



*little silver and
rainbow lakes
property owners
association*

MINUTES OF THE 51st ANNUAL GENERAL MEETING

JULY 20th, 2024, 10:00 a.m.

COFFEE & TREATS 9:30 A.M.

IN ATTENDANCE:

Mark Scott	Margo Ayers	Mark Peabody
Jill Ferrier	Doug Lake	Jeremy & Brenda Wilson
Alissa & Mike Leering	Brenda King	Jim & Christine Walterhouse
Mike Moriarty	Emily & Russ Viirre	Don DuBreuil
Margo & Bruce Henry	Marg & Bob Irwin	Wilma Van Zwol
Susan Wasner	Helen & Paul Chambers	Executive:
Geneviève Boulanger	Nellie Gervais	Frank Johnson, President
David Blum	Heather Dobroshinsky	Carol Morgan, Treasurer/Area Rep
Andrew Kendrick	Marjorie Carswell	Lynn Tarzwell, Secretary
Monica & Michael Poulin	Terry Body	Cathy Anderson, Area Rep
Stacy Van Humbeck	Lynne & John Lang	Tom Ellis, Area Rep
Frank Sammut	Debbie & Steve Gemmill	Steve Hiltz, Area Rep
Hans Otten	Jacqueline Prenevost	Sue Sammut, Area Rep

1. **APOLOGIES:** Judy Feldman, Sharon Johnson, Stephen Katz, Richard Mosley, Christine Piper, Stephen and Elaine Scott, Lorraine Touchette, Rideau Valley Conservation Authority
2. **MINUTES FROM 2023:** Accepted as posted [online](#).
3. **WELCOME AND REMARKS FROM THE PRESIDENT:** Frank welcomed us all. He extended thanks to the ABC Hall for hosting us and to Cathy, Sue and Lynn for the refreshments. As well, he wanted to appreciate the considerable help we have received from Richard Mosley, Mick Wicklum, Andrew Kendrick and Gordon Hill in our efforts with the Ontario Land Tribunal (OLT) Appeal and related matters. Andrew was given a (delicious) present, in particular thanks for his hard work on our behalf as Councillor.
4. **MUNICIPAL AFFAIRS:** A year ago, we were facing a difficult situation with a Tay Valley Township by-law forcing residents to sign an egregious – and expensive – Road Access Agreement (RAA) before they could get permits to improve their properties. We were organizing an appeal to the OLT, led by Frank, Paula Champagne and Gordon Hill.

The next step was a Case Management Conference to decide the by-law issue. This was set for October, but TVT hadn't notified many of the property owners, and it was adjourned for two months. Meanwhile, information spread to the other Unassumed Roads affected in

the Township, precipitated in large part by a tremendous letter-writing and distribution campaign by Cathy Anderson and Sue Sammut. Thus, we were able to recruit a residents' Steering Committee, with approximately two people from each of our three roads and several others from the other twenty-two roads. As well, we were able to set up a GoFundMe page to raise money for our legal expenses.

At the second Case Management Conference, The OLT decided in favour of the TVT petition that the RAA issues are not part of the OLT's mandate. In the following mediation, the Township agreed to accept a rewrite of the offending by-law. The rewritten by-law, however, is still convoluted and opaque, and Gordon Hill has not agreed to it and may be continuing his appeal. As well, Gordon Hill's health was affected, so the settlement hearing was postponed until October of this year.

The new by-law introduces a new "wrinkle" in the matter, i.e. that many of our properties are covered by the "legal non-conforming use" (LNCU) provisions in the Ontario Planning Act, in effect, "grandfathered" rights that protect owners from being restricted retroactively by zoning by-laws. Whether the LNCU provisions cover renovations or extensions will be a matter of discussion – and expense – with TVT. Vacant properties are still in limbo.

We have requested a "comfort letter" from the Township to assure us that all the properties on their Unassumed Roads fall under the legal non-conforming use standards and that there will be no harassment. If this letter is positive, and if Gordon Hill withdraws his appeal, many of our issues will be resolved, with the exception of vacant properties. If the response is negative, we will most likely have to go straight to the Ontario Superior Court for satisfaction.

