

Doncaster Ballyhoo

FOR LAURENTIAN WATERFRONT AND RECREATIONAL PROPERTY

SUMMER 1995

We always wanted to have a big party and invite all of the people we have worked for and with. Thanks to a suggestion of Sheila's, we are going to get a chance to do just that. A group of us have formed a Canada Day committee, and we are formally inviting you to attend. It will be held Saturday evening, July First, at Place Lagny in Ste. Agathe. That is the park on Lac des Sables, just below the big parking lot in the centre of the village.

When the Chamber of Commerce heard about our plans they were very excited and found some money in their budget to help us out. A number of restaurants were very enthusiastic and offered to organize refreshments, and many local business people have expressed their encouragement. This is an opportunity for all of us to make a statement about Canada. As seems always to be the case in our crazy, lovable and frustrating province, coming to this party is a political act. The local business community is very supportive because they want to meet the recreational community. It is being perceived locally as a meeting of the different groups that make up the area. Please come. We will have fireworks, street musicians, jugglers, refreshments and lots of fun. Let's show the kids a good time.

Monique Simard, who sued for disqualification of the last provincial election results, will yet have her day in court against Robert Thérien, the victorious Liberal. The Appeals Court gave a majority, though not unanimous, decision that the case should be heard despite the lower court's judgement that she filed too late. One would think she would have more productive ways of spending her supporters' money than to continue to dwell on her loss. The point has already been made that electoral reform is needed. All she can really hope to accomplish is to continue to divide and embitter the electorate in our riding.

The Medical Foundation has asked us to extend a very special thank you to all those of you who supported them this year. It was a particularly difficult year for the Foundation, and, while the total collected was down significantly, the contributions by those responding in English was somewhat higher than last year.

The Linear Park is officially open. It runs from St. Jerome to Mont Laurier along the old railway and is an ideal biking and walking path in summer, and the rest of the year you can ski south of Ste. Agathe and ski-doo to the north. It was built in the river valleys and follows some of the most beautiful watercourses in the Laurentians. The views are stunning. It is a great place to take visitors to show off the area.

The Hiawatha Festival of the Arts is coming back with a punch this year. Toronto's Desrosiers Dance will be the resident company. Actually, Robert Desrosiers has his roots at Grand Lac Long, where his father developed a good part of 18th Avenue. You can get further information from the enclosed brochure, or by calling 326-3464 in Ste. Agathe or 1-800-780-3464 from elsewhere.

All the kinks have been worked out, and the StepJet is now available. I had the opportunity to try one out and found it a very pleasurable way to travel over the water. It is as quiet as a canoe, and, as it has almost no draft, it can move through very shallow water. At the same time it is as sturdy as a raft. You can dive right off of it. It has no moving parts aside from the rudder, and can move surprisingly fast. If you want more information, call StepJet Corporation at 514-737-5573.

- Joe Graham

(819) 326-4963

IN THE BEGINNING ...

For a long time now we have wanted to share with you what we have learned about our area, its origins and the incredible people who have contributed to its history. Last January, Heather Sullivan, founding President of the Laurentian Canadian Club asked us to make a presentation to the first meeting of their chapter. We offered to present a history of the area, and began compiling stories and facts for the presentation in May. As a result, we are now ready to offer you, issue by issue, interesting perspectives on our area. It is best to start at the beginning, and we will do our utmost over the next issues to respect the chronology of events.

The Laurentians are situated in the Grenville geological province, a slowly moving land mass that collided with the Canadian Shield a billion years ago. It is precambrian. That means that it was formed before there were any signs of animal life. The cambrian period began with the first signs of animal life only 650,000,000 years ago.

About half way through its history, our whole area was at the bottom of a warm, shallow sea and at different times, the most recent being only fourteen thousand years ago, it was scraped and gouged by glaciers. The path of this most recent glacier, the Laurentide sheet, can be seen vividly from the air. The lakes Cornu, Manitou and des Sables all sit in two roughly parallel long valleys that run from the northwest to the southeast.

Despite its age, it is hard to find old fossils, since our area was scraped clean and presumably the millions of years of accumulated soils and detritus were pushed off to the southeast. If you find an outcropping of the underlying metamorphic rock, though, you may find evidence of fossils hardened into the stone. Large parts of the Grenville province may have been covered by igneous rock that spilled over its surface from volcanoes, and this rock will have no fossils.

