

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**

THE HONOURABLE *MR.*JUSTICE *R. MACKINNON*)  
)  
)

TUESDAY, THE 22ND

DAY OF APRIL, 2014

BETWEEN:

*(Court Seal)*

THE CORPORATION OF THE TOWNSHIP OF TINY

Applicant

and

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO,  
MICHELLE ANNE MARIE DAOUST, DOREEN DOROTHY DAOUST,  
MARGARET ANN KEARNS, THOMAS JAMES KEARNS,  
NELSON MEDEIROS, MARGARIDA MEDEIROS,  
ROBERT BRUCE FISHER, ROBERT JOSEPH DOUGLAS,  
JOHN EDWARD STEWART, MARGARET MARY STEWART,  
WILLIAM SEAN ARMSTRONG, IAN DAVID EMSLEY,  
PATRICIA LYNN EMSLEY, PAUL MCDERMOTT,  
PATRICIA MCDERMOTT,  
CAROL KATHARAINÉ ANGUS, JOSE VICENTE, LIBELIA VICENTE,  
WAYNE JOHN HALENDA, JANET ANNE HENDERSON-HALENDA,  
WALDEMAR ALBERT PIECZONKA, ROSALIND PIECZONKA,  
DONNA LYNN DIES, SUSAN DIES, BRUCE DIES,  
KAREN ELIZABETH DIES, BRUCE JOHN DIES, SUSAN ILENE DIES,  
ANDREW RICHARD SPENCE, ANNE ELIZABETH WEIR,  
KATHRYN ELIZABETH NELSON, LEE DAVID PERRYMAN,  
LISA PERRYMAN, JULIE PERRYMAN, ALBERT EDWARD LANNING,  
MARGARET ANNE LANNING, WANG CHOW, JOY CHOW,  
JOAN LYALL BREUER, PAUL JOHN SCOTT, JUDITH SCOTT,  
BRUCE KERR, PATRICIA MARGARET KERR,  
DIANA PHYLLIS MCHARDY, ALIA QIANA DEN BAARS,  
ANDRE JOVAN DEN BAARS, CONNIE DIMONTE MELDAZY,  
ALDO FRANK COLANTONIO, PATRICIA MARIE COLANTONIO,  
FREDERICK BRIAN BRADSTREET, DARALIS JEAN COLLINS,  
STRACHAN BOWEN, KAREN BOWEN, JEAN MARIE CRAIG,  
DONALD MURRAY CRAIG, DONALD IRWIN MATHESON,  
NANCY ELISEBETH MATHESON, HERBERT MCCrackEN,

GERALDINE FRANCES MCCracken, PATRICIA MARY BUNSTON,  
CLINTON DOUGLAS BUNSTON, LINDA HUNTER, KAREN RUCAS,  
ANGELA TODOROW, HARTLEY SPENCER SAMIS, GHISLAINE SAMIS,  
MICHAEL ROBERT GUERRIERE, MIYO JEAN YAMASHITA,  
LAURA NOEL TUCKER, ADRIANNE ELISE PIECZONKA,  
ROBERT JOHN BYRICK, MARY SUSAN BYRICK,  
JAMES DANIEL JARRELL, SANDRA LYNN JARRELL, DEANNE WHITE,  
LIANNE ELIZABETH HUNT, JODY HAUER, SEYMOUR GELESPY,  
HELMUT KLEINERT, NANCY JANE KLEINERT,  
FREDERIK JAN REINDERS, JANE REINDERS, MAUREEN SHEPHERD,  
MARY DAVIS, PATRICIA ANN EDWARDS, SHAKKER ABAWI,  
KERSTI ABAWI, MARY DIANE KEEFE, TOM MINAS,  
JAMES ARCHIBALD WILSON, VIOLET KATHERINE WILSON,  
ROBERT JAMES WILSON, JAMES MURRAY COLLETT,  
DAVID LOUIS GUIDOLIN, BARBARA HEATHER PEARL BAIN,  
TERRY ALFRED CHEANEY, ANNA LAURA DE ROSA,  
GLENN ARTHUR DAVIS, GRACE MATILDA DAVIS,  
GORDON PROCTOR, RHODA PROCTOR, JANET DE RUITER,  
VIM KOCHHAR, HENRY BUSS, MIA BUSS, BEVERLY FRANCES NASH,  
PAUL JONATHAN ROSENBERG, JOAN MARIE GILMOUR,  
DENLOW INVESTMENTS LIMITED, JANET DEBRA GRACE JAMIESON,  
LILLIAN STERMAC, ALLISON MARGARET KOTURBASH,  
ROBERT MANLEY KOTURBASH, EVANKA VIPAVEC, CARL VIPAVEC,  
DOROTHEA DIANNE PENMAN, PAUL ALBERT LEE, JILL MAYNARD,  
JANICE STAPLETON, CHRISTINA GROOT, PETER GROOT,  
THELMA HELEN BAYLEY, CORAL EMILY ROBINSON,  
BRENT MILLS ROBINSON, DALE CAROLYN RECCHIA,  
DAVID KENNETH HOLWELL, DONNA ELISABETH HOLWELL,  
FAIRBUSH DENTAL MANAGEMENT LTD, NANCY CLAIRE SALTER,  
WILLIAM MILLET SALTER, GREGORY MILLET SALTER,  
LINDSAY JANE SALTER-CRAIG, MARK MANDLSOHN,  
ANNE MANDLSOHN, DANU MANDLSOHN,  
SAMUEL PAUL MANDLSOHN, LORA ANN KLATT, TERRY CHURCH,  
ARTHUR REESE DUNSFORD and ROSALYN DIANE DUNSFORD

