



THE LOON CALL

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This Special Edition of the Loon Call is being mailed to members and also to other local property owners for whom we have a mailing address, and is available free of charge at the marinas. We ask that all non-members consider joining – see "LWCA Membership" on back page

Important Update on Land Use Planning Proposals

Since the 1997 Annual Meeting, where our members enthusiastically adopted a land use planning program, the Lake Weslemkoon Conservation Association has been working actively to achieve a basic level of land use planning for the immediate vicinity of Weslemkoon Lake and Otter Lake. These efforts are now reaching a decisive point for members. These decisions are a key component of our ability to protect the natural lake environment against overdevelopment.

Members have been updated regularly on progress through the Loon Call, at Annual General Meetings, and in our November 1999 letter. Many attended an Information Meeting on the lake on September 1st. This Special Edition of the Loon Call is an important further update.

Why we need Land Use Planning

Provincial laws, particularly the Planning Act, when implemented through local zoning bylaws, help protect property owners from excessive or inappropriate future development of the lands around them, and thereby protect an overall area from overdevelopment. Almost all inhabited areas of Ontario, including most of "cottage country" (outside our particular municipality) are already

protected by a zoning bylaw. Our present unprotected state is abnormal and inherently risky.

Our lake is recognized by the Province as a cold water fishery for native lake trout. Lake trout require pristine water quality in order to reproduce and thrive. The Province has identified protection of the cold water fisheries as a Provincial interest under the Planning Act.

Time, and the impact of development on the lake, are working against us in maintaining water quality. If we lose our status as a cold water fishery (as a result of nutrient loading, for example) we also lose the protection that various provincial ministries now provide to help conserve our lake environment. Effective land use planning helps protect lake water quality by establishing minimum development standards to mitigate the impact of human settlement on the lakes.

LWCA Initiative

Our Association recognized that protection of our lake environment, lake character and our property values could simply not be achieved without effective land use planning. After discussions with municipal council, we also recognized that because of cost factors and other pressures, zoning was simply not a priority for our local government. To protect our lake and our property values, our members decided to make this an important priority for the Association.

During the past year, LWCA and its planning consultant have prepared a draft zoning bylaw for submission to the municipality, and a detailed map of the lake indicating each property and its apparent present use – residential, commercial, etc.

When revised and finalized, following a review and revision process involving collecting comments from LWCA members and other property owners, these documents will be the basis of an application to the municipality for a zoning bylaw. LWCA has done a great deal of the legwork and shouldered the related costs, plus hundreds of hours of volunteer time.

Property Owner Comments

It is important that you carefully review and comment upon the draft zoning bylaw and map. The map showing proposed zoning designations was painstakingly prepared from all available recorded public data, but we realize that such data in “cottage country” is sometimes less than perfect. Now is the best time to correct any inaccuracies.

With respect to the draft bylaw itself, it is important for you to read and consider its contents in the context of your own property and, of course, the whole lake environment. Broadly speaking, we have drafted the bylaw based upon the minimum restrictions for Lake Trout lakes in Ontario. For example, the draft stipulates that newly created lots must be at least two acres (8000 square metres) and have at least 197 feet (60 metres) of frontage and that new main dwellings must be setback at least 100 feet (30 metres) from the lake. These are part of the established minimum standards for Lake Trout lakes. Similarly, you’ll want to review and understand the limitations on future commercial development on the lake, especially if you were thinking of establishing or expanding some commercial operation on your property.

Our planning consultant advises us that the proposed bylaw provisions are very similar to, and in fact less restrictive than, the waterfront planning criteria in Hastings County, Prince Edward County and Frontenac County.

The draft bylaw recognizes that existing development, including vacant lots, may not meet the proposed standards. It allows for continued development of existing uses and lots, provided

certain minimum standards are met. Review the General Provisions of the draft bylaw in this regard. For your review you’ll want to examine both the draft zoning bylaw and the related colour zoning map. Depending on the depth of your review, you might want to obtain some ancillary documents. If you do not already have a copy of the draft bylaw and map please obtain a copy now – see the sidebar “*Getting The Draft Documents*”.

Getting the Draft Documents

There are two convenient ways of obtaining copies of the documents:

1. Online at www.weslemkoon.com - click on “Land Use Planning”.
2. By mail – call our planning consultant and send him a cheque to cover photocopy and mailing costs (see back page for address) for two mailings – one now and another when the revised drafts are placed online, after December 15, 2001

At the September meeting, many people indicated that they need more time to review and comment. Accordingly, the Review/Comment phase has been extended to **November 15, 2001**. Comments must be submitted in writing to our planning consultant, whose address is on the page four of this Loon Call.

Frequently Asked Questions

While you’re reviewing the draft documents, you’ll probably have some questions. We’ve posted on our website a collection of Frequently Asked Questions, with answers. These will be updated periodically during the Review/Comment phase, where the same or similar questions arise from several members.

Information Meetings

For those who did not attend on September 1 (on the lake), we have arranged additional Information Meetings on October 1 and November 1, both of which will be held by conference call so that they will be fully accessible to all. In case neither meeting date matches your schedule, we’ll also have a taped replay available for one week after each meeting. You can listen to it by telephone.

To register for a dial-up Information Meeting or to access the taped replay, see the sidebar "*Accessing the Information Meetings*". Before the meeting begins, be sure to have your copy of the draft bylaw, colour map and FAQ at hand, as these will be referred to during the meetings by the presenters and probably in some of the questions.

