the Ministry of Transportation to reconsider their policy and legislation regarding having Ontario Provincial Police Officers in attendance at Provincial Highway temporary closures for community events which includes parades in the Almaguin Region and to authorize the OPP to grant the authority for a temporary road closure to a member of the Fire Department and/or Roads Department;

AND FURTHER THAT this resolution be circulated to the Honourable Premier Doug Ford, MPP Graydon Smith, MP Scott Aitchson, the Ministry of Transportation and surrounding Municipalities.

Carried.

2.11 Discussion Canada Day 2024

RESOLUTION 2023-273 Hind-Kneller

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan direct Staff to host Magnetawan's Canada Day Celebration on Monday July 1st;
AND FURTHER directs Staff to source any grant funding available to offset the costs of this event.*

Defeated.

Direction was given to Staff to host the Canada Day Celebration on Saturday June 29, 2024.

2.12 Request from Magnetawan Community Centre Board Cabinets Community Centre Hallway

RESOLUTION 2023-274 Bishop-Hetherington

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the request from the Magnetawan Community Centre Board Cabinets Community Centre Hallway;

AND FURTHER approves 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 their use as storage at no cost to the Municipality.

Carried.

2.13 Art Mural Designs Magnetawan Heritage Museum and Lions' Pavilion

RESOLUTION 2023-275 Bishop-Hetherington

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives and approves the Art Mural Designs Magnetawan Heritage Museum and Lions' Pavilion.

Carried.

2.14 Report from Deputy Clerk, Laura Brandt Year End Report Locks and Heritage Museum Centre & Summer Recreational Events

RESOLUTION 2023-276 Kneller-Hind

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives and approves the Year End Report Locks and Heritage Museum Centre & Summer Recreational Events from Deputy Clerk Laura Brandt;

AND FURTHER thanks the Summer Students for a job well done and approves a \$200 bonus for each student.

Carried.

MUNICIPAL BOARD AND COMMITTEE MINUTES

- 3.1 **Central Almaguin Planning Board Minutes (CAPB) June 7, 2023**
- 3.2 **North Bay Parry Sound District Health Unit Board of Health Minutes June 28, 2023**
- 3.3 **Magnetawan Cemetery Board (MCB) Minutes August 9, 2023**
- 3.4 **Magnetawan Community Centre Board (MCCB) Minutes September 6, 2023**

RESOLUTION 2023-277 Hetherington-Hind

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

Carried.

CORRESPONDENCE

- 4.1 **Correspondence from MPP Graydon Smith, Highway 520 Response from MTO**
- 4.2 **Ministry of Municipal Affairs and Housing, Building Faster Fund**
- 4.3 **OPP Distribution of Police Record Check Revenue to Municipalities**
- 4.4 **OPP MPB Financial Services Unit (OPP) April to June 2023 Detachment Revenues**
- 4.5 **Correspondence from Armour Township Mayor Rod Ward, MAHC Local Share Update**
- 4.6 **Correspondence from Ted McKenna Ahmic Lake Golf Course Rehabilitation**
- 4.7 **Seniors Free Dinner and Learn Event Wednesday October 11th Poster**
- 4.8 **ICYMI Council Highlights August 23, 2023**

RESOLUTION 2023-278 Bishop-Kneller

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

Carried.

ACCOUNTS

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

RESOLUTION 2023-279 Kneller-Hetherington

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the accounts in the amount of \$621,422.20 as presented.

Carried.

BY-LAWS

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

RESOLUTION 2023-280 Hind-Bishop

BE IT RESOLVED THAT 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 *Deeming By-law Whiteside/Elen – 283 and 289 Holden Road*
- 6.2 *Regulate Dogs By-law*
- 6.3 *Trailer License By-law*
- 6.4 *Consent Agreement – Green – 121 Trails End Lane*

Carried.

CONFIRMING BY-LAW AND ADJOURNMENT

7.1 Confirm the Proceedings of Council and Adjourn

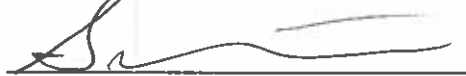
RESOLUTION 2023-281 Hind-Kneller

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

AND FURTHER THAT, this meeting is now adjourned at 2:05 pm to meet again on Wednesday October 04, 2023, at 1:00 pm or at the call of the Chair.

Carried.

Approved by:



Mayor



Clerk