Respondents

APPLICATION UNDER Rule 14.05(3)(d) and (e) of the Rules of Civil Procedure

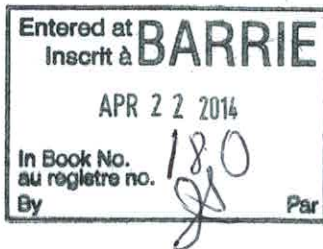
## **ORDER**

THIS MOTION, made, without notice by the applicant for an order that a certificate of pending litigation be issued by the registrar, was heard this day at the court house, 75 Mulcaster Street, Barrie, Ontario, L4M 3P2.



ON READING the Motion Record, the Affidavit of Doug Luker sworn April 4, 2014, the Supplementary Affidavit of Doug Luker sworn April 15, 2014, the Affidavit of Chester Stanton sworn April 3, 2014, the factum of the applicant and on hearing submissions of counsel for the applicant and on hearing the submissions of the lawyer(s) for the parties,

1. THIS COURT ORDERS that a certificate of pending litigation be issued by the registrar in the form as set out in the attached ~~schedule to this Order~~ *Schedule 1 to this Order*.
2. THIS COURT ORDERS that the applicant shall forthwith serve the within order, together with a copy of the Notice of Motion, the Affidavit of Doug Luker sworn April 4, 2014, the Supplementary Affidavit of Doug Luker sworn April 15, 2014 and the Affidavit of Chester Stanton on the respondent, Her Majesty the Queen in Right of Ontario and the owners of lots 1 to and including 44 as enumerated on Schedule ~~"B" to the Notice of Application~~ *2 to this Order*.



  
(Signature of Judge)

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**

BETWEEN:

*(Court Seal)*

THE CORPORATION OF THE TOWNSHIP OF TINY

Applicant

and

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO,  
MICHELLE ANNE MARIE DAOUST, DOREEN DOROTHY DAOUST,  
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WALDEMAR ALBERT PIECZONKA, ROSALIND PIECZONKA,  
DONNA LYNN DIES, SUSAN DIES, BRUCE DIES,  
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ANDREW RICHARD SPENCE, ANNE ELIZABETH WEIR,  
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LISA PERRYMAN, JULIE PERRYMAN, ALBERT EDWARD LANNING,  
MARGARET ANNE LANNING, WANG CHOW, JOY CHOW,  
JOAN LYALL BREUER, PAUL JOHN SCOTT, JUDITH SCOTT,  
BRUCE KERR, PATRICIA MARGARET KERR,  
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ANDRE JOVAN DEN BAARS, CONNIE DIMONTE MELDAZY,  
ALDO FRANK COLANTONIO, PATRICIA MARIE COLANTONIO,  
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DONALD MURRAY CRAIG, DONALD IRWIN MATHESON,  
NANCY ELISEBETH MATHESON, HERBERT MCCRACKEN,  
GERALDINE FRANCES MCCRACKEN, PATRICIA MARY BUNSTON,  
CLINTON DOUGLAS BUNSTON, LINDA HUNTER, KAREN RUCAS,  
ANGELA TODOROW, HARTLEY SPENCER SAMIS, GHISLAINE SAMIS,




