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September 3, 2020

**By E-mail**

Town of the Blue Mountains  
Mayor and Councillors  
32 Mill Street  
P.O. Box 310  
Thornbury, ON N0H 2P0

Attention: Corrina Giles, Town Clerk

Your Worship and Members of Council:

Items **B.15.1** CSOPS.20.050 Preliminary Waterfront Access Point Classifications  
**B.15.2** PDS.20.53 Follow Up Report Ellis Drive Water Access  
Committee of the Whole Meeting – September 8, 2020  
Town of the Blue Mountains

In addition to litigation counsel Michael Magonet, we act as municipal law counsel representing the land owners of Lots 1-6 on Ellis Drive in the Peaks Bay Subdivision, namely: John Ferraro; Tara and Jeff Henderson; Constance and Marc Anthony Venere; Kathy and Ron Duke; Joanne and Tom Talbot; and Jen Ardil and Stephen Willson.

This submission complements previous submissions made to Council on this matter, all of which are referenced in the attached Schedule "A" to this letter. You are aware of our clients' position and there is limited value in repeating it again. Previous submissions demonstrate our clients' commitment and conviction to protect the ANSI and the tree protection zone, to minimize conflict between private/public interests and to create a safe water access for the Peaks Bay neighbourhood.

We have reviewed the Planning and Development Services Staff Report PDS.20.53 and the Community Services Staff Report, CSOPS.20.050 and have considered the recommendations carefully. We trust that your decision on the access issue will be decisive and will set us on a "path" towards resolution of this matter once and for all.

To obtain any of the information referenced in the attached Schedule "A" or if you have any questions, please call or e-mail me to discuss. Thank you for your attention to this matter.

Yours truly,

Stikeman Elliott LLP

Per:



Calvin Lantz  
Partner

CL/na

cc. Will Thomson, Solicitor, *Town of Blue Mountains*  
Shawn Everitt, CAO, *Town of Blue Mountains*  
Nathan Westendorp, Director of Planning & Development Services, *Town of Blue Mountains*  
Michael Magonet, *Magonet Law*  
Clients

## **Schedule “A” – List of Submissions made to Council**

- Letter from Stikeman Elliott LLP to C. Giles, Town Clerk, dated December 12, 2019;
- Letter from Stikeman Elliott LLP to C. Giles, Town Clerk, dated November 21, 2019;
- Letter from Stikeman Elliott LLP to C. Giles, Town Clerk, dated November 11, 2019;
- Environmental Addendum Report – Assessment of Enhancing Waterfront Access in the Peaks Bay Subdivision, prepared by Orion Environmental Solutions, dated November 11, 2019;
- Letter from Stikeman Elliott LLP to C. Giles, Town Clerk, dated September 23, 2019;
- Environmental Report – Assessment of Enhancing Waterfront Access in the Peaks Bay Subdivision, prepared by Orion Environmental Solutions, dated September 17, 2019;
- Letter from Magonet Law to the Mayor and Council, dated April 29, 2019, inclusive of Tabs 1 to 33; and
- Letter from Magonet Law to the Mayor, Council, Interim CAO and Counsel, dated September 26, 2018, inclusive of Tabs 1 to 11.