

OXBOW COTTAGER'S ASSOCIATION

DWIGHT ONTARIO

LAKE OF BAYS REGION

DISTRICT OF MUSKOKA

44 Denison Road West,  
Weston Ontario,  
M9N 1C2

February 6, 1989.

Mayor M. Scott and Members of Council  
Township Lake of Bays  
District of Muskoka,  
Dwight Ontario,  
POA 1H0

Dear Mayor Scott and Members of Council;

The property owners of Oxbow Lake are concerned and extremely anxious with the lack of action in regard to the condition of the road that services properties surrounding Oxbow Lake. Particularly, we refer to that section of road that is meant to service the West Arm of the Lake and the peninsula properties.

The latter three quarters of this West Arm road is dangerous and has caused several accidents at the knoll of the first hill. This has a crown of dangerous proportions and a very narrow width at the crown. (If you ease to the right as you go over the blind narrow crown, you go right into the ditch. If you remain in the centre of your own section as you go over the blind crown, you end up right in the path of oncoming vehicles.) The first and second hill are almost un-navigable by auto after road grading, making this section even more hazardous. Additionally, from the first of November of each year, the road after the first hill is unusable until May of the next year. The slightest snow flurry renders this road useless because of the first hill. This writer has had to leave the area at the end of October for the past twenty nine consecutive years in order to avoid the vehicle being stranded in there. These hills are even impossible to navigate with cross country skis in winter. The second hill on the peninsula is impossible to climb by most snowmobiles. It is impossible to enjoy use of our properties for Christmas, the New Year, or any other part of the winter season. This is a shame, unreasonable and simply not fair.

We would like for the Township office to provide our Association with the following information as soon as possible, regarding the roads that serve Lakes: Tasso; Camp; Rebecca; Bella; Walker; and Oxbow:

- 1) What is the length of each road?
- 2) How many taxpaying properties does each serve?
- 3) When did the Municipality take over each of these roads?
- 4) What was the standard of the road when each was assumed?
- 5) The Ontario District Road Engineer accompanied the inspection of what roads listed when the Township assumed each of them?
- 6) How much has been spent on each road since each was assumed by the Municipality?
- 7) How many year round residents does each road serve?
- 8) How much is the Ontario and any other grant received for each of the roads listed?

Many of the property owners on Oxbow Lake are longtime owners of thirty or more years. Several persons have recently stated that they will be retiring from their careers soon and wish to spend a much larger part of the year at their Oxbow property. Some wish to spend full year round residency there. These people as well as the others who would more frequently use their property if they had access to it, would somewhat increase the economy of the immediate area. This kind of extended use would not cost the Municipality increased funds when compared to the cost of developing services for new developing lots to produce the same economic growth. The thoughts expressed at the last General Association meeting were related to the concern of these long paying taxpayers who have asked for little over the years, but feel that they are entitled to a decent road in order to access their own properties. These same taxpayers have supported the local people everytime we have been asked to. They have supported local amenities which we cannot partake of, the greatest of which is the school system, as well as other backing when a plebiscite or request from year round residents have wanted a community hall and rink.

Our small road problem will not melt away. Nor will these people go away quietly. There are solutions within reasonable cost limits to rectify these knoll problems. These have been talked about for four years now with yourself the Mayor, Alderman Clifford Beeman, and road superintendent Jim Walker. We realize that the superintendent cannot initiate action. We thought that the Council would. We now learn that nothing has been done to enquire about securing the crown properties in order to circumnavigate the crest of these hills. We again ask that this action be initiated immediately.

At the last general meeting of the Association, members asked us to seek an explanation as to why it is that the roads previously listed here, are all, so superior to that of the Oxbow Lake road. Could you please supply an explanation for communication to our membership.

Thank you,

Sincerely,

G.M. Dodds  
Secretary/Treasurer,  
Oxbow Cottager's Association.

P.S.

I'M FAXING THIS DRAFT  
VERSION IN ORDER FOR YOU  
TO HELP UNDERSTAND OUR  
FEELINGS; WHILE YOU ARE  
DELIBERATING THIS MATTER.  
AT COUNCIL TODAY, G.M.D.