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ROBERT JOHN BYRICK, MARY SUSAN BYRICK,  
JAMES DANIEL JARRELL, SANDRA LYNN JARRELL, DEANNE WHITE,  
LIANNE ELIZABETH HUNT, JODY HAUER, SEYMOUR GELESPI,  
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FREDERIK JAN REINDERS, JANE REINDERS, MAUREEN SHEPHERD,  
MARY DAVIS, PATRICIA ANN EDWARDS, SHAKKER ABAWI,  
KERSTI ABAWI, MARY DIANE KEEFE, TOM MINAS,  
JAMES ARCHIBALD WILSON, VIOLET KATHERINE WILSON,  
ROBERT JAMES WILSON, JAMES MURRAY COLLETT,  
DAVID LOUIS GUIDOLIN, BARBARA HEATHER PEARL BAIN,  
TERRY ALFRED CHEANEY, ANNA LAURA DE ROSA,  
GLENN ARTHUR DAVIS, GRACE MATILDA DAVIS,  
GORDON PROCTOR, RHODA PROCTOR, JANET DE RUITER,  
VIM KOCHHAR, HENRY BUSS, MIA BUSS, BEVERLY FRANCES NASH,  
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SAMUEL PAUL MANDLSOHN, LORA ANN KLATT, TERRY CHURCH,  
ARTHUR REESE DUNSFORD and ROSALYN DIANE DUNSFORD

Respondents

APPLICATION UNDER Rule 14.05(3)(d) and (e) of the Rules of Civil Procedure

### **CERTIFICATE OF PENDING LITIGATION**

I CERTIFY that in this proceeding an interest in the following lands are in question, save  
and except those portions of the lands within the monumented boundaries of Plan 779:



See the attached Schedule "A"

This certificate is issued under an order of the Court made on April 22, 2014

Date \_\_\_\_\_ Issued by \_\_\_\_\_  
Local Registrar  
Address of  
court office: 75 Mulcaster Street  
Barrie, Ontario  
L4M 3P2

RCP-E 42A (November 1, 2005)



✓  
Schedule "A" TO THE  
CERTIFICATE OF PENDING LITIGATION - 2

1. LT 6 PL 779 TINY; TINY  
PIN: 58394-0082 (LT)
  2. LT 7 PL 779 TINY; TINY  
PIN: 53394-0081 (LT)
  3. LT 9 PL 779 TINY; TINY  
PIN: 58394-0079 (LT)
  4. PT LT 18-19 PL 779 TINY AS IN RO122255; TINY  
PIN: 58394-0071 (LT)
  5. PT LT 19 PL 779 TINY; LT 20 PL 779 TINY; PT LT 21 PL 779 TINY AS IN  
RO379967; TINY  
PIN 58394-0070 (LT)
  6. PT LT 21-22 PL 779 TINY AS IN RO1316802; TINY  
PIN: 58394-0069 (LT)
  7. LT 32 PL 779 TINY; TINY  
PIN: 58394-0062 (LT)
  8. LT 34 PL 779 TINY; TINY  
PIN: 58394-0060 (LT)
  9. LT 35 PL 779 TINY; TINY  
PIN: 58394-0059 (LT)
  10. LT 41 PL 779 TINY; TINY  
PIN: 58394-0053 (LT)
- B

