



COUNCIL MEETING MINUTES
October 19, 2022
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 October 19, 2022 with the following present:

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

Regrets:
Councillor Brad Kneller

Staff: CAO/Clerk Kerstin Vroom, Deputy Clerk Recreation and Communications Laura Brandt and Acting Deputy Clerk Planning and Development Erica Kellogg 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 2022-275 Brunton-Smith

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 2022-276 Hetherington-Brunton

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan adopts the minutes of the meeting on September 28, 2022, as copied and circulated.

Carried.

STAFF QUARTERLY REPORTS – THIRD QUARTER

2.1 Report from By-law Enforcement Officer Caitlin Deevey

2.2 Report from Fire Chief Derek Young

2.3 Report from Chief Building Official Tyler Irwin

2.4 Report from Public Works Superintendent

2.5 Report from Parks and Maintenance Manager Steve Robinson

2.6 Report from Acting Deputy Clerk Erica Kellogg

2.7 YTD Budget 2022 From Stephanie Lewin Treasurer

RESOLUTION 2022-277 Brunton-Smith

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the Third Quarter Reports from the Department Heads as presented for information only.

Carried.

STAFF REPORTS, MOTIONS AND DISCUSSION

3.1 Consent Application – 286 Halls Road - Ferrante

RESOLUTION 2022-278 Smith-Brunton

WHEREAS the Municipality of Magnetawan has received a request to support an application for consent for creation of two new lots located at 286 Halls Road East, Magnetawan (Ferrante 4944 010 00225200). The property is legally described as CON 11, LOT 7 Chapman hereinafter referred to as “the Lands”;

AND WHEREAS the Municipal planning consultant has provided a report in support of the application with conditions;

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

- 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;*
- 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;*
- Payment of all taxes, municipal, legal and planning fees associated with the processing of this application including fees under By-law 2011-11, 2011-16 and current Municipal Fees & Charges By-law including a parkland dedication fee per new lot;*
- Confirmation from the North Bay Mattawa Conservation Authority (NBMCA) that the proposed Severed Lots can be adequately serviced by individual on-site septic systems and individual on-site water systems;*
- That the applicant obtain a letter of suitable entrance from the Municipality for the proposed Severed Lots;*
- The entering into a Site Plan Agreement to be registered on title, with the Municipality to implement the recommended measures on the proposed Severed and Retained Lots which are contained in the Environmental Impact Study prepared by FRi Ecological Services dated August 2022, including the identification of vegetation protection areas and setbacks and MDS if applicable.*

- *That a Minimum Distance Separation I (MDS I) Calculation is required, to the satisfaction of the Municipality of the proposed Severed and Retained Lots; including confirmation that there are no livestock in the surrounding area;*
- *That a Zoning By-law Amendment be submitted to rezone the proposed Severed Lot #2 to address the non-compliant minimum lot area requirement and to rezone the retained lot and Severed lot #1 and Severed Lot #2 to implement the recommended mitigation measures contained in the Environmental Impact Study prepared by Fri Ecological Services dated August 2022 and MDS if applicable.*

Carried.

3.2 Request for Road Use/Maintenance Agreement -McCharles

RESOLUTION 2022-279 Smith-Brunton

WHEREAS the Municipality of Magnetawan received a request from John McCharles, resident of Ryerson, to enter into a Road Use Agreement to open and maintain 90 metres of a boundary unopened road allowance off South Horn Lake Road between the Township of Ryerson Concession 14 lot 6 and the Municipality of Magnetawan Concession 1 lot 6 (Crown Land);

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan supports in principle the entering into an agreement(s) with John McCharles to upgrade the portion of the unopened road allowance from South Horn Lake Road to a suitable location for an entrance onto his lands on the road allowance between Township of Ryerson Concession 14 lot 6 and the Municipality of Magnetawan Concession 1 lot 6 subject to the following conditions:

