

Presentation Gary Skabernicky, President – Ardmore Beach Community Association Meeting Held Saturday September 27, 2008

Welcome friends and neighbours to the first Annual Ardmore Beach Community Association Meeting. Before I go any further we would like to give a hearty thanks to those of you that immediately supported this project from the very beginning. You know who you are and it is people like you that energizes us to move forward in this endeavor.

Who We Are

We are a fully registered Not for Profit organization and all Directors are volunteers and are not paid for their services and will work diligently to protect your right to use and access Ardmore Beach.

The Ardmore Beach Community Association was formed in late Summer, 2008 by a group of concerned residents to protect our right to access and use the beaches in the Ardmore Area of Tiny Township. Our concern grew with the knowledge that backlot property owners were being told by waterfront property owners that Ardmore Beach was private property and the inaccurate posting of Private Beach signs at each of the walkways leading down to Ardmore Beach. Several were also asked to leave the Beach area. That concern increased when told by Township Staff that Ardmore Beach is Private Property. We also discovered that someone had formed The Ardmore Beach Association and has been a member of FoTTSA since December, 2008?? Shortly after the Association was formed we learned of the Township's intention to remove our right to use the beach area and have an access/walk-only right for all residents under the Tiny Township Strategic Plan.

Mandate

- a) protecting and preserving public access and use of Ardmore Beach in the province of Ontario;
- b) advancing the cultural and social interests of the seasonal and permanent owners and residents of properties in and around Ardmore Beach in the province of Ontario;
- c) carrying on research and investigation into problems connected with the ownership, development, management, financing and promotion of real property in Ardmore Beach;
- d) developing and fostering community spirit;
- e) promoting organized aquatics, athletics, arts, recreation, education, civic emergency and other social and cultural activities among the residents of the said area; and such other complementary purposes not inconsistent with these objects.

We do not condone or support any acts of violence and/or vandalism and will deal with this issue in a legal and lawful manner.

In the late 60's when my parents bought property in Tiny Township I remember, as a young boy, we truly had the spirit of Community-neighbors, both waterfront and backlot got together for BBQs and parties on the beach. If a neighbor was building a deck or had some renovations to do everyone pitched in and helped-it was the neighbourly thing to do. How and when all this changed I have no idea but I do know there is a definite split

within the Community and I know in my heart that many of the waterfront owners from that era would be horrified by what is happening to the social fabric of Tiny Township.

Whether you are concerned about your future use and access of the beach areas because of financial implications or the emotional ties we all have to the historic use of our beaches I can tell honestly that you all our Directors have an emotional reason for opposing any type of action that would remove our full enjoyment of the beach areas.

Save The Beaches

In 1991 Kathy Speers, founder and past President of Save The Beaches, was aggressively attacked when she warned of what was to come. In a targeted witchhunt she was labeled a “fear monger”...why and what caused this vicious attack? Kathy Speers simply stated that “roping off”, “posting of signs”, the “building of fences” and “we would never again be able to put our towel in the sand” were soon to come...well, well, well, seems she was absolutely 100% right. We were also told by these same people attacking Kathy “From now until November 1994, you will probably hear a lot of nonsense about the “privatization” of Tiny's beaches”... a true visionary and everyone here should be eternally grateful to Kathy and the Directors of Save The Beaches for their hard work and diligence all these years. I am certain that without these fine people the beaches today would most definitely be private. We are very fortunate that Donna Ebers from Save the Beaches has agreed to speak here today-just keep in mind all the years of dedication and hard work people such as Donna have contributed to this Community because I for one realize, understand and appreciate their past and present never ending protection of our right to use the beach. Gee Donna do ya think I’m a little biased??? Ladies and gentlemen let’s give a hearty welcome to Donna Ebers of Save the Beaches.

The Corporation of the Township of Tiny (Tiny Township Strategic Plan)

Draft Vision Statement and Guiding Principles

An environmentally focused, diverse family of communities providing a healthy and relaxed lifestyle.

- With what’s been going on in the Township I certainly do not feel relaxed in Tiny Township.

Environment

Committed to environmental stewardship and protection of our natural environment. Balance social and economic impact with our environmental practices and policies.

- Of course everyone is concerned about the environment.

Culture and Heritage

Protect, nurture and enrich our heritage through respect for our distinct cultures and traditions.

-Traditions??? Seems they forgot about the longstanding tradition of our beach use in Tiny Township going back over 70 years.

Recreation

Optimum access to a wide variety of recreational pursuits to meet the needs of all residents.

Work cooperatively with the community, volunteers and neighboring communities. **I don't see how, with the details of this Plan, they are "cooperating with the community."**

Shoreline

Enhance Access for all residents to Township owned property while respecting privately owned shoreline property.

Preserve and enhance municipally owned shoreline property.

