

AGENDA – Regular Meeting of Council

Wednesday, June 26, 2019 at 6:00 PM

Magnetawan Community Centre

*“R” denotes a
Council resolution*

1. **CALL TO ORDER**
2. **ADOPTION OF THE AGENDA** *R*
3. **DISCLOSURE OF PECUNIARY INTEREST**
4. **ADOPTION OF MINUTES** *R*
 - 4.1. Regular Meeting of Wednesday June 5, 2019
5. **PUBLIC MEETING PURSUANT TO PLANNING ACT**
 - 5.1. Temporary Zoning By-law Amendment: Bolte – Eagles 12 25th & 26th Side Rd Magnetawan
6. **PRESENTATIONS**
7. **REPORTS FROM MUNICIPAL BOARDS / COMMITTEES AND OFFICIALS**
 - 7.1. Public Works:
 - 7.1.1. Memo: PWA on Municipal Gas Tanks
 - 7.2. Parks:
 - 7.2.1. Update on Electronic Signs for Magnetawan and Ahmic Community Centres
 - 7.3. Administration:
 - 7.3.1. Support in Principle: Consent Application – Croft CON 12 LOT 25 Right of Way *R*
 - 7.3.2. Letters of resignation Magnetawan Library Board *R*
 - 7.3.3. Authorization for AP Clerk/Admin Assistant to enroll in the AMCTO MAP Program for the Fall semester *R*
 - 7.4. Committee and Board Minutes: *R*
 - Almaguin Community Economic Development Department Meeting of May 27, 2019
 - Magnetawan Community Development Committee Meeting of May 2, 2019
 - Magnetawan Community Centre Board Meeting of May 2, 2019

8. BY-LAWS

- 8.1. By-law 2019-38, being a By-law to Temporarily amend By-law 2001-26, as amended, the Zoning By-law for the Corporation of the Municipality of Magnetawan with respect to lands legally described as Croft Concession 10, Part Lot 26 Registered Plan 42R 3291, Part 1 and Part 2 in the Municipality of Magnetawan, and municipally known as at 12 25th & 26th Side Road, Municipality of Magnetawan. *R*
- 8.2. By-law 2019-39, being a By-law to establish a Private Road Grant *R*
- 8.3. By-law 2019-40, being a By-law to establish Golf Course Rd as a Public Highway *R*
- 8.4. By-law 2019-41, being a By-law to stop up, close and sell Part of Lot 1, Concession 5 being Part 1, Plan 42R-21167 and Part of West Street North of Magnetawan River, Registered Plan 319, being Part 2, Plan 42R-21167, Municipality of Magnetawan, District of Parry Sound. *R*
- 8.5. By-law 2019-42, being a By-law to rename the southern portion of Gordon Point Rd to Lakeside Trail *R*
- 8.6. By-law 2019-43, being a By-law to establish a Strategic Asset Management Policy *R*
- 8.7. By-law 2019-44, being a By-law to appoint a CAO/Clerk for the Municipality of Magnetawan *R*
- 8.8. By-law 2019-45, being a bylaw to confirm the proceedings of Council at the regular meeting of June 5, 2019 *R*

9. CORRESPONDENCE

- 9.1. Letter: Bill and Nancy Woodruff
- 9.2. Correspondence Folder (available for viewing in the Municipal Office)
 - 9.2.1. Lakeland Holding Annual Shareholder's Meeting Documents

10. UNFINISHED BUSINESS

11. ADDENDUM

12. ACCOUNTS PAYABLE FOR PAYMENT APPROVAL *R*

13. CLOSED SESSION *RR*

13.1. 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:

- (d) Labour relations or employee negotiations (being to discuss an employee review)

14. NEXT MEETING OF COUNCIL

Wednesday, July 10 2019, 1:00 P.M., Magnetawan Community Centre

15. ADJOURNMENT *R*

COUNCIL MEETING MINUTES
June 5, 2019

The regular meeting of the Council of the Corporation of the Municipality of Magnetawan was held at the Magnetawan Community Centre on Wednesday, June 5, 2019 at 10:00 A.M.

Council members present: Mayor Sam Dunnett; Deputy Mayor, Tim Brunton; Councillors John Hetherington, Brad Kneller and Wayne Smith.

Staff in attendance: Interim Clerk – Administrator (CA), Nicole Fraser; Public Works Supervisor (PWS), Scott Edwards; Public Works Advisor (PWA), Bruce Hill; Recreation Supervisor (RS), Tim Sullivan.

1. CALL TO ORDER

The meeting was called to order at 10:00 A.M.

2. ADOPTION OF THE AGENDA

RESOLUTION 2019-185

Moved by Councillor Kneller; Seconded by Councillor Smith:

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan adopts the agenda for this regular Council meeting of Wednesday, June 5, 2019. (Carried)

3. DISCLOSURE OF PECUNIARY INTEREST

4. ADOPTION OF MINUTES

RESOLUTION 2019-186

Moved by Councillor Smith; Seconded by Councillor Kneller:

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan adopts the minutes for the regular Council meeting of Wednesday May 22, 2019 and special meetings of Council on Monday May 27, 2019 at 10AM and Monday May 27, 2019 at 1PM. (Carried)

5. PUBLIC MEETING PURSUANT TO THE PLANNING ACT

None.

6. PRESENTATIONS

6.1. Muskoka Community Foundation – Partnership with Municipality to provide scholarship
Daniel Bradbury, Chair of the MCF presented to Council how MCF works and what their mission is. He requested Council partner with MCF to allow a Magnetawan high school graduate to receive the scholarship for her post-secondary school of choice.

7. REPORTS FROM MUNICIPAL BOARDS, COMMITTEES, AND OFFICIALS

7.1. Public Works:

7.1.1. Letter from resident and memo from PWS: North Whalley Lake Road

7.1.2. Award for Tender 2019-03 Engineering for Bridge 18

RESOLUTION 2019-187

WHEREAS the Municipality of Magnetawan issued an Tender 2019-03 RFP Engineering of Bridge 18 and received proposals from three engineering firms. AND WHEREAS the evaluation committee scored the proposals based on the evaluation criteria set out in the request for proposals. THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan awards the Tender 2019-03 RFP Engineering of Bridge 18 to Tulloch Engineering in the amount of \$40,650.00 plus HST. (Carried)

7.2. Administration:

7.2.1. Partner with Muskoka Community Foundation

RESOLUTION 2019-188

Moved by Councillor Kneller; Seconded by Councillor Smith:

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan authorizes the Interim Clerk-Administrator to partner with Muskoka Community Foundation to facilitate a

scholarship for a Magnetawan resident attending post-secondary education. (Carried)

7.2.2. Award contract to Pinchin for monitoring and capacity survey landfill sites

RESOLUTION 2019-189

Moved by Councillor Smith; Seconded by Councillor Kneller:

WHEREAS the Council of the Municipality of Magnetawan contracted Pinchin Ltd to develop solutions to remedy issues at the Chapman Landfill site in 2018. AND WHEREAS Pinchin Ltd. has indicated to Council that the first step in the process is to ensure the life expectancy of the landfill site and evaluate the ground water monitoring. NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan authorizes the Interim C-A to retain Pinchin Ltd. to undertake work related to the Chapman and Croft Landfill Sites that may exceed \$50,000.00 in value during the calendar year. AND FURTHER THAT the Interim C-A will bring a report to Council at each stage of the work/expenditure to be approved by Council on an ongoing basis. (Carried)

7.2.3. ACED Terms of Reference and Shared Services Agreement

RESOLUTION 2019-190

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves the draft Terms of Reference and Shared Services Agreement for the Almaguin Community Development Department. (Carried)

7.2.4. Donation to Walter Reich's Trip Across Canada for Parkinson's

RESOLUTION 2019-191

Moved by Councillor Hetherington; Seconded by Councillor Brunton:

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves a donation to Walter Reich's Cross Canada bike ride for Parkinson's Awareness in the amount of \$1000.00. (Carried)

7.2.5. Rosskopf Rd Property valuation

RESOLUTION 2019-192

Moved by Councillor Smith; Seconded by Councillor Kneller:

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan sets a minimum bid for the municipally owned lands on Rosskopf Road at \$28,000.00. (Carried)

7.2.6. Support in Principle: Smith Consent

RESOLUTION 2019-193

Moved by Councillor Brunton; Seconded by Councillor Hetherington

WHEREAS the Municipality of Magnetawan has received a request to support an application for consent for a severance of lands located at 85 Nipissing Road South in the Municipality of Magnetawan. The property is legally described as Geographic Township of Chapman, Concession A, Part Lot 92 and 93 in the Municipality of Magnetawan, 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, subject to the following conditions: 1) That the applicant provides the Municipality with: a. The original executed transfer (deed), a duplicate original and one photocopy; b. A copy of the Reference Plan to be deposited in the Land Registry office that is substantially in compliance with the application sketch; and c. A schedule describing the severed parcel and naming the grantor and grantee attached to the transfer for approval purposes. 2) Payment of all municipal legal and planning fees associated with the processing of the application including 5% parkland fee and any other fees under By-laws 2011-11; 2011-16 and 2019-283) That an entrance permit for the severed lot be obtained from the Municipality or confirmation from the Municipality that an entrance permit is not required. 4) That the proposed severed lot be brought into compliance with the Zoning By-law through the approval of a Zoning By-law Amendment application to recognize the severed lot's deficient lot area and lot frontage. 5) That approval from the North Bay Mattawa Conservation Authority (NBMCA) is obtained to confirm that the proposed severed lot can be adequately serviced by on-site sewage and water services. (Carried)

7.2.7. Support in Principle: Patterson/Mitchell Consent

RESOLUTION 2019-194

Moved by Councillor Kneller; Seconded by Councillor Smith:

WHEREAS the Municipality of Magnetawan has received a request to support an application for consent for a severance of lands located at 85 Nipissing Road South in the Municipality of Magnetawan. The property is legally described as Geographic Township of Chapman, Concession A, Part Lot 92 and 93 in the Municipality of Magnetawan, 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, subject to the following conditions: 1) That the applicant provides the Municipality with: a. The original executed transfer (deed), a duplicate original and one photocopy; b. A copy of the Reference Plan to be deposited in the Land Registry office that is substantially in compliance with the application sketch; c. A schedule describing the severed parcel and naming the grantor and grantee attached to the transfer for approval purposes. 2) Payment of all municipal legal and planning fees associated with the processing of the application and any other fees under By-laws 2011-11; 2011-16 and 2019-28. (Carried)

7.3. Recreation

7.3.1. Update on Canada Day Event

PWA and RS left the meeting.