11. LT 42 – 44 PL 779 TINY; TINY  
PIN: 58394-0052 (LT)

12. LT 45 PL 779 TINY; TINY  
PIN: 58394-0051 (LT)

13. LT 46 PL 779 TINY; TINY  
PIN: 58394-0051 (LT)

14. LT 48 PL 779 TINY; TINY  
PIN: 58394-0048 (LT)

15. LT 49 PL 779 TINY; TINY  
PIN: 58394-0047 (LT)

16. LT 50 PL 779 TINY; TINY  
PIN: 58394-0046 (LT)

17. LT 52 PL 779 TINY; TINY  
PIN: 58394-0044 (LT)

18. LT 55 PL 779 TINY; TINY  
PIN: 58394-0041 (LT)

19. LT 56 PL 779 TINY; TINY  
PIN: 58394-0040 (LT)

20. PT LT 57 PL 779 TINY AS IN RO85671; TINY  
PIN: 58394-0039 (LT)





21. LT 58 PL 779 TINY; TINY  
PIN: 58394-0037 (LT)
22. LT 59 PL 779 TINY; TINY  
PIN: 58394-0036 (LT)
23. LT 60 PL 779 TINY S/T DEBTS IN RO1005410; S/T EXECUTION 93-03354, IF  
ENFORCEABLE; TINY  
PIN: 58394-0035 (LT)
24. LT 61 PL 779 TINY; TINY  
PIN: 58394-0034 (LT)
25. LT 66 PL 779 TINY; TINY  
PIN: 58394-0030 (LT)
26. LT 70 PL 779 TINY; TINY  
PIN: 58394-0026 (LT)
27. LT 71 PL 779 TINY; S/T EXECUTION 00-01548, IF ENFORCEABLE; S/T  
EXECUTION 79-02720, IF ENFORCEABLE; TINY  
PIN: 58394-0025 (LT)
28. LT 74 PL 779 TINY; S1/2 LT 75 PL 779 TINY; TINY  
PIN: 58394-0022 LT
29. LT 76 PL 779 TINY; N1/2 LT 75 PL 779 TINY S/T DEBTS IN RO732504; TINY  
PIN: 58394-0021 (LT)
30. LT 77 PL 779 TINY;  
PIN: 58394-0020 (LT)

*P*

31. PT LT 18 CON 7 PT 2 51R34683;  
PIN: 58394-0152 (R)  
AND  
LT 78 PL 779 TINY

32. PT LT 18 CON 7 TINY PT 1 51R34683;  
PIN: 58394-0151 (R)  
AND  
LT 79 PLAN 779 TINY;

33. LT 80-81 PL 779 TINY;  
PIN: 58394-0017 (LT)

34. LT 82 PL 779 TINY; S1/2 LT 83 PL 779 TINY; TINY  
PIN: 58394-0016 (LT)

35. LT 85 PL 779 TINY; TINY  
PIN: 58394-0013 (LT)

36. PT LT 86 PL 779 TINY AS IN RO492552; TINY  
PIN: 58394-0012 (LT)

37. LT 87 PL 779 TINY; PT LT 86 PL 779 TINY AS IN RO1437725; TINY  
PIN: 58394-0011 (LT)

38. LT 89 PL 779 TINY; TINY  
PIN: 58394-0009 (LT)

39. LT 91 PL 779 TINY; TINY  
PIN: 58394-0007 (LT)



40. LT 92 PL 779 TINY; TINY  
PIN: 58394-0006 (LT)

41. LT 93 PL 779 TINY; TINY  
PIN: 58394-0005 (LT)

42. LT 94 PL 779 TINY; S/T EXECUTION 97-01326, IF ENFORCEABLE; TINY  
PIN: 58394-0004 (LT)

43. LT 95 PL 779 TINY; TINY  
PIN: 58394-0153 (LT)

44. 96 PL 779 TINY; TINY  
PIN: 58394-0154 (LT)

45.

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the Township of Tiny, in the County of Simcoe and being composed of Part of Lot EIGHTEEN (18), in the Seventh (7<sup>th</sup>) Concession of the said Township of Tiny, and more particularly described as follows:

PREMISING that the original road allowance lying between concessions 6 and 7 in the Township of Tiny, in the County o Simcoe, has a bearing of North 60 degrees, 26 minutes East, and relating all bearings thereto;

FIRSTLY:

COMMENCING at an iron bar planted distant 18 feet on a bearing of South 03 degrees, 25 minutes West from the North-west corner of Lot 4, according to Registered Plan 779, for the Township of Tiny;

THENCE North 03 degrees, 25 minutes East along the Westerly boundary of Lots 4, 5, 6, 7, 8 and 9, according to Registered Plan 779, for the Township of Tiny, a distance of 268 feet, more or less, to the North-west corner of Lot 9, according to the said Registered Plan 779;





THENCE North 86 degrees, 35 minutes West along the Westerly projection of the Northerly boundary of Lot 9, according to Registered Plan 779, to the water's edge of Georgian Bay;

THENCE in a Southerly direction along the water's edge of Georgian Bay to its intersection with a line drawn through the point of commencement on a bearing of North 86 degrees, 35 minutes West;

THENCE South 86 degrees, 35 minutes East to the point of commencement.

SECONDLY:

COMMENCING at the South-west corner of Lot 11, according to Registered Plan 779 for the Township of Tiny;

THENCE North 03 degrees, 25 minutes East along the Westerly limit of Lots 11, 12 and 13, a distance of 150 feet more or less to the South-west corner of Lot 14, according to Registered Plan 779;

THENCE North 86 degrees, 35 minutes West along the Westerly projection of the Northerly boundary of Lot 13, according to Registered Plan 779, to the water's edge of Georgian Bay;

THENCE in a Southerly direction along the water's edge of Georgian Bay to its intersection with the Westerly projection of the Southerly limit of Lot 11, according to Registered Plan 779;


THENCE South 86 degrees, 35 minutes East along the Westerly projection of the Southerly limit of Lot 11, according to Registered Plan 779, to the point of commencement.

