

.Deputation to Council by Save the Beaches - August 29, 2005

MEMBERS OF COUNCIL, LADIES AND GENTLEMEN:

My name is Don D'Aoust and I am here as a Director of Save the Beaches.

Save the Beaches Inc. was formed in the summer of 1999 , was incorporated in 2001, and represents approximately 3800 members. Our Mission Statement, which was endorsed by our Membership, includes the following "to preserve the historical use by the public of the beaches of Tiny Township" and "to support and participate in a peaceful resolution of such outstanding issues aforementioned". We represent a membership mostly comprised of residents from back lot, inland, and even some waterfront residents of Tiny Township.

The Directors of *Save the Beaches* wish to express to you a few of the concerns raised at our recent annual meeting and over recent times.

First, let's talk about parking and access to the beaches of Tiny Township.

Previous Councils have addressed this issue in a "patchwork" fashion. Parking strategies were intended to manage numbers on the beach and reduce garbage and other issues. In fact, selective beaches received 'no parking' signs everywhere, not only on Tiny Beaches Road, but in entire subdivisions where people had never parked, or where the distance to the beach made it impractical. In some cases, the subdivisions residents petitioned for the removal of the 'no parking' signs before they were removed. Instead of having a proper plan with a wide range of input before acting, the onus was placed on residents to react after much irritation. All of this involves cost and time for residents and the municipality.

There is still a proliferation of signs in some areas, and one can only conclude that it depends more on the pressures of individual beach associations, than on a comprehensive transparent plan or strategy. It certainly has nothing to do with safety in many cases. That issue was a red

herring.

During the previous Council, the parking committee prepared a series of recommendations to Council. These were largely ignored according to its members in favour of the current parking strategy. People with permits even find parking areas limited, or much too far, or find other alternatives like crowding open area such as Balm Beach. There are permit parking areas that have never been utilized since they were established. That in itself should give you a clue after 3 years or more since these parking areas were established. People are now crowding certain beaches that previously had reasonable numbers. And other popular beaches have had a significant diminishing of beach goers to the dismay of those who receive them. Any formal review? None to our knowledge.

During the previous Council, a fee was added and subsequently raised by this Council for parking permits. In the beginning, we were led to believe that the funds raised through selling permits would be utilized to improve and maintain the beaches. Are there garbage bins more accessible to the beach, are the beaches maintained better, are bylaw personnel more obvious on the beach to ensure no annoyance to beach goers and waterfront owners? Are the pesky geese and their droppings reduced? Are the by-law officers offering a more friendly service to beach goers? We see none of that, but we do see aggressive by-law personnel ticketing, more and more signs, – signage pollution we could call it! So where is the money going that was intended to make it more pleasant when we sit on the beach? It certainly isn't used to remove or clean barricades that are intended to discourage back lot owners, and municipal residents or other tourists from even seeing “the beach”, let alone even using it!

A prime example of these trends to discourage the use of pathways is between Conc. 12 and 13.

Many of the local people used that opening to the beach for over the past 60 years and our parents prior to that. It was the only winter route between the concessions. Residents immediately to the east of this walkway had used this access to the beach with reassurances from the McGibbons, the former developers, **never** to fear having an access to the beach. Others have legal prescriptive documents ensuring the use of the right of way. Now seniors and kids must jump a fence or gate to use the well defined path. Is the Township examining such problems, or helping the long standing residents, opening a dialogue to find solutions? Why must they feel like second class residents and abandoned by the very people elected to protect and work for “All” residents and “All” interests in the municipality?

The current practice and issuing of parking permits assumes that we are all children or prospective criminals. It assumes we are intentionally going to misrepresent ourselves or the use of the passes. Many new restrictions on the issuing of permits have recently been made, which further restricts the permit user. Other than Tiny Trails, it is for many residents of the area, the one amenity we boast about in our travels or with our families. Most people take great pride in our beaches. Many of us only use our pass once or twice during the summer to tour visitors to see the beach. There are no shortages of alternatives to the permanent pass if one seeks to find solutions!

I observed an incident of a mean-spirited application of the parking issue in May, when there was a visitor with a motorcycle parked at Cawaja Beach. It wasn't beach weather or season. The by-law vehicle parked behind the bike and when he exited, placed a ticket on the motorcycle. The bike's owner and his partner were sitting on a rock just metres ahead. They had left their key and helmet on the seat, so did not venture far from the vehicle. When the owner questioned what the

by-law person was doing, he told him he was giving him a \$60.00 ticket. I approached the very dismayed couple after the by-law officer left and assured him that we are not all “money grabbing” residents in this Township. All indications point to a revenue measure and not for what we were initially told. For a couple, simply going for a Sunday drive and looking at the magnificent view, a helpful and courteous official might have applied some judgment and advised the owner of our by-law. Incidents such as this happen too many times – the by-law officers apparently have been told they must ticket every car without a permit, no matter what the circumstance. These people by-passed Balm Beach for the solitude of Cawaja and paid \$60 dollars for the view of Georgian Bay. What a welcome these people receive when visiting our Township! In fact most areas do not allow residents on a drive around the township to stop and use washroom facilities without permit. It would seem we would all have to plan our stop at Balm Beach !

Another concern for residents are the numerous boundary changes being requested, or already obtained under the Boundaries Act. This step in the process does not mean clear title and exclusive ownership of the beach area. Even before application under the Boundaries Act to extend lot lines, people are intimidating visitors, chasing people from the property in question, claiming ownership or private property rights to beaches which have been accessed and used for by back lot and public for generations.

One such case is in the heart of Balm Beach, our popular, much used commercial area.

Application for a boundary to the water’s edge directly adjacent to the local restaurant effectively cuts the beach in half. It puts tremendous pressure on the remaining waterfront area, especially when people who were previously using other access points in the Township are being directed

to public areas because of “your” Township parking strategies.

