



***SAVE THE BEACHES INC.***

***c/o 597 Tiny Beaches Rd. N., Perkinsfield, ON L0L 2J0***

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August 20, 2005

Roxana Niculae, O.L.S.  
Deputy Director of Titles  
Title & Survey Services  
Ministry of Government Service  
393 University Avenue, 3<sup>rd</sup> Floor  
Toronto, ON M5G 1E6

Dear Ms. Niculae:

**Re: A Letter of Concern regarding the Application by John Marion and Elisabeth Marion re Lands described in PIN58500-0003(R) being of Lot 112, Registered Plan 1446 for the purpose of confirming, under the Boundaries Act, the true location on the ground of the boundaries of the lands - Township of Tiny in the County of Simcoe and similar applications regarding shoreline property boundaries on properties located within Tiny Township**

Save the Beaches Inc. represents approximately 3000 members who have historically used and continue to use the beaches in the Township of Tiny for recreational purposes. Our members are most concerned with the precedent setting trend to increase boundaries to the high watermark and or to the water's edge.

The above application is a case in question. In the Judge's Plan of 1972, regarding Registered Plan 1446, title was clearly demarked to a 114.37 foot measured piece of land. Subsequently, the above property has already been re-surveyed and extended by 34.7 feet and encroaches on the beach area abutting the property. The boundary requested extends the property to a measurement of 272 feet extending it to the water's edge.

Although we realize your Ministry is not responsible to hear concerns regarding public use of the beach, we bring to your attention that the beach at this particular location has been used all through the past century and earlier as a public beach. The above mentioned property is just one property south of the of the Township owned area of Balm Beach, which is historically a well known commercial tourist destination.

Applications such as the above to extend lots to the water's edge have profound implications for the enjoyment of the beach, not only for back lot residents and cottagers, but also for the entire community of our Township and the general public of the Province of Ontario. Some shoreline property owners in Tiny Township have recently been proclaiming full rights to the beaches abutting their properties. People who have traditionally used the beaches are now being intimidated, threatened and told they are trespassing on private property. Beach access concerns by Tiny residents resulted in a Provincially funded mediation process, which has recently been terminated by the Attorney General. We have repeatedly asked that the Province and the Attorney General ensure that the public interest in this matter be adequately served.

We wish to not only express our dismay at this specific case and likewise at other similar applications, but object strongly to the entire process being used in these circumstances, which benefits a very limited number of private property owners in the province, while ignoring the rights of the public. The "public" has a vested interest in these matters – not just immediate neighbours!

We would request that we be informed of the ensuing steps and actions taken as a result of this specific application. We also wish to be informed of any other applications which come forward of a similar nature and are prepared to meet with you or any other official to input further on the matter.

Sincerely

Donald D'Aoust  
on behalf of the Directors  
of Save the Beaches Inc.

c.c.: The Honourable Michael J. Bryant, Attorney General