

Oxbow Lake Cottagers' Association

2023 ANNUAL MEETING AGENDA

Saturday, July 1, 2023, 10:00 am, OLCC Lodge

In Attendance – Present: Laurie Arnold, Lynda Arnold, Neil Cambray, Ceridnen Dodds, Joanne Gordon, Phil Guselle, Peter & Angie Heydon, Markus & Ann Herten, Eileen Holley, Bev & Chantal Incledon, Amy LeClerc, Diana Leicht, Marc Lichtenberg, Jill MacDonald, Nicki & Keith McRobbie, Rob & Evan Meier, Mike & Sandy Prong, Cathy Rolls, Barb & Paul Singleton, Carol Speers, Jim Vigmond, Karen & Ron Winegard, Tommy Yin.

Special Guests: Steve Markham Fire Prevention Officer, District Councillor Mike Peppard and Township Councillor Rick Brooks.

1) **O Canada!** Markus led us in the singing of O Canada.

2) **Land Acknowledgement and Welcome:** President, Markus Herten opened this general meeting with the statement acknowledging the indigenous people as the original owners of the land, and the Oxbow Lake Motto of *Respecting, Preserving & Enjoying*.

3) Moment of silence for cottagers who have passed away: Murray Arnold.

4) **President's Remarks – Markus Herten** welcomed new OLCA members. The OLCA motto resonates. Engagement is important to ensure the future of our lake is positive. Thanks for all in attendance, thanks to the Board members, and thanks for the financial support for the No Development campaign. This AGM is his last as President.

Highlights – During the Covid period the Board discovered Zoom meetings – some in-person events kept going such as the Regatta and the socials. Redesign of the sign board, the Wylie hill was re-paved, we ran some campaigns – such as No Development, No Wake, and reached out to groups such as FOCA, SafeQuiet and other Lake associations. We had lots of communication on the website, the Lake markers were always in place thanks to the McRobbies, we dealt with oil spill, and we re-worked the Board to be smaller and more nimble to deal with issues, but still want lots of reps involved to take on specific smaller responsibilities for us. We need to continue to build on the social and fun factor! Need to monitor the lot development, and to fundraise to monitor the environmental issues, gather new members, further education on wake damage, improvement relationships will all levels of government. Encourage members to look at our own environmental issues such as ageing septic systems. Lots of work to do.

5) Special Guests

Steve Markham: Fire Prevention Officer – in new position as Education Officer for Huntsville/Lake of Bays Fire Department

Contact: steve.markham@huntsville.ca; 705-789-5201, ext 3609, mobile 705-783-8905

- Key Message: Firefighting response time is not good; cottagers need to take more responsibility for fire safety.
- Inspection of houses and cottages of fire alarms is so important and found 95% were non-compliant. Working alarms save lives!
- Alarms need to be tested, the batteries changed regularly and note the life span of the alarm including the Carbon Monoxide alarms.

- Fire Smart Canada has info about maintaining your property to prevent fire. Reference – www.firesmartcanada.ca
- Total Fire Ban in Ontario continues with 60 active fires, in Quebec 73 fires along border of Ontario. With all the fires, we currently have no working firefighters as they are all helping in other areas. We are relying on volunteers. Even with the rain – there is lots of fuel in the forests!
- A common cause of fire are oily rags – as they dry, they heat up and start a fire. Disposal – lay out or hang rags outside and let them dry out. Once dry they are no longer a hazard for fire. Dispose on hazard waste days.
- Be sure to clean your chimney regularly!
- Be sure to educate your renters too!
- Yield to the green flashing lights of firefighters' vehicles.
- Lithium-Ion Batteries – thermal run away- Danger of dropping the batteries!
– be mindful of how to use them safely.

Rick Brooks, Township Councillor

Contact: rbrooks@lakeofbays.on.ca, 705-635-2272, 1-877-566-0005

- Thanks to Lynda for being the communication liaison, and to Markus for his great role as President.
- Thanks to Steve Markham – they advocated for this new position.
- Hot topics include development on the lakes, roads, lack of people to fill jobs in the region, lack of available housing, homelessness, Starlink internet seems to be working well but is expensive.