7.4. Committee and Board Minutes

RESOLUTION 2019-195

Moved by Councillor Hetherington; Seconded by Councillor Brunton:

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan adopts the following Committee and Board minutes: the May 15, 2019 meeting of the Central Almaguin Planning Board; and the April 15, 2019 meeting of the Almaguin Community Development Department. (Carried)

8. BY-LAWS

8.1. RESOLUTION 2019-196

Moved by Councillor Smith; Seconded by Councillor Kneller:

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan adopts By-law 2019-35, being a By-law to enter into an agreement with the Ontario Provincial Police for 9-1-1 Primary Public Safety Answering Point Services. (Carried)

8.2. RESOLUTION 2019-197

Moved by Councillor Brunton; Seconded by Councillor Hetherington:

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan adopts By-law 2019-36, being a By-law to enter into an agreement with Datafix for the 2022 Municipal Election. (Carried)

8.3. RESOLUTION 2019-198

Moved by Councillor Brunton; Seconded by Councillor Hetherington:

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan adopts By-law 2019-37, being a By-law to confirm the proceedings of Council at the regular meeting on May 22, 2019 and special meetings on May 27, 2019 at 10AM and 1PM. (Carried)

9. CORRESPONDENCE

9.1. Memo: James Chirico Medical Officer of NBPS District Health Unit re. Health Unit mergers

9.2. Support Resolution: Township of McNab/Braeside re. E-learning requirement

RESOLUTION 2019-199

Moved by Councillor Hetherington; Seconded by Councillor Brunton:

WHEREAS the Government of Ontario is proposing education adjustments; AND WHEREAS the Government of Ontario announced that secondary school students will be required

to take four (4) out of the thirty (30) high school credits as online courses; AND WHEREAS thirty (30) credits are required for an Ontario Secondary School Diploma, the Government is not providing rural Ontario with the same broadband access as the rest of the Province; AND WHEREAS throughout much of rural and Northern Ontario, broadband service is lacking, making e-learning impossible, and may set our students up for a two-tier education system due to the lack of internet access; AND WHEREAS online e-learning will disproportionately affect students with special needs, who may need more attention from their teachers, and students in low-income families, who may not have access to a laptop and internet at home to do their online course work; THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Magnetawan supports the Township of McNab/Braeside in respectfully requesting the Premier of Ontario to reconsider these online courses until rural and Northern Ontario students can be given the same opportunity to access the internet as urban students; AND FURTHER THAT this resolution be circulated to the Hon. Doug Ford, Premier of Ontario; Hon. Lisa M. Thompson, Minister of Education; AMO; ROMA; Norm Miller, MPP Muskoka-Parry Sound; and the Township of McNab/Braeside. (Carried)

9.3. DSSAB Letter: Provincial Budget report

9.4. Letter from Hon. Doug Ford re. Provincial Budget

PWS left the meeting.

10. UNFINISHED BUSINESS

11. ADDENDUM

12. ACCOUNTS PAYABLE FOR PAYMENT APPROVAL

RESOLUTION 2019-200

Moved by Councillor Brunton; Seconded by Councillor Hetherington:

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan approves for payment the Accounts Payable and Payroll for the period May 16, 2019 to May 31, 2019 in the amount of \$195,194.14. (Carried)

13. CLOSED SESSION

RESOLUTION 2019-201

Moved by Councillor Hetherington; Seconded by Councillor Brunton:

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan moves to a closed session at 11:20 A.M., pursuant to Section 239(2) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, as the subject matter being considered consists of: (c) Acquisition or disposition of land (being to discuss disposal of land in the municipality); and (d) Labour relations or employee negotiations (being to discuss employee hiring) (Carried).

RESOLUTION 2019-202

Moved by Councillor Brunton; Seconded by Councillor Hetherington:

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan returns to open session at 11:59 A.M. (Carried)

14. QUESTION PERIOD FROM THE PUBLIC

15. NEXT MEETING OF COUNCIL

Wednesday, June 26, 2019 6:00 P.M., Magnetawan Community Centre – regular meeting

16. ADJOURNMENT

RESOLUTION 2019-203

Moved by Councillor Hetherington; Seconded by Councillor Brunton:

BE IT RESOLVED THAT the Council of the Municipality of Magnetawan adjourns this regular meeting at 12:05 P.M. (Carried)

DRAFT

Sam Dunnett, Mayor

Date

Nicole Fraser, Interim Clerk-Administrator

Date

THE MUNICIPALITY OF MAGNETAWAN

STAFF REPORT

TO: Nicole Fraser, Interim Clerk-Administrator,
Municipality of Magnetawan

FROM: Jamie Robinson, BES, MCIP, RPP & Jonathan Pauk HBASc., MSc.
MHBC Planning Limited

DATE: June 26, 2019

SUBJECT Temporary Use Zoning By-law Amendment – Bolte & Eagles – 12 25th &
26th Sideroad, Municipality of Magnetawan

Proposal / Background

A Temporary Use Zoning By-law Amendment application has been submitted by Lorne Bolte and Duane Eagles to permit the construction of a garden suite on the subject property located at 12 25th & 26th Sideroad in the Municipality of Magnetawan. The total floor area of the proposed garden suite is 42.7 square metres (459 square feet).

The subject property is located on the northwest corner of 25th & 26th Sideroad and Highway 124/520. The subject property is generally located north-west of Ahmic Harbour as shown in Figure 1. The subject property is legally described as Croft Con 10 PT Lot 26 RP 42R3291 Part 1 and Part 2 in the Municipality of Magnetawan.

The subject property is currently developed with a shed and a dwelling that is serviced by individual on-site sewage and water services. The applicant is proposing to establish a garden suite on the subject property as a temporary use. The existing structures and the proposed garden suite are illustrated on Figure 2 which is the sketch that has been submitted with the application.

The Planning Act provides for garden suites to be permitted on a temporary basis, through a Temporary Use Zoning By-law Amendment process, for a period of twenty (20) years. A Temporary Use By-law would be required to facilitate the establishment of the proposed garden suite. In essence, Temporary Use By-laws zone land or buildings for specific uses but limit these uses to a specified amount of time. Extensions to the permitted time period may be considered, prior to the expiration of the Temporary Use By-law, with such consideration being subject to an additional Zoning By-law Amendment application process. Municipalities have the ability to extend the temporary authorization for garden suites by further three year increments, as needed.

Figure 1: Location of Subject Property

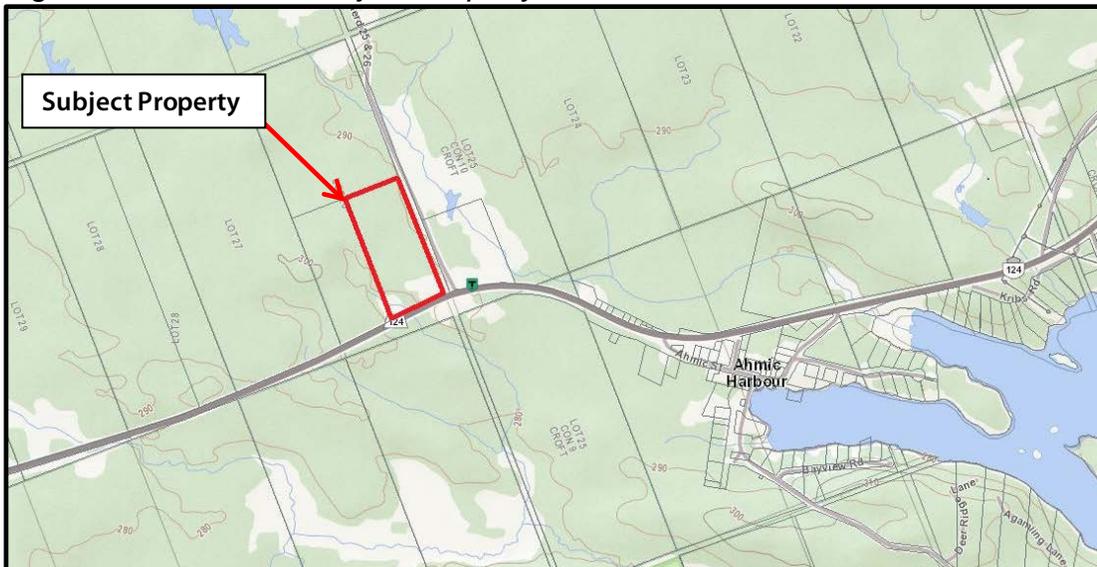
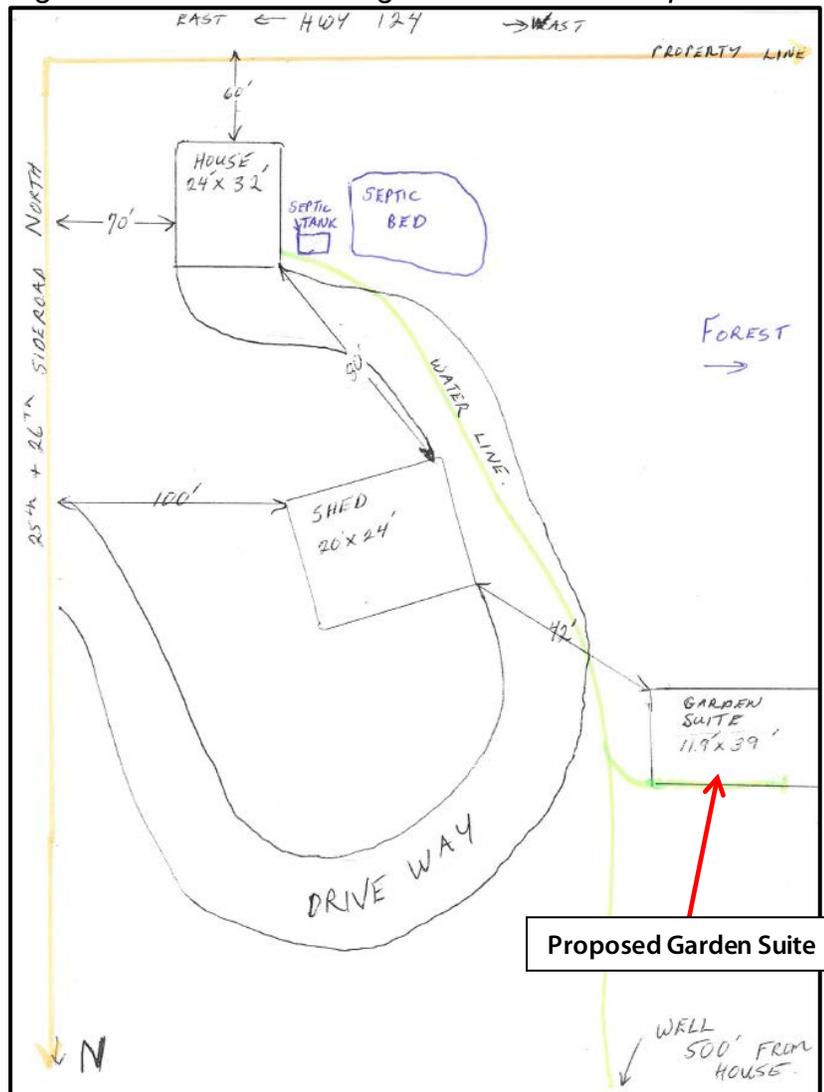


Figure 2: Sketch of Existing Structures and Proposed Garden Suite



Area Context

As illustrated in Figure 1, the Subject Property is generally located north-west of Ahmic Harbour. The subject property has a lot area of approximately 8.4 hectares (21 acres) with approximately 429 metres of frontage on 25th & 26th Sideroad. Existing structures include a 71.3 square metre dwelling and a 44.5 square metre shed.

Surrounding land uses include the following:

North: Rural and Crown Land properties fronting onto 25th and 26th Sideroad and the Municipality's waste disposal site.

East: Rural and Crown Land properties fronting onto 25th and 26th Sideroad.

South: Ahmic Harbour Cemetery, a large rural property fronting onto Highway 125/520 and large tracts of Crown Land.

West: Rural properties fronting onto Highway 124/520

The applicant has indicated, in the Zoning By-law Amendment application, that the existing vegetation on the property is to be substantially maintained. Based on a review of aerial imagery and comparison with the sketch provided with the application, it would appear that the proposed garden suite would be located in an area where limited vegetation removal will be required and would be screened from the road.

Policy Considerations

Provincial Policy Statement and Planning Act

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 limited residential development on rural lands.

Policy 1.6.6.4 provides policies that apply to development on individual well and septic systems. 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. The garden suite is proposed to be connected to the existing individual on-site sewage system and water will be provided through connection to the existing well. Through the consideration of a building permit, the Chief Building Official must be satisfied that proposed garden suite can be appropriately serviced by either the existing system or by a separate system.

The Planning Act includes specific provisions to facilitate garden suites through Temporary Use By-laws. As per Section 39.1 (2) of the Planning Act, a garden suite is defined as "a one-

unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable. 2002, c. 17, Sched. B, s. 12.”

The Planning Act states that Council may pass Temporary Use By-laws authorizing garden suites as a temporary use for up to twenty (20) years, with future consideration of extensions, as needed.