We were further shocked at the news from the Lake of Bays in Muskoka, which relayed that their property owners were considered to be "trespassing" unless they had signed a "license agreement" similar to our RAA. It is worth noting that the Muskokas, Haliburton County and Tay Valley may be using the same lawyer. The approach by the Lake of Bays property owners was to use a lobbying firm to express their point of view to their provincial MPPs. Further to this, Miner's Point Road in TVT has formed a road association, and tried to negotiate an RAA with the Township without success.

Going forward, we noted the following actions:

- a. Meet with community groups, including Richard Mosley and Mick Wicklum in discussions;
- b. Consider whether the rewritten by-law is as good as we'll get;
- c. Be prepared to challenge any use of the LNCU provisions as additional "red tape" and hence contravening Bill 185;
- d. Still be aware that the RAA clause, which was removed for the OLT hearing, is still a serious issue for vacant properties, e.g. for the Miner's Point Road association; and
- e. Emphasize that building permits should be obtained now.

*******BREAK*******

Note: A vote was taken after the break to continue the steering committee and other meetings related to the by-law, continue fundraising for our legal fees. Bob Irwin thanked Frank for all his hard work on the OLT/TVT matters, and the attendees broke out in a loud round of applause to show their appreciation.

5. **UPDATE: LAKE STEWARDSHIP**

- a. Loon nesting signs have been posted at the boat launch, warning of the ill effects of wash from powerboats on our loons. If their nests are damaged, they will abandon them.
- b. The Rideau Valley Conservation Authority (RVCA) has been taking measurements four times a year, with Frank Sammut's help. Frank Sammut explained that they go to the two deepest points of Little Silver Lake to test for oxygen concentration, Ph levels and clarity. Samples are also tested for phosphates, nitrogen and e-coli. Our results are pretty good, The provincial guideline for Phosphates is <20ug/l. We average around 12ug/l in LSL. The guideline for Nitrogen is <500ug/l. We average around 260ug/l in LSL. E coli is zero. Oxygen levels are good at the surface layers. However, they drop rapidly below 6 meters in depth to zero at the bottom of the lake. The RVCA is particularly impressed with our natural shorelines and lack of erosion. The RVCA also does sampling in Rainbow Lake. Rainbow Lake's quality is not so good; it is shallower and very weedy, and it is closer to the provincial limits. Frank Johnson noted that Little Silver's oxygen levels have been poorer in the last few years, due to relatively sudden warming in the spring, which weakens the turnover. Normally, the lake warms gradually, holding at 4 degrees C long enough for the surface water to sink to the bottom and refresh the deep oxygen content. Frank Sammut noted the presence of poachers on Little Silver, who are in a green canoe and taking the largest bass from the lake, possibly for commercial purposes. It is unclear what we can do to stop them. If anyone sees them in future, please let Frank Sammut know immediately at 613-200-1586.

Both lakes and their surroundings are on fractured rock, hence our concerns about overdevelopment at Maberly Pines. All the ponds and creeks there feed into Rainbow Lake, which then feeds into LSL.

6. **Boating and Safety – Tom Ellis:** The general level of safety is very good on both our lakes, but could be better, particularly bearing in mind the tragedy on Bob's Lake. Tom advised us to reflect on anything we could do to make things safer. We should wear PFDs and watch out for swimmers. If we see unsafe practices, we should say something.

Andrew Kendrick noted that the Bob's Lake fatalities came just two weeks after its Association voiced concerns about overdevelopment on the Frontenac County side of the lake, but affecting the TVT side, affecting emergency response times. Improving emergency response access on both our roads and lakes is part of TVT's 10-year plan.

Mark Scott, a canoeing instructor, reminded us that most boating fatalities are the result of not wearing PFDs. He strongly suggests updating your PFDs to something you will wear. Inflatable PFDs could be appropriate if you are a comfortable swimmer, over 18, and the water is not too cold.

Lynne Lang advised swimmers to tow a "swim buddy" (brightly coloured float) to increase their visibility. Carol Morgan reminded us that if we aren't CPR certified, we should learn how. Jim mentioned that fire departments need to know the PIN (property identification number) to send emergency crews to the appropriate part of the lake. It was suggested we acquire PIN plaques to post on our docks/at the shoreline so people calling 911 have accurate information to relay. (Note from fire department volunteer – this may not be strictly necessary. We should confirm.)

