

Otty Lake Newsletter

April 1994

View from the Bay

Old Man Winter had a very firm grasp on 1994, especially on Otty Lake. Beginning with a quick freeze at Christmas, the unrelenting cold soon sent the ice plummeting to 30" in places. Then, heavy winds and warm temperatures failed to dislodge the ice until April 23, even though the mass had been honeycombed for at least 10 days.

Any bets on summer?

By-Laws and Our Lake by Lorne Gold

On 9 Nov 93, the Assoc. was notified that a property owner had been granted permits to demolish a cottage in N. Burgess and build a new building on the exact same spot. This appeared contrary to the intent of the Twp's Official Plan that all non-conforming structures should cease to exist in the long run, so your Exec. sought legal advice on whether there were reasonable grounds to challenge the decision. Unfortunately, we were notified only two days before the end of the appeal period.

We consulted Ms Janet Bradley of Soloway, Wright & Victor and presented her with the following facts: The Assoc. first received word of intent by the property owner in May '93, when we were invited to submit comments on a request for a minor variance allowing removal of an old cottage on the lake shore and construction of a new structure well within the 15m setback required by the by-law. Your Land Use Cmtte advised Council that it would be better if the new structure was built on a relatively

flat area at the top of a steep rock slope immediately behind the old cottage.

The Twp's Committee of Adjustment, and reps from MNR and RVCA visited the property in June. It is clear from information obtained by OLA that these bodies also wanted the new structure on the other site. The owner felt that the only alternative was to place a new foundation under the old cottage and then renovate it. MNR felt that rebuilding the old cottage would have less impact on the lake than disturbing vegetation on the other site. It issued a permit in early Aug, allowing the owner to raise the old cottage and repair the foundations that were in the water.

By Sept, the owner decided to demolish the old cottage and so obtained permission from MNR to rebuild on the exact same location, subject to Twp approval. In early Oct, the owner obtained a permit to demolish and submitted a request to rebuild. The owner felt that rebuilding the cottage was allowed under the by-law covering repair and replacement of non-conforming buildings.

The Building Inspector verbally told the Assoc that this decision was justified because the cottage had been damaged by ice. The Assoc. received a letter 9 Nov 93 stating that the Twp would have preferred

1994 Annual General Meeting

The 1994 Annual General Meeting of the Otty Lake Association will be held on Saturday, July 9th at the Perth Public Library starting at 10am. Everyone is welcome.

the new building to be at the top of the slope, and that the Building Inspector had issued the permit on the basis of professional advice.

The following is Ms Bradley's legal opinion, indicating the situation in which a weak by-law had placed OLA, N.Burgess, MNR and RVCA:

"Provisions in zoning by-laws allowing the rebuilding or repair of non-conforming buildings are fairly common but, usually, relate to 'destruction' by 'acts of God' or 'involuntary' means. The provision in the by-law for (N. Burgess) is much broader and more general in its application than that which is normally found. The by-law uses the word 'damaged' rather than 'destruction'. Furthermore, the word 'damaged' relates not only to repair, but also to 'rebuilding'. This by-law is, therefore, capable of being interpreted so that any non-conforming building which is 'damaged' can be 'rebuilt'."

The Twp expects to receive approval this spring for its new Official Plan. It will then be able to adopt new by-laws that are consistent with the new OP and its goals. OLA, working with other associations in N.Burgess, reviewed and commented on the OP and proposed by-laws in '92 and '93. Even though the by-law in the new OP relating to this issue is stronger, the Interlake Committee has since reviewed it and submitted additional recommended changes to Council which it feels will delineate more clearly the limits of the by-law and the OP.

Unfortunately, in this case, MNR did not specify any action for the owner to take ensuring that the environmental impact of the new structure would be less than the old one. We hope that the new by-laws and OP will prevent

misunderstandings, like this one, from occurring in the future.

Comings & Goings

The first loon was heard on April 12th. Where it found a place to land is a mystery as the lake was still quite frozen.

We welcome Susan Henry as our new Co-ordinator of Councillors. This is a very important role as our councillors are the direct link between property owners and the Executive.

John Hay and Joyce McAusland have both retired as members of the OLA Board after several years of active service. John most recently chaired the Health & Science Committee and Joyce was a Director at Large and a past Secretary. The Health & Science post is still vacant so if there is anyone interested in this position, please contact any member of the Executive.

Membership

by Judy Burns

In November's newsletter there was a red dot on those who had not paid their fees for 1993. There were 94 names on that list and we received responses from 20, thank you very much. The remaining 74 were made up of about 20 who have never joined the Assoc. and about 20 who join some years and not others.

I would like to thank all the enthusiastic Councillors who helped collect the memberships. This year, we have already had 147 people send in their fees; 88 more than last year at this time. Thank you also for using the enclosed coupon; it helps the bookkeeping. A few people

have remarked that they don't know which area they are in; this can be found by looking at the top, left hand corner of the newsletter address label.

