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LAKE JOSEPH NORTH ASSOCIATION 2012 – SUMMER NEWSLETTER c,d

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LAKE JOSEPH NORTH ASSOCIATION 2012 – SUMMER NEWSLETTER

The Association's focus remains on preservation of the natural environment, water quality, fair taxation and accountability in municipal budgets. We support the activities of the Muskoka Heritage Trust preserving the natural Muskoka that we love, for future generations.

The Annual Meeting of the Lake Joseph North Association will be held at Gordon Bay Marine on Saturday August 4th, 2012 at 8:30AM. Please join us for discussions on the state of Lake Joseph, issues surrounding Seguin and presentations from Mayor Conn, Councillors Sainsbury and Osborne representing Wards 3 and 4.

Please complete the enclosed membership card and mail it with you cheque for \$100 in the envelope provided.

At last year's Annual General Meeting of the LNJA it was requested by Members that we deal with a couple of significant items of concern:

- 1) The growth in large, fast, noisy boats sometimes operated in an reckless manner, with disregard to the enjoyment and safety of other Muskoka neighbours
- 2) The concern over the number of bears at Hamer Bay being sustained by feeding by a local businessman

I am pleased to report to you that we have made significant progress with both these issues in the past few months.

Boating:

With respect to boating it was clear that the LJNA representing the Seguin portion of Lake Joseph, could not enact any significant change without the buy-in from the greater lake associations and specifically south Lake Joseph.

Director Frances Carmichael was asked to interact with the MLA and other lake associations to seek a common front on the boating issue. The result has been an overwhelming success in implementing a new era in lake association co-operation and communication.

The new cooperation has resulted in the "Safe, Quieter, Boating Association", a collaboration of the MLA, LJNA, LRNA, Little LJA and literally dozens of Muskoka small lake associations.

A sincere thank you is extended to Frances Carmichael, Nancy Cohen, Greg Wilkinson, Rick and Linda Stockton and Vahan Kololian for leading an effort that will hopefully make Muskoka life better for all.

It should be noted that the both Seguin Township and the LJNA were first to the mark in making monetary contributions to this initiative.

Here is their report:

Report from Safer and Quieter Boating – for all to enjoy

At our last AGM, we made a presentation on concerns for safer and quieter boating. There has been strong positive response

Over the past 8 months, a group of representatives from Lakes Joseph, Rosseau, Little Joseph and the Muskoka Lakes Associations have been meeting to address the issues. Overall, the group wants to make the Muskoka lakes safer and quieter for all so that we can ensure the sustainable enjoyment of our treasured and shared resource.

This Committee has met with local municipalities, the OPP, key community leaders and businesses to solicit attitudinal and financial support for an awareness campaign to be conducted over the next 3 years. The goals are fourfold.

To make the Muskoka Lakes:

- Safe for the enjoyment of everyone; safe for swimmers and all types of motorized and human-powered craft. High speed, oversized craft and excessive noise increase risk and are annoying.
- Quiet enough so that everyone can enjoy nature's sounds, speak at normal voice levels and not be startled or awakened by intrusive noises.
- Sustainable environmentally so that we can share this lake resource with future generations. Large wakes erode shorelines; loud noises disrupt wildlife and emissions damage the environment.
- Have all parts of the Muskoka community (residents, businesses and visitors) share in the responsibility of keeping our lakes safe, quiet and sustainable by talking to their neighbours and doing their best to reinforce safety and courtesy as part of our Muskoka culture

A communication campaign has started, including posters, brochures, newspaper articles and a website. The Committee wants to hear from you with your suggestions, and opinions.

Please Email: safequieter@gmail.co or log on to the website: www.safequiet.ca

Bears:

After discussions with the MNR bear “hot line” and the responsible MNR official in Parry Sound, I spoke with Mayor Conn and Councillor Sainsbury at the April 26th meeting of the Safe Quieter Boating Committee in Port Carling. They agreed with our concern and unbelievably enacted a bylaw on June 18th, outlawing the feeding of bears in Seguin. This bylaw should allow the lawful prevention of the short sighted practice. (See the attached article)

Some of the seventeen wild bears that were previously fed have grown up to associate humans with food. If anyone should experience bear problems as a consequence of the cessation of feeding, they should call the Parry Sound MNR. If anyone should witness the feeding of bears, they should contact the OPP or Seguin By-law Enforcement Officers.