Section 39.1(1) of the Planning Act also states that, as a condition of passing a by-law authorizing the temporary use of a garden suite, Council may require the owner of the suite or any other person to enter into an agreement with the municipality dealing with such matters related to the temporary use of the garden suite as the Council considers necessary or advisable, including:

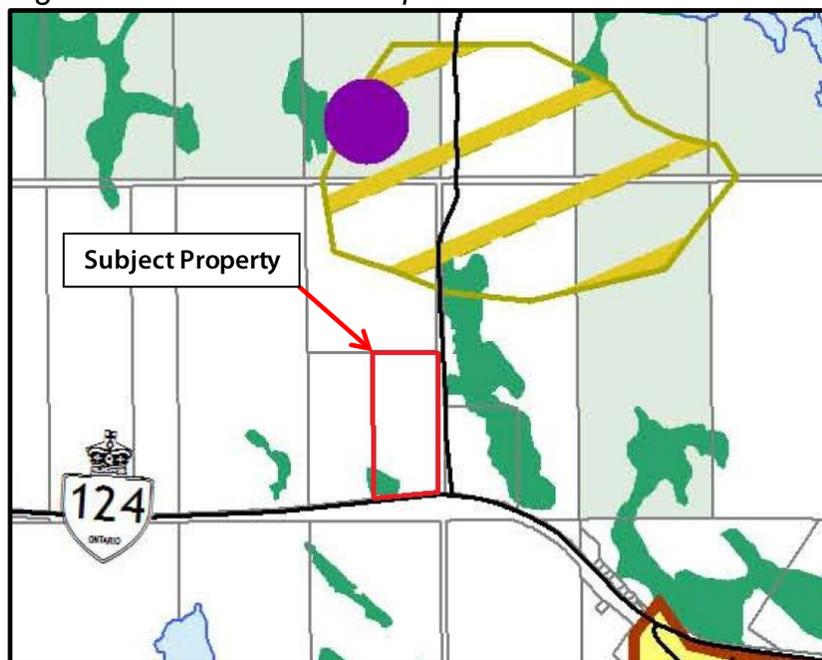
- The installation, maintenance and removal of the garden suite;
- The period of occupancy of the garden suite by any of the persons named in the agreement; and,
- The monetary or other form of security that Council may require for actual or potential costs to the municipality related to the garden suite.

The Planning Act establishes a framework to permit a garden suite as a temporary use and the proposed garden suite would 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 and Environmental Protection, as shown in Figure 3.

Figure 3: Official Plan Excerpt – Schedule A



Section 4.19 of the Municipality's Official Plan includes policies for Garden Suites and Accessory Apartments. Specifically, Section 4.19 states:

Garden suites and accessory apartments shall be permitted in all designations that permit residential uses without amendment to this Plan provided there is adequate sewage disposal and water service capacity available to service the units acceptable to the appropriate approval agency and the roads are of a standard that can accommodate the increased use;

The applicant has confirmed that the proposed garden suite will be serviced through a connection to the existing on-site sewage system. The applicant is in the process of obtaining approval from the North Bay Mattawa Conservation Authority for the additional connection to the existing sewage disposal system. This will further be confirmed by the Chief Building Official prior to the issuance of a building permit.

In general, the Rural designation applies to lands located outside of settlement areas. Section 5.2.1 permits residential development and accessory uses to occur on lands that are designated Rural. As noted previously, Section 4.19 of the Official Plan states that garden suites shall be permitted in all land use designation that permit residential uses, subject to providing appropriate servicing. The proposed garden suite is a permitted use in the Rural designation.

In accordance with Section 5.3.1, the Environmental Protection designation applies to lands that have the physical characteristics related to flood and erosion susceptibility, organic soils and extreme slopes. These areas also include important natural heritage features such as wildlife habitat, fish spawning areas and wetlands. As shown in Figure 3, the south-western portion of the subject property is designated Environmental Protection. The proposed garden suite is to be located outside of the area identified as Environmental Protection.

Section 4.10 of the Official Plan states that development within 120 metres of an unclassified wetland that is in excess of 0.8 hectares shall require an Environmental Impact Study (EIS). It is noted that a wetland feature, or a portion thereof, is located on the subject property. Based on a review of aerial photography and measurements taken using the Municipality's online mapping system, the wetland feature in question is less than 0.8 hectares in area and the proposed garden suite is located approximately 80 metres from the wetland feature. Based on the size of the wetland and given the distance separation between the wetland and the proposed garden suite, an EIS to consider the on-site wetland feature is not required.

Furthermore, it is noted that the north-eastern property boundary is approximately 19 metres from a separate adjacent wetland feature. It is noted that the proposed garden suite would be located beyond the 120 metre EIS requirement. Given that the structure is proposed to be located outside of the 120 metre distance from the adjacent wetland feature and given that the garden suite would be subject to all other necessary approvals and permits, the proposed garden suite can conform to the Official Plan, without the need for the completion of an EIS.

Section 8.4 of the Official Plan states that the Municipality may utilize Site Plan Control to ensure that development in the Municipality is attractive and compatible with adjacent uses. The Municipality's Site Plan Control By-law No. 2010-44 designates the entire Municipality as a Site Plan Control Area. In keeping with the provisions of the Planning Act, it is

recommended that the Municipality enter into an agreement with the Applicant to address specific details relating to the establishment of the proposed garden suite. These details may include the maximum period of time the lands can be used for a garden suite, access, servicing, size, occupation/tenure etc. It is also recommended that the agreement be registered on the title of the subject property. The registration of an agreement is also in accordance with Section 39.1 (4) of the Planning Act, which states:

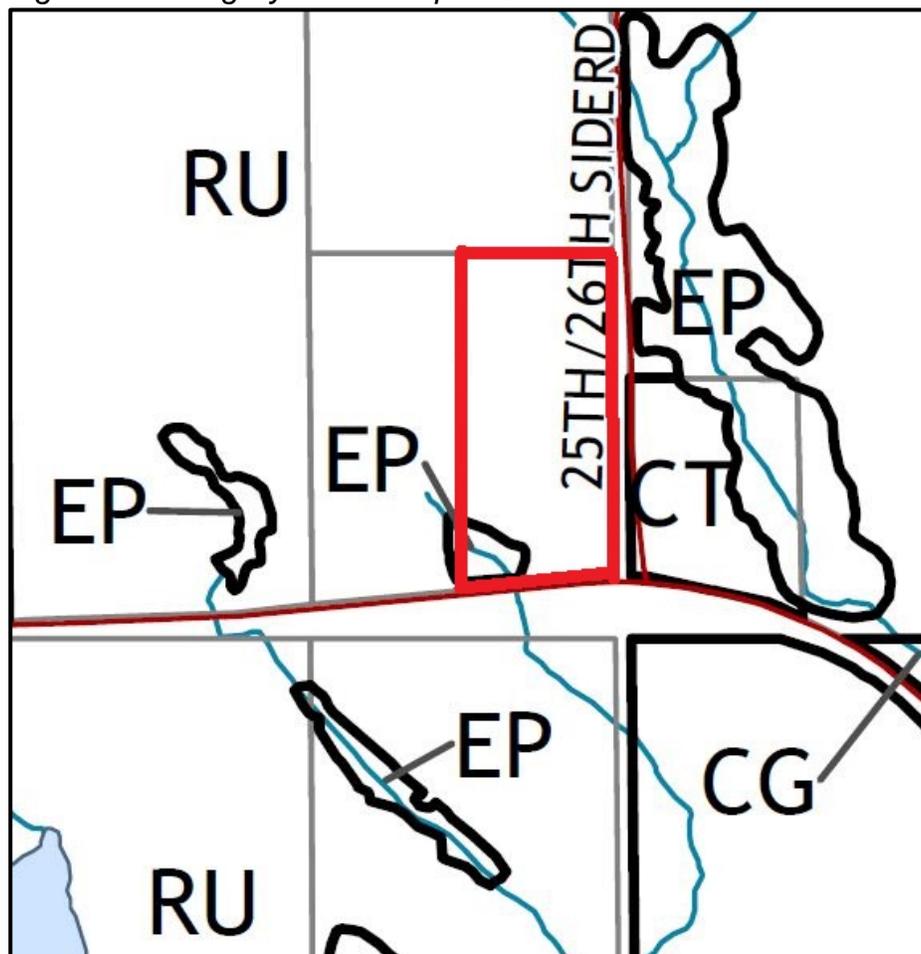
4) An agreement entered into under this section may be registered in the proper land registry office against the land to which it applies and, when so registered, any money payable to the municipality under the agreement that has become due for payment shall have priority lien status as described in section 1 of the Municipal Act, 2001 or section 3 of the City of Toronto Act, 2006, as the case may be. 2002, c. 17, Sched. B, s. 13 (2); 2006, c. 32, Sched. C, s. 47 (7).

Subject to the recommendations noted previously, the proposed Temporary Use By-law would conform to the policies of the Municipality's Official Plan.

Municipality of Magnetawan Zoning By-law

The subject lands are currently zoned Rural (RU) and Environmental Protection (EP) by the Municipality's Zoning By-law, as shown in Figure 4.

Figure 4: Zoning By-law Excerpt – Schedule A-1



The Municipality's Zoning By-law defines a garden suite as:

A one unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing detached dwelling and that is designed to be temporary and/or portable.

Section 3.6 of the Municipality's Zoning By-law states that no more than one dwelling unit shall be permitted on a property. The purpose of the proposed Temporary Use By-law would be to permit a garden suite as a second unit on a temporary basis.

The Temporary Use By-law will be limited to that portion of the property in which the garden suite is to be location. It will not rezone any portion of the subject property identified as Environmental Protection (EP).

A copy of the draft Temporary Use By-law is included as Attachment 1 to this Report.

Summary

The Temporary Use Zoning By-law Amendment application proposes to establish a garden suite on the subject property through a Temporary Use By-law. The proposed Temporary Use By-law is consistent with the PPS and would conform to the Municipality's Official Plan. It is our recommendation that the application be approved and that the Municipality pass the Temporary Use By-law (Attachment 1), subject to the entering into of an agreement with a property owner relating to the placement and use of the proposed garden suite.

Respectively submitted,



Jonathan Pauk HBASc., MSc.
Planning Consultant
MHBC Planning



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

Attachment 1: Draft Temporary Use By-law

Attachments

Attachment **1**

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

Being a By-law to Temporarily amend By-law No. 2001-26, as amended, the Zoning By-law for the Corporation of the Municipality of Magnetawan with respect to lands legally described as Croft Concession 10, Part Lot 26 Registered Plan 42R 3291, Part 1 and Part 2 in the Municipality of Magnetawan, and municipally known as at 12 25th & 26th Sideroad, Municipality of Magnetawan.

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

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

AND WHEREAS the Council of the Corporation of the Municipality of Magnetawan deems it appropriate to amend By-law No. 2001-26 as amended to temporarily rezone a portion of the subject property from the Rural (RU) Zone to the Rural Temporary Use Two (RU-T2) Zone;

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

1. Schedule 'A-1', to Zoning By-law No. 2001-26 as amended, is further amended by temporarily zoning a portion of the lands legally described as Croft Concession 10, Part Lot 26 Registered Plan 42R 3291, Part 1 and Part 2 and municipally known as 12 25th & 26th Sideroad, from the Rural (RU) to the Rural Temporary Use Two (RU-T2) Zone as shown on Schedule 'A-1' attached forming part of this By-law.
2. Section 4.17 of By-law 2001-26 is hereby amended by adding the following in "Table 2: Temporary Uses":

Symbol	Zone	Property /Legal Description	Temporary Uses Permitted	Date Enacted	Expiry Date
<i>RU-T2</i>	<i>Rural (RU)</i>	<i>12 25th & 26th Sideroad Croft Concession 10, Part Lot 26 Registered Plan 42R 3291, Part 1 and Part 2</i>	<i>A garden suite with a maximum gross floor area of 50 square metres shall be permitted on a temporary basis.</i>	<i>June 26, 2019</i>	<i>June 26, 2029</i>

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

READ A FIRST AND SECOND TIME on the _____ day of _____ 2019.