R.R.#4, Huntsville,  
Ontario, POA 1KO.

February 28, 1989.

Mr. G.M. Dodds,  
Secretary-Treasurer,  
Oxbow Cottager's Association,  
44 Denison Road West,  
Weston, Ontario,  
M9N 1C2.

Dear Mr. Dodds:

Your Fax letter of February 15th., has been received.

I am writing you personally and the opinions expressed are not necessarily those of Council.

Some of the questions you ask cannot be answered but I will tell you what I know, some of which is hearsay.

When the Muskoka District was created about 1970 it also created the Township of the Lake of Bays and included within it the unorganized townships of Finlayson and Sinclair. The boundary line between them was roughly the Oxbow Road, West. At the time a Road Committee was operating in both Townships and Muskoka Road #8 was Provincial Hwy 514 as far as Interlaken.

The roads to Tasso and Camp Lakes were what might be termed bush roads and there was little if any development in that area.

As part of the creation of the District of Muskoka, 514 became District Road 8, and subsequently the Ministry of Natural Resources, Ontario decided to open the Camp and Tasso area and provided the roads or the money to build them to District standards. They then sold lots with the road costs built into the price.

Fieldale Road (now 5.8 K) which serves both Bella and Rebecca Lakes was in place serving the Fieldale Resort and Tyanoka Resort, while the Billie Bear Road (4.6 K) was in place serving the Billie Bear Lodge and Distress Dam, as was the Oxbow Road to the Oxbow Lodge.

A few years ago Bob Hutcheson extended Fieldale Road about 1 mile and developed lots. He built the new road to Township and Provincial standards.

The Developer of Walker Lake, (West Side 3.9 K, East Side 1.1 K) built the roads to Township and Provincial standards and recently the Huntington Development off the Fieldale Road, did the same. These roads are approved by the Provincial Government Road Engineer before the Township takes over their maintenance.

Cont'd.

In recent years, many roads throughout the Lake of Bays have been developed by the same procedure. In many parts of Ontario there are roads that are not winter maintained and in fact occupation during the winter months is prohibited.

We have long since abandoned the use of the word "seasonal" resident and all cottages and houses within the Township of Lake of Bays are considered to be residential or water front residential.

Since I was elected in 1980 I have arranged the "ploughing" and winter maintenance of the Oxbow Road as far as the big hill and the building of the turnabout for the snow plough.

All of the West Oxbow Road (total length 5.K) from the Lodge was never winter maintained and the residents were well aware of that restriction when they bought or built their homes there.

We have been trying to improve the road. \$20,000. was spent on it 2 years ago to get some sun into it in the spring to overcome the dampness. We have paved at least 2 of the hills, improved culverts and done all we could financially.

Unfortunately, when the area was opened, the road was never brought up to standard and the big hill precludes even getting a plough over it.

It is my understanding that there was not sufficient land to get around this hill and that the owners were reluctant to give or sell any of their property to improve the situation. I have, however, arranged a survey for the spring and will advise when we know the results.

You should be aware that other residents in Ward 2 (Sinclair & Finlayson) feel they should not have to contribute to bringing your road up to Provincial standard when they have already paid to bring their own road to such standard, as it was built into the price they paid for their lots.

The building of a gravel road from start to Provincial standard currently costs approximately \$45.00 per foot, and a great deal more if blasting is necessary.

I sympathize with your situation but the occupants surely knew the situation when they purchased their lots.

Incidentally, Oxbow East is not ploughed and is not winter maintained.

As to your questions:

1. What is the length of each road? - Answered
2. How many Taxpayers? - Not relevant
3. When did Municipality take over? - Answered

Cont'd.

4. Standard when assumed? - Answered
5. Did Government inspect new roads assumed? - Yes
6. How much spent on each Road since then? - Cannot tell you, such figures are not kept
7. How many year round residents does each Road serve? - We do not know but Fieldale Road has 16 families and Walkers Lake over 40. There are permanent residents on most roads, including Tasso and Camp.
8. How much are Grants for each Road? - Grants are based on costs and are not necessarily broken down by roads and the Provincial Government keeps reducing our Grants despite increased costs.