- Oh, and finally we come to the interesting part-Enhance access for all residents. The legal definition of **access is: the ability to legally approach or to pass through**. This means we would no longer have the right to lie down on the beach and would only be allowed to walk the beach. This is completely unacceptable. The Township will be accepting comments regarding the Tiny Township Draft Vision Statement until Oct. 3, 2008. It is important that we voice our concern in regards to the possible loss of our right to use the beaches. The first meeting was Wednesday August 6, 2008. The second meeting was on Friday August 29, 2008 from 9 a.m. to noon. How many here believe that as a taxpayer you would have liked to have been notified by mail?? How many of you would have made the extra effort to attend this meeting if you had known about it?? Many of the comments at the meeting were questioning the inability of many to attend such a meeting on a Fri. Mayor Breckenridge stated "there may be a third meeting on a Saturday or an evening. At a Council meeting afterwards it was decided the Township had enough input from residents and no further meetings were required. In regards to additional meetings Deputy-Mayor George Lawrence stated "We would be opening a can of worms". At the Strategic Meeting Deputy-Mayor George Lawrence stated: "We want Community Beaches. This draft will guarantee you **access to the water**..."doesn't sound to me like community is the word he should be using, in my opinion. The Facilitator stated he had only expected 40-50 people at the meeting-there were 225+. Strange that he should mention 40-50 people as in there were approx 50 of the most militant pro-privatization waterfront present.

Our Council is attempting to assist the pro-privatization group to circumvent or avoid a legal Provincial process called The Boundaries Act. The Boundaries Act was installed to give us the legal right and opportunity to oppose actions such as privatization. It is our lawful right, as taxpayers of the Province of Ontario, to have our day in court. They are avoiding the legal process of The Boundaries Act as they know full well we have our Traditional Historic right to use the beach areas and also realize that Traditional Historic rights are a proven and valid objection both in the Courts and within the Provincial Ministries. It is outrageous that Council is attempting to change a Provincial Process with little care as to the tremendous ramifications this could have throughout, not only the Township, but the Province also.

Two of our strengths the pro privatization group has always feared-our numbers, Provincially, and our Traditional Historic Use. This is not a Council working on behalf of Tiny Township Residents but rather a Council furthering the goals of a minority group of individuals that are bound and determined to tear this Township apart to the betterment of themselves, while at the same time having an extremely negative impact on all other aspects of Tiny Township and its residents.

Municipal Administration

Commitment to excellence in municipal management with a focus on accountability, transparency, communication and customer service.

Accountability, transparency, communication and customer service.

- I seem to have a problem with this section-are they boasting of their excellence in this area or are they promising improvements???

In regards to additional meetings Deputy-Mayor George Lawrence stated "We would be opening a can of worms"-seems transparency doesn't fit in here.

Mayor Breckenridge from The Barrie Examiner one month ago: **"In Tiny people want to walk the beach,"** said Breckenridge, who walked the entire length of the beach earlier in sections earlier this summer. "No one objected. **No one will bother a person, unless they sit down** or have a party. It seems all right if they don't cause a problem."

At the Strategic Plan meeting I queried the Mayor on this quote. She became very irate and insinuated she was misquoted. Well I contacted The Barrie Examiner and they stand behind that quote 100%.-seems like accountability doesn't fit in here.

Council Meetings are no longer taped-seems transparency doesn't fit in here.

If, as a taxpayer, you wish to speak before Council you must go through a very lengthy approval process that can take up to one month-seems customer service doesn't fit in here.

How about "communication"?? Why weren't the details of the Tiny Township Strategic Plan more widely distributed to the taxpayers of Tiny Township. And why are there no more public meetings about the Plan scheduled even though many commented on this point at the second meeting??

Draft Ceasefire 2004 (terminated by The AG of Ontario because of strong opposition to it)

-a revocable walk-only license 20' from the water's edge-what happens when the water level rises and we lose that 20' walking area?

-Township and Province would never again intervene

-beach would be private beach

-give up all rights (deeded access, use and traditional historic) and negotiate back rights from waterfront

-if the waterfront asks us to leave we must leave.

- no public notification of this document until it is ratified
- there's more but I think you get the general idea
- the present Tiny Township Strategic Plan is basically a rewrite of the old terminated Draft
- did Council not hear us when we sent thousands of letters of objection to the 2004 Draft Proposal?

Andy Moore Application (Oct, 2004)

=The County of Simcoe deemed properties to the north would be landlocked if the Application was approved. The Committee of Adjustments stated approval of the Application was "not in the public interest" and would "go against the intent and general principle of the Official Plan to maintain the character of the community and the quality of life enjoyed by the residents".

"The dissecting of the property will potentially impede the historical use and enjoyment of the property by the inhabitants of Plan 672."

I attended a recent Township meeting about a different block in the same area and they said the block couldn't be severed and sold in individual units because there were historical traditional rights of use attached to the block occupied but not owned by the property owners.

