
TIARA Newsletter

Autumn 2013

Annual General Meeting

Our Annual General Meeting was held at Landon Bay on Saturday, August 17. Our guest speakers, Emily Conger and Cameron Smith, spoke about the work of A2A (The Algonquin to Adirondacks Collaborative) and their message was received with interest and enthusiasm.

A2A seeks to engage the public to preserve and restore a chain of natural spaces between Algonquin Park and the Adirondacks, over the Frontenac Arch (the “bridge” of granite which forms the 1000 Islands as it crosses the St. Lawrence River). Why is this connection important? Both plants and animals are challenged by such 21st Century realities as climate change, human population growth, activities such as mining and building, and the fragmentation and loss of their natural habitats.

Working ecologies need space for all their plant and animal components to stay in balance, healthy, resilient and able (in the case of animals) to find mates from outside their immediate range to maintain genetic diversity. You might think that in this era (and area) of increasingly dense population, it’s too late to find this kind of space. However, A2A’s research has demonstrated that ecological integrity can be sustained with a series of even small areas of natural habitat such “scattered patches, fence lines, river margins and woodlots”. The key is encouraging the idea of land stewardship, and fostering co-operation among individuals, organizations and businesses, “those whose lives and livelihood are rooted in the area”, and A2A does this in a number of ways. For more information about the work of A2A, please see their website www.A2Alink.org.

The Enbridge Line 9B Reversal Project

There is much concern about **Enbridge’s proposal to bring crude oil** from western Canada to Montreal refineries through its Line 9. Originally built in 1975 to bring oil eastward, this pipeline was reversed to flow westward in 1999 and now Enbridge proposes to reverse it once again to bring crude eastward.

The Line 9B section of this pipeline runs **through the 1000 Islands**, a vulnerable and ecologically significant area, the heart of the Frontenac Arch Biosphere, of the A2A Collaborative area and of the Cataraqui Region Conservation Area (CRCA).

There are grave concerns about the proposal: the age and condition of the pipeline (only ¼” thick, built 38 years ago), the toxic nature of the material to be sent (light crude, but could include “dilbit”, diluted bitumen), the increased and uneven pressure required to deliver the material, the increased volume of delivery (300,000 barrels a day, up from the present 240,000) both of which put extra strain on the pipe, the inadequate and possibly outdated technology used to detect cracks and imperfections, and therefore the number of cracks which might have gone undetected.

A spill in this region would have a devastating effect because of our thin soil layer and all the groundwater

aquifers that could be contaminated, allowing a spill to flow down into the St. Lawrence River, eventually affecting millions of people. There is concern about not only the spill itself, but also the brutally invasive measures often taken to contain and clean up such a spill, and the lasting effect on the land and water.

Many submissions to the National Energy Board were made in October, including a joint presentation from A2A (see page 1) and the CRCA. Their plea, if Enbridge should receive its license or if such toxic material must indeed be transmitted, was that at the very least in this vulnerable area **the “geriatric” pipe should be replaced with a new one** built with better design and thicker walls to modern standards, that proper defect detection methods be employed, and adequate emergency response plans be in place that take into account our particular climate and geology.

The National Energy Board is currently reviewing the submissions it has received, and will be delivering its decision early in 2014.

Municipal Council meetings: In or out of camera?

The Ontario Ombudsman André Marin has again been asked to investigate the Council of Leeds and the Thousand Islands for **conducting Township business away from public eyes**.

The situation seemed innocent enough. Back on November 16, 2012, the Mayor and three Councillors were decorating the Township float for the Santa Claus parade. However, someone noticed that when they had finished, the Mayor handed out a report on administration salaries that was to be discussed at a future meeting. No discussion took place then, but the anonymous observer complained to the Ombudsman, and as a result an investigation was launched. Nearly a year later, the Ombudsman has just issued a preliminary report, and Council members, insisting that they have done nothing wrong, have voted to hire a lawyer to help them respond to it.

In *The Gananoque Reporter* (November 7, 2013) Mayor Frank Kinsella referred to the Ombudsman’s criteria, saying, “Marin maintains that Councillors are holding a council meeting if a quorum of Councillors – in the case of TLTI, that’s four – get together for ‘the purpose of exercising the power of Council’ or for doing the ‘groundwork’ necessary to exercise that power”. The Ombudsman counts the sharing the report of administration salaries as “doing the groundwork necessary to exercising that power”. Council disagrees. Unfortunately, Mayor Kinsella confused the issue by complaining to the press that it wouldn’t even be possible for four Council members to attend the same funeral without bringing the Ombudsman’s wrath down on their heads, which is clearly not what Mr. Marin meant.

