
TIARA Newsletter

Autumn 2012

Wallace Island Shoreline Development Awaits OMB Decision

In our last newsletter, we reported on our **appeal of a decision** by TLTI Council to approve a “Minor Variance”, turned “By-law Amendment”, for a Boathouse on Wallace Island. The approval, if not overturned by the Ontario Municipal Board, would permit the **blasting of natural shoreline** and the **removal of a substantial number of mature shoreline trees** in order to make way for the construction of a boathouse. The property involved already **exceeds the maximum** permitted amount of marine facilities by almost four times and the owner has not offered any plans to reduce them.

A three day hearing was held in June. TIARA was represented by **Planning Consultant Anthony Usher**, and **Lawyer Richard Taylor**. We were well prepared. Our supporting witnesses provided compelling planning evidence and legal arguments of exactly how this By-law, unique to the property involved, would be wholly against the Township’s Official Plan. The Township’s Planner and the property owner’s lawyer each argued that the proposed development represented good planning.

The OMB Adjudicator **reserved her decision and we await** her findings. We’ll follow up in our Winter Newsletter.

TLTI’s 5 Yr. Official Plan Review

We were most fortunate to have our Planning Consultant, **Anthony Usher**, as the guest speaker at this year’s Annual General Meeting. The topics were the OP Review process and a report to the members on our Wallace Island OMB appeal.

We advertised and invited as many area residents as possible to attend. We welcomed the Executive and members of the Township Taxpayers Association as well as the then Mayor of TLTI, Bruce Bryan, (See article on New Old Mayor for TLTI), and several TLTI Councillors. Highlights of Tony’s presentation are available on our website; www.tiara.on.ca

The Township began its OP Review this past Spring. A first draft has since been prepared by the Township’s Planners and posted on the Township’s website. www.leeds1000islands.ca

The Township’s Planners appear to have done a very thorough job at correcting various anomalies and textual errors. A large part of their revisions have to do with making the Official Plan conform to new Provincial Planning Policies and regulations. However, they have **proposed to eliminate the “Special Policy Area”** definitions which currently prevent, if not strictly control, commercial and industrial development south of Highway 401, including the islands.

We are examining the proposed changes very carefully in order to make certain that equivalent protective measures for the natural environment remain intact, ideally enhanced.

If we have your correct e-mail address, in September, you will have received a message from TIARA about an online opinion survey prepared by the Township as part of their OP Review public consultation process. The results of their survey have not been made available on the TLTI website, so we asked for copy. On the basis

that taxpayers are paying for their Township’s survey, we have posted their findings on the TIARA website. www.tiara.on.ca

The conclusion we draw from the results of the Township’s survey is that sentiments expressed by their respondents are very similar to those found in TIARA’s own online survey, Input 2012, done earlier in the year. i.e. People want strengthened regulations to **protect the natural environment** along with stricter **enforcement of planning regulations**.

Islands 112 ABC

This cluster of very small islands is located immediately south of Grenadier Island along the Canada/U.S. border. Until sometime in 2010, a **legal non-complying structure** covered most of this 0.48 acre island in a defined flood hazard.

Without the necessary permissions or permits, new owners substantially enhanced the original 50.63 sq. metre cabin into a much larger one. It now has a second storey, a larger roof and decks, with some of it extending beyond the shoreline out over the river. In any case, **lot coverage presently exceeds 100%**.

Following a visit from TLTI Building officials, the owners submitted an **application seeking retroactive approval** from the Committee of Adjustment to allow for the replacement cottage. TIARA attended the hearing in September. Both the Township Planner and the Cataraqui Region Conservation Authority opposed the application saying that **the development does not meet the requirements of the Official Plan**.

On the basis that the new structure exceeds the grandfathered footprint and building envelope, the Committee felt that it had no choice but to **deny the application**.

The owners have since **appealed** the Committee’s decision to the OMB. If requested, TIARA will support the Township should there be a hearing.

In the meantime, these circumstances leave the property owners in a difficult position. Pending the outcome of any OMB hearing, the cottage will either have to be removed or reduced in size to the allowable footprint.

Septic system concerns at this property are another matter altogether and are being addressed by the Township and the Leeds and Grenville Health unit.

Extremely Low Water Levels

Water levels in the Great Lakes and St. Lawrence River are at their **lowest in 47 years**. The Kingston Whig Standard reports that this past October, water levels were 11 inches below average. Late season boaters have felt the effects of this, some quite literally, as never before seen rocks are showing – or not quite showing as the case may be. Indeed, the Howe Island Foot Ferry is on occasion having to reduce the number of vehicles it normally carries from three to one, just to reach the shore.