Two residents from the Ardmore Beach area were there objecting to the severance of these blocks and the perceived denial of access to the beach area. The hearing had nothing to do with our access and I would caution those that become involved in any hearing, either Municipal or Provincial, as there can sometimes be serious and negative implications to those opposing such actions. I attended for other reasons in regards to the Committee mentioning, once again, hearing that the occupiers of said block had historic traditional rights to those blocks being applied for severance.

Now you'll always hear the red herring from a certain group about Tiny Township becoming a Wasaga North. This was a strategy put in place by the Government of Ontario decades ago because of the very serious problems Wasaga experienced much the same as we are experiencing and was to be implemented if the situation here in Tiny Township got out of hand...do you think things are out of control yet?? My response to those fear mongers is: We do not want a Wasaga North BUT the worse scenario is to have a Muskoka South here in Tiny Township which is exactly what they are actively and aggressively promoting.

There are 2 "community newspapers" that are widely circulated throughout the Township-some FACTS about the 2 organizations that distribute these

- both groups promoted the present slate of Council
- Deputy-Mayor George Lawrence was the previous Chairman of 1 of these organizations.
- the present Chairman of one of these groups was successfully promoted by the above 2 organizations and elected Councilor in 2003.
- when Andy Moore at Ardmore Beach applied in 2004 to sever the beach block and privatize to the water's edge 1 director appeared at the 1st Comm of Adjustments Mtg- he

never voted against the Applic. Never appeared at the second meeting and we never received any support from the organization he belonged to in any way whatsoever. It was also never mentioned in their newsletter.

A few years ago there was a weed pulling incident north of here. At the time I was a director on Save the Beaches. Myself and Save the Beaches was not involved and immediately afterwards there was an article in one of our community newspapers stating there was a Police investigation into an assault. Of course the author did not sign off and take responsibility for the article. I immediately contacted the investigating officer and asked about this. He laughed and stated "there is no assault investigation merely a weed pulling investigation". Shortly after the article came out I was walking down the street and was called by a group of backlots, a thug and that I should be ashamed of myself. It was a very low point for me as that kind behaviour is not within my capacity. There is presently a member of Council that is attempting to acquire, for free, a Township owned waterfront Park. In one of these 2 community newspapers there was a report on this action. Of course the Councilor was not mentioned by name or title-is it possibly because he was on this newspapers slate and it would be much too embarrassing for them to mention him by name?

All I am saying is be very wary and skeptical of the articles in these 2 community newspapers as they are not on the same page as us and the information tends to be very misleading.

1. **What's the difference between "Access" and "Use" of a beach?**
Access means you can walk the beach only. You cannot sit, suntan, watch a sunset or swim in the water.
Use allows you to use the beach for recreational purposes (sitting, sunbathing, swimming, playing, etc)
2. **What can I do to help?**
[Join the Ardmore Beach Community Association.](#)
 Become active within the Association-attend meetings, speak to neighbours, voice your concerns to Municipal/Provincial Politicians and attempt to do what we ask of you such as sending us your Notarized Affidavit documenting your Traditional Historical use of the beach areas.
3. **How do I know the beach I am using is public?**
 At Ardmore Beach there are a handful of waterfront properties south of the Finley walkway, that are deemed to be private although historically we have been allowed to use these beaches. North of the Finley walkway to the 11th Concession there are no private beachfronts.
4. **What should I do if I am harassed by waterfront adjacent owners, Township Bylaw Officers or the Police?**
 Immediately document, with witnesses if possible, the time, date, circumstances

and identity/description/address of the person/persons carrying out the harassment and send it to:

Ardmore Beach Community Association
1771 Avenue Rd
P.O. Box 54593
Toronto , Ont. M5M 4N5

5. **Will my backlot cottage property values decrease if this proposal is passed?**
 If the beaches go private-yes. In 1994 when Rowntree Beach became private through a court decision the value of backlot cottages and residences dropped 40 %. In speaking with Ardmore Beach backlot residents the overwhelming majority based their decision to buy solely on the fact they were able to use the beach areas. And to those backlot property owners that originally paid a premium for deeded access please understand that under the Draft Vision Statement that “access” will be freely available to all Township Residents thus negating the original value of their deeded access.
6. **Will my property taxes decrease if privatization occurs?**
 Yes but minimally. According to an expert in this field the Mill Rate would be increased thus negating any true savings
7. **Why must the public be included in this access to beach issue?**
 If we exclude the Public it becomes a Municipal issue and we lose the support of the Attorney-General who has a mandate to protect the Public interest. Judging by the present attempt by Tiny Township Council to implement the [Tiny Township Draft Vision Statement](#) it’s obvious they are not in support of our right, as backlot property owners, to freely use the beach areas. You will also note in the Tiny Township Draft Vision Statement we are being offered “access” to the beach areas.
8. Remember-the legal definition of “access” is “walk-only. According to the above Draft, if passed, we will not be permitted to lay or sit on the beach. The Township will be accepting our comments regarding the Draft Vision Statement and may be sent to: council@tiny.ca

Website for Ardmore Beach Community Association --
<http://www.ardmorebeachcommunityassociation.com>