- *A support in principle be obtained and provided to the Municipality of Magnetawan from the Township of Ryerson;*
- *The Township of Ryerson will be responsible for the application, collection of fees and payment to the Municipality of Magnetawan for any services rendered;*
- *That the Municipality reserves the right to have the draft agreements reviewed by their solicitor at the cost of the applicant;*
- *That the applicant enters into a Road Use Agreement naming both Ryerson and Magnetawan, with the understanding that permission to maintain can be withdrawn upon either party's request;*
- *That the applicant enter into a Limited Services Agreement with both parties, to be registered on title;*
- *That the Public Works Superintendents, of both Municipalities, approve the work plan for the opening of the unopened road allowance;*
- *That a survey be conducted of the unopened road allowance mentioned above at the cost of the applicant;*
- *That all legal, surveying, planning and/or fees required for the application be borne by the applicant.*

Carried.

3.3 Purchase of Shore Road Allowance – 3103 Highway 520 - Deol

RESOLUTION 2022-280 Hetherington-Brunton

WHEREAS Council has received correspondence and application fee from Sarbjit Deol for the purchase of Original Shore Road Allowance (shore road – 3103 Highway 520) in front of and/or abutting Concession 3 PT LOT 24 RP PSR 268 PART 3 RP RSR 916 PART 2 ; Roll Number: 494401000137910;

WHEREAS there are no abutting landowners who would be entitled to these lands;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves in principle the sale of the original shore road allowance with the following provisions;

- The subject lands be surveyed;*
- The price be set by a professional appraiser;*
- The deposit be received by the Municipality as per the current fees and charges bylaw and be kept current;*
- All costs for this purchase, including planning, legal, surveying and/or other fees to be borne by the applicant;*
- The lands to be merged on title with Roll number 494401000137910 and the PINs consolidated.*
- That the purchase of the shore road allowance does not exonerate the applicant from the requirement to comply with the zoning by-law and/or any other applicable law.*

Carried.

3.4 DRAFT By-law 2022 Municipal Election Joint Audit Compliance Committee

RESOLUTION 2022-281 Smith-Brunton

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the DRAFT 2022 Municipal Election Joint Audit Compliance Committee, and the by-law on this matter will be passed later on in the meeting.

Carried.

3.5 Almaguin Highlands Health Council DRAFT Terms of Reference September 2022

RESOLUTION 2022-282 Brunton-Hetherington

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the Almaguin Highlands Health Council Draft Terms of Reference September 2022 as presented for information only and directs Staff to put this matter on a future agenda for the new Council's consideration and comments.

Carried.

3.6 Update Modernization Grant Service Delivery Review

RESOLUTION 2022-283 Brunton-Smith

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan receives the update Modernization Grant Service Delivery Review for information purposes and commends Staff for a job well done implementing the recommendations contained therein.

Carried.

3.7 DRAFT Motion December 21, 2022 Council Meeting

RESOLUTION 2022-284 Smith-Brunton

*WHEREAS due to the inaugural meeting of the new Council November 16, 2022;
AND WHEREAS the time period between the inaugural meeting and the next meeting
of Council December 21, 2022 is an extended time period;*

*NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of
Magnetawan reschedules the December 21, 2022 Council meeting to December 7,
2022.*

Carried.

3.8 DRAFT Site Plan Agreement – 81 Tanner’s lane -Stevanus

RESOLUTION 2022-285 Smith-Hetherington

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the
DRAFT Site Plan Agreement – 81 Tanner’s Lane - Stevanus, and the by-law on this
matter will be passed later on in the meeting.*

Carried.

3.9 Zoning By-law Amendment – 6502 Highway 124 – Woods

RESOLUTION 2022-286 Hetherington-Brunton

*BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the DRAFT Zoning
By-law Amendment – 6502 Highway 124 – Woods , and the by-law on this matter will be passed
later on in the meeting.*

Carried.

MUNICIPAL BOARD AND COMMITTEE MINUTES

4.1 Magnetawan Cemetery Board (MCB) Minutes September 22, 2022

4.2 Almaguin Highlands Health Centre (AHC) Minutes October 6, 2022, Key Areas of Focus

RESOLUTION 2022-287 Brunton-Smith

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

Carried.