Report from the Water Quality Committee:

In general, the water quality in Lake Joseph North continues to be excellent, according to the 2011 MLA Water Quality Report, which is available on the MLA website at <http://www.mla.on.ca/> under the heading: 2011 Water Quality Report ready

The LJNA provides financial support to the MLA for their water sampling program and provides volunteers for the actual sampling programs in Stanley Bay, Lake Joseph Main, Gordon Bay and Hamer Bay, plus a Team Leader.

The only area of concern continues to be Hamer Bay and the impact of Rocky Crest Resort, which may be causing a gradual deterioration in water quality in Hamer Bay. The LJNA has engaged RiverStone Environmental Solutions Inc to provide expert analysis of the sampling results and water quality trend and to provide a liaison with ClubLink, Seguin Township, the MLA and the Ontario Ministry of Environment.

Comments and Submission by the LJNA to: Seguin Zoning By-law Review

June 13, 2012

Seguin Official Plan and Zoning By-Law 2012 review - Comments from LJNA: *Note our comments are in imperial measure as most people relate better while the regulations are in metric – so small variances may occur.*

Background:

During 2004 – 2006 Seguin undertook a comprehensive process to establish a new Official Plan (“OP”) for Seguin – previously the OP was an amalgamation of the previous 5 smaller Townships with many inconsistencies.

We viewed the process, which involved many open houses and consultations with various parties including Lake Associations, as a very democratic and robust process. We believe that overall it resulted in a very good outcome regarding issues of concern to shoreline property owners amongst other constituents.

The major changes for shoreline owners was a sizing of cottage footprints to shoreline ownership – not size of lot – and increasing the frontage to 300’ from 200’ to build a 1&1/2 story boathouse with sleeping accommodation. No changes were made to cottage setbacks (remaining at 66’), no changes to minimum severance of 300’ frontage nor to height of cottages.

While we support and advocated sizing shoreline structures (cottages and boathouses to shoreline frontage) as is now in the new OP and Zoning by-Law, several details of these changes we feel were inserted into the process near the end of the process without due input and consideration from the constituents, specifically as follows:

Dock size is limited to 1,800 SF even for lots of greater than 525’ of shoreline on which 3 slip 1&1/2 storey boathouses are permitted. When upper story decks are included in this calculation (which we agree with)

then even a 8' x 10' upper deck over most typically the 3rd open slip, reduces the waterline dock area to 1,000 SF – not viewed as been sufficient for a dock with a 3 slip boathouse. Note that dock area includes inside the boathouse but excludes the open slip areas. We believe for the larger lot sizes greater area waterline dock should be permitted up to a larger cap – it was never our recommendation to unduly restrict waterline dock areas. Note that in any event dock size is restricted to no more than 25% of frontage and we agree with this provision – which predated the new OP. Another approach may be to simply restrict the size of any upper level deck attached to a boathouse.

1&1/2 storey boathouses were not permitted in Seguin from the mid 70's until 1996 when Lake Rosseau North and Lake Joseph North advocated that they be permitted. Leaving aside the wisdom of this change, when they re-appeared they were permitted on 200' lots and this was changed now to 300' foot lots and for the “favoured” 2 slip plus attached boat-port – this now requires 525' – so density has been reduced. Along with these changes the Township lowered the maximum height from 27' to 22' to reduce the massing impact of these structures. All which we support except that the reduction to 22 feet. It has limited the ability to insert hoists over the boat slips in the main floor of the boathouses and this has caused problems for some members. We would recommend a slight increase to say 24' to eliminate this problem without affecting the desired outcome of the most recent changes.