As the ice receded, large and rocky mounds and exposed rock were left to bear witness to the tremendous forces that had been at work. Our forests slowly replaced the receding ice sheet and a lot of our recent history can be read right off the hills, especially in the fall when the leaves change. The soil on our forest floor contains the seeds of many kinds of trees, each waiting patiently for its signal to germinate. The relatively undisturbed forests that the fur traders found consisted of large straight white pines. These trees are 'tolerant', ones that can grow well in the shade. They can begin their lives in a shady birch forest but will grow eventually to rob the birches of their sunlight. The maple is another tolerant tree, and together these giants dominated the forests. The intolerant species

must wait for some kind of disaster to clear the ground. Then they spring to life and grow quickly. One variety, the jackpine, must wait in the ground for its seed to be cracked open by fire. Only then can it begin to grow. Over the thousands of years since the ice left, there must have been fires and storms that devastated the forests and left the jackpines, birches, spruce and fir the task of repairing the damage. A hundred years after a disaster, the pines would be slowly dominating the canopy again. We can still see the occasional pine standing above the forest on the top of a hill. These trees can grow way beyond the size of most of the trees we have become used to. Under this canopy, eventually the ceiling of the forest could become very high, and the spaces between the trees, very large. What an inviting forest it must have been for the first humans. There must have been a sense of order and wellbeing that we can only speculate about. Despite the high ceiling of the forest and the tall trees, the waterfront would have been walled off by cedars or other water-loving species, and their branches, exposed to the sun, would have grown from stump to crown. Possibly the bottom branches would have been eaten or broken by the deer or moose that grazed there in winter. This would have allowed light to penetrate the forest all along the water's edge. This effect is visible around Lac Tremblant where the deer have left a well trimmed line of branches that are just out of their reach, and it forms the illusion of a second shoreline above the waterline and parallel to it.

The lakes themselves, teeming with fish in the clear water, must have been the most beautiful scene of all.

The first humans, the Algonquin or Anisinapek entered this territory more than a thousand years before Europeans first arrived. Probably they shared it at different times with other people such as the Montagnais and Nippising. Their legends and myths have left their mark on our area in many ways. The name Manitou meant 'mysterious being', or 'mystery' and they believed that the Manitou lived on Mont Tremblant and would shake the mountain in anger if humans disrupted the natural order. They used birch bark canoes to travel over the lakes and lived in the area mostly as nomads, ranging from the Ottawa river valley. They, too, seemed to have used the Laurentians for recreational purposes. With the arrival of the first Europeans, the Algonquin used our area principally to satisfy the large European demand for furs.

It is hard to find any area that still reflects the majesty of those early Laurentian forests and lakes, and as we shall see, the arrival of the Europeans wrought many other changes.

- Joe Graham

WHAT'S IT WORTH

OR

WHAT IS A HIDDEN DEFECT



People used to say 'Buyer Beware'. Now many people thinking of selling their homes are afraid that this should be 'Vendor Beware.' Hidden defects have become bogeymen that cast shadows over what should be pleasant and even fun.

The Civil Code describes a hidden - or latent - defect as a defect that the Purchaser could not have known about but was nevertheless present at the time of sale. Whether the Vendor knew about it or not is not the point, though if the vendor could not have been unaware of it, the matter becomes more serious, since he would have been obliged to declare it. The Vendor is presumed to be selling in good faith; in fact all actions and transactions are presumed to be made that way. Subsequent laws only seek to define good faith. For that reason the Civil Code further defines a hidden defect as one that the Purchaser could not have seen in an inspection of the property. That means if the Purchaser didn't see it and no-one pointed it out, it could very well be a hidden defect. The onus is on the Vendor to make sure that the Purchaser hasn't overlooked anything.

The logic of this seems to escape a lot of people. Let's suppose you just sold your property to your sister and, willingly, you went over the house painstakingly with her. She accepted to pay the price you were asking and went to a lot of effort to borrow the money to pay you. You had owned the house for ten years and you explained everything of which you were aware. A month after she moved in, the water stopped working, and after investigation, it was discovered that the electric cable that kept the pipes from freezing between the well and the house had been damaged when a ditch had been dug around the garden. You didn't know. The gardener didn't know. The water is still frozen and the pipes have cracked. Now it's going to cost a few thousand dollars to repair the problem in mid-winter. It's a pain, but what can you do? All you can do is fix it. It's no-one's fault and no-one tried to hide it, but you don't want it to come up at every family get-together in the future either.