Mike Peppard – District Councillor

- The District is working on Climate Change plans, Watershed plans and affordable housing,
- Development permit application process – plan applies to waterfront rules – have to work with the planners. They are working with Lake of Bays to create a pamphlet to explain permitting system. This is to protect our shorelines! Algae blooms are a concern.
- When is the LOB official plan going to reviewed? Starting in January 2024. Watershed Plan is a big concern and can take about 4 years to review. Will likely be taken to court by Developers who don't want these restrictions in place.

6) **Secretary's Report:** Carol Speers

MOTION 1 – Carol Speers/Keith McRobbie

the July 2, 2022 Annual Meeting Minutes and October 26, 2022 General Meeting Minutes be approved as distributed. CARRIED

7) **Summer events:**

- Singleton Fireworks – no fireworks due to the fire ban
- Lake Social: Saturday, August 26th, 2023 from 2 – 4, hosts Joanne & Steve Gordon
- Lake Regatta: Sunday, August 6, 2023 from 1:30 on the shores of the OLCC

Other ideas for speakers to be hosted at OLCC and maybe with neighbouring cottage associations – pass ideas to Lynda or Carol. Suggestion made for more outreach to LOBA since they have extensive experiences and resources.

8) **Treasurer's Report:** Markus Herten on behalf of June Smyth (Attachment 1 below)

Markus reviewed the budget that was circulated.

The Board is proposing that membership fees be raised to \$75 with \$50 for operating cost and \$25 for the reserve fund.

MOTION 2: Carol Speers/Jill MacDonald

that the Membership Fee for 2023-24 be set at \$75 with \$50 for the operating budget and \$25 for the reserve fund. CARRIED

MOTION 3: Carol Speers/Angie Heydon

that the 2022/2023 Financial Statement and the proposed 2023/2024 budget be accepted.
CARRIED

9) Lake Reports:

a) Membership – Joanne Gordon

- Welcoming new families to the Lake and provide them OLCA info – 63 members – about 70% of all cottagers on the lake. Welcome to new members! If there are new families you know of – let Joanne know.
- Signboard – will keep names up to date.
- Wall of Recognition: Murray Arnold's name will be added.

Joanne Gordon nominated, with Board support, Murray Arnold to be a new addition to the Wall of Recognition on the OLCA corner board. Murray provided over 12 years of volunteer service at the LOB Fire Station 50 as well as taking on the role of Acting Captain. He represented our lake on the LOB Township Councillor's Advisory Committee and worked behind the scenes to set up and organize many of our AGMs at the fire hall. He also dedicated many years working with the Township to ensure our roads were safe and well maintained.

b) Lake Steward's Report – Marc Lichtenberg (See Attachment 2 below)

- Algae is increasing over the years
- Mike Peppard - Muskoka Watershed Council has an Algae monitoring system. Rebecca Wilson is the contact to connect with them.

c) FOCA – Reported by Lynda Arnold on behalf of Nina Lowe and Calvin Goldberg

- check out the FOCA website! There is a link on OLCA website.
- FOCA mandate includes responsible cottage country septic systems. Boating issues and water quality.

d) OLCC Rep – Carol Speers

- Happy to be able to host OLCA and other groups, as well as The Artists of the Limberlost, and the OLCA Regatta.

e) Roads Report – Neil Cambray, Jim Vigmond

- Works to keep the road accessible. Has to work with Public Works in Lake of Bays. The township has done a great job over the past 5 years. But they have to work within their budget!
- Neil also looks after snowplowing beyond the boat launch.
- Mike Peppard to look into re-instatement of the grant for snowplowing.
- East Arm Road is good shape.

f) Communications/Lake Website – Lynda Arnold

- Regular updates are sent to members by email.

- OLCA Website is a great resource for information. Links to info from Rick Brooks and LOB Township,
- If you are interested in being involved with the Turtle advocacy group and/or SafeQuietLakes, let Lynda know. The summer theatre on Limberlost is open in July. For more information, contact Lynda.
- Please check that your contact information on the Membership list is up to date.

g) Water Safety (markers, no-wake, boat ramp, Safe Quiet, etc.) -

- Markers have been put out by Keith and Nikki McRobbie. If there is a marker missing let them know.
- No Wake – means No Wake!!! Need to preserve our shoreline!