READ A THIRD TIME and finally passed this _____ day of _____ 2019.

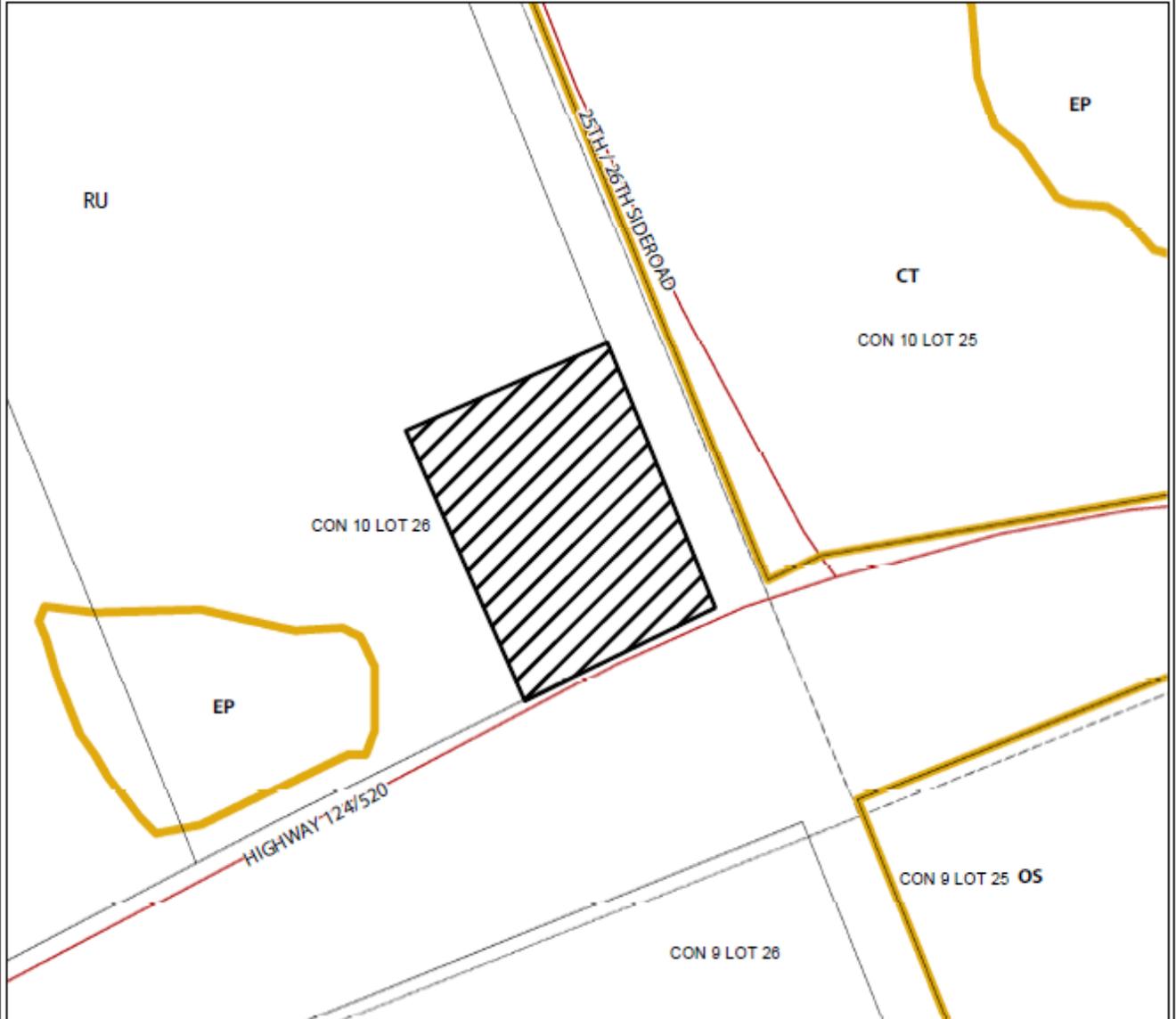
Sam Dunnett, Mayor

Nicole Fraser, Interim Clerk-Administrator

DRAFT

Schedule 'A-1'

Part of Lot 26, Concession 10
GEOGRAPHIC TOWNSHIP OF CROFT
Municipality of Magnetawan



Lands to be rezoned from the Rural (RU) Zone to the Rural Temporary Use Two (RU-T2) Zone

This is Schedule 'A-1' to Zoning By-law ____-2019
Passed this ____ day of _____, 2019

Mayor

Clerk-Administrator

MEMORANDUM

DATE: 19 June, 2019

TO: Mayor & Council, Municipality of Magnetawan

CC: Clerk-Administrator

FROM: Bruce Hill, Public Works Advisor

SUBJECT: Central Fuelling Depot for Municipal Vehicles & Equipment

Background

This report is to advise Council regarding establishing a central fuelling depot for municipal vehicles and equipment. Council had requested that the PWA report on any advantages or disadvantages of such a project earlier in 2019 with a view toward cost savings on overall fuel consumption as well as other tangible and intangible benefits and liabilities.

Methodology

All fuel invoices, from all fuel sources used by municipal departments during **2018**, were acquired from the Treasurer and all relevant fuel data was extracted and analyzed. Since fuel prices fluctuate on a day to day basis, it was necessary to calculate an overall average annual per litre price to show department by department fuel costs in chart form for easy comparison. The 2018 averages calculated are as follows:

Clear Diesel: \$1.18/L retail, and \$1.11/L wholesale

Dyed (Pink) Diesel: Not Available retail, and \$1.00/L wholesale

Reg.(87 octane) Gasoline: \$1.20/L retail, not available wholesale.

These are the existing per litre costs used in the attached Excel charts to show comparisons and advantages/disadvantages of an exclusive fuel depot at 2019 fuel prices, if any.

On May 21st the PWA wrote to known area wholesale fuel suppliers, including the incumbent supplier, inviting example proposals, current to the day, of per litre costs for each fuel type and the cost of supply and installation of code compliant double wall tanks and pumps at a common station. Expected volumes, based on 2018

Fuel Depot

totals, were advised to the suppliers so they could size the tanks accordingly. As these were not responses to an actual RFP, only two proposals came in over a three week period. One was from Huntsville Fuels (Shell) and the other from our current supplier, Moore's' Petroleum in North Bay. However, these two are enough to present an illustration for theoretical purposes.

Sources & Departments

There are essentially three major consumers of fuel within the Corporation, the largest by far being the **Public Works Department** using well over 58,000L of clear, low sulphur diesel in 2018. This figure includes a small amount being used by Parks & Facilities for their 3-ton truck which they fuel up at the Public Works Yard. The Public Works department is the only consumer of dyed (sometimes called pink diesel), using over 27,000L in 2018. Dyed diesel is only used on construction, forestry and agricultural equipment that is not plated for the road. Use of the dyed fuel in a plated vehicle is unlawful. Units using this fuel include the loader, three back-hoes, the dozer, compactor and motor-grader. Both types of diesel fuel are stored in separate tanks at the Public Works Yard and are equipped with powered pumps and nozzles. At this point in time, only PW trucks and equipment fuel up at the PW Yard depot, with the exception of the three ton truck operated by Parks and Facilities. Public Works also purchased nearly 3,500L of regular gasoline at local retailers (mostly at Magnetawan Bait and Tackle) for the PWS's patrol vehicle #20. A very small amount of premium fuel was purchased at Ahmic Marine for use on small motorized equipment such as chain saws, generator sets, etc.

Other than their three tonne truck, **Parks and Facilities** have two gasoline powered pick-up trucks plus several gasoline powered machines, such as lawn mowers, weed whippers, etc. The P&F department purchased almost 7,700L of gasoline at local retailers in 2018, both Ahmic Marine and Magnetawan Bait and Tackle.

The **Fire Department** operates both diesel powered and gasoline powered vehicle units. The Prevention units and the Chief's vehicle are gasoline powered whereas all the pump and ladder units are diesel. In 2018, the FD consumed over 7,300L of gasoline and just over 5,000L of clear diesel. The FD purchases all of its' fuel at various local retailers, including Hayes Shell in Burkes Falls, Ahmic Marine, Magnetawan Bait and Tackle, and C.A. Crossman (Guitar Picker's Corner) in Ahmic Harbour. The PWA is not aware of any fueling by the FD at the PW Yard, although it is certainly a possibility.

The Comparison Charts

The PWA now respectfully draws Council's attention to the three attached charts with the following brief discussions:

The first chart **-2018(based on invoices)** shows actual fuel consumption quantities and costs as taken from all 2018 invoices and from all sources. The chart is set up to read fuel type, quantity, and cost across the top, and departments down the left hand side. The reader will see that total fuel expenditure in 2018 was nearly \$121,000 and then also see the break down by department.

The second chart, **-2019-status quo**, assumes the same quantities as 2018 would be required, and shows the cost if procurement methods remain largely as they are, that is, with all departments purchasing gasoline at different retailers and the FD purchasing both gasoline and diesel at multiple retailers. Allowing for increased cost due to prices and the carbon tax, total projected costs increase to about \$125,225.

The third chart, **-2019-(based on proposals)**, shows what savings may be achieved if all departments fuelled at a common station, with fuel provided by a wholesale supplier. The costs are based on the information provided by Moore's and Huntsville Fuels, and are conditional upon adding a gasoline tank and possibly another clear diesel tank to accommodate Fire Department requirements.

Summary of Data

It is easily seen that there is no large saving in cost to be had when looking from the second chart to the third chart, where the difference is only \$2,300.00 or a bit less than 2% savings, across all departments. There are several reasons for this relatively insignificant difference, the following are the primary reasons that affect the Municipality;

- The margins on fuel are narrow, due to very limited refining facilities in Ontario. Therefore the profits are based on small margin on larger volumes being sold. Although the Municipality would be purchasing more than the average consumer, it is a respectable but not very large account and the prices shown in Chart 3 are as good as it gets.
- Taxes are a serious factor also. In 2019, each litre of fuel is subjected to Provincial tax, Federal tax, Carbon tax and HST all of which are obviously

non-negotiable. These taxes take a litre of clear diesel at wholesale price of \$0.879/L to \$1.2297/L which suppresses the margin and virtually negates any real competitive edge in the fuel market. (*Note that Moore's prices and Huntsville fuels prices are very similar*).

- Magnetawan itself is not geographically close to any supplier (closest is Parry Sound – 60km) and transportation becomes a significant consideration in the per litre price. (*Note that Stack fuels have been purchased by a larger company, Meridian fuels and have a base in Sundridge -20km. They have expressed an interest in the Municipality's fuel supply to the PWA, but no definite proposal at time of writing*).
- The large part (80%) of the proposed savings are on the gasoline.

From the data then, it becomes apparent that if the Municipality was to improve/enhance/re-build our current fueling station to accommodate all departments and to supply gasoline also, it would have to be for reasons other than cost savings.

Tank Costs

Mr. Bailey (Huntsville Fuels) forwarded pricing for double-wall storage tanks based on our consumption rates:

Clear diesel would require a **4500L tank @ \$3,200.00**.

Dyed diesel would require a **2200L tank @ \$1,900.00**.

Reg. Ethanol gas would require **1340L tank @ \$1,300.00**.

Each tank would require a **Fillrite 57L/min. pump with meter @ \$1,100.00**.

HST is not included in these figures. The clear diesel tank would have a monitoring device to ensure that it does not go empty.

Mr. Mike Moore of Moore's Petroleum advises that they would provide a **500 U.S.gallon (1,900L) gasoline tank** and pump with meter on an **LVE or loaned equipment basis at no cost to the Municipality**. Of course, this is if the Municipality continues to purchase their fuel from Moore's.

