



17 Admiral Road  
Toronto, Ontario, M5R 2L4  
February 24, 2009

Commissioner Julian Fantino  
Ontario Provincial Police  
777 Memorial Avenue  
Orillia, Ontario, L3V 7V3

Dear Commissioner Fantino:

### **Balm Beach Mediation**

I am writing to you at the direction of the board of directors of The Federation of Tiny Township Shoreline Associations (the "Federation"). The Federation is an umbrella organization representing 27 associations of shoreline residents of Tiny Township. Our member associations, in turn, comprise most owners of privately held shoreline in the Township.

Along with several of its member associations, the Federation was involved in the beach access mediation conducted by the provincially appointed mediators, Mr. Paul Torrie and Mr. James McKenzie, which concluded in 2004.

In common with other residents of Tiny Township, we have viewed with deep concern incidents of public disorder at Balm Beach in the last couple of years focusing on a fence constructed by John Marion, a shoreline property owner at Balm Beach.

We understand that, recently, representatives of the Ontario Provincial Police "Major Events Liaison Team" – and possibly also representatives of your office – have been involved in mediation efforts involving Mr. Marion and members of local interest groups known as "PUBB" ("Public Use of Balm Beach") and Save the Beaches ("STB")

While the Federation is in favour of good faith efforts to reduce the tensions and

peacefully resolve the issues which have disturbed the community relating to this matter, we point out that any mediated resolution arrived at between Mr. Marion and any local interest groups, such as "PUBB" and "STB", has the potential of raising a public expectation that an equivalent result should apply in other situations affecting totally unrelated parties and properties. As such we suggest that there is a broader public interest in the current mediation process that should be taken into consideration.

Accordingly, except to the extent that any such mediation addresses only issues entirely personal to Mr. Marion, we would urge you to take proper steps to ensure the input and involvement of other stakeholders in the community, including the Federation, which represents the largest number of stakeholders with a direct interest in the issue, before proceeding further with any mediated settlement relevant to general beach access issues at Balm Beach.

The Ministry of the Attorney General supports our position on this matter. You were copied on the letter we sent to The Honourable Christopher Bentley on January 6, 2009. I attach a copy of the response we received to that letter, which includes the following statement, "The Ministry agrees that the stakeholders, including the Municipality, individuals and organizations such as the Federation are in the best position to take action to address issues regarding the beaches in Tiny Township."

We ask to be kept informed of all communications in relation to this matter and would appreciate your consideration of our concerns.

Yours very truly,

The Federation of Tiny Township  
Shoreline Associations

By:

Judith Grant  
President

cc: Inspector Philbin, Ontario Provincial Police