



# NOTICE OF TRESPASS

**Date of Issuance:** June 30, 2015

**Trespasser Names:** Save the Bala Falls Members including but not limited to: Mitchell Shnier, Glenn Zavitz, Chris Zavitz, Bill Purkis, Brad Burgess, Mark Gidley, Deborah Ylanko, Hannu Ylanko, Alan Turnbull, Stefan Ottenbrite, Tim McDonald, Margaret Bartlett, Tom Millar, Bruno Poleski, and Anne Poleski

**Re: Notice of Trespass Pursuant to the Trespass Act, 1980**

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Dear Save the Bala Falls Members and its guests:

It has come to our attention that the Save the Bala Falls is planning an event on provincial Crown land currently leased by Swift River Energy Limited (SREL) without permission as illustrated on the attached email.

This notice is to inform you that you and your group are not, under any circumstances, permitted access to, nor permitted to use for any public gathering or event, any of the following list of provincially owned property in Bala, Township of Muskoka Lakes, District of Muskoka, Ontario, for which Swift River Energy Limited is deemed the legal occupier under the Trespass Act 1980, through its Licence of Occupation with the Ministry of Natural Resources and Forestry as illustrated on the attached Schedule A survey, herein collectively referred to as the "Property":

- Part 1, locally known as Margaret Burgess Park, located west of Muskoka District Road 169, north of the North Bala Dam, and south of the Bala United Church;
- Part 3, located west of Muskoka District Road 169, east of the Moon River, south of the North Bala Dam, and north of the Township lands locally known as Portage Landing;
- Parts 4, 5 and 6, located east of Muskoka District Road 169, north of Bala Falls Road, south of Lake Muskoka, and west of Purk's Place;
- Part 7, locally known as Diver's Point or Legris Park, located east of the CP Rail tracks, north of Bala Falls Road and west of the South Bala Dam.

**You are required to do the following:**

*Refrain from entering on the Property, promoting others to enter the Property, and placing any articles on the Property, without the express written permission of Swift River Energy Limited (the "Occupier").*

If you do not comply with the above, the Ontario Provincial Police ("OPP") will be contacted and instructed to arrest you and to charge you with an offence. Swift River hereby authorizes any member of the OPP to act as Agent for the purposes of enforcing this notice.

No further warnings will be given. You are advised to conduct yourself accordingly.

Respectfully,  
**Swift River Energy Limited**

SCHEDULE A

172

**INTERPOLATION COORDINATE TABLE**

OBSERVED REFERENCE POINTS DERIVED FROM GPS OBSERVATIONS USING REAL-TIME NETWORKING SERVICE WITH ZONE 17 COORDINATES TRANSFORMED TO NAD 83 ACCURACY PER SEC. 1(2) OF OREG. 216/16

POINT ID	NORTHING	EASTING
OBP (1)	499468.781	808187.494
OBP (2)	498142.244	808184.448
OBP (3)	498142.448	808184.448
OBP (4)	498228.000	808228.000
OBP (5)	498228.000	808228.000
OBP (6)	498228.000	808228.000
OBP (7)	498228.000	808228.000
OBP (8)	498228.000	808228.000
OBP (9)	498228.000	808228.000
OBP (10)	498228.000	808228.000
OBP (11)	498228.000	808228.000
OBP (12)	498228.000	808228.000
OBP (13)	498228.000	808228.000
OBP (14)	498228.000	808228.000
OBP (15)	498228.000	808228.000
OBP (16)	498228.000	808228.000
OBP (17)	498228.000	808228.000
OBP (18)	498228.000	808228.000
OBP (19)	498228.000	808228.000
OBP (20)	498228.000	808228.000

COORDINATE SYSTEM IS TRANSFORMED TO NAD 83 TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

PLAN 35R-

RECEIVED AND DEPOSITED

DATE \_\_\_\_\_

DATE \_\_\_\_\_

PAUL F. FORTH  
ONTARIO LAND SURVEYOR

PERMISSION TO DEPOSIT THIS PLAN OF SURVEY OF CHINA LAND WAS GRANT BY THE SURVEYOR GENERAL OF ONTARIO ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016.

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF MUSKOKA.

**SCHEDULE**

PART	LOT	CONVEYANCE/PLAN	AREA
1	PART LOT 260; REGISTERED PLAN No. 26 AND PART BLOCK 4; REGISTERED PLAN No. 20	CROWN	0.164 ha
2	PART OF THE BED OF THE MUSKOKA RIVER IN FRONT OF LOT 260, BLOCK 4, PART 2; GEOGRAPHIC TOWNSHIP OF MEDORA AND LOT 23; CONCESSION 7; GEOGRAPHIC TOWNSHIP OF WOOD	CROWN	0.033 ha
3		CROWN	0.078 ha
4		CROWN	0.078 ha
5		CROWN	0.016 ha
6		CROWN	0.016 ha
7	PART LOT 33;	CROWN	0.012 ha
8		CROWN	0.012 ha
9		CROWN	0.034 ha
10	PART OF THE BED OF LAKE MUSKOKA IN FRONT OF LOT 33, CONCESSION 7;	CROWN	0.039 ha

PLAN OF SURVEY OF LOCATION CL BEING PART OF LOT 260, REGISTERED PLAN No. 26, PART OF BLOCK 4, REGISTERED PLAN No. 20, AND PART OF THE BED OF THE MUSKOKA RIVER IN FRONT THEREOF GEOGRAPHIC TOWNSHIP OF MEDORA AND PART OF THE BED OF LAKE MUSKOKA IN FRONT THEREOF GEOGRAPHIC TOWNSHIP OF WOOD NOW ALL IN THE TOWNSHIP OF MUSKOKA LAKES DISTRICT MUNICIPALITY OF MUSKOKA TULLOCH GEOMATICS INC., O.L.S. SCALE 1:250

**BEARING NOTE:**  
BEARINGS ARE GIVEN AND ARE DERIVED FROM OBSERVED REFERENCE POINTS AND BY REAL-TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, MAGNETIC (0500) (1984), GIVING A BEARING OF 810428.0° AS SHOWN HEREON.

**METRIC:**  
DIMENSIONS AND COORDINATES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**CONVERGENCE NOTE:**  
A CONVERGENCE (ROTATION) FACTOR OF 10218.7' BOUNDARY CLOSURE HAS BEEN APPLIED TO THE GEOMETRIC BEARINGS OF UNDOING PLANS 338-3023, 305-3213, 305-10784, 305-10336, 308-3231, AND UNREPORTED REFERENCE PLAN BY E. J. WILLIAMS, O.L.S. TO ACCOUNT FOR DIFFERENT REFERENCE MERIDIANS.

**NOTES:**  
THE LIMIT OF LAKE MUSKOKA AND THE MUSKOKA RIVER AS SHOWN HEREON HAS BEEN ACCEPTED AS THE BEST AVAILABLE EVIDENCE OF THE ORIGINAL WATER'S EDGE AS IT EXISTED AT THE TIME OF THE ORIGINAL SURVEY OF THE GEOGRAPHIC TOWNSHIPS OF MEDORA AND WOOD.  
LAKE MUSKOKA HAS BEEN ARTIFICIALLY REGULATED BY THE DAM AT THE OULET DE BALA.  
ELEVATIONS WITHIN HEREON ARE REFERRED TO MEANSING No. 24-3, BEING A ROCK POST IN THE EAST FACE OF THE MOST NORTHEASTY CORNER OF BALA DAM, ON SOUTH SIDE OF CREEK, HAVING AN ELEVATION OF 225.05m O.S.D.

