

Final decision pending from OMB on Lake Clear development

By Leader Staff

Eganville -- A final decision from the Ontario Municipal Board on development on Lake Clear is pending until a proper site plan of the proposed access property is delivered to both Bonnechere Valley Township Council and the OMB.

"The board will at that time determine if its final order can be issued or whether further evidence is required on remaining issues on the appealed section," said Norman Jackson, the OMB official issuing the statement on the early August OMB hearing.

The site plan will be put to the OMB planner with a request for a teleconference between counsel for both Bonnechere Valley Township and Lake Clear resident Ted Cooper, as well as a representative from the Ministry of Natural Resources. At that point confirmation will also be given whether a permit is required under the Ontario Water Resources Act and whether a permit for a removable dock is to be issued under the Lake and Rivers Improvement Act.

An appeal to the OMB was made by Mr. Cooper against BV Township because of a zoning by-law which would allow for the creation of a boat launch on Lake Clear for access to property on Turner's Island. The proposed access is on the southeast portion of Lake Clear in the area of Hardwood Bay. The zoning would cover .87 acres with a .51 acre lot and .36 acre unopened road allowance which owner Tom Dampsy would use to reach a seasonal dwelling on Turner's Island.

According to the OMB, the main use would be for the parking of four vehicles, a garage/boat storage building, pit privy, boat launching and boat docking facilities. Seasonal dwellings and septic systems are expressly prohibited. Structures would be set back from the water's edge a minimum of 30 metres and vegetation in the area would be preserved with the exception of limited access to the water.

At the hearing, concerns were expressed about the lot not following the objectives of the County Official Plan including "ensuring that development occurs in a sustainable manner which covers the natural water systems, environmentally sensitive area and hazard lands."

However, the OMB decision said those concerns do not result in a non-conformity situation.

During the appeal the board was informed MNR had approved the consent application saying the water was deep enough to permit boat access without the need to dredge and without impacting fish habitat.

During the hearing changes were adopted by the township in the revised corrected zoning text to not allow sleep cabins or boat houses on the property. The text also stated the combined floor area for the privy and garage/boat storage area was restricted to 90 square meters in total. As well use within the 30 metre vegetative buffer is to be confined to boat docking, launching and access.

"The board finds, based upon interpretation of the official plan and the evidence of witness Whitehead

Both sides are claiming victory

"The township is out \$30,000. If that's a victory, please spare me any more victory." -- Councillor Bob Peltzer

(Brian Whitehead, land use planner for the township) general conformity and specific conformity for access to Turner's Island based upon specific OP (official plan) policy requiring lakeshore access," Mr. Jackson stated in his report.

However, conformity is not all that is required to meet the test of good planning, he added in his written comments. The layout of the waterfront access can be all important. For this reason a proper site plan with tree inventory and location and access alternatives on this site are shown, he stated in his decision.

Pleased With Decision

"I am very pleased with the OMB decision," Mr. Cooper said. "I was particularly concerned when BV Council amended the Zoning By-law to enable development on this newly created lot while there was no environmental inventory or site plan available that could be used to determine whether a negative impact to the lake would result from the development as is required by the official plan."

Lake Clear is designated a highly sensitive lake under the county plan. The OMB hearing lasted for three days in Eganville in early August.

This was the second hearing Mr. Jackson conducted for the OMB regarding development on Lake Clear. In the 1990s he was also involved in

the decision allowing the development of a cottage on Turner's Island, owned by Mr. Dampsy. He referenced this earlier decision and the relation to the current decision in his comments on the current hearing.

"The board, in approving the limited development on Turner's Island in 1998, exacted high environmental standards in set back, use, tree inventory, fish habitat consideration and site plan control for all islands," he said. "It makes no sense that access to the proposal that was approved should be approved subsequently with less standards."

According to the recommendation from this hearing the appellants will be given the opportunity to review the site plan and address BV council on it. The site plan will also require the approval by the OMB before the site specific zoning by-law can come into effect.

Another appeal was consolidated with the Cooper appeal before the OMB. Philip Lancaster, a Lake Clear property owner, appealed a bylaw passed last November which would limit the use of the lot to access purposes only and prohibiting residential dwellings, wells and septic systems on the lot. That by-law also addressed proposed structures such as a garage/boat storage, privy, dock and boat access where outlined in the site plan be

approved. Mr. Lancaster was pleased with the OMB decision to wait until a complete site plan is provided before rendering a decision.