The Whig further reports that various agencies and environmental organisations say that **this is cyclical**. In 1934, for example, records show water levels were down by 31 inches from October norms, the lowest ever recorded. However, that was before water levels were controlled and the Port of Montreal had water needs for large seagoing vessels.

The hope is that **the Autumn will be rainy**, (It has been so far), and that expected inland snowfalls this winter will replenish the Great Lakes, St. Lawrence and Ottawa Rivers' freshet in the Spring. Keep your fingers crossed.

A New Old Mayor for TLTI

In early September, two years into a four year term and faced with another in a continuing series of official sanctions against him by his peers on Council, **Bruce Bryan resigned** from his position as Mayor of Leeds and the Thousand Islands.

Bryan said that the demands of the job were increasing and the pressures and stress he was experiencing were taking their toll on his health. **We truly wish him well.**

Enter, or should we say, re-enter **Frank Kinsella**. His appointment by Council was not without controversy.

Despite calls from the public for a by-election, Kinsella, who had been defeated by Bryan in the last election, seemed pre-ordained to the job and was simply reappointed.

You may recall that the previous Council, headed by Frank Kinsella, embarked on a massive spending spree enticed by 50% matching Provincial and Federal dollars. That legacy lives on with the municipality now in considerable debt. Taxpayers are on the hook for a **new municipal building**, a **nearly empty former municipal building** and a **fire training centre**, built without a business plan and at present, nowhere near capable of sustaining itself.

This situation could worsen should the Casino move to Kingston, which is entirely possible now that the province has plans to turn all casinos over to the private sector.

Welcome back Mr. Mayor. We wish you every success in your new old job.

Welcome New Members

In June, we began a three part drive to **recruit new** TIARA members. Thanks to some generous volunteers, we were able to mail membership appeal letters to Admiralty Group property owners listed in the Township's tax rolls, who are **not already TIARA** members.

The experiment was a success and we plan to send appeal letters to the Lake Fleet and Navy Group property owners during the winter and spring.

Our members know that TIARA will become more and more involved in the defence of good planning as **pressure to develop in the Thousand Islands grows** ever stronger, and our voice becomes ever more necessary. Our overall mission is to **"preserve and improve the present character of the Thousand Islands area with emphasis on the environment"**. We're delighted that new members are joining us and by their added support and participation, helping TIARA to meet its objectives.

We have the best interests in mind of all of our members and we truly appreciate the support. Don't hesitate to contact any one of the Directors if you have any specific interests or concerns.

TIARA Fundraising Raffle Winner

At our AGM in August, Rachel Wing of Gananoque won our raffle for a beautiful new hand crafted coffee table. A third year university student, Rachel told us that she would be taking the table to her new digs. Her prize was

business owner and TIARA Director **John Le Blancq**. (www.historicbuilding.ca).

We raised almost \$600. Our thanks to everyone who bought tickets. We are also grateful to our friends at the **Socialist Pig Café in Gananoque**, for displaying the table and selling most of the tickets. **Thank you!**

Kudos to the Township Taxpayer's Association

TLTI Council **has had a bad habit** of conducting in-camera meetings without fully or properly defining the topics being discussed. Sometimes there are no minutes and those that are produced are ambiguous, at best. These practices date back to the **previous Mayor and Council through to the current Council.**

It became so obvious that discussions about matters of public interest were being held behind closed doors that regular attendees of council meetings were stunned to see Council vote on a number of critical issues without any public discussion at all.

Enter the **TTA**, (Township Taxpayers Association), whose membership driven mission is to support good governance through open communication, transparency and accountability.

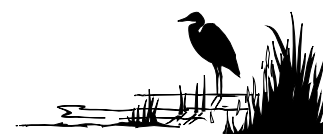
On several occasions, the TTA expressed its concerns about closed door meetings to Council, but the practice continued, sometimes even off site. So the TTA carefully documented their concerns and took them to the **Ontario Ombudsman**. The Ombudsman investigated and confirmed TTA's findings. He wrote a warning letter to the Township.

However, the practice appeared to be continuing. So, the TTA gathered more evidence and again reported it to the Ombudsman. Another, **more serious warning letter** was sent to the Township along with instructions to make the warning letter a Council Agenda item to be discussed in public.

This time, it made the local and provincial press. The Ombudsman's Annual Report to the Province on Municipal Matters specifically cited the **"egregious example of Council for the Township of Leeds and the Thousand Islands which attempted to hide discussion of a 60-per-cent raise for its members."**

Way to go TTA! We're proud of you.

The TTA website: www.leeds1000islandstta.ca



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

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