THIRDLY:

COMMENCING at a point on the Westerly limit of Lot 16, according to Registered Plan 779, distant 25 feet on a bearing of North 03 degrees, 25 minutes East from the South-west corner of Lot 16, Registered Plan 779;

THENCE North 03 degrees 25 minutes East along the Westerly limit of the Lots shown on Registered Plan 779, a distance of 870 feet, more or less, to the South-west corner of Lot 33, Registered Plan 779;

THENCE North 86 degrees, 35 minutes West along the Westerly projection of the Northerly boundary of Lot 32, Registered Plan 779, to the water's edge of Georgian Bay;



THENCE Southerly along the water's edge of Georgian Bay to its intersection with a line drawn through the point of commencement on a bearing of North 86 degrees, 35 minutes West;

THENCE South 86 degrees, 35 minutes East to the point of commencement.

FOURTHLY:

COMMENCING at the South-west corner of Lot 34, according to Registered Plan 779;

THENCE North 03 degrees, 25 minutes East along the Westerly limit of the Lots shown on Registered Plan 779, a distance of 320 feet more or less to an iron bar planted at the North-west corner of Lot 39, according to Registered Plan 779;

THENCE North 06 degrees West, a distance of 920 feet more or less to an iron bar planted at the North-west corner of Lot 57, according to Registered Plan 779;


THENCE North 22 degrees, 48 minutes West, a distance of 2,023.4 feet more or less to an iron bar planted at the North-west corner of Lot 96, according to Registered Plan 779;

THENCE South 59 degrees, 17 minutes West, along the Westerly projection of the Northerly limit of Lot 96, according to Registered Plan 779, to the water's edge of Georgian Bay;

THENCE in a Southerly direction along the water's edge of Georgian Bay to its intersection with the Westerly projection of the Northerly limit of Lot 33, according to Registered Plan 779;

THENCE South 86 degrees, 35 minutes East along the Westerly projection of the Northerly limit of Lot 33, according to Registered Plan 779, to the point of commencement.

AS IN Instrument No.: RO788360



THE CORPORATION OF THE TOWNSHIP OF TINY  
Applicant

-and-  
Respondents

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO et al.

Court File No. 14-0420

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
  
PROCEEDING COMMENCED AT  
BARRIE

**CERTIFICATE OF PENDING LITIGATION**

**JOHN BARZO**  
Barrister & Solicitor  
205 - 60 Collier Street  
Barrie ON L4M 1G8

**John Barzo** (LSUC 35364R)  
jbarzo@barzolaw.com  
Tel: (705) 733-6245  
Fax: (705) 730-0009

Lawyer for the applicant

RCP-E 4C (July 1, 2007)



Schedule ~~2~~ 2

1. LT 6 PL 779 TINY; TINY  
PIN: 58394-0082 (LT)

Municipal Address: 610 Tiny Beaches Road South  
Registered Owner/s: William Millet Salter, Nancy Clair Salter, Gregory Millet Salter and  
Lindsay Jane Salter-Craig

2. LT 7 PL 779 TINY; TINY  
PIN: 53394-0081 (LT)

Municipal Address: 608 Tiny Beaches Road South  
Registered Owner/s: Fairbrush Dental Management Limited

3. LT 9 PL 779 TINY; TINY  
PIN: 58394-0079 (LT)

Municipal Address: 604 Tiny Beaches Road South  
Registered Owners/s: Dale Carolyn Recchia

4. PT LT 18-19 PL 779 TINY AS IN RO122255; TINY  
PIN: 58394-0071 (LT)

Municipal Address: 584 Tiny Beaches Road South  
Registered Owner/s: Carl Vipavec and Evanka Vipavec

5. PT LT 19 PL 779 TINY; LT 20 PL 779 TINY; PT LT 21 PL 779 TINY AS IN  
RO379967; TINY  
PIN 58394-0070 (LT)

Municipal Address: 580 Tiny Beaches Road South  
Registered Owners/s: Allison Margaret Koturbash and Robert Manley Koturbash, Jr.