"Realistically no one expects this to be the last development proposal on the lake," he said. "Our hope is that in the future the county, township, MNR and MOE will not only require more detailed information when considering development on the highly sensitive lake, but that these agencies will do a better job in keeping the public informed of their decisions."

No Winners But A Lot of Money Spent

As far as Bonnechere Valley Township is concerned, there was no winner as a result of the hearing, but a lot of losers, mainly taxpayers, because the hearing cost the township an estimated \$30,000.

"The decision that we received from the hearing was very important because the board's finding was that it was within MNR's and MOE's authority to dispense with the Official Plan requirement for an environmental study," said Councillor Brian Weckwerth. "So the good news is that the judge felt that we were in the right, however, it still cost the township close to \$30,000 to defend itself at the OMB hearing."

Coun. Weckwerth said the only decision to come out of the hearing was that Mr. Dampsy will have to prepare a site plan, which was always the case, but that the complainants will have input into the plan.

"The decision was definitely in the

township's favour so my hat's off to everyone involved," he said.

Councillor Bob Peltzer said both sides are claiming victory, but said he couldn't see where there are any winners in the decision.

"The township is out \$30,000," he stressed. "If that's a victory, please spare me any more victory. Mr. Cooper, I would assume is out. I don't know who his other supporters are. His was the only name on the appeal. But I am certain they are out a similar amount and if they're feeling like kicking up their heels and dancing over this I kind of have to question what's in their water."

Coun. Peltzer said no one won in the hearing, least of all Mr. Dampsy.

"Frankly, when you look at the decision, he (Mr. Jackson) has postponed a good deal of the decision based on this site plan."

Coun. Peltzer wondered if there would not have been a more logical way to proceed on the matter.

"If people don't want ridiculously high taxes, then behave in a reasonable way with your neighbour," he said. "Certainly you can sit down and discuss things and maybe come to some sort of solution."

Coun. Peltzer said from what he could see, about \$60,000 was spent on the decision and the environment has not been benefited one bit.

Mayor Zig Mintha agreed there was no winner -- yet.

"Maybe more will be coming through the site plan and all that stuff," he said.

Whitney native returns from north to fill sergeant's position at Killaloe

By Terry Fleurie
Staff Writer

Killaloe -- There's a new face at the Killaloe detachment of the OPP but it is someone who is certainly no stranger to the area having spent his entire youth and teen years growing up in Whitney.

Sergeant Darren Lucasavitch reported to the local detachment on August 21, marking a return to his valley roots after having spent the previous 18 years of his policing career in the northeastern region of the province.

He joins a detachment where one family member, eldest sister Laurie Siydock, has worked for over 20 years as a secretary at the satellite office in Whitney.

The son of Phyllis and the late Dennis Lucasavitch of Whitney, Sgt. Lucasavitch was born and raised in the community, completing his elementary education there and his secondary education at North Hastings High School in Bancroft. Having members of his family and friends involved in various policing roles, he knew early on that it was a career path he too would like to pursue.

"My uncle, mom's brother, John Green, and my cousin from Whitney, Ken Cenzura are both with the Metro Toronto police force," he said. "Plus Mike Quilty (retired Inspector Mike Quilty of Shamrock) is an old family friend so they all inspired me."

"Plus dad was with the MNR and he worked in Algonquin Park for 33 years," he added. "I tried it for four summers between high school and college but it wasn't for me."

He enrolled in the law and security program at Sir Sanford Fleming College in Peterborough and after his first year there he applied to the OPP and was accepted as soon as he had completed his second year.

Sgt. Lucasavitch did his required training between the Ontario Police College in Aylmer and the OPP Academy, which was then in Brampton, and received his initial posting as a constable to Kenora, where he began his career on September 6, 1988. Policing has taken him to detachments in Burk's Falls and North Bay and in 2003 he was promoted to sergeant and was transferred to White River which is on the north shore of Lake Superior half-way between Sault Ste. Marie and Thunder Bay.

"I was the lone sergeant over five officers there," he said. "It used to be a stand-alone office but now it is actually a satellite office for Wawa much like Whitney is for Killaloe."

As a 21-year-old newcomer to the force, he really did not know what to expect in his first posting.

"I was 21, single and had a new job in a new town," he said. "It was exciting yet I was unsure of what lay ahead of me."

"It was a six-hour drive on the other side of Thunder Bay so it was a long way from home," he added. "Plus I didn't know a single person."

He vividly recalls driving into the Kenora region where a devastating forest fire had destroyed much of the surrounding forest in the 1980's.

"The trees were all burnt and the new ones were just starting to come up," he said. "I thought if it looks like this here what is Kenora going to be like once I get there."