10) Proposed Structure 2023 – 2024 for Election

MOTION 4 –Ann Herten/ Phil Guselle

that the following structure and the Slate of Officers for 2023-24 be approved. CARRIED

2023/2024 Board

President - ----- Vacant -----
 VP (Development oversight) - Jim Vigmond
 VP (General – supports president) - Vacant --
 Treasurer - June Smyth
 Secretary - Carol Speers
 Communications - Lynda Arnold
 Membership (both arms & sign board) - Joanne Gordon

2023/2024 Reps –

Lake Steward (both arms) Marc Lichtenberg
 OLCC Rep - Carol Speers
 Road Rep (assigns E. Arm) - Neil Cambray
 Regatta - Angie & Peter Heydon
 FOCA Rep - Nina Lowe & Calvin Goldberg
 Limberlost area Cottage Association liaison - Nick Mosgrove
 Water Safety – SafeQuiet.ca / O.P.P. liaison etc. – Vacant – (Lake Markers - Nickie & Keith McRobbie)
 Gov't Affairs – LOB/District/Ontario/MNRF - ----- Vacant -----

11) Business Arising:

- a) Update on the peninsula development and oversight – Phil Guselle
- Phil gave an oral summary of the work done re the Peninsula Development and OLCA's position; See Attachment 3 below

Questions and Comments

- Can we work with the developer to get them to pay for road development for example?
- If there is an appeal in process, why are they in there working? Need better relations with MNR for the Crown Land. They are already on the land cutting down the trees.
 - The Board needs more help to keep an eye as the Lots are developed.
 Reps are needed
 - to liaise with Lake of Bays Association, www.LOBA.ca , also to be part of the Lake of Bays

official Plan revision

- and to provide oversight to monitor the implementation of the 27 conditions put on the development.

- Neil Cambray extended thanks to the Board for putting in incredible amounts of hours, energy and expertise to represent OLCA at Lake of Bays and District of Muskoka in opposing the proposed Lot Development on Oxbow Lake.

12) New Business

- Paul Singleton will step down from being the lead for Canada Day fireworks. He will support the person who may take over and will provide the fireworks expertise.
- Marc Lichtenberg – Ontario Breeding Bird Atlas survey in July, also ebird app – to record sightings
- Neil Cambray questioned the condition of the roads after logging and construction vehicles create ruts and board wash. The LOB's standard answer if roads are damaged, will be to grade more often. Construction will be hard on the road.

13) Adjournment - **MOTION 5** to adjourn – Angie Heydon.

President, Markus Herten

Secretary, Carol Speers

Attachment 1

Oxbow Lake Cottagers Association Actual 2022/2023

	General Revenues	Signboard	Development	Total	Comments	Snowplow Funds	Grand Total
Opening Balance 4/30/2022	6,257.62	207.90	2,416.49	8,882.01		1,291.06	10,173.07
Revenues							2,090.66
Dues	3,240.00		2,090.66	2,090.66		4,875.00	11,215.00
Donations to Planner	(3,100.00)		3,100.00	6,340.00	Funds from LOB	2,978.30	10,578.30
Subtotal	140.00	-	15,890.66	16,030.66		7,853.30	23,883.96
Expenses							
FOCA Membership	(385.00)			(385.00)			(385.00)
Huntsville Hospital Donation	(250.00)			(250.00)			(250.00)
Donation to Firehall	(250.00)			(250.00)			(250.00)
Donation to SafeQuiet	(50.00)			(50.00)			(50.00)
Donation to OLCC	(100.00)			(100.00)			(100.00)
Insurance	(1,085.40)			(1,085.40)			(1,085.40)
Website Privacy	(214.68)			(214.68)			(214.68)
Signboard				-			-
New Signs/Markers	(155.93)			(155.93)			(155.93)
Miscellaneous	(423.15)			(423.15)			(423.15)
Planner/Snowplow			(18,306.23)	(18,306.23)		(8,475.00)	(26,781.23)
Subtotal	(2,914.16)	*	(18,306.23)	(21,220.39)		(8,475.00)	(29,695.39)
Over/Under	(2,774.16)	*	(2,415.57)	(5,189.73)		(621.70)	(5,811.43)
Closing Balance 4/30/2023	3,483.46	207.90	0.92	3,692.28		669.36	4,361.64
OLCA Balance	3,692.28						
Signboard	207.90						
Contingency	500.00						
Reserves	2,984.38						