6. PT LT 21-22 PL 779 TINY AS IN RO1316802; TINY  
PIN: 58394-0069 (LT)

Municipal Address: 578 Tiny Beaches Road South  
Registered Owner/s: Lillian Stermac

7. LT 32 PL 779 TINY: TINY  
PIN: 58394-0062 (LT)

Municipal Address: 556 Tiny Beaches Road South  
Registered Owner/s: Gordon Proctor and Rhoda Proctor

8. LT 34 PL 779 TINY; TINY  
PIN: 58394-0060 (LT)

Municipal Address: 552 Tiny Beaches Road South  
Registered Owner/s: Terry Alfred Cheaney and Anna Laura De Rosa

9. LT 35 PL 779 TINY; TINY  
PIN: 58394-0059 (LT)

Municipal Address: 550 Tiny Beaches Road South  
Registered Owner/s: David Louis Guidolin and Barbara Heather Pearl Bain

10. LT 41 PL 779 TINY; TINY  
PIN: 58394-0053 (LT)

Municipal Address: 536 Tiny Beaches Road South  
Registered Owner/s: Shakker Abawi and Kersti Abawi

11. LT 42 – 44 PL 779 TINY: TINY  
PIN: 58394-0052 (LT)

Municipal Address: 532 Tiny Beaches Road South  
Registered Owner/s: Patricia Ann Edwards



12. LT 45 PL 779 TINY; TINY  
PIN: 58394-0051 (LT)

Municipal Address: 528 Tiny Beaches Road South  
Registered Owner/s: Patricia Ann Edwards

13. LT 46 PL 779 TINY; TINY  
PIN: 58394-0051 (LT)

Municipal Address: 526 Tiny Beaches Road South  
Registered Owner/s: Maureen Shepherd and Mary Davis

14. LT 48 PL 779 TINY; TINY  
PIN: 58394-0048 (LT)

Municipal Address: 522 Tiny Beaches Road South  
Registered Owner/s: Nancy Jane Kleinert and Helmut Kleinert

15. LT 49 PL 779 TINY; TINY  
PIN: 58394-0047 (LT)

Municipal Address: 520 Tiny Beaches Road South  
Registered Owner/s: Jody Hauer and Seymour Gelespy

16. LT 50 PL 779 TINY; TINY  
PIN: 58394-0046 (LT)

Municipal Address: 518 Tiny Beaches Road South  
Registered Owner/s: Deanne White and Lianne Elizabeth Hunt

17. LT 52 PL 779 TINY; TINY  
PIN: 58394-0044 (LT)

Municipal Address: 514 Tiny Beaches Road South  
Registered Owner/s: Robert John Byrick and Mary Susan Byrick





18. LT 55 PL 779 TINY; TINY  
PIN: 58394-0041 (LT)

Municipal Address: 508 Tiny Beaches Road South  
Registered Owner/s: Hartley Spencer Samis and Ghislaine Samis

19. LT 56 PL 779 TINY; TINY  
PIN: 58394-0040 (LT)

Municipal Address: 506 Tiny Beaches Road South  
Registered Owner/s: Linda Hunter, Karen Rucas and Angela Todorow

20. PT LT 57 PL 779 TINY AS IN RO85671; TINY  
PIN: 58394-0039 (LT)

Municipal Address: 504 Tiny Beaches Road South  
Registered Owner/s: Patricia Mary Bunston and Clinton Douglas Bunston

21. LT 58 PL 779 TINY; TINY  
PIN: 58394-0037 (LT)


Municipal Address: 498 Tiny Beaches Road South  
Registered Owner/s: Herbert McCracken and Geraldine Frances McCracken

22. LT 59 PL 779 TINY; TINY  
PIN: 58394-0036 (LT)

Municipal Address: 496 Tiny Beaches Road South  
Registered Owner/s: Donald Irwin Matheson and Nancy Elisabeth Matheson

23. LT 60 PL 779 TINY S/T DEBTS IN RO1005410; S/T EXECUTION 93-03354, IF  
ENFORCEABLE; TINY  
PIN: 58394-0035 (LT)

Municipal Address: 494 Tiny Beaches Road South  
Registered Owner/s: Jean Marie Craig and Donald Murray Craig



24. LT 61 PL 779 TINY; TINY  
PIN: 58394-0034 (LT)

Municipal Address: 492 Tiny Beaches Road South  
Registered Owner/s: Strachan Bowen and Karen Bowen

25. LT 66 PL 779 TINY; TINY  
PIN: 58394-0030 (LT)

Municipal Address: 484 Tiny Beaches Road South  
Registered Owner/s: Connie DiMonte Meldazy

26. LT 70 PL 779 TINY; TINY  
PIN: 58394-0026 (LT)

Municipal Address: 474 Tiny Beaches Road South  
Registered Owner/s: Bruce Kerr and Patricia Margaret Kerr

27. LT 71 PL 779 TINY; S/T EXECUTION 00-01548, IF ENFORCEABLE; S/T  
EXECUTION 79-02720, IF ENFORCEABLE; TINY  
PIN: 58394-0025 (LT)