Advantages/Disadvantages of an Enhanced Fuel Depot

There are some good points to having a fully Municipal controlled all-fuels depot for its fleet, and they are;

- A steady and reliable fuel supply in the event of an emergency.
- Same source fuel provides equitable costs across all departments.
- No favouritism for any area retailer.
- Lowest possible price.
- 8% savings on gasoline (\$1,850.00 annually)

The disadvantages are just as compelling;

- Gasoline is a more sensitive fuel than diesel and may have additional insurance requirements.
- Gasoline is more prone to theft than diesel, and would require at least moderately more enhanced security.
- The collateral damage to total in-house fuelling is the political visuals wherein the local retailers take exception to the combined loss of approximately \$30,000.00 in fuel sales, each year, to Parks and Facilities and the Fire Department.

Conclusions and Recommendations

The PWA recommends the following;

- Council proceed with expanding the existing depot with a new 1,900L gasoline tank (no cost) from Moore's and continue to purchase from Moore's.
- The electrical system to the existing depot be improved so as to enable connection to the main PW generator in times of power outages and to enable much needed improved lighting over the depot.
- The pump switch lock box to be moved inside the Parks and Facilities garage. This, combined with the improved lighting would significantly enhance the overall security of the depot and discourage theft of gasoline.
- The depot remain at or near its current location at the PW Yard.
- All departments re-fuel at Municipal depot to maximize cost savings.

The only monetary costs associated with these recommendations is the electrical work which could be about \$15k.

This would provide an updated, emergency-ready fuel depot for all departments, with improved lighting and security as well as being properly powered up during power outages, from the main emergency generator.

**Submitted by M. Bruce Hill
Public Works Advisor
Municipality of Magnetawan**

Attachments:

Chart 1 2018 actual fuel consumption

Chart 2 2019 status quo, current purchasing method continues

Chart 3 2019 proposed, all re-fueling, incl. gasoline at Municipal depot

Huntsville Fuels proposal (preliminary)

Moore Petroleum proposal (preliminary)

FUEL CONSUMPTION ACROSS ALL MUNICIPAL DEPARTMENTS - 2018 (based on invoice)								
Department	Gasoline	Approx.	Clear	Approx.	Dyed	Approx.		
	(L)	Cost	Diesel (L)	Cost	Diesel (L)	Cost		
Fire Dept	7,327	\$ 8,792.00	5,002	\$ 5,902.00	0	0		
Parks & Facilities	7,658	\$ 9,190.00	incl. in Roads		0	0		
Roads (incl. Landfills)	3,464	\$ 4,157.00	58,428	\$ 65,200.00	27,631	\$ 27,650.00		
Totals	18,449	\$ 22,139.00	63,430	\$ 71,102.00	27,631	\$ 27,650.00		
Total Fuel Costs -2018-all departments								

FUEL CONSUMPTION ACROSS ALL MUNICIPAL DEPARTMENTS - 2019-status quo										
Department	Gasoline	Approx.	Clear	Approx.	Dyed	Approx.	Actual			
	(L)	Cost	Diesel (L)	Cost	Diesel (L)	Cost	Total Fuel			
							Cost			
Fire Dept	7,327	\$ 9,598.00	4,767	\$ 5,958.00	0	0	\$ 15,556.00			
	\$1.31		\$1.25							
Parks & Facilities	7,658	\$ 10,032.00	incl. in Roads		0	0	\$ 10,032.00			
	\$1.31									
Roads (incl. Landfills)	3,464	\$ 4,538.00	58,428	\$ 67,192.00	27,631	\$ 27,907.00	\$ 99,637.00			
	\$1.31		\$1.15		\$1.01					
Totals	18,453	\$ 24,168.00	63,195	\$ 73,150.00	27,631	\$ 27,907.00				
Total Fuel Costs -2019, purchasing as at present.								\$125,225.00		

To:	Nicole Fraser, Interim Clerk Administrator
From:	Jamie Robinson, Partner, MHBC Planning
Date:	June 13, 2019
File:	12153C
Subject:	636 25th & 26th Sideroad, Municipality of Magnetawan

The purpose of this memorandum is to provide information relating to the property located at 636 25th 26 Sideroad in the Municipality of Magnetawan and the information that is required in order for the property owner to obtain a building permit for a second dwelling unit on the property.

The subject property is located in the north western extent of the municipality and is designated Rural in the Municipality's Official Plan. The subject property is currently zoned Rural (RU) in the Zoning By-law. The property have direct frontage onto the Magnetawan River.

Official Plan

Schedule A (Land Use Map) to the Official Plan identifies the subject lands as being designated Rural. In addition, a portion of the property is located within the Aggregate & Mineral Resource overlay.

Section 5.2 in the Municipality's Official Plan includes policies that permit residential uses within the Rural designation. The proposed dwelling is in conformity with this policy.

Zoning By-law

The subject lands are zoned Rural (RU) in the Municipality of Magnetawan Zoning By-law 2001-26.

Section 3.6 states that *on the lands abutting a navigable waterway, where a lot has at least 180 metres of frontage, a second dwelling unit is permitted provided that there is not more than one sleeping cabin on the lot.* The lot frontage for the subject property exceeds this amount and therefore a second dwelling unit is permitted on the property.

Section 3.8 includes provisions regarding frontage on improved public roads, private roads and navigable waterways. Section 3.8 states:

a) *Improved Public Road*

No person shall erect any building or structure in any Zone after the date of passing of this By-law, unless the lot upon which such building or structure is to be erected has frontage upon an improved public road.

The above provisions shall not apply to prevent the erection of a permitted building or structure on a lot in registered plan of subdivision where a Subdivision Agreement has been entered into with the Municipality, notwithstanding that the road or roads will not be assumed by the Municipality until the end of the maintenance period, nor shall it apply to prevent the enlargement, extension, renovation, reconstruction or other structural alteration of an existing building or structure, which is located on a lot which does not have frontage upon an improved public road, provided the use of such building or structure does not change and is permissible within the Zone in which it is located.

b) *Frontage on Private Road*

Notwithstanding the provision in 3.9 (a) where a lot fronts upon a private road or private right-of-way, a use, building or structure shall be permitted on such lot, in accordance with the applicable provisions of this By-law provided such private road or private right-of-way existed as of the date of passing of this By-law.

c) *Navigable Waterway*

Notwithstanding the provisions of 3.9 (a) and (b) where a lot is only accessible by a navigable waterway, such lot may be used for a Seasonal Residential Dwelling and accessory uses only.

In response to Section 3.8 (a), (b) and (c), the subject property does not have frontage upon an improved public road, private road or a navigable waterway. The current development on the site for residential purposes is legal non-conforming as there is no legal access to the lot. As a result, the current development does not comply to Section 3.8 of the Zoning By-law and is legal non-conforming.

Access

It is our understanding that the subject property is accessed via 25/26 Sideroad followed by a driveway that does have a legal right-of way.

A Private Road is defined in the Municipality's Zoning By-law as a "private right-of-way over private property which affords access to abutting lots."

It is noted that the current access to the subject property is not a private road in accordance with the definitions of the Zoning By-law as a right-of-way does not exist.

Recommendation

In order for a building permit to be considered to permit a second dwelling on the subject property, one of approvals must be granted.

- 1) An easement created to establish a legal private right-of-way (private road) to the subject lands. This would enable a building permit to be considered in accordance with Section 3.8 b); or
- 2) The subject lands be rezoned to permit a second dwelling to be established in the absence of access via a legal private right-of-way.

It is recommended that the first option be pursued and that a legal right-of-way (easement) be established to access the subject site. A right-of-way is established through the submission of a consent application to the Municipality.

Please do not hesitate to call should you require any additional information.

May 30, 2019

Municipality of Magnetawan

Attention: Nicole Brass
Deputy Clerk

Effective June 1, 2019 I Dayle
Kitzpatrick am resigning my position
on the Magnetawan Public Library
Board.

Thank you
Dayle Kitzpatrick

JUN 11 2019

The **Corporation of the Town of Magnetawan**,
P.O. Box # 70, 4304 Highway 520,
Magnetawan, Ontario,
POA 1P0

632 Old Hwy. Road West, RR 2,
Magnetawan, POA 1P0
June 11th 2019

Att: **Members of Council**

Re: **Magnetawan Library Board**

Dear Members of Council,

This is to inform the Council that I am resigning from the Library Board at the end of June 2019.

I will be moving out of the area by the Fall, and therefore will not be eligible for a Board position.

The Library is an important community resource: so please continue to give the Library your full support.

Sincerely



Sally E. Norman

JUN 11 2019

June 7, 2019

To the Magnetawan Council,

It is with deep regret that I hand in my resignation from the Magnetawan Library Board.

At this time, I do not have the extra time that is required. I have already missed 3 important board meetings.

The library is such an important part of our community.

The library board members are very passionate about it and have spent many volunteer hours. They are a very dedicated group.

Sincerely

Paul Vaughan

JUN 11 2019

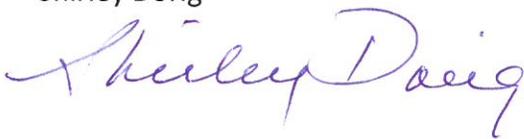
2691F Ahmic Lake Rd.
Magnetawan, Ont.
June 11, 2019

Mayor and Council,
Municipality of Magnetawan

This is a notice of my decision to leave the library board as of June 30th, 2019. Sadly, after 14 years on the board, I feel that I am no longer able to commit the time and energy required to carry out the duties of a board member.

I hope that new volunteers will step up to take a place on the board, and bring their individual strengths and creative ideas to further the development of the library.

Shirley Dorig



**BURK'S FALLS AND AREA
ALMAGUIN COMMUNITY ECONOMIC DEVELOPMENT
(ACED)**

**MINUTES
May 27, 2019**

The meeting was held at the Strong Municipal Office on May 27, 2019 at 6:00 pm.

Present: Tim Brunton, Municipality of Magnetawan
Barb Belrose, Village of Sundridge
Melanie Alkins, ENDM
Robert MacPhail, Township of Armour
Margaret Ann MacPhail, Township of Perry
Kelly Elik, Township of Strong
Willy Hollett, AHCC Representative left at 7:15 p.m.
Celia Finley, Township of Ryerson
Tim Bryson, Township of Joly

Regrets: Brenda Scott, Village of South River
Lewis Hodgson, Village of Burk's falls
Wendy Whitwell, Township of Armour
Ron Begin, FedNor

Staff: Nicky Kunkel, Village of Burk's Falls
John Theriault, Township of Armour
Dave Gray, Economic Development Officer
Nicole Fraser, Municipality of Magnetawan

Call to Order

The meeting was called to order at 6:00 pm.

Minutes

That the minutes of Monday April 15, 2019 meeting were adopted as circulated.

CEDO Report and Discussion

Dave Gray presented his monthly report which included an update on his activities over the last month, how the Cyber Security presentation was received and updates on the communications internship and digital main street program, the central Almaguin First Impressions Community Exchange, the Almaguin Business Engagement/Support Model, the Gravenhurst Airport and the infrastructure expansion in Armour and Burk's Falls. Questions were asked and answered.

The Board discussed the problem of implementing broadband services in the North. The CEDO is looking into a new company which is offering to bring high speed internet to our region. He will report to the Board at the next meeting.

Terms of Reference

The Board reviewed and discussed the draft Terms of Reference proposed by the ACED sub-committee. Following the discussion, the Board passed a resolution to recommend the adoption of the Terms of Reference as circulated.

Shared Service Agreement

The Board reviewed and discussed the draft Shared Service Agreement proposed by the ACED sub-committee. Following the discussion, the Board passed a resolution to recommend the adoption of the Share Service Agreement as circulated.

Position Descriptions

The Board reviewed and discussed the draft position descriptions for the Director of Economic Development and the Economic Development Officer. Some minor amendments were made. The position descriptions will be circulated again to Board Members to be approved at the next regular meeting.