Another area that needs review is whether decks (i.e. not structures with roofs) attached to cottages should be included in the footprint restrictions instead of being say a [5%] additional allowance. Also, we question whether attached garages behind the main cottage should likewise be included in the footprint calculation. These items we feel need further consideration.

Official Plan review –Lake Capacity issue – June 13, 2012 (pages 30 – 38 of the OP)

This is possibly the most important deficiency in the current OP with respect to Lake Joseph North. In the Lake Capacity section of the OP it spends 8 pages on various measures and limits regarding lake capacity – i.e. at what point is further new lot severances not permitted. There are three limiting factors referred to as follows:

Phosphorous loading: - a Lake is deemed to be at capacity if its phosphorous levels are at or exceed 50% above its background level. For Lake Joe there are various historical data points but they have been around 5 ugl and every so often spike a bit but nothing conclusive that they have risen close to the 50% increase threshold. Or if they exceed 20 ugl – we never want to get close to this level.

So there is no current limitation re Lake Joseph North from this provision.

Lake Trout Lake: - there are 13 lakes identified as “Lake Trout Lakes” in Seguin including Otter Lake and Lake Joseph. I think Otter Lake has utilized this designation to argue for no more development on the Lake. Re Lake Joseph North the OP says that even though it is a Lake Trout Lake additional development would not impact the Lake Trout so we cannot use this designation to limit development.

So there is no limitation re Lake Joseph North from this provision.

Recreational Carrying Capacity – As I mentioned in my previous review the formula uses area which is a geometric measure vs. shoreline which is a linear measure and so for the larger lakes the use of this formula becomes meaningless. The calculated area of Lake Joseph North is 2016.4 hectares and using the allowance of one cottage per 1.6 hectares of area this would permit 1,260 cottages plus commercial uses. Given that we estimate currently there are 400 – 450 cottages this would allow almost a 3 times increase.

There is no meaningful limitation re Lake Joseph North from this provision.

Lake Plans – Council encourages the development of Lake specific Lake Plans that in theory could address this capacity issue but also states that the OP is the primary document for capacity measures. Given the inherent problems for Lake Joseph North re this issue, spending a lot of effort on a Lake Plan without some assurance that Council will modify the provisions re capacity limits if a strong case was developed I think would not be productive.

Severance restrictions – we are left with the limitation of no severances less than 300' which predated this OP as the only Lake Capacity limitation –so at this point the new OP has no tools helpful to us regarding lake capacity.

LJNA Treasurer's Report:

Financial Highlights for the Township of Seguin

- No property tax increase in 2012
- Seguin surplus for 2011 \$496,550
- Seguin Reserves rise to \$5million
- In June 2012 the balance of the long term debt was repaid

	Actual	Actual	Actual	Projected
\$Millions	2009	2010	2011	2012
Tax Revenue	\$9.9	\$10.0	\$10.2	\$10.3
% increase	3.5	1.2	2.3	0.9
Operating costs	\$6.5	\$6.8	\$6.5	\$7.2
LT Debt	\$2.0	\$1.1	\$0.3	\$ ZERO

In 2012 total revenue from property tax on existing properties remains the same as 2011. The projected increase in tax revenue above results from assessments on new buildings.

The Township had surplus from operations: 2011-\$496,550; 2010-\$450,680; 2009-\$529,583; 2008-\$386,984. The surplus was transferred to reserves.

Reserves and Capital spending: Seguin Township has successfully rebuilt the reserves and reserve funds from \$802,736 in 2004.

\$ Millions	actual	actual	projected	projected	projected	projected
	2009	2010	2011	2012	2013	2014
Net capital Expenditures	\$2.7	\$2.5	\$1.4	\$2.9	\$3.6	\$3.5

Reserves and reserve funds

end of year	\$3.9	\$4.5	\$5.0	\$4.7	\$4.2	\$3.6
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Debt Reduction: In 2001 and 2002 Seguin Township borrowed \$6.6 to finance its contribution to the West Parry Sound Health Centre, the waste transfer system, the community centre and other capital expenditures. The balance of the debt was repaid in 2012. The annual payments of principal and interest were approximately \$900,000.