Mike Leering at 426 Rainbow Lane A reminded us that he and Alissa have a defibrillator, and a fire pump, which can pull water out of the lake, in case emergency vehicles haven't had a chance to arrive. Both these items will be available to residents on his porch. Members present applauded this impetus. He can be reached at mikeleering@gmail.com and/or 613-617-0538; Alissa at 613-697-1927.

7. **TREASURER'S REPORT:** Carol Morgan reminded us that our **\$20** fees are due by the end of August. Please e-transfer to treasurer@lsrl.ca. Please include your address in the memo line.
8. You can also pay cash to your Area Rep, who can e-transfer the amount in your name. Silver Lane: Carol Morgan or Steve Hiltz. Rainbow Lane: Tom Ellis. Little Silver Lake Road: Sue Sammut or Cathy Anderson (if you haven't paid Roy). Road reps will send out an e-mail reminder. Last year we had 84 members. A motion to keep our fees at \$20 was approved.

Fundraising for the OLT Appeal: Collectively we raised **\$56,675** this year to pay our lawyer (TM Legal), our planner (Ecovue) and other fees. We have a total of \$7865.16 remaining. This includes a \$2000 retainer held by the planner, Ecovue. There are various paths forward regarding this appeal. Listed below are these avenues with the estimated costs. All except the first option would require more fundraising.

Accepting the OLT Settlement:	\$2,500
Dispute Resolution (if OLT doesn't work)	\$15,000
Evidentiary Hearing	\$15,000
Serving Ontario Superior Court Appeal	\$25,000
Lake of Bays/Haliburton Lobby Support	\$10,000
Miner's Point Road OSC Support	\$15,000

LSRLPOA Statement: We have \$3016.60 in our Association account.

Item	Income	Expenditures	Notes
Membership 23/24	\$1660.00		July 1/23 – June 30/24
FOCA Membership		\$516.41	
Workshop Fees/Webinars		\$140.40	
AGM Food 22/23		\$111.13	
Room Rental & Insurance		\$335.31	ABC Hall/2024
Calendars - Cost		\$1602.75	
Calendars – Received	\$1003.00		
Maberly Hall Refund	\$75.00		
ABC Hall Deposit Refund	\$250.00		

FOCA Membership: Our POA spends a significant percentage of our typical annual budget for our Federation of Ontario Cottagers Association membership, which provides numerous cottage and conservation resources and advocacy. It also funds FOCA's lobbying efforts provincially on behalf of our interests. Most residents, however, do not realize that since the Association is a member of FOCA, all LSRLPOA members in good standing are eligible to create their own login account and make use of the many FOCA resources. Association members are encouraged to create an account so that they can explore the full site. Its new president is expected to be more proactive, so using their site may become even more useful to us. On a quick show of hands, at least 15 members make use of the FOCA information and it was decided to continue membership. Most notably, it was from a FOCA meeting that we learned of the need to amend our by-laws. We will continue our group membership for this year, and Frank will send login information in his next bulletin.

Calendars: A majority of people attending the AGM indicated they would be interested in another calendar for 2025. Carol will put a section in the next bulletin asking who would like to participate.

9. **Address List:** Lynn Tarzwell volunteered to coordinate this. Genevieve Boulanger, Carol Morgan and Cathy Anderson offered to help.
10. **Elections to the Executive:** Frank Sammut kindly offered his services to once again be our Lake Steward. All the other nominations were acclaimed without contest.
11. **By-Law Revision to conform with [Ontario's Not-For-Profit Corporation Act](#) Rules:** Tom Ellis, on our behalf, went through the 84-page Act. This was enacted fourteen three years ago, and to retain our NFP status, we must comply with it by October 18th, replacing our constitution with a set of by-laws. Tom explored our Articles of Incorporation and created an excellent revised set of by-laws. These also clarify issues of membership vs. property ownership, and the solution adopted was to have each property owner, regardless of the number of contiguous properties they own on their lake, have one vote. We have set our quorum for General Meetings at 15%. These changes were put to a vote, which was seconded by Doug Lake and accepted unanimously. Any further changes to our by-laws can be facilitated by a General Meeting (GM)
12. **Final notes:** Bob Irwin offered thanks to Frank for all his hard work on the OLT/TVT front. Frank thanked Carol and Tom for their heroic efforts dealing with our finances and updating our by-laws.
13. **Meeting adjourned at 11:45 a.m.**