Potential Investment Opportunity - Research Park for Educational Village

The Economic Development Officer informed the Board he had been contacted by a person interested in constructing a research park for educational purposes. This project is in its infancy stage and the Board will be updated as it progresses.

Other Business

There was a request for the CEDO to produce a newsletter so it could be shared with Councils and residents. The Board discussed this issue and thought that the CEDO report each month was sufficient if Board Members shared it with their Councils. Board Members will bring forward any ideas they have to improve communications in the future.

Resolutions

1. 2019-006 - Moved by Margaret Ann MacPhail; Seconded by Barb Belrose;
Be it resolved that the Almaguin Community Economic Development (ACED) Board approve the minutes of April 15th, 2019 as amended.
2. 2019-007 - Mover by Kelly Elik; Seconded by Tim Bryson;
Be it resolved that the Almaguin Community Economic Development (ACED) Board accept the ACED Terms of reference and Agreement for Shared Economic Development Services as presented and recommend that all partner organizations and municipalities add them to their upcoming regular meetings for review and approval.

Adjournment

The meeting was adjourned at 7:37 p.m.

The next meeting will be Monday June 17, 2019 at the Strong Municipal Office.

Magnetawan Community Development Committee

Meeting Minutes

Thursday May 2, 2019 6:00PM

Magnetawan Community Centre

4304 Highway 520, Magnetawan

Committee members in attendance: Emily Bolduc, Patricia Lake, John Hetherington, Marilyn Raaflaub

Regrets: Angie Hoffman, Diane Szabunio, Merik Szabunio and Tim Sullivan

Staff in attendance: Nicole Fraser

1. Call to Order

This meeting was called to order at 6:10pm on May 2nd

2. Adoption of the Agenda

R

Resolution 2019-13

Moved by Patricia Lake; Seconded by Marilyn Raaflaub:

BE IT RESOLVED THAT the Magnetawan Community Development Committee adopts the agenda for this regular meeting of May 2, 2019. (Carried)

3. Adoption of the Meeting Minutes from Previous Meeting

R

Resolution 2019-14

Moved by John Hetherington; Seconded by Marilyn Raaflaub:

BE IT RESOLVED THAT the Magnetawan Community Development Committee adopts the minutes from the regular committee meeting of April 9, 2019. (Carried)

4. Easter- Review

36 kids attended the Easter Egg Hunt. 14 of those kids were from Magnetawan and 22 were visiting. 40 Prize bags were prepared and that was just enough for those attending. In the future, either more prize bags will be needed, or alternatively, the committee can

do a prize table consisting of individual items for kids to choose from. This way prizes can be more age appropriate for kids e.g. a 2 year old can choose bubbles instead of a deck of cards and chocolate. The minute to win it games went well, but it would be good to have games for older kids available. Ellen Yeo did an excellent job of performing at the event. In the future, a different type of performer could be added such as a juggler or magician. This would make the event more appealing to kids of different age groups. The timing worked well, 1pm – 3pm makes sense for Easter weekend. Overall the event went well and participants enjoyed themselves.

5. Yuk Yuks Show

The Yuk Yuks show will be moved to September 14 or 21 weekend. More comedians are available at those times giving us more choice and more money will be available.

6. Volunteer for organizing Pavilion storage

Emily and/or John Hethereington will help Tim with organizing recreation related storage at the Lion's Pavillion. Tim will check with Dean and Steve to see if anything is at Croft

7. New Business

Community Art project. This can be done in one space for all such as the library, or spread out on lamp posts throughout town. Proposed starting dates for this project are June 15th at the latest with July 20th as the submission date to allow them to be posted by August 1st. A Jam session was proposed to be held at the Community Centre or at the ball diamond. Tim will make an ad to recruit volunteers to the MCDC for either in a volunteer capacity or a full on member. John is available to help/volunteer for Canada Day. Archery will occur 2 nights per week this summer. Hockey to happen on designated nights.

8. Adjournment

R

Resolution 2019-15

Moved by Patricia Lake; Seconded by Marilyn Raaflaub

BE IT RESOLVED THAT the Magnetawan Community Development Committee adjourns this meeting at 7:25pm on May 2, 2019

Municipality of Magnetawan

Community Centre Board Meeting, May 2, 2019

Minutes;

Members present; Garry Johnston, Mark Langford, Brad Kneller, Marie Dunnett and staff, Steve Robinson, Nicole Fraser.

Meeting called to order at 8:58 AM.

Minutes of previous meeting reviewed with following noted;

- ✓ Chairperson to receive a monthly summary of facilities usages.
- ✓ No smoking/vaping, ash trays removed and signs being made.
- ✓ Stove on hold until present stove moved to Ahmic Harbour
- ✓ Discussion on Ahmic Harbour Centre
- ✓ Roof repairs, estimates being prepared, presently leaking.
- ✓ Floor moisture problem, supposed to be sealed, looking into alternatives.
- ✓ Sidewalk repairs in budget,
- ✓ Pavilion entrance steps and steps beside hall main entrance need to be replaced. (Following meeting Committee members recommended that steps to pavilion be taped off as dangerous)
- ✓ Plexiglass at pavilion was discussed with possibility of have Municipal employees install. After discussion it was decided to leave for time being due to possibility of breakage during extreme cold periods.
- ✓ Zamboni is back in service.
- ✓ The lighted bulletin board, with message capabilities is progressing with sign supports and location to be confirmed.

Meeting dates set as first Thursday of each month except July and August at 9:00 AM. (July and August may meet in the evenings)

Committee needs a second representative from Agricultural Society (Marie to request at Agricultural Society Mtg) and possibly a member at large.

Request for an extra bench in cloak room, Steve looking into this.

Pavilion, several items discussed as follows;

- Need to pressure wash and paint floors and walls around front entrance.
- Cement pads under steel support posts require repairs;
- Need to have rink floor lines repainted, could be cost sharing with Lions Club.
- Caution lines along pavilion cement walkway need to be repainted.
- Farmers market, clean up, smoking, and dogs discussed... signs are up.

By-law, "Magnetawan Community Centre and Pavillion Policy", was reviewed with the Committee by Nicole Fraser, Acting Clerk with discussion to clarify and make minor changes. To be reviewed.

Pavillion upstairs storage room is in need of housekeeping. Various organizations that use this area to be asked to remove items no longer used and taking up space, Parks and Recreation crew to install some shelving.

Meeting adjourned at 10:27

Garfield Robertson

Acting Secretary

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

Being a By-law to Temporarily amend By-law No. 2001-26, as amended, the Zoning By-law for the Corporation of the Municipality of Magnetawan with respect to lands legally described as Croft Concession 10, Part Lot 26 Registered Plan 42R 3291, Part 1 and Part 2 in the Municipality of Magnetawan, and municipally known as at 12 25th & 26th Sideroad, Municipality of Magnetawan.

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

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

AND WHEREAS the Council of the Corporation of the Municipality of Magnetawan deems it appropriate to amend By-law No. 2001-26 as amended to temporarily rezone a portion of the subject property from the Rural (RU) Zone to the Rural Temporary Use Two (RU-T2) Zone;

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

1. Schedule 'A-1', to Zoning By-law No. 2001-26 as amended, is further amended by temporarily zoning a portion of the lands legally described as Croft Concession 10, Part Lot 26 Registered Plan 42R 3291, Part 1 and Part 2 and municipally known as 12 25th & 26th Sideroad, from the Rural (RU) to the Rural Temporary Use Two (RU-T2) Zone as shown on Schedule 'A-1' attached forming part of this By-law.
2. Section 4.17 of By-law 2001-26 is hereby amended by adding the following in "Table 2: Temporary Uses":

Symbol	Zone	Property /Legal Description	Temporary Uses Permitted	Date Enacted	Expiry Date
<i>RU-T2</i>	<i>Rural (RU)</i>	<i>12 25th & 26th Sideroad Croft Concession 10, Part Lot 26 Registered Plan 42R 3291, Part 1 and Part 2</i>	<i>A garden suite with a maximum gross floor area of 50 square metres shall be permitted on a temporary basis.</i>	<i>June 26, 2019</i>	<i>June 26, 2029</i>

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

READ A FIRST AND SECOND TIME on the _____ day of _____ 2019.

READ A THIRD TIME and finally passed this _____ day of _____ 2019.

Sam Dunnett, Mayor

Nicole Fraser, Interim Clerk-Administrator

DRAFT

Schedule 'A-1'

Part of Lot 26, Concession 10
GEOGRAPHIC TOWNSHIP OF CROFT
Municipality of Magnetawan



 Lands to be rezoned from the Rural (RU) Zone to the Rural Temporary Use Two (RU-T2) Zone

This is Schedule 'A-1' to Zoning By-law ____-2019
Passed this ____ day of _____, 2019

Mayor

Clerk-Administrator

SCHEDULE 'A' to By-law 2019-39 Private Road Grants Policy

1. GENERAL

This Policy outlines the manner in which the Municipality of Magnetawan will distribute *Private Road Grants*. These grants will assist property owners with costs for the summer maintenance of private roads and right-of-ways (ROWs), resulting in better accessibility and safety for traffic.

Grants are not guaranteed, and due to budgeting constraints, grants may be curtailed at any time by resolution of Council.

Council may from time to time establish further conditions regarding the approval of grants that may be applied generally or to a specific situation.

The Municipality of Magnetawan shall have no responsibility or obligation or exercise any degree of operational control with respect to maintenance of the affected private road or ROW.

2. DEFINITIONS

Private Road means a road that is located on private lands that is used to access more than one property with a unique owner and includes a right of way (ROW).

Eligible Maintenance means work that is done on a Private Road to make substantial improvements to the Private Road's form or function, in the calendar year of the granting program, and does not include plowing, sanding, salting or any other form of winter operational maintenance.

3. PROCEDURE

- i. Property owners with lands fronting on a Private Road, including the owners of vacant or undeveloped lots, may form a Road Maintenance Group which shall include and represent at least two-thirds (2/3) of those property owners, and the Group shall appoint a representative;
- ii. The Road Maintenance Group shall contract or have performed the necessary Eligible Maintenance to the Private Road and shall keep all resulting receipts or invoices. The Road Maintenance Group shall be solely responsible to oversee the administration and supervision of annual work programs and related budgets.
- iii. The Road Maintenance Group shall complete and submit the attached Application for Private Road Grant prior to the specified deadline;
- iv. All applications shall be submitted to the Deputy Clerk, who shall have the authority to determine grant eligibility and to authorize grants based on the following criteria:
 - a) documentation of participation by two-thirds (2/3) of property owners in sharing the costs of Eligible Maintenance (e.g., list of signatures, copies of emails, copies of cheques);
 - b) documentation of a dedicated bank account in the name of the Road Maintenance Group for the purpose of receiving the grant (**the cheque will be made out in the name of the Road Maintenance Group**); and

- c) inclusion of paid invoices for Eligible Maintenance expenditures;
- v. The total annual grant amount shall be set by Council during the annual budget process. Individual grant amounts shall be determined based on a maximum amount equal to “X” factor plus “Y” factor. “X” factor shall represent a dollar value per kilometre of roadway and “Y” factor shall represent a dollar value per unique property (meaning that two properties on the Private Road with a common owner are counted as one property);
- vi. Grants shall be paid in one lump sum to the Road Maintenance Group;

4. CALCULATION OF GRANTS

Grants shall be calculated based on the length of the Private Road, and the number of properties with unique ownership that the Private Road services, or “X” factor plus “Y” factor.

The formula to determine the eligible amount for each grant shall be a maximum of:

$$(\text{“X”} \times \$250.00) + (\text{“Y”} \times \$40.00)$$

where,

“X” equals the length of the Private Road in kilometres; and
 “Y” equals the number of properties with unique ownership along the Private Road

Example Calculation

Bumpy Road is a Private Road located in the Municipality of Magnetawan and is 2.5 km in length. Although there are twenty properties along Bumpy Road, only ten of them have unique owners. Owners from seven of the ten unique properties have formed the Bumpy Road Maintenance Group and appointed Mr. Smooth as the Group’s representative. Mr. Smooth has opened a separate bank account in the Group’s name.