It is my understanding that over many years, the residents of Oxbow Road West, were advised that they would have to bring the road up to standard before the Township could do any serious maintenance on it, let alone winter ploughing.

You do have problems as noted in your second paragraph and I agree with a lot of what you say. However, when you speak of not being fair, I say to you, is it fair for other residents of the Township, who have paid for their roads, to now pay for yours? In effect, this is what you are asking.

Incidentally, this past weekend I travelled Oxbow Road from Muskoka Road B to it's end on snowmobile without any difficulty even though the snow was quite deep. I noted that for the most part, residents past the Oxbow creek will not be able to drive down to their residences in the winter, and in a number of instances they would not have parking space off the road.

The Township is doing all it can financially, and it will take a long time to bring the Road to standard unless the residents are willing to make a financial contribution.

Please also consider this. Your tax dollar is split as follows: approximately 69% to the Board of Education, 12% to the District of Muskoka, and the balance to operate the Township with 225 Km. of roads to maintain, plus everything else they have to do.

Both the Mayor and I will be available should you wish any further information.

Yours truly,



C.T. Beaman.

Oxbow  
Lake



## OXBOW COTTAGER'S ASSOCIATION

Near... Huntsville / Dwight Ontario

Township Lake of Bays

District Of Muskoka

Secretary/Treasurer 44 Denison Road West Weston Ontario M9N 1C2

May 15, 1989

Mr. C.T. Beaman  
Alderman Township Lake of Bays  
District of Muskoka  
Dwight Ontario  
POA 1H0

Dear Mr. Beaman:

I am now responding to your FAX letter of February 28/89. I waited, expecting a response to my FAX letter of February 6/89 addressed to Mayor Scott and members of Council. Was that letter received by Council as official correspondence and might it therefore be responded to? Your letter to me said; "I am writing you personally and the opinions expressed are not necessarily those of Council." Would you please advise.

Thank you for your thoughts, research and opinions. I appreciate your candidness. Representing other cottagers' views however, we wholeheartedly disagree with the statement; "the residents (of West Arm Oxbow) were all aware of the restrictions when they bought or built their homes there." Many, if not most, of the owners here are long time owners on Oxbow Lake. We existed then under different laws and rules than those you refer to by your shorter term research. The 'Laws of the Land', then, as well as the understandings given, the promises made and the expectations of the people were valid then and they're valid now. To say now that the Municipality has no obligation to us is to abdicate your responsibility. To compare old agreements and obligations with newer procedures for new comers is quite inappropriate. Are we to be doomed for eternity with thirty year old facilities not to be properly upgraded to present day standards with no hope for care and maintenance, and the indefinite denial of full access to our properties? What most of us paid for to establish the district, and the road system, and the many years of paying 100% of the maintenance, would be a far greater percentage than those who pay now for an up front cost to establish the road. Notwithstanding this, the Municipality DID ask us to upgrade the road in order that the Municipality take over the road. THIS WAS DONE. It cannot be said now that it was not enough then. It is now common practice to get developers to pay for new school sites etc. Does this mean that old schools and amenities are left back in the hands of the old residents for



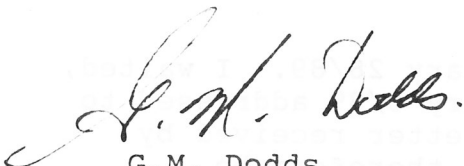
care and upgrading? I think not. Then neither must your old WEST ARM OXBOW ROAD. This road was turned over to the Municipality some years ago. We say... "Now fix it."

There seems to be an inference in your letter that we could get out the plows and fix the road ourselves. Again, I think not. Who would referee all different thoughts and the plows. It's not our property anymore, and I'm sure we'd all be arrested for tampering with public properties.

If there are grounds for dialogue and discussion, then it might be in order for Council to prepare a proposal and properly present it to our Association.

Hoping to hear from you soon,

Sincerely,



G.M. Dodds  
Sec./Treasurer  
Oxbow Cottager's Association