The sense of the law is to encourage you to describe the property to any buyer as concisely as you did to your sister, and to understand that if something unforeseen, such as described above, should come up after the sale, you have the responsibility to remedy it.

Where the hidden defects rules cause the most confusion is during the marketing. People tend to feel that a Purchaser won't buy if s/he learns about all the problems, or s/he will offer a much lower price, so they want to keep the problems out of the way until the last possible second. As a result, something runs the risk of being forgotten. It is not a good marketing strategy to do things that way. It is better to be upfront and describe the problem or problems if you do not wish to repair them. It is a better strategy because the Purchaser is aware that your price has been calculated in consideration of your knowledge of the property. If you do not declare a problem until after the price is accepted, the Purchaser has a right to believe that you feel that the property is worth the price you accepted with everything in good working order, as you described it. Subsequently, should an inspector discover the problem, the Purchaser must presume that you weren't aware of it, and that therefore both you and s/he have discovered something that should affect the price.

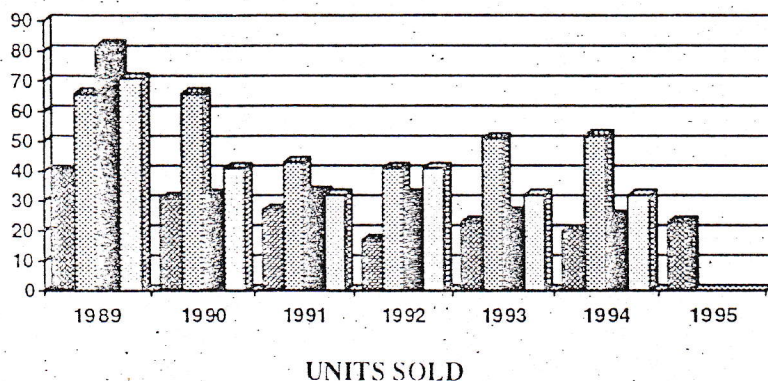
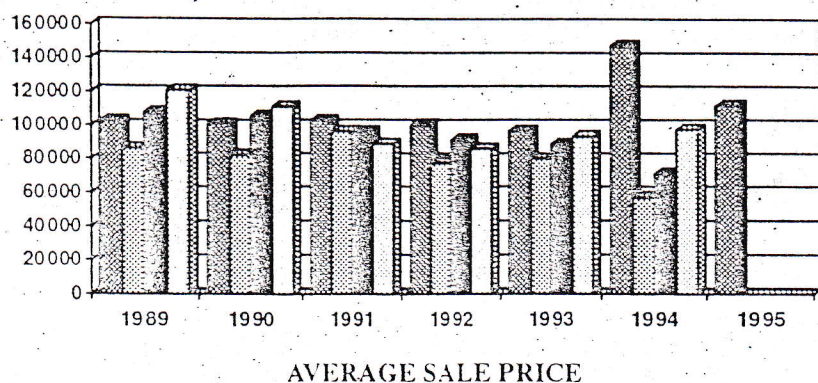
It is also better business. There is usually some tension in the dickering over price and terms and there is a need to rebuild the frayed nerves that may have resulted from these negotiations. As the signing approaches, no-one wants unpleasant surprises. The Purchaser is usually as anxious about his decision as the Vendor is, and there is a need to make common cause so that there is a willingness on the part of both parties if something unexpected comes up.

Every property has some defects, and there is neither peace nor merit to be found in letting them become bogeymen. Selling or buying a home should be a pleasant experience, and it will be as long as the parties can take every step with their eyes open.

Ref.: Articles 6 & 1726 to 1728, Quebec Civil Code

- Joe Graham

MARKET TRENDS



This quarter it appears that prices are on a climbing trend in Ste. Agathe and Ste. Agathe Nord, but the number of units sold still remains very low. We will get a better idea once the second quarter figures are available, but we are still experiencing a fairly depressed market. There are lots of signs up everywhere in the territory but few transactions. However, people are looking, and sales are taking place. The serious purchaser will buy if he sees exactly what he wants.

- Sheila Eskenazi

Back issues of the Doncaster Ballyhoo are available from our office. Give us a call or drop in and we will be happy to supply you with any issues you may have missed. If you know of anyone else who you feel would enjoy receiving the Ballyhoo, please let us know and we will gladly add them to our mailing list. Also, we would appreciate your letting us know if we don't have your correct address so that we can keep our list up to date. We are now online on the information highway. You can reach us at the email address below.

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