JUNE 30, 2012	BUDGET	ACTUAL	ACTUAL
	Year ended June 30 2013	Year ended June 30 2012	Year ended June 30 2011
Receipts :			
Membership fees	\$ 14,500	\$ 14,444	\$ 5,750
Voluntary contributions	-	525	765
	<u>14,500</u>	<u>14,969</u>	<u>6,515</u>
Expenses:			
Consultants-Water quality	4,000	4,057	652
Water testing Muskoka Lakes Association	1,500	1,500	1,500
Better Boater Plan	5,000	-	-
Land trust Portage lake	-	-	1,000
Land trust other	1,000	1,000	1,000
Map and address list	-	-	1,695
News letter and other communication costs	3,400	3,340	2,401
web site	1,500	-	-
Bank charges	300	335	167
Insurance	1,469	1,177	1,469
Memberships (FOCA)	400	391	507
Other	-	-	423
	<u>18,569</u>	<u>11,800</u>	<u>10,814</u>
Surplus (Deficit) for the year	(4,069)	3,169	(4,299)
Surplus (Deficit) start of the year	<u>12,980</u>	<u>9,811</u>	<u>14,110</u>
Surplus (Deficit) end of the year	<u>\$ 8,911</u>	<u>\$ 12,980</u>	<u>\$ 9,811</u>

Note 1 In addition to the surplus LJNA has a reserve fund re water issues in Hamer Bay. \$7,500 \$7,500 \$7,500

Note 2 During the year we also received and forwarded \$1,175 (2011-\$850) in charitable donations for the Muskoka Heritage Foundation from 22 (2011-18) families. The foundation has been renamed Muskoka Conservancy.

Note 3 During the year we also received and forwarded \$325 (2011-\$330) to WRAFT.

• **By Sarah Bissonette: Parry Sound Beacon Star; June 22, 2012**

Seguin bans feeding bears



Seguin bans feeding bears. Seguin Township passes by law banning feeding black bears. The ban doesn't include hunters baiting bears. *Beacon Star file photo*

SEGUIN TWP. – Feeding bears in Seguin Township is now illegal.

In a recorded vote to ban bear feeding at the June 18 meeting, Coun. Alex Chidley was the sole voice of opposition around the council table.

Seguin Township imposed the ban in response to complaints about an area resident who feeds expired food to the wild animals behind his convenience store, raising safety concerns among nearby property owners and visitors.

The ban doesn't include the baiting of bears by hunters.

Bears, according to the Ministry of Natural Resources Bear Wise website, usually avoid humans.

They eat mainly plants, but also berries, carrion, insects, deer and moose calves, and fish, but are attracted to easy sources of food including bird feeders and garbage cans.

“Their survival and ability to have and raise young depend on their ability to double their weight before going into winter hibernation,” according to the website. “When they learn that they can find food where people live, bears will return again and again.”

Before the vote, Chidley red flagged a potential hardship for restaurants with grease bins and criticized the authority the bylaw gives township bylaw officials to inspect private property. He linked the power to enter property back to the contentious 2008 tree cutting and fill bylaws that granted the same authority.

When Chidley brought up the 2008 tree cutting and fill bylaws, which proposed restrictions that led to protests with a megaphone and placards, and a public meeting moved to the ice pad at the Humphrey Community Centre to accommodate the crowd, Mayor Conn interjected and asked Chidley to stay on topic.

The two argued briefly about whether raising events of four years ago was on topic, and a member of the audience even jumped in, disputing Conn's claim that those in opposition then were a vocal minority.

Chidley proposed amending the bear bylaw, requiring bylaw officials contact those suspected of feeding bears to set up a time to visit the property. His fellow councillors didn't support the suggestion, with township senior staff explaining the need to gather evidence for a possible conviction in court, evidence that could be destroyed if an appointment was required.