It isn't the first time that the Ombudsman has rapped the knuckles of the TLTI council for doing business out of the public eye. In a more spectacular event, at a regular meeting back on February 13, 2012, Council suddenly voted themselves a whopping 60% increase in salaries. No discussion, no explanation, just a vote. Public outrage and investigation revealed that Council had discussed the matter three weeks before... but in private. Their excuse for going "in camera" was that it pertained to "a personal matter about an identifiable individual, including municipal or local board employees" – allowable in camera under the Municipal Act Sec.239 (2)(b). However, Ombudsman Marin ruled that this doesn't include Council remuneration, which must be discussed in the open. "The public must at a minimum have the opportunity to **observe the decision making process** by Council", he said.

It's a matter of balancing the public's right to understand Council decisions with the need to protect confidential and sensitive information. Mr. Marin, who was appointed Ombudsman in 2005, has been advocating strongly for greater openness and transparency in government. His office has handled more than 300 related complaints since 2008. Last year, in his first-annual report on closed municipal meetings in Ontario he said, "Ontario municipal Councillors should hold fewer closed meetings, record them electronically and **be more mindful of public concerns when they gather outside of council chambers.**"

We recognize there needs to be a balance between the public's right to observe Council making decisions and the need to protect a limited area of confidential and sensitive information. However, every diligent councillor has the difficult problem of how to get relevant **information to reflect upon** before being called upon to make endless decisions.

Common sense has to prevail on all sides. If Council can develop a reputation of being consistently open and transparent, it will help to allay growing suspicion on the part of the public.

New Board Members

Following the TIARA Annual General Meeting in August, we were delighted to welcome a long-time supporting TIARA member to the Board, **Martin Bordt**. Martin is a permanent resident in the Ivy Lea area with extensive experience in communications. His love for the area coupled with his professional skills will benefit us tremendously.

If you have an interest in helping guide the organisation, we would like to hear from you – whether or not you have an interest in joining our Board. We always benefit from the input we receive from our membership.

Without you, we would not exist!

Islands 112A, B and C

Three years ago, an alert TIARA member noticed some substantial changes taking place on three very small islands just south of Grenadier Island. A former **one-storey hunting cabin** was being transformed into a **two-storey cottage** on the larger of three "Undersized Islands" as defined in the Official Plan. At the time, **no**

authorising construction permits were on display at the site.

TIARA visited and **welcomed** the Island's new owners to the river and the community. We encouraged them to take advantage of the planning support provided by the Township as well as the other necessary authorising agencies such as the Cataraqui Region Conservation Authority and the local Health Unit.

Several months later, when work continued and the authorisations did not appear, **TIARA reported it to the Township**. We did so because the new structure appeared to significantly exceed the building envelope and setback requirements for the grandfathered hunting cabin structure. The new higher and wider roofline and additional decks each extended to the shoreline, if not beyond. The new cottage no longer blends in with the natural environment. It dominates it.

The Township, in turn, **issued a stop work order**, (The structure had been virtually completed at this point), and informed the owners of their obligation to obtain the necessary approvals and a building permit. In the process, the owners **applied for a Minor Variance** which the TLTI Committee of Adjustment denied, citing that the changes were not minor in nature. The Township's advice to the owners had in fact been to apply for a **Zoning By-law amendment**.

The owners have appealed the Committee of Adjustment's decision to the **Ontario Municipal Board**. We will keep our eyes on this matter and let you know the outcome.

In the meantime, we ask our members to encourage island and shoreline property owners to "**Call Before You Dig**", so to speak. The Township's Planning and building inspection officials **are not** there to make life difficult. They are in fact a **valuable resource for property owners** and should be consulted first – lest one risks spending extraordinary money to "right a wrong", not to mention being issued an order to restore their property.

Thousand Islands Area Residents' Association

RR 1 Lansdowne ON K0E 1L0
www.tiara.on.ca info@tiara.on.ca
(613) 541-1589

Directors

Laura Bell	Dr. Harry McAdie
Michael Bell	Michael McCarthy
Pamela Bliss	Pierre Mercier
David Bull (Acting President & Executive Director)	
Martin Bordt	Margot Miller
Joy Macklem (Secretary)	Brian Reynolds
Marion MacLeod (Treasurer)	

*Please consider joining our Board.
Send a message in confidence to
info@tiara.on.ca*