CORRESPONDENCE

5.1 Ontario Provincial Police (OPP) 2023 Annual Billing Statement Package

5.2 Office of the Solicitor General Update Community Safety and Policing Act, 2019 and OPP Detachment Boards

5.3 OPP MPB Financial Services Unit Notification of 2022 Court Security and Prisoner Transportation Grant Remainder

5.4 Transport Canada Safety and Security Use of Pleasure Craft as Commercial Passenger Vessel

5.5 Municipal Law Enforcement Officers’ Association Caitlin Deevey-Municipal Law Enforcement Officer, MLEO(C)

5.6 Almaguin Community Economic Development (ACED) Northbound and Southbound Signs

5.7 Kiss the Moose Naming Contest Poster

5.8 Landfill Notice Poster

5.9 Instagram Launch Poster

5.10 ICYMI Council Highlights September 28, 2022

RESOLUTION 2022-288 Smith-Brunton

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

Carried.

ACCOUNTS

6.1 Accounts in the amount of \$759,747.21

RESOLUTION 2022-289 Smith-Hetherington

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the accounts in the amount of \$759,747.21 as presented.

Carried.

BY-LAWS

7.1 2022 Municipal Election Joint Audit Compliance Committee

7.2 Site Plan Agreement – 81 Tanner’s Lane - Stevanus

7.3 Zoning By-Law Amendment – 6502 Highway 124 - Woods

RESOLUTION 2022-290 Smith-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:

7.1 2022 Municipal Election Joint Audit Compliance Committee

7.2 Site Plan Agreement – 81 Tanner’s Lane - Stevanus

7.3 Zoning By-Law Amendment – 6502 Highway 124 – Woods

Carried.

CLOSED SESSION

In accordance with Section 239(2) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, Council shall proceed into Closed Session in order to address matters pertaining to: (c) acquisition or disposition of land

RESOLUTION 2022-291 Brunton-Smith

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan moves to a closed session at 1:45 pm pursuant to Section 239(2) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, Council shall proceed into Closed Session in order to address matters pertaining to:

(b) personal matters about an identifiable individual

(c) acquisition or disposition of land

Carried.

RESOLUTION 2022-292 Hetherington-Smith

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan returns to open session at 2:45 pm.

Carried.

RESOLUTION 2022-293 Smith-Brunton

WHEREAS the Municipality of Magnetawan has received an application for Susan Jennings (Agent) for the purchase of Original Road Allowance between CROFT Plan 110 S PT LOT 13 S PT LOT 14 N/S AHMIC ST and PLAN 110 PT LOT 1 N AHMIC ST (HEWSON) which are both owned by the same owners;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves in principle the sale of:

1. Original Road Allowance with the following provisions:

- Any other adjacent landowner shall be invited to participate in the purchase of that part of the specified road allowance which borders their lands;
- The price be set by an appraised value set by a professional appraiser;
- All costs for the purchase to be borne by the applicant
- The road allowance be merged with the existing properties

Defeated.

RESOLUTION 2022-294 Brunton-Hetherington

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan directs Staff to contact Susan Jennings (Agent for Hewsons) to discuss entering into an agreement to swap the lands, owned by the Hewsons PLAN 110 PT LOT 1 N AHMIC ST (roll number 494403000705000) for the adjacent lands which is the original Road Allowance with costs to be shared equally between the Municipality and the Hewsons for surveying.

Carried.

CONFIRMING BY-LAW AND ADJOURNMENT

8.1 Confirm the Proceedings of Council and Adjourn

RESOLUTION 2022-295 Brunton-Smith

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

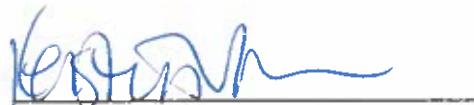
AND FURTHER THAT, this meeting is now adjourned at 3:50 pm to meet again on Wednesday November 16, 2022, at 1:00 pm or at the call of the Chair.

Carried.

Approved by:



Mayor



Clerk