Revised Drafts

After the Review/Comment period ends on **November 15, 2001**, our planning consultant will consider the various comments and corrections, and, in consultation with LWCA's Environment and Government Relations Committee, develop a revised draft of the proposed zoning bylaw and map. In considering your comments, and the comments of others, they'll be guided by a number of underlying principles, including:

- Property Owner comments on specific proposed standards and supporting arguments
- The apparent desire of members to preserve the lake versus fully develop their own property
- Ministry of the Environment standards for Lake Trout Lakes
- Fairness among affected property owners
- Sound Land Use Planning principles

It is hoped that the comments received from property owners will provide useful guidance on both the first and second items above.

The time required to prepare revised drafts will, of course, depend on the number and complexity of the comments and the related policy issues. The LWCA board will then review the recommendations of our planning consultant and the committee. By December 15, 2001, we hope to have revised drafts available on the website for downloading, or an announcement of a definitive expected date. Please check the website then.

LWCA Membership Decision

After the revised drafts have been prepared and made available to members, LWCA plans to call a Special General Meeting to approve proceeding with the land use planning prior to submitting definitive proposals to the municipality.

This meeting will provide for voting by proxy by those who are unable to attend in person.

This will be a very important decision. Please be sure to watch for your notice of the meeting in the mail in late December or in January, consider the issue carefully, and vote either in person or by proxy.

Accessing the Information Meetings

The October 1 and November 1 meetings will be teleconferences – you can dial into the conferences from a touch-tone phone anywhere!

Both conferences will begin at 8 p.m. Eastern Time – please dial-in between 7:45p.m. and 8p.m., as calls may not be accepted after the meeting starts. Each conference will begin with a brief explanation on how to put yourself in the queue to ask questions. There will be some opening comments, then a question/answer period.

Be sure to have your draft bylaw, colour map, FAQ and this Loon Call on hand during the call, as these will be referred to frequently.

To participate in either call, you must register in advance by e-mail or mail. You'll receive a call-in number and a passcode for the call. We can handle all interested callers, but only by advance registration, as lines must be reserved.

To register send an e-mail to:

OctoberCall@Weslemkoon.com

or

NovemberCall@Weslemkoon.com

or write to the LWCA secretary – see last page

In addition, taped replays will be available for a week after each Information Meeting. Calling details will be on www.weslemkoon.com soon after each meeting concludes.

If you are not yet a member of LWCA, join now for 2001. As the notice of and record date for the meeting could fall in either 2001 or 2002.

Municipal and Provincial Processes

If the membership approves proceeding, our land use planning proposal will be submitted to the municipality.

If the municipality proceeds with consideration of the proposal, the process under The Planning Act will include a Public Meeting to hear comments on the proposal. If the zoning bylaw is passed by the

municipality, any property owner will then be entitled for a limited period of time to appeal the decision to the Ontario Municipal Board (“OMB”).

The municipality might not proceed to consider the proposed zoning bylaw. In that event, LWCA may refer the matter to the OMB. If so, we will advise all members of the Association by e-mail or post, so that you may personally follow its progress and participate in the OMB hearing you so wish.

As you can see, the exact path that our proposal will take depends upon municipal action. Our objective, through either path, is to ensure that a basic level of land use planning, consistent with the general will of our membership, is made effective as soon as possible, to protect our lake environment and property values against excessive or inappropriate future development.

LWCA Membership

Non-members who are property owners or seasonal residents are strongly encouraged to become members of LWCA.

Annual dues are \$65 for 2001, \$70 for 2002. Dues for 2002 paid before February 28, 2002 are reduced to \$65.

To join, or renew your membership contact our membership director – see below. Full information on membership is available on www.weslemkoon.com.

Recent Municipal Announcement re: Planning

Over the past several years, the municipality has rebuffed our requests to proceed with the normal land use planning process that almost all Ontario municipalities have. Consequently our municipality has no “Official Plan”.

Recently, the municipality announced its intention to form a planning committee of council, seek input from associations such as ours, and move forward

towards adopting an Official Plan. Progress on this announcement will be an encouraging sign for the longer term. Our planning consultants tell us that this process will likely take three years before an Official Plan is in place, then an additional two years before a municipal zoning bylaw is implemented. To wait this long would expose our lake and our members to too much additional risk of inappropriate development jeopardizing our valuable and important designation as a trout-sensitive lake.

Our proposed zoning bylaw, as indicated in its opening language will have the effect of providing a basic land use planning framework until such time as an Official Plan is approved. It also provides a clear basis for any future land use planning of our area under the Official Plan and subsequent zoning decisions. In due course our zoning bylaw can be folded into the comprehensive municipal document.

As noted earlier in this Loon Call, our present unprotected state is abnormal and inherently risky. By proceeding now, with success at the municipal and/or provincial levels, LWCA’s zoning initiative both reduces the risk that our members face by remaining unprotected from inappropriate or excessive development in the interim period, and likely reduces the risk that the Official Plan process would be delayed by other municipal spending and policy priorities.

Recap of Key Dates:

Now	Obtain a copy of the draft zoning bylaw, colour map and related material.
Oct 1	Information Meeting
Nov 1	Information Meeting
Nov 15	Deadline for comments and corrections
Dec 15	Check website for revised drafts
Then	Watch for notice of Special General Meeting

IMPORTANT ADDRESSES

Planning consultant: (Owner Comments)	Brent Barnes, Ainley Graham & Associates Limited 157 Front Street, Belleville ON K8N 2Y6	ph: 613-966-4243 barnes@ainleygroup.com
LWCA Secretary: (Information meetings)	Christine Walker-Bird 36 Keller Drive Belleville ON, K8P 4B5	secretary@weslemkoon.com
Membership Director: (Info on joining)	Marcia Scrimgeour 71 Aero Drive Nepean, ON, K2H 5E3	membership@weslemkoon.com