Municipal Address: 472 Tiny Beaches Road South  
Registered Owner/s: Paul John Scott and Judith Scott

28. LT 74 PL 779 TINY; S1/2 LT 75 PL 779 TINY; TINY  
PIN: 58394-0022 LT

Municipal Address: 466 Tiny Beaches Road South  
Registered Owner/s: Albert Edward Lanning and Margaret Anne Lanning

29. LT 76 PL 779 TINY; N1/2 LT 75 PL 779 TINY S/T DEBTS IN RO732504; TINY  
PIN: 58394-0021 (LT)

Municipal Address: 462 Tiny Beaches Road South  
Registered Owner/s: Lee David Perryman, Lisa Perryman and Julie Perryman

30. LT 77 PL 779 TINY;  
PIN: 58394-0020 (LT)

Municipal Address: 460 Tiny Beaches Road South  
Registered Owner/s: Kathryn Elizabeth Nelson

31. PT LT 18 CON 7 PT 2 51R34683;  
PIN: 58394-0152 (R)  
AND  
LT 78 PL 779 TINY

Municipal Address: 458 Tiny Beaches Road South  
Registered Owner/s: Andrew Richard Spence and Anne Elizabeth Weir

32. PT LT 18 CON 7 TINY PT 1 51R34683;  
PIN: 58394-0151 (R)  
AND  
LT 79 PLAN 779 TINY;

Municipal Address: 456 Tiny Beaches Road South  
Registered Owner/s: Donna Lynn Dies, Karen Elizabeth Dies, Bruce John Dies and Susan Ilene Dies

33. LT 80-81 PL 779 TINY;  
PIN: 58394-0017 (LT)

Municipal Address: 452 Tiny Beaches Road South  
Registered Owner/s: Rosalind Pieczonka

34. LT 82 PL 779 TINY; S1/2 LT 83 PL 779 TINY; TINY  
PIN: 58394-0016 (LT)

Municipal Address: 450 Tiny Beaches Road South  
Registered Owner/s: Waldemar Albert Pieczonka

35. LT 85 PL 779 TINY; TINY



PIN: 58394-0013 (LT)

Municipal Address: 444 Tiny Beaches Road South  
Registered Owner/s: Jose Vicente and Libelia Vicente

36. PT LT 86 PL 779 TINY AS IN RO492552; TINY  
PIN: 58394-0012 (LT)

Municipal Address: 442 Tiny Beaches Road South  
Registered Owner/s: Carol Katharine Angus

37. LT 87 PL 779 TINY; PT LT 86 PL 779 TINY AS IN RO1437725; TINY  
PIN: 58394-0011 (LT)

Municipal Address: 438 Tiny Beaches Road South  
Registered Owner/s: Paul McDermott and Patricia McDermott

38. LT 89 PL 779 TINY; TINY  
PIN: 58394-0009 (LT)

Municipal Address: 438 Tiny Beaches Road South  
Registered Owner/s: William Sean Armstrong

39. LT 91 PL 779 TINY; TINY  
PIN: 58394-0007 (LT)

Municipal Address: 430 Tiny Beaches Road South  
Registered Owner/s: Robert Bruce Fisher and Robert Joseph Douglas

40. LT 92 PL 779 TINY; TINY  
PIN: 58394-0006 (LT)

Municipal Address: 428 Tiny Beaches Road South  
Registered Owner/s: Nelson Medeiros and Margarida Medeiros

41. LT 93 PL 779 TINY; TINY

PIN: 58394-0005 (LT)

Municipal Address: 426 Tiny Beaches Road South  
Registered Owner/s: Thomas James Kearns

42. LT 94 PL 779 TINY; S/T EXECUTION 97-01326, IF ENFORCEABLE; TINY  
PIN: 58394-0004 (LT)

Municipal Address: 424 Tiny Beaches Road South  
Registered Owner/s: Margaret Ann Kearns

43. LT 95 PL 779 TINY; TINY  
PIN: 58394-0153 (LT)

Municipal Address: 422 Tiny Beaches Road South  
Registered Owner/s: Doreen Dorothy Daoust

44. 96 PL 779 TINY; TINY  
PIN: 58394-0154 (LT)

Municipal Address: 420 Tiny Beaches Road South  
Registered Owner/s: Michelle Anne Marie Daoust

45.