In the summer of 2019, the Bumpy Road Maintenance Group hires a company to place and grade two tonnes of fill on Bumpy Road for a total cost of \$2,000. The Group pays the contractor in full for the work and material.

The Group completes and submits an application to the Municipality prior to the deadline.

They calculate the “X” factor as:	2.5 km x \$250 = \$ 625.00
They calculate the “Y” factor as:	10 property owners x \$40.00 = \$ 400.00
The total grant requested is equal to “X” plus “Y”	= \$1,025.00

The Bumpy Road Maintenance Group is eligible for a maximum grant of \$1,025.00.

Following the application deadline, Magnetawan staff reviews all applications and approves grants from funds as allocated in the annual budget. The Bumpy Road Maintenance Group may receive the maximum grant if:

- the total of all grants in that year is less than the amount allocated in that year’s budget; and
- the Group’s maintenance costs were greater than the maximum eligible grant amount.

APPLICATION FOR PRIVATE ROAD GRANT

Submission deadline: November 15th, 2019 at 4:00 PM

Private Road Name or Location: _____

Length of Private Road (km): _____ (“X”)

Number of unique property owners: _____ (“Y”)

Maximum Eligible grant: _____
(“X” x \$250.00) + (“Y” x \$40.00)

Road Maintenance Group Name: _____

Number of participating property owners: _____

Total paid for Eligible Maintenance: \$ _____
(please attach all receipts/invoices)

Road Maintenance Group Representative:

Name: _____

Magnetawan Address: _____

Mailing Address (if different): _____

Telephone: _____

E-Mail: _____

I certify that all of the information above is to the best of my knowledge and belief true, correct and complete.

Signature of Road Maintenance
Group representative

Date signed

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

BY-LAW NO. 2019 - 40

Being a By-law to establish Golf Course Road as a Public Highway

WHEREAS Section 31 of the *Municipal Act, 2001* authorizes the passage of by-laws to establish and lay out a highway;

AND WHEREAS the Corporation of the Municipality of Magnetawan obtained ownership of the Part Lot 1, Concession 5, Township of Croft, being Parts 2, 3, 5, 6, & 7 on 42R13432, Parts 1 & 2 on 42R13564 & Parts 2 & 3 on 42R13346; Municipality of Magnetawan, District of Parry Sound being all lands in PIN 52084-0298 (LT) from the Province of Ontario;

AND WHEREAS a road known as “Golf Course Road” exists upon the foregoing lands and the Municipality has deemed expedient to establish and assume the foregoing lands as a public highway;

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

That Part Lot 1, Concession 5, Township of Croft, being Parts 2, 3, 5, 6, & 7 on 42R13432, Parts 1 & 2 on 42R13564 & Parts 2 & 3 on 42R13346; Municipality of Magnetawan, District of Parry Sound is hereby established and assumed as a public highway of the Corporation of the Municipality of Magnetawan.

READ A FIRST, SECOND, AND THIRD TIME, passed, signed and the Seal of the Corporation affixed hereto, this 26th day of June, 2019

**THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN**

Mayor

Interim Clerk-Administrator

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

BY-LAW NO. 2019 - 41

Being a By-law to stop up, close and sell Part of Lot 1, Concession 5 being Part 1, Plan 42R-21167 and Part of West Street North of Magnetawan River, Registered Plan 319, being Part 2, Plan 42R-21167, Municipality of Magnetawan, District of Parry Sound.

WHEREAS pursuant to Section 27(1) of the *Municipal Act, S.O. 2001, c. 25*, as amended, municipalities are given authority over highways within their jurisdiction;

AND WHEREAS the Original Road Allowance which is the subject matter of this By-law is within the jurisdiction of this Municipality;

AND WHEREAS pursuant to the Municipality's Procedures for Public Notice By-law No. 2016-12, the Clerk of this Corporation did cause a Notice of the proposed By-law to be published in accordance with requirements of the said By-law.

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

1. Stop Up and Close. This Council does hereby stop up and close to vehicular and pedestrian traffic the lands described in Schedule "A".
2. Surplus Property. The said lands described in Schedule "A" are declared to be surplus to the requirements of this Municipality.
3. Authorization for Sale. This Council does hereby authorize the sale of the said lands described in Schedule "A" at the consideration of \$2,833.59.
4. Easements. This Council does hereby authorize the transfer of such easements over the lands described in Schedule "A" attached hereto as may be required by utility providers. Notice of the proposed road closings were sent to Hydro One Networks Inc., Bell Canada and Public Works Canada. All have responded that they do not have any easement requirements.
5. Sale of Land By-law. Compliance with the Notice provisions of Public Notice By-law 2016-12, will be deemed to be in compliance with the Notice provisions of this Municipality's Sale of Land By-law 2006-11.
6. Execution of Documents. A) If Paper Registration; The Mayor and the Clerk are hereby authorized to execute all documents for paper registration (including public utility easements, if any) in connection with the closing and subsequent transfer of title to the lands described in Schedule "A". B) If Electronic Registration; The Clerk is hereby authorized for or on behalf of the Municipality to execute, for the Municipal Solicitor an "Acknowledgment and Direction" authorizing the Municipal Solicitor to complete the Electronic Registration for any required easements, and the subsequent transfer of title relating to the lands described in Schedule "A".

7. Clerk's Affidavit. There shall be attached to this By-law, as Schedule "B", an affidavit by the Clerk of this Corporation, setting out: A) the procedures taken for the giving of Notice pursuant to By-law 2016-12 and; B) the procedures taken for notice to Public Utilities and applicable Government Departments or Ministries.

READ A FIRST, SECOND, AND THIRD TIME, passed, signed and the Seal of the Corporation affixed hereto, this 26th day of June, 2019

**THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN**

Mayor

Interim Clerk-Administrator

SCHEDULE "A"

Part of Lot 1, Concession 5 being Part 1, Plan 42R-21167 and Part of West Street North of Magnetawan River, Registered Plan 319, being Part 2, Plan 42R-21167, Municipality of Magnetawan, District of Parry Sound.

BY-LAW CERTIFICATION

CERTIFIED to be a true copy of By-law 2019-41, and that such By-law is in full force and effect.

Dated at the Municipality of Magnetawan, this the 26th day of June, 2019

Nicole Fraser, Interim Clerk-Administrator

Name

Title

By-law 2019-41
Road Closing
Exhibit "A"

This is Exhibit "A" to the Affidavit of Nicole Fraser, Interim Clerk-Administrator of The Corporation of the Municipality of Magnetawan.

Posting

DRAFT

*This is Exhibit "A" mentioned and referred
To in the Affidavit of Nicole Fraser*

*SWORN before me this 26th day of
June, 2019*

A Commissioner for Taking Affidavits, etc.

Name

Title

DRAFT

THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN

BY-LAW NO. 2019 - 43

Being a By-law to Establish a Strategic Asset Management Policy

WHEREAS pursuant to the Municipal Act, 2001 S.O. 2001, chapter 25 a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS pursuant to the Municipal Act, 2001 S.O. 2001, chapter 25 the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS In December of 2017, the Province of Ontario passed an Asset Management Planning Regulation, O. Reg. 588/17, under the Infrastructure for Jobs and Prosperity Act, 2015, that requires all Municipalities to leverage asset management planning to optimize infrastructure investment decisions;

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

1. THAT the Strategic Asset Management Policy in the form attached as Schedule 'A' to this By-Law, is adopted as a policy pursuant to Ontario Regulation 588/17.
2. THAT this By-Law shall become effective upon the date, and at the time, of its passing.

READ A FIRST, SECOND, AND THIRD TIME, passed, signed and the Seal of the Corporation affixed hereto, this 26th day of June, 2019.

**THE CORPORATION OF THE
MUNICIPALITY OF MAGNETAWAN**

Mayor

Schedule 'A'

Policy Statement

The Municipality of Magnetawan is committed to improving the long-term resilience and sustainability of its infrastructure. To do this, the Municipality must have a policy to guide its asset management decisions that promotes best practices and links asset management planning to budgeting, operations and other municipal planning activities.

Purpose

The purpose of this Policy is to provide guidance for capital asset management plans and other capital asset-related decisions for the Municipality. The adoption of a policy is one of the requirements of the Municipal Asset Management Planning Regulation under the Infrastructure for Jobs and Prosperity Act, 2015.

Asset Management Principles

The following principles will guide asset management planning in the Municipality. These principles align with the principles in section 3 of the Infrastructure for Jobs and Prosperity Act, 2015.

1. **Forward Looking** – the Municipality shall take a long-term view while considering demographic and economic trends in the region.
2. **Budgeting and Planning** – the Municipality shall take into account any applicable budgets or fiscal plans such as budgets adopted under Part VII of the Municipal Act, 2001.
3. **Consistency** – the Municipality shall ensure the continued provision of core public services such as protection, transportation and environmental services.
4. **Economic Development** – the Municipality shall promote economic competitiveness, productivity, job creation and training opportunities.
5. **Prioritizing** – the Municipality shall clearly identify infrastructure priorities that will drive investment decisions.
6. **Innovation** – the Municipality shall create opportunities to make use of innovative technologies, services and practices, particularly where doing so would utilize technology, techniques and practices developed in Ontario.
7. **Transparency** – the Municipality shall be evidence-based and transparent. Additionally, subject to any prohibitions under an Act or otherwise by law on the collection, use or disclosure of information, the Municipality shall:
 - a) make decisions with respect to infrastructure based on information that is publicly available or made available to the public;
 - b) share information with implications on infrastructure and investment decisions with the Government and broader public sector entities.
8. **Environmentally Conscious** – the Municipality shall minimize the impact of infrastructure on the environment by:
 - a) respecting and helping maintain ecological and biological diversity;
 - b) augmenting resilience to the effects of climate change;
 - c) endeavoring to make use of acceptable recycled aggregates.
9. **Health and Safety** – the Municipality shall ensure that the health and safety of workers involved in the construction and maintenance of infrastructure assets is protected.

10. **Community Focused** – the Municipality shall promote community benefits, being the supplementary social and economic benefits arising from an infrastructure project that are intended to improve the well-being of the community, such as:
- a) local job creation and training opportunities (including for apprentices, within the meaning of section 9 of the Infrastructure for Jobs and Prosperity Act, 2015);
 - b) improvement of public space within the community;
 - c) promote accessibility for persons with disabilities.
11. **Integration** – in planning and making decisions surrounding infrastructure, where relevant and appropriate, the Municipality shall be mindful and consider the principles and content of non-binding provincial or municipal plans and strategies established under an Act or otherwise.

Governance

The CAO/Clerk has overall responsibility for asset management planning for the Municipality. The CAO/Clerk is responsible for:

- Delegating asset management-related tasks to Municipality staff within their defined job descriptions/competencies and for recruiting external assistance when the required expertise does not reside in-house. Staff involved might include the Treasurer, Department Heads and Administrative/Office Assistants.
- Arranging meetings among staff members to ensure timelines for strategic asset management policy review, asset management plan development and review and provincial reporting requirements are adhered to.
- Ensuring municipal ratepayers and other interested parties are given opportunities to provide input into asset management planning.
- Approving the Asset Management Plan before being presented to Council for approval.
- By July 1, 2025, preparing an annual report relating to the Municipality's asset management progress for Council consideration. The report will address:
 - the Municipality's progress in implementing its *Asset Management Plan*;
 - any factors impeding the implementation of the *Asset Management Plan*;
 - staff's proposed strategies to address impediments.

As part of the annual budgeting process, The Clerk-Administrator will review the asset management principles with Council, Department Managers and the Public, provide them with a summary of the asset management planning milestones to be achieved in the budget year, and report on the asset management planning progress made to date.

