

OPEN LETTER TO THE COUNCIL OF TINY TOWNSHIP

During your discussion about fencing regulations at the Committee of the Whole meeting on May 28, you seemed very reluctant to include a discussion about restricting the erection of fences on the beaches and, in the end, you simply let the matter drop by rejecting the only recommendation regarding beach fencing that was contained in the staff report you were considering. Agreed that the recommendation was incomplete and may not have been a satisfactory resolution, but there was no attempt by council to find an alternative solution.

This action, or more accurately, inaction, is disturbing and confusing given the following context:

Election Statements

During the election campaign, four of you stated, in one way or another, that you did not wish to see fences on our beaches. The quotes are:

Mayor Breckenridge - *“In general I support the maintenance of our environment in its natural state.”*

Deputy Mayor Lawrence - *“I strongly oppose any obstruction on/in the beach swimming area that has been traditionally used by Tiny’s Cottagers/Residents in a responsible manner!”*

Councillor Cornell - *“In principle I don’t want to see the natural beauty of our beaches changed by the addition of fences or other objects.”*

Councillor Claire – *“Like many residents of the Township, one of the reasons my wife and I decided to retire here is the beauty of the shoreline. I do not think that anybody would like to see this exceptional landscape altered by rows and rows of fences to the water edge.”*

For the four above, here was an excellent opportunity to make sure that no more fences would be erected and yet you did nothing, not even properly debate the matter.

Some of you qualified your statements noting the need for fences or other structures in certain circumstances.

PUBB and others agree that these qualifications have merit and we are sure that certain exceptions could be addressed but no attempt was made to do this.

Consultant’s Report

Some of you, including Councillor Warren, noted that a consultant’s report was being prepared and wished to see what the consultant had to say and to consider other input as well.

Well, the consultant’s report is in and here are some excerpts:

“This review has been initiated to respond to the issues raised as a result of the erection of a fence onto a beach in the Balm Beach area.”

“However, in the case of the Township of Tiny, the issue with respect to fencing has only arose in a very specific context and location – the area along an interior side lot line that is perpendicular to and which extends to the water’s edge.”

“...as a result, it is my opinion that there is a public interest in regulating fences in this particular circumstance if only to ensure that there is a set of rules and/or process in place to deal with a fencing issue in areas which are the subject of a series of unique constraints and circumstances. On this basis, it is recommended that rules be considered to deal with this particular circumstance only.” [Note: underlining was inserted by the consultant]

The consultant’s report was initiated because of fencing on the beach, and in spite of noting some technical challenges, the consultant recommended that this matter be considered yet you still did not address it.

PUBB and others have submitted additional and what we believe to be well considered input but this was never referenced in the council discussions.

Related Decision by Council

Just a few months ago, this same council rejected a wind farm proposal based on recommendations from a staff report which, among other things, quotes from the Official Plan:

“the challenge of the future planning of the community is to ensure that the change that does occur enhances or maintains the quality of life now enjoyed by the township’s residents. This will be accomplished by promoting the stewardship of the Township’s resources in a way that has the greatest positive impact on the quality of life for present and future generations....residents identify the excellent quality of life that makes the Township a desirable place to live.”

The staff report went on to say that

“the intrusion of the built forms being proposed would potentially have a very significant impact on our vistas and change the very character that is what makes Tiny Township so unique. The Georgian Bay shoreline, and the very significant environment features are critical and should take precedence ...”

The council motion of rejection stated that

“the current position of this Municipality is that it does not support the location of wind power generation facilities....anywhere within the Municipality, as these types of projects do not comply with the general intent and purpose of the Official Plan.”

The same reasoning can easily apply equally to the issue of fences on the beaches but no attempt was made to be consistent in this vision.

The Official Plan

Taking the previous point further, the Official Plan (the cover of which boasts pictures of uninterrupted stretches of beach) states that

the vision for the future of the municipality is based on a series of planning principles that are intended to:

Protect the natural environment

Conserve the Township’s natural resources

Protect the character of the developed and undeveloped areas

Direct growth and settlement to appropriate locations; and

Encouraged appropriate economic development

[underlining is that of the writers]

The Official Plan highlights the shoreline in section B 2.3.5 (part of Environmental Protection Zone 2) saying

“the shoreline of Georgian Bay is a significant geographical feature in the Township that is well known for its natural beauty. ... It is a policy of this Plan that all land use decisions affecting the shoreline respect the character, natural beauty and ecological integrity of the shoreline.”

Clearly, fences on the beach significantly affect the character and natural beauty and arguably the ecological integrity of the shoreline.

But the Official Plan gets more specific.

“With the exception of structures essential for boating purposes or structural works required for flood and/or erosion or sedimentation control, no building or structure shall be located adjacent to the shore of Georgian Bay of Lake Huron unless sited inland from the flood hazard limit based on the 100 year flood level.”

By not regulating fences on the beaches, yet knowing that fences are being and may continue to be built, council is not only allowing activity which, like wind farms, does not comply with the general intent and purpose of the Official Plan but is not enforcing a specific provision of the Plan.

We ask that council reconsider once again regulating fences on the beaches in order to:

- Follow through on election campaign positions
- Follow the recommendation of the consultant
- Consider additional input which has been provided
- Follow and consistently apply the intent and provisions of the Official Plan.

We look forward to your response to this letter.

Respectfully submitted.

PUBB – Preserving the Use of Balm Beach