“(Township Clerk Craig Jeffery) said what I was going to say,” said Coun. Bruce Gibbon. “The other issue here is safety that needs to be dealt with now, not an hour later.”

While councillors debated the suggested amendment, Mark Stivrins, a former mayoral candidate and vocal critic of Seguin council, called out three times that the officials should “get a warrant” to enter the property.

The township adapted a bylaw passed by McDougall Township in February to ban the practice, since there is no provincial legislation local Ministry of Natural Resources (MNR) staff can enforce, said Conn.

“What we have is a situation council should not have to deal with,” he said. “It is a matter that should be

provincial legislation...the MNR should be dealing with (it) and they won't even move unless there is a bylaw in place.”

Conn said the man who is known to feed bears in the township would be notified of the bylaw, “in writing and hopefully he will stop the practice.”

By Wednesday, the letter had been sent.

**LAKE JOSEPH NORTH ASSOCIATION
ANNUAL GENERAL MEETING**

September 3, 2011

MINUTES

1. Treasurer's Report

Shawn Gordon presented the Treasurer's Report, including the Budget for the year ending June 30, 2012, and the Actual Receipts and Disbursements for the Years ended June 30, 2011 and June 30, 2010. In particular, Shawn noted that for the year ended June 30, 2011, there is a Surplus of \$9,811 and that a Surplus is anticipated for the year ending June 30, 2012, of approximately \$10,611. Shawn also noted that it has been decided that the annual membership dues would be reinstated at \$100 for the coming year.

It was moved and seconded that the annual financial statement for the year ended June 30, 2011 be approved. It was moved and seconded that the budget for the year ended June 30, 2012 be approved. Both resolutions were unanimously approved.

Attached as a Schedule to these Minutes are the Budgets, as approved.

2. Directors and Officers

John MacKenzie presented the proposed slate of directors and officers of the Association for the coming year.

It was moved and seconded that the slate of directors and officers be approved, as proposed. The membership granted unanimous approval of the slate. Attached as a Schedule to these Minutes is the Slate of Directors, as approved.

3. Seguin Township Matters

There were three brief presentations:

- (a) Shawn Gordon made a presentation with respect to Seguin Township "financial highlights" and noted, in particular, that it is projected that the Township will have no long-term debt as of 2012.

Shawn pointed out that in the last 2 years, Seguin ran a surplus and the surplus was transferred to reserves and was not returned to the taxpayer.

LAKE JOSEPH NORTH ASSOCIATION - 2012 MEMBERSHIP FORM ----- FEE \$100:

If a corporation or trust owns your property please write the name of the company or trust and your name as property owners.

Property Owner(s):

Spouse or Partner:

email address

email address

Year round mailing address

Cottage address (i.e. the fire route/911 address)

Home phone #:

Cottage phone #:

Please include your cheque payable to the Lake Joseph North Association and mail to Shawn Gordon, 72 Melrose Ave Toronto, Ont., M5M 1Y5. Please include the following amount in your cheque:

Membership fee: \$100

Additional voluntary contribution to LJNA:

Voluntary membership donation (tax deductible) to the Muskoka Heritage Foundation \$50.00: M H F

Total: \$

LAKE JOSEPH NORTH ASSOCIATION
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MEMBERSHIP

1. Payment Dates

Members must pay their membership fees on or before the 31st day of August each year. Payment may be made by cheque, cash or credit card. Payment by cheque should be made payable to the Lake Joseph North Association, 72 Melrose Ave, Toronto, ON M5M 1Y5. Payment by credit card should be made to the Lake Joseph North Association, 72 Melrose Ave, Toronto, ON M5M 1Y5.

2. Membership Renewal

Members must renew their membership on or before the 31st day of August each year. Payment may be made by cheque, cash or credit card. Payment by cheque should be made payable to the Lake Joseph North Association, 72 Melrose Ave, Toronto, ON M5M 1Y5. Payment by credit card should be made to the Lake Joseph North Association, 72 Melrose Ave, Toronto, ON M5M 1Y5.

3. Payment Methods

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