Sgt. Darren Lucasavitch was transferred from White River to the Killaloe detachment of the OPP in August. The Whitney native had spent the previous 18 years of his policing career in the north with stops in Kenora, North Bay and Burk's Falls.

However, he was pleasantly surprised with the town of approximately 10,000 adding it was an enjoyable posting. The detachment was responsible for a stretch of the Trans-Canada Highway to the Manitoba border. He spent four years there, nine years in Burk's Falls, two in North Bay and three years in White River.

Sgt. Lucasavitch said he enjoyed his transition from constable to sergeant in White River.

"I had a good relationship with the other officers because I like working with the younger guys and the north is full of them," he said. "It's kind of like that in Killaloe too which is nice. They're motivated and enthusiastic."

It was during his tenure in Burk's Falls, north of Huntsville, that he met his future wife, through his involvement with the force.

Sgt. Lucasavitch said he applied for a transfer to East Region in May, wanting to get back closer to his hometown.

"We loved the northern Ontario lifestyle but the draw was to get back closer to home and the family," he said. "Plus there's a few more bells and whistles available here that are more attractive when you're raising a family and schooling was a big issue for us."

He applied for a transfer looking to get posted somewhere in "central Ontario" and as it turned out, Killaloe was the only detachment with a sergeant's position available.

"We wanted to get down here before school started," he explained. "When I was calling around Greg Stobbart (who was killed while cycling earlier this summer shortly after he transferred from Killaloe to Caledon) had just left so that created an opening here. I talked to Jim (Staff Sergeant Jim Graham) and the timing was just right."

He said he has been warmly received in his new detachment where he already knew S.Sgt. Graham, Sgt. Dwayne Sears, and Const. Jason Swrjeski because of visits he had made to the detachment to see his sister when he was home on holidays.

He said his biggest transition coming to Killaloe is the fact he spent the last 14 years in the northeastern region and coming to a new region he must get to know the other officers in other detachments and most of the populace as well.

"I'm going from knowing everybody and everybody knowing me to a new situation," he said. "So it kind of feels like starting over again in a lot of respects."

Sgt. Lucasavitch is residing near Eganville with his wife and two children. In his free time he enjoys playing hockey, fishing and spending time with family. Presently busy with getting settled in his new location, Sgt. Lucasavitch is looking to get involved in the community where he hopes to play competitive hockey and get involved with the minor hockey program.



Service participants

Taking part in the Sebastopol Heritage and Historic Society's seventh annual interdenominational service at Esmonde Sunday afternoon were, from the left, Rev. Scott Whitfield, St. John's Anglican Church, Eganville; Opeongo Road native Father Ken O'Brien, now pastor in Latchford Bridge and Combermere; Father Joseph Legree, pastor at St. Joseph's, Esmonde; Rev. Annette Smith, Grace Lutheran, Eganville; Ann McIntyre, St. Ann's Cormac; Verner Hass, Joyce Rhode and Society president Harold Walther.

Interdenominational service celebrated at Esmonde

Esmonde -- The seventh annual interdenominational service sponsored by the Sebastopol Heritage and Historical Society Sunday in St. Joseph's Church had as its theme: "Winds of Love".

Verner Hass made the weather vane for the service, and Harold Walther, society president, introduced the theme with "God is Love".

Father Joseph Legree, pastor at St. Joseph's; Joyce Rhode, Rev. Annette Smith, Rev. Scott Whitfield, Ann

McIntyre and Father Ken O'Brien read narrations dealing with the wind and love.

The West Wind brings dry warm weather that can give fresh growth but also summer drought. This reminds us that God disciplines us in love.

The East Wind brings wet weather in dry times but can sweep away all that we have. God supplies our needs according to his riches in glory.

The North Wind brings cold and tests us in the worst of times. God

will see us through and nothing can separate us from the love of God.

The South Wind is soothing and balmy. It moves us to believe in his love for us by the blessings bestowed upon us and to model virtues of "love, joy, peace, goodness and faithfulness".

The Resurrection Choir from Eganville, under the direction of Maureen Power and accompanied by T.J. O'Grady, sang several hymns during the service which was followed by dinner in the adjacent parish hall.



He's Got The Whole World . . .

Rev. Annette Smith, Rev. Scott Whitfield and Father Ken O'Brien clap their hands in unison to the hymn *He's Got The Whole World In His Hands* at the closing of the seventh annual interdenominational worship service Sunday at Esmonde. Music was provided by the Resurrection Choir of Eganville under the direction of Maureen Power with musical accompaniment by T.J. O'Grady.