1992 Paid memberships	381
1993 Paid memberships	347

Treasurer's Report Jan1 - Dec31 '93
by John Burns, Treasurer

Cash in Bank Dec.31/92	\$1,080.31
C/D due Jan. 7/93	<u>5,600.00</u>

Assets	<u>\$6,680.31</u>
--------	-------------------

REVENUE	
Membership Fees	\$3,470.00
C/D Interest	<u>291.57</u>

TOTAL REVENUE	<u>\$3,761.57</u>
----------------------	-------------------

TOTAL ASSETS	<u>\$10,441.88</u>
---------------------	--------------------

EXPENSES

Postage & Stationery	\$ 568.51
Printing	288.13
Water Testing (Girdwood)	600.00
Lab. Analysis (Bondar-Clegg)	480.00
Memberships	

Maple.	50.00
FOCA	255.00

Jebb Ck Water Levels	110.00
Telephone	71.79

EYC. Prog & Printing	158.68
Our share of project	900.00

GST. & pst.	217.22
Miscellaneous	<u>120.44</u>

TOTAL EXPENSES	<u>\$3,819.77</u>
-----------------------	-------------------

BALANCE	<u>\$6,622.11</u>
----------------	-------------------

Amount on Deposit CIBC	
31 Dec 93	\$1,622.11
C/D @ CIBC due 14 Jan 94	<u>5,000.00</u>

Total Assets (31/12/93)	<u>\$6,622.11</u>
--------------------------------	-------------------

Bulletin Board

WANTED: To buy one laser sailboat, good condition. Call Amy Pokorny (613) 267-1626 or Louise Pokorny-Arseneau (416) 690-8036.

FOUND: Last October. Boat, motor, with life jackets and fishing tackle. Call Mel & Vicki Hough (705) 743-7410 or (613) 267-4421.

Public Meeting

There will be a public meeting and open house for N.Burgess residents to review the proposed changes for Zoning By-laws on Saturday, June 11th, 1994 at the Municipal Offices. The Open House will be from 11am-1pm followed immediately by the meeting. Schedules showing the proposed zoning for individual properties will be on display at the Municipal Offices as of May 21.

Also on June 11th at the Municipal Offices, is the Second Annual N. Burgess Garage Sale. If you wish to be a vendor, call 267-7922.

Poachers Beware - You are Being Watched.

by Wally Robbins

Illegal fishing for bass is becoming a major problem on Otty. To help MNR rid our lake of poachers, here are some things you should know.

1. It is illegal to fish for bass before Saturday, 25 June 94. Any bass accidentally caught while fishing for pike must be released.

2. Pike fishermen should avoid fishing near prime bass spawning locations in May and June.

3. If you suspect someone is fishing illegally, jot down a description of them and their boat. Better yet, take a picture.

4. Report poaching by calling Crime Stoppers at 1-800-267-8477. You do not have to identify yourself.

Anyone interested in forming an anti-poaching group on Otty Lk, please call Wally Robbins at (613) 523-0471.

Thanks for a Great Summer!
by Abby Gainforth, 1993 EYC

As residents are aware, a sewage system and shoreline study was conducted on Otty Lake last summer by five students with the Environmental Youth Corps to help improve water quality.

We would like to thank property owners for their time, patience and assistance. Everyone was more than willing to help us when we met various problems, like getting stuck on a rock, leaving our lights on and getting lost. Some residents even offered to complete our sketches for us in addition to providing us with more than enough information to use in the report.

There is obviously a concern for the lake's condition and people are willing to take necessary steps to ensure that water quality does not deteriorate.

The OLA also deserves special mention for informing residents that we were coming, providing maps and mailing lists and their willingness to help us in various situations.

All of this allowed us to perform our tasks with few problems. As a result, 405 out of 434 properties

were surveyed and a report of our findings was completed. There is now a base for future studies.

Otty Lk currently has a high standard of water quality and residents have taken an interest in maintaining it. This survey was a positive experience and we feel that everyone will benefit from the results. Due to the amount of interest generated, we feel that Otty Lk will remain vibrant for future generations.

Fire Routes Update

Due to plans to develop a co-ordinated emergency program for the County of Lanark, it will be at least another three years before fire routes are established around Otty Lk. One of the major stumbling blocks is determining how properties will be identified in rural areas.

Odds & Ends

Each summer, Norm Hull and friends maintain and place shoal markers for the benefit of boaters on Otty Lk. Thanks Norm, for this public service.

If you would like to see something in the newsletter, please contact anyone on the Executive or the editor, Susan Code, at 267-2595. There are three issues each year, published in the spring, summer and fall.

1993-94 Otty Lake Assoc Executive

Pres. - Lorne Gold	OttyLk 267-7657 Ottawa 733-2449
P-Pres. - Judy Burns	Perth 267-1834 OttyLk 267-3063
VP. - Eddie Edmundson	OttyLk 264-0395
Sec. - Rhoda Atkinson	OttyLk 267-4587 Nepean 825-5619
Treas. - John Burns	Perth 267-1834 OttyLk 267-3063
Health/ Science - Vacant	
Co-ord Councils - Susan Henry	OttyLk 267-3903 Nepean 225-0986 OttyLk 267-5801
Newsletters - Susan Code	Perth 267-2595 OttyLk 267-1399
Land Use/ Legal - David Code	Ottawa 722-0339 OttyLk 267-5053
Members - Judy Burns -ship	Perth 267-1834 OttyLk 267-3063
MAPLE - Bob Waldeck	Perth 267-3050 OttyLk 267-2143
Conservation - Hugh Henderson	OttyLk 267-4935
EQCA. - Vacant	
<i>Directors at Large:</i>	
Tom Foulkes	Ottawa 820-4796 OttyLk 267-6251
Bernice Wanless	OttyLk 267-4690
Walter Robbins	
Armand Thompson	OttyLk 267-4518
Kevin Nichols	OttyLk 267-2640
	Kanata 596-2240
Rex Boyd	Ottawa 744-5279 OttyLk 267-2701
Amy Pokorny	OttyLk 267-1626