Council has a key role in ensuring the long-term sustainability and resilience of the Municipality's infrastructure. The Council has the following roles and responsibilities with respect to asset management planning in the Municipality:

- Review and approve by resolution the Strategic Asset Management Policy and all subsequent revisions within their term of Council.
- Annually review and approve the report on the Municipality's asset management progress prepared by the CAO/Clerk.
- Adhere to the asset management planning guiding principles when making budget and other planning decisions.
- Ensure tax rate/other revenue generator decisions move the Municipality towards sustainability and resilience.

Strategic Alignment

Official Plan, Service Level Delivery Reviews, Regional Economic Development Plan and Related Policies
Well-maintained infrastructure is important to the growth and development of the Municipality as set out in the goals of the Municipality's *Official Plan*, *the Regional Economic Development Plan*

It is the intent of both the *Official Plan* and *the Regional Economic Development Plan* to encourage development that is compatible with the character, role and permitted uses of agricultural, rural and the village centres, as well as to promote the continued functioning of natural systems. It is the intent that the natural beauty and environmental resources, considered key factors in the growth of the tourism sector, are not damaged by future development.

Good roads and bridges facilitate the movement of goods, the provision of services—notably emergency services—and the transport of people to work, school, recreation and other facilities. Good roads are essential to attracting economic development in the transport of commodities to market and providing access to tourism and other amenities the Municipality has to offer.

The state of local infrastructure also reflects on the image of the Municipality to its residents and visitors. Poorly maintained infrastructure conjures a negative image and may detract from investment in the Municipality.

Consequently, the Municipality's *Asset Management Plan* facilitates the achievement of the vision outlined in the Municipality's *Official Plan* and *Regional Economic Development Plan* and supports the execution of the Municipality's *Emergency Management Response Plan*.

Annual Budgets

The *Asset Management Plan* will be considered annually in the Municipality's operating budgets, capital budgets, and long-range financial plans as well as in the development of tax levy rates and other related revenue generators. A review of the financing section of the *Asset Management Plan* will be included in the annual budget deliberations.

The *Asset Management Plan* will be referenced by the service area personnel in conjunction with finance staff in the preparation of their budgets to help them:

1. Identify all potential revenues and costs (including operating, maintenance, replacement, and decommissioning) associated with proposed infrastructure investments;
2. Evaluate the validity and need for proposed capital investments;
3. Incorporate new revenue tools and alternative funding strategies where possible.

Stakeholder Engagement

The Municipality is committed to providing opportunities for municipal ratepayers and other interested parties to provide input into asset management planning. Stakeholders are encouraged to attend public budget meetings and comment on asset management-related decisions being considered by Council. They will also be encouraged to comment on any revisions to the Municipality's existing *Asset Management Plan* prior to adoption by Council.

The Municipality recognizes that neighboring municipalities, provincial agencies, and other infrastructure-asset-owning agencies such as regulated utilities are partners in the delivery of service for municipal ratepayers. Accordingly, the Municipality shall coordinate asset management planning with these external parties when appropriate.

Asset Management Plan

With the exception of land, all assets meeting the single asset capitalization thresholds detailed in the Municipality's *PSAB 3150 Policies - Tangible Capital Asset Policies* will be included in the *Asset Management Plan*. This includes the Municipality's proportionate share of the assets of any shared or fully-controlled services. Pooled assets—assets that are capitalized under the Municipality's tangible capital asset policy but do not meet the single asset capitalization threshold—will be excluded from the *Asset Management Plan*. The low capitalization thresholds established by the tangible capital asset policy ensures that all assets whose role in service delivery requires deliberate management by the Municipality are included in the *Asset Management Plan*.

On an ongoing basis, the planning department reviews all proposed development to ensure that it complies with the intent and direction of the *Official Plan* and *Zoning By-Law*. The planning department reviews Ontario's land-use planning framework, including any relevant policy statements issued under section 3(1) of the Planning Act to ensure that provincial plans are incorporated into updates of the Municipality's *Official Plan* and *Zoning By-Law*. Prior to the adoption of any revisions to the *Asset Management Plan*, the planning department will review the plan to ensure that it is aligned with the *Official Plan* and consequently, to Ontario's land use planning framework, policy statements and plans.

The Municipality **commits** to consider in asset management planning:

- a) the actions that may be required to address the risks and vulnerabilities that may be caused by climate change to the Municipality's infrastructure assets (including changing operating procedures (e.g.,

revising maintenance schedules), raising/lowering levels of service and lifecycle management strategies) as well as the *anticipated costs* that could arise from these impacts, and *adaptation opportunities* that may be undertaken to manage the potential risks;

- b) mitigation approaches to climate change, such as greenhouse gas emission reduction;
- c) disaster planning and any required contingency funding.

Continuous Improvement

As part of the annual budgeting process, the CAO/Clerk will provide Council, Department Managers and the Public with an update on asset management planning progress. This will include: any factors affecting the ability of the Municipality to meet its commitments set out in the Asset Management Plan and Strategic Asset Management Policy; a strategy to address those factors; and progress on ongoing efforts to implement the Asset Management Plan.

The Asset Management Plan will be subject to revision as the Municipality works within its guidelines and identifies specific challenges and/or opportunities for improvements. A comprehensive review of the Plan shall be undertaken every five-years, as a minimum, or on an as-required basis. Review of the plan will include an update to the existing state of infrastructure inventory and condition through such activities as the regular OSIM (Ontario Structural Inspection Manual) reporting and road evaluations. It will also include an update of the proposed levels of service, the lifecycle management strategy required to maintain the proposed level of service, an updated financial strategy, and a discussion of how the Municipality intends to address any funding shortfalls.

JUN 11 2019

June 10, 2019

To the Council of the Municipality of Magnetawan,

As a year has gone by since our last letter to council (attached) we are again writing regarding the property severance and dump concerns.

Ted Williams, our surveyor, has completed the surveying of the property and has the plans of the property prepared. As per the summary of discussion between myself (Bill) and Andrew Farnsworth (attached) I have followed his suggestions as best as possible.

1. Hired a lawyer Joel Kennedy
2. Had the title searched and the land is in my and my wife's name
3. b. have placed a cheque with the Municipality for \$500.00(copy attached) as a good faith deposit toward the \$5000.00 the Municipality wants for the legal costs of transferring the road allowance to the Municipality.
c. Have surveyed the 20-meter road allowance.

**as it states. We have been working diligently to determine our legal course of action.

Since a year has gone by and a lot of been done and not done in this time period regarding the land severance and dump issue, we feel it is time to review the whole process.

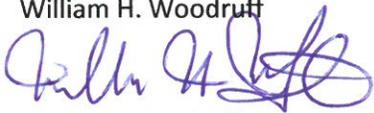
Ted Williams Surveying has researched and found the Township of Chapman paid to have road surveyed in 1905. The township paid for the survey but did not convey the land to their ownership. Seeing as the township has already paid once to have it surveyed why is it called a given road? The Municipality now wants us to pay again to transfer the road allowance?

The dump issue is still ongoing. We are trying to work cooperatively with the Municipality on this issue - not as irate taxpayers but as concerned landowners. The first reports on water quality were withheld from us until the public meeting on the matter. Again, the reports from the consultant and the MOE are being withheld from us.

It is time we sit down and review the whole situation of road allowance and the dump issue.

Yours sincerely,

William H. Woodruff



Nancy A Woodruff



Summary of Discussions between Bill Woodruff and Andrew Farnsworth, April 2018

Re. Severing Con 10 Lot 25, Geographic Township of Chapman, now in the Municipality of Magnetawan ("the Lands")

Summary of Issue

1. Mr. Woodruff would like to sever the Lands into two parcels:
 - the severed parcel, being north of Miller Road, zoned Extractive Industrial (MX) and Environmental Protection (EP), with a licensed pit/quarry; and
 - the retained parcel, being south of Miller Road, zoned Rural (RU), with a single family dwelling.
2. Miller Road is a trespass road – the Municipality has surface rights, but Mr. Woodruff still owns land rights beneath the road.

Proposed Solution

In discussion with the Municipal Solicitor, Ed Veldboom at Russell Christie, the following potential procedure is proposed to help Mr. Woodruff address the matter:

1. Hire a lawyer
2. Instruct your lawyer to perform a title search to ensure that the Lands have clear title (i.e., have not merged on title with adjacent lands also owned by Mr. Woodruff), and with the understanding that the Lands are legally owned by Nancy Woodruff.
3. Apply to Ontario Land Registry for a natural severance:
 - a. Approach Magnetawan Council for a resolution to support in principle the gifting of lands beneath Miller Road to the Municipality.
 - b. Enter into Agreement with Magnetawan to pay all municipal legal costs to affect land transfer, and provide a \$5000 deposit against those costs.
 - c. Survey that portion of the Lands that will be required to obtain natural severance, including 20 metre / 66 foot wide road allowance along that portion of Miller Road separating the Lands.
 - d. Work with the Municipal Solicitor to transfer deed for Miller Road to the Municipality.
 - e. Have lawyer do what is necessary to apply/deposit deeds to establish two separate properties.

** Please be advised that the procedure noted above is just a suggestion, and it is the responsibility of Mr. Woodruff to determine an appropriate legal course of action.

June 4, 2018

To the Council of the Municipality of Magnetawan,

This spring we decided to apply to have the pit property on Lot 26 Con 10 Township of Chapman severed from the rest of our properties. The purpose of this is so we could incorporate (Chapman Valley Aggregates) as a separate piece of property. The property is zoned extraction and licensed as a Class B pit and quarry. I (Bill) contacted your CEO and got written guidance on how to proceed with this transaction.

I contacted and hired Ted Williams Surveying from Huntsville to survey the properties and draw up a survey plan. The given roads (Miller and Rocky) will be surveyed and a 20-meter road allowance will be conveyed to the Municipality. I am in the process of clearing some of the road allowances and preexisting lot lines myself. When I finished clearing the line on the road allowance between Lots 25 and 26 Con. 10 I decided to walk over to the dump property which is very close to the line. This is when I found the leachate coming from the dump flowing out of the ground onto my property. I took pictures and proceeded to the Municipal office. Sam Dunnett happened to be in the office at the time and behind closed doors and in a discreet and professional manner I reviewed the pictures with Sam and Nicole Fraser. Sam advised me to take more pictures and set up a meeting to review the situation.

I have suspected for a number of years that the stream running from the pond on Lot 10 Con. A was being polluted by runoff from the dump. The first sign was the little trout that used to be in the stream had disappeared. This had not really been a concern of ours until we decided to sell off Lot 25 to pay for the cost of surveying and land transfer. If we sold now we would have to disclose to the potential buyer that the north end of the property may be polluted, thus devaluing the worth of the property.

The easiest solution to this problem that we can see is for the municipality to buy the property which has been deemed as environmentally protected land from us. This zoning runs across all three of our lots 23,24 and 25. The water flow from the dump runs across all three lots. By buying this property from us the runoff from the dump would then be running across municipal property.

If this solution is acceptable to council we would like the following considered;

- Compensation for Bill's time working on this matter at an agreed upon rate. (detailed timesheet will be provided)
- A roadway across the stream on lot 24 be granted (a registered easement). This would allow access to south side of the pit property.
- The municipality share the cost of surveying all of the property affected. This will be beneficial to both parties as we have already started the survey work. Ted Williams Surveying is doing the work. (estimate attached for work approved by Bill)
- Yearly testing of the well water by the municipality. Test results must be provided to the owner each year. If the test comes back positive for leachate the municipality will pay to drill the property owner a well.
- Access to the affected property would be granted by us in writing through the pit property Lot 25. This is easiest access to the area for investigation and remedial work if required. Keys will be provided to gates will be provided.

- The Municipality inform the Ministry of Environment of the leachate problem.
- The Municipality pay for all legal costs in regard to transferring road allowances and purchased property.

We request that all proceedings in this matter be conducted in a very discreet and non-confrontational manner.

William H Woodruff, owner

Nancy A Woodruff, owner