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the Township of Tiny, in the County of Simcoe and being composed of Part of Lot EIGHTEEN (18), in the Seventh (7<sup>th</sup>) Concession of the said Township of Tiny, and more particularly described as follows:

PREMISING that the original road allowance lying between concessions 6 and 7 in the Township of Tiny, in the County o Simcoe, has a bearing of North 60 degrees, 26 minutes East, and relating all bearings thereto;

FIRSTLY:

COMMENCING at an iron bar planted distant 18 feet on a bearing of South 03 degrees, 25 minutes West from the North-west corner of Lot 4, according to Registered Plan 779, for the Township of Tiny;

THENCE North 03 degrees, 25 minutes East along the Westerly boundary of Lots 4, 5, 6, 7, 8 and 9, according to Registered Plan 779, for the Township of Tiny, a distance of 268 feet, more or less, to the North-west corner of Lot 9, according to the said Registered Plan 779;

THENCE North 86 degrees, 35 minutes West along the Westerly projection of the Northerly boundary of Lot 9, according to Registered Plan 779, to the water's edge of Georgian Bay;

THENCE in a Southerly direction along the water's edge of Georgian Bay to its intersection with a line drawn through the point of commencement on a bearing of North 86 degrees, 35 minutes West;

THENCE South 86 degrees, 35 minutes East to the point of commencement.

SECONDLY:

COMMENCING at the South-west corner of Lot 11, according to Registered Plan 779 for the Township of Tiny;

THENCE North 03 degrees, 25 minutes East along the Westerly limit of Lots 11, 12 and 13, a distance of 150 feet more or less to the South-west corner of Lot 14, according to Registered Plan 779;

THENCE North 86 degrees, 35 minutes West along the Westerly projection of the Northerly boundary of Lot 13, according to Registered Plan 779, to the water's edge of Georgian Bay;

THENCE in a Southerly direction along the water's edge of Georgian Bay to its intersection with the Westerly projection of the Southerly limit of Lot 11, according to Registered Plan 779;

THENCE South 86 degrees, 35 minutes East along the Westerly projection of the Southerly limit of Lot 11, according to Registered Plan 779, to the point of commencement.

THIRDLY:

COMMENCING at a point on the Westerly limit of Lot 16, according to Registered Plan 779, distant 25 feet on a bearing of North 03 degrees, 25 minutes East from the South-west corner of Lot 16, Registered Plan 779;



THENCE North 03 degrees 25 minutes East along the Westerly limit of the Lots shown on Registered Plan 779, a distance of 870 feet, more or less, to the South-west corner of Lot 33, Registered Plan 779;

THENCE North 86 degrees, 35 minutes West along the Westerly projection of the Northerly boundary of Lot 32, Registered Plan 779, to the water's edge of Georgian Bay;

THENCE Southerly along the water's edge of Georgian Bay to its intersection with a line drawn through the point of commencement on a bearing of North 86 degrees, 35 minutes West;

THENCE South 86 degrees, 35 minutes East to the point of commencement.

FOURTHLY:

COMMENCING at the South-west corner of Lot 34, according to Registered Plan 779;

THENCE North 03 degrees, 25 minutes East along the Westerly limit of the Lots shown on Registered Plan 779, a distance of 320 feet more or less to an iron bar planted at the North-west corner of Lot 39, according to Registered Plan 779;

THENCE North 06 degrees West, a distance of 920 feet more or less to an iron bar planted at the North-west corner of Lot 57, according to Registered Plan 779;

THENCE North 22 degrees, 48 minutes West, a distance of 2,023.4 feet more or less to an iron bar planted at the North-west corner of Lot 96, according to Registered Plan 779;

THENCE South 59 degrees, 17 minutes West, along the Westerly projection of the Northerly limit of Lot 96, according to Registered Plan 779, to the water's edge of Georgian Bay;

THENCE in a Southerly direction along the water's edge of Georgian Bay to its intersection with the Westerly projection of the Northerly limit of Lot 33, according to Registered Plan 779;

THENCE South 86 degrees, 35 minutes East along the Westerly projection of the Northerly limit of Lot 33, according to Registered Plan 779, to the point of commencement.

AS IN Instrument No.: RO788360





THE CORPORATION OF THE TOWNSHIP OF TINY  
Applicant

-and- HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO et al.  
Respondents

Court File No. 14-0420

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
  
PROCEEDING COMMENCED AT  
BARRIE

**ORDER**

**JOHN BARZO**  
Barrister & Solicitor  
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Barrie ON L4M 1G8

**John Barzo** (LSUC 35364R)  
jbarzo@barzolaw.com  
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Fax: (705) 730-0009

Lawyer for the applicant

RCP-E 4C (July 1, 2007)