It means pathways linking back lot residents could be overcrowded along with the one way street in this neighbourhood as people find alternative ways to reach the beach. It sets precedents for others along the shoreline to do likewise. Even prior to the application being received under the Boundaries Act, the OPP have been involved in altercations and intimidation of beach goers! Without a clear picture, vision, approach, the community becomes more polarized, upset and agitated. And what objection did the municipality submit re this application, we would love to have a copy if you have objected. Have you been supportive for the commercial interests and owners? What assessment has the municipality done of the loss to commercial ventures along the beach if the beach is carved up and restricted? We already know that small business stores such as Cawaja and Lafontaine are struggling as a result of Township policies.

Must every individual over and over again plea for reasonableness, or is the Township looking at an overview of what is happening to lifestyle and traditional values and enjoyment of the Township.

It was quite evident this past year at the Committee of Adjustment at a Findley Beach application that the Township has spent much time planning for communities like Wyevale, Perkinsfield, but has no clear comprehensive plan, or ‘road map’ for our shoreline!

In that case, the requirement to advise neighbours is so limited that neighbouring back lot people weren’t advised of the application. But the impact of a boundary change has tremendous impact not only for the enjoyment of seasonal and full time residents in that community, but a great impact on surrounding property value , should the amenities and access be restricted.

Save the Beaches wants to dispel rumours and misrepresentation by other groups who fear open

discussion and honesty. We participated and made every effort in the mediation process. We were in contact with the Attorney General and Global Resolutions throughout this time. The misguided suggestion that we gave up on the process came, as Paul Torrie told our pro-bono Counsel, from a clip service that reported we might give up. Global Resolutions never received a document stating we were “quitters”. In fact, the flaws in that process has increased our resolve for fairness and full input in the policy process.

At our July annual meeting, all residents were welcome, including Tiny Council, who were formally invited, but chose not to respond. Waterfront owners were given an opportunity, as everyone else to speak and subsequently I received e-mails and a telephone call from a waterfront owner eager to establish a dialogue, an understanding of their concerns and those of our membership – that I welcomed! I -we have no preconceived idea of where it will lead, but I have never shied away from a good discussion, from being open to dialogue and understanding. It is an important step and appreciated. But diminishing other people’s position, deliberately misinforming, misrepresenting positions as has been done in some media format and currently, on the internet about individuals, including myself serves no useful purpose other than exacerbate an already emotional and sensitive situation.

Save the Beaches cannot possibly enumerate all the individual and group concerns in this one presentation or detail them in this presentation.

We have been appraised through media and personal contact of approaches in California, in the State of Michigan and Chicago where “the people speak”. Open, public, transparent forums provide better insight, understanding and acceptance of policies and change. It makes people feel inclusive, share in the responsibilities for the many wonderful amenities we have.

There is a huge discrepancy, a gulf between attitudes and policies in this municipality and those with similar seasonal visitors on Lake Huron, Erie and in Northumberland County on Lake Ontario, as examples

As a result of the failed Mediation process, the Attorney General has indicated that the Township should take a leadership role in these matters. It should have taken a leadership role long ago, not the patchwork process of responding to pressure groups over the years. We have lost time and many of us are now cynical about the process and politicians, not just Federal or Provincial. There is a clear signal from the Attorney General that this Council should be taking the initiative in resolving its own issues. There are no lack of models or groups to input the decision making process. It is no longer time to procrastinate, make excuses or delay.

In a recent interview, Arnold Swartzneiger was asked how he has changed the fortunes and the policies of the bankrupt State of California. He responded that elected officials must have:

- a vision
- an inclusive approach to solve problems;
- a willingness or determination to get the job done.

We are looking to this Council for their vision of Tiny Township for next year, in 10 years and further down the road.

We are looking for a transparent, public and inclusive approach to decision making, – a real appearance of fairness.

We are looking for that willingness and determination to improve the situation and respond to the public's needs and views and ACT!

During your current term as in the past, we made the effort to approach you with the idea of

beginning a dialogue that might see a “comprehensive beach management” approach to this issue.

We heard nothing thereafter, but we do know that many associations have met with you and or the Mediator in recent years. Our request for you to attend our Annual Meeting did not warrant a response in time for our annual meeting. Our members and those who attended our meeting feel slighted and wonder if you are at all interested or care about these issues as a result of the “no interest” note to us. (note: a brief letter was received in August after the annual meeting.....)

We would expect in your written response to this submission something substantial, a “road map” to a successful conclusion for all parties and all stakeholders.

Nothing short of a comprehensive review, a forum to air views and collect information, possibly an independent commission or other means must be explored to end these past 15 to 20 years of tension and discord and reestablish the harmony and pride in our Township. (Personal comment attached)

We are open and ready for dialogue, input, but we do expect that your “road map” will come in the immediate coming months/this current year, not as a ploy weeks before the next election.

I would say that all residents here this evening indicates to me that this is a very important issue for everyone, particularly backlot, inland and neighbouring areas and that

- we hold you accountable and wait with great anticipation your response

We expect this matter and issues will receive your utmost attention and we thank all persons attending this evening for their interest and attention as well.

Merci

On a personal note as a Director of Save the Beaches:

I can personally say that signs of these issues started almost 20 years ago when my kids were very little. Then, Dave McGibbon of Nottawaga assured me that the rumblings and demands of Rowntree Beach would not apply to Nottawaga Beach – “No fear, Don, you’ll always be able to use this beach”.

Well my kids were intimidated last year and again a few weeks ago on the very beach that I, and my parents and Grandparents before me have used for a century and a half, and we are the most immediate local residents to that beach at Conc. 12. So I can understand and sympathize with the horror stories I hear on the beach and in other areas as well.