Oxbow Lake Cottagers Association Budget 2023/2024

	General Revenues	Signboard	Reserves	Total	Comments	Snowplow Funds	Grand Total
Opening Balance 4/30/2023	500.00	207.90	2,984.38	3,692.28	-	669.36	4,361.64
Revenues							
Dues	3,250.00		1,625.00	4,875.00	65 @ \$75 (\$50 dues, \$25 reserves)		
Subtotal	3,250.00	-	1,625.00	4,875.00			
Expenses							
FOCA Membership	(400.00)			(400.00)	\$125 plus \$4 per member		
Huntsville Hospital Donation	(250.00)			(250.00)			
Donation to Firehall	(250.00)			(250.00)			
Donation to SafeQuiet	(50.00)			(50.00)			
Donation to OLCC	(100.00)			(100.00)			
Insurance	(1,100.00)			(1,100.00)			
Website Privacy	(200.00)			(200.00)			
Shrub for Murray		(200.00)		(200.00)			
Lake Markers (if needed)	(250.00)			(250.00)			
Miscellaneous	(150.00)			(150.00)			
Subtotal	(2,750.00)	(200.00)	-	(2,950.00)			
Over/Under	500.00	(200.00)	1,625.00	1,925.00			
Closing Balance 4/30/2024	1,000.00	7.90	4,609.38	5,617.28			
Closing Balances							
Contingency	1,007.90						
Reserves/Other	4,609.38						
Total Restricted Funds	5,617.28						

Oxbow Lake Water Quality – Spring 2023 Report

From Marc Lichtenberg

Water quality analysis at Oxbow Lake takes into account changes in phosphorus, nitrogen and dissolved oxygen levels and water clarity as affected by algae levels.

Peter and Angie Heydon and Marc Lichtenberg have acted as volunteer Lake Stewards, collecting water samples and measuring water clarity on the east and west arms of Oxbow Lake respectively. They have been active since 2002. These samples are analyzed by the Ontario government at no cost to residents by the Lake Partner Program. The District of Muskoka carries out similar analyses of nitrogen and dissolved oxygen biennially. Measurements have been disrupted due to Covid concerns over the past two years but lake Steward samples have been taken. Phosphorus and nitrogen are sampled due to their impacting algae growth. Our lake is designated with a special Lake Trout Lake status and dissolved oxygen level impact the health of lake trout populations. The dissolved oxygen is essentially the air the fish “breathe” under water.

Dissolved oxygen should be at a reading of 7 for ideal fish conditions. When it drops to 4 or below, lake trout populations are compromised. Over the past few years, dissolved oxygen has taken a steep dive from 6.8 to 4.8. We use the numbers from 18m below the surface, the level where lake trout are found in late summer.

Phosphorus levels are generally within acceptable range but have exceeded healthy limits by a small amount twice, in 2016 and 2020. Nitrogen is within acceptable limits, although it has increased fourfold over the measurement period and therefore should be closely monitored into the future.

Looking at water clarity readings over the past 20 years, however, we see decline. Water clarity is an indicator of algae growth, measured by dropping a weighted, white pie-plate sized disk on a line into deeper areas of the lake. The depth of the disk is measured at the point where the disk disappears from view. These readings are taken throughout the open water season since measurements can vary significantly within each season and by location due to factors such as pollen and rainfall, in addition to algae growth.

Climate change is affecting all lakes. Algae growth also depends on the temperature of the water in the lake and how much the lake mixes over the seasons. Higher water temperatures cause more growth of certain algae. Also, there is less healthy mixing of a lake when the top layer gets warmer and the bottom layer is much colder.

2022 Water Quality Results

A good year for Oxbow Lake with acceptable levels of Phosphorus, Nitrogen and Dissolved Oxygen. Secchi Disk data was better than average. From looking at years of data and key factors which influence algae growth I would attribute this to a long, cold spring which limited the growth of algae. Fortunately, to date, it looks as though we will get a repeat of these conditions this year. Unfortunately, we all know summers on average will be warmer over time.

Sources:

We are very grateful for the data the Muskoka Watershed Council has provided. Decades of data on Oxbow Lake water quality were rapidly and generously forwarded and they continue to keep a watch on Muskoka lakes.

