

Wollaston may take legal action over dock

By **Jim Eadie**

Two dozen Wollaston Lake area residents jammed into Coe Hill's council chambers for council's regular meeting July 26. They were anticipating some fireworks, but at the end of the discussion, it was more of a fizzle.

Jason and Traci Morrison, owners of Bear Ridge Campground on Wollaston Lake, had previously made a request to increase the size of their approved 37-meter floating lakefront dock by an additional 24 meters. This included 12 new mooring fingers. The new dock, with the addition, would extend 61 meters into the lake, and have 36 boat slips. They would look at the lights available at Aqua Dock Lights and install ones that improve the safety of the dock in the evening.

They expect these additions to attract more people to their campground. For safety reasons, they will also be needing to use a gangway like the ones you [see here](#) from companies such as PLatforms & Ladders.

The Morrison's requests for alterations approvals to the dock were denied by council, but the council learned that the pair had already undertaken the work. They were ordered to remove the added structure until such a time when a building permit had been obtained.

As of the July 26 meeting, the structure addition had not been removed, and no building permit issued.

Bear Ridge Campground actually doesn't own any waterfront on Wollaston Lake, due to the Ridge Road passing between their property and the lake. This is also the case with other property owners in the area. The municipality has allowed these landowners, including Bear Ridge Campground, exclusive use of the waterfront across the road for their properties with certain conditions. The landowners' properties are assessed as the waterfront.

There were several complications in the discussion. Few municipalities in Ontario have bylaws governing dock sizes and lengths. Several examples found, including in North Kawartha, limit dock lengths to 20 meters.

The Ridge Road is a "forced road", meaning that it was not built on a lot or concession line, but followed the geography of the land. It is maintained by the municipality even though it may never have been deeded to the municipality.

The municipality only owns the 66 feet of land from the high watermark on a river or lake known as the "shore road allowance." There is some possibility the old surveyed high watermark is not the current one. It's also possible that the actual "shore road allowance" could be out in the water now, depending on the slope of the land.

The Wollaston Lake Home and Cottage Association is opposed to the new dock. In a letter to council from its executive, it lists its concern: "the environmental protection of the Wollaston Lake shoreline, fish habitat and wildlife (loons and others) that should be the primary consideration along with the size of the waterfront, safety of swimmers and the safety of boaters on Wollaston Lake."

"My feeling at this time ... a 37-meter dock with six fingers is the dock we adopt at this time," said Reeve Graham Blair. "We are approving the dock as it was last year. The dock that goes beyond 37 meters still needs to be removed."

In response to questions from the gallery, Blair agreed that in the longer term council will look at developing a bylaw governing docks in the municipality.

"For the moment, we need to look at legal remedies for the non-compliance that we feel exists now," said Blair. "It is fully the intention of this council to pursue legal action. We will take court action as advised by our lawyer and proceeded by our building official. This will be time consuming, and may not occur until into September. Even if we start the legal process tomorrow, they will get their season in."

The municipality has already hired a surveyor, and hopes to have a survey completed within the next few weeks.

"We need to establish exactly where the shore road allowance is," said Blair. "That is the first step to taking legal action. The Ministry of Natural Resources need to know who is the actual owner of the land before they will take action. I believe this council is prepared to go to court ... we do need to draw a line in the sand."