Attachment 3

Brief re-cap on timeline for the development

- OLCA with support from our professional planner Marie Poirier provided detailed objections to the proposed development at the public meeting on May 19, 2022. As a result, Lake of Bays (LOB) council deferred a decision and directed the planning department to review aspects of the developer's proposal
- LOB Planning spent time during the summer requesting clarifications from the developer. In OLCA's and Marie Poirier's opinion LOB Planning's response was inadequate and represented "poor planning".
- LOB Planning brought the proposed development, essentially unchanged, back to LOB council for approval on September 26, 2022 at which time LOB council approved the development application and directed that it be forwarded to the District of Muskoka who are the approval authority for any Plan of Subdivision in the district.
- It was OLCA's expectation, based on past experience, that District of Muskoka would approve the application and OLCA began to consider and prepare for an appeal of the development to the Ontario Land Tribunal (OLT).
- The Plan of Subdivision together with LOB council approval was approved by District of Muskoka on November 18, 2022
- Approval was contingent on the implementation by the developer and, subsequently, the landowners of 27 specific requirements to minimize the impact on the lake and environment.
- Immediately prior to this approval OLCA were informed that recent provincial legislation (Planning Act Implements 2021) had banned appeals of plans of subdivision to the OLT by cottage associations.
- OLCA had no further recourse to the LOB or District of Muskoka

Subsequent Actions by OLCA

- OLCA moved promptly to curtail expenses related to opposing the development including reductions in consultant fees
- OLCA recognizes the difficulty as a single cottage association in opposing proposed developments – the deck is stacked against us.
- As the rights of local residents to oppose development such as this is a broad issue of interest to all cottagers the OLCA board decided to fill the Board position of Federation of Ontario Cottage Associations (FOCA) rep. Nina Lowe and Calvin Goldenberg accepted this position.
- Nina and Calvin wrote to FOCA on March 23, 2023 and identified contacts for all cottage associations along Limberlost Road to advise them of our experience and the risks implicit for their lakes.

Recent Developments – LOB Re-zoning Bylaw

- On April 25, 2023 OLCA received from LOB Planning a copy of a zoning bylaw amendment concerning the 7 lots comprising the peninsula development. The amendment creates 4 new bylaw zones covering the 7 lots. No explanation accompanied the copy of the bylaw. However, review of the details indicates, confirmed by our Planner, that the intent of the re-zoning is to enable the implementation of the 27 requirements stipulated in the approval of the plan of subdivision.
- We were advised by our Planner that OLCA or any individual resident have the right to appeal re-zoning to the OLT.
- OLCA Board met on May 5, 2023 to discuss the re-zoning and determine whether the OLCA would appeal the re-zoning bylaw. The board decided not to appeal the re-zoning for reasons discussed in the following section.
- On May 16, 2023 Sharon and Jim Vigmond filed an appeal of the re-zoning bylaw to the OLT

OLCA Board Position Regarding Re-Zoning Appeal

The Board reached its decision for the following reasons:

- Since the intent of the re-zoning is to enable implementation of the conditions of development it is not clear what the basis for the appeal would be and that it may be counterproductive.
- The Board believes that with no legal avenue to appeal the subdivision the most effective course for the OLCA is to work cooperatively with LOB, the developer and subsequent landowner's and their contractors to ensure that they understand and comply with the subdivision conditions.
- Long term OLCA want new cottagers to embrace the OLCA mission statement and be active members of the association.
- An appeal may be construed by LOB council and departments as needlessly obstructive and impede efforts to have LOB departments maintain and improve services that are important to OLCA members.
- Finally, the Board is very concerned about the financial requirements to fund further appeals.

Reflections on the Peninsula Development and Future Actions

The work by the OLCA Board and association members has revealed a number of important issues:

- Our water quality investigations have uncovered concerning trends, especially declining deep water dissolved oxygen (DO) at least some of which is attributable excess nutrient load in the lake. All cottagers should review the maintenance of their own systems and practices.
- The OLCA board is unanimous in believing that the peninsula development is wrong for Oxbow Lake. The Lakeshore Capacity Assessment Handbook (LCAH), developed over the last nearly 50 years by the Ministry of the Environment to direct development of Canadian shield lakes, would preclude this development if it were part of the Official Plan of LOB. The LOB Official Plan is scheduled to be revised in 2024 – OLCA should be active in this process.
- The potential for changes to or redevelopment of other properties on Oxbow Lake, such as the Olympia Sports Camp, should be on our radar.
- There is strength in numbers. We should work on our relationship with other local cottage associations including reaching out to the Lake of Bays Cottage Association – there are over 4200 private properties on Lake of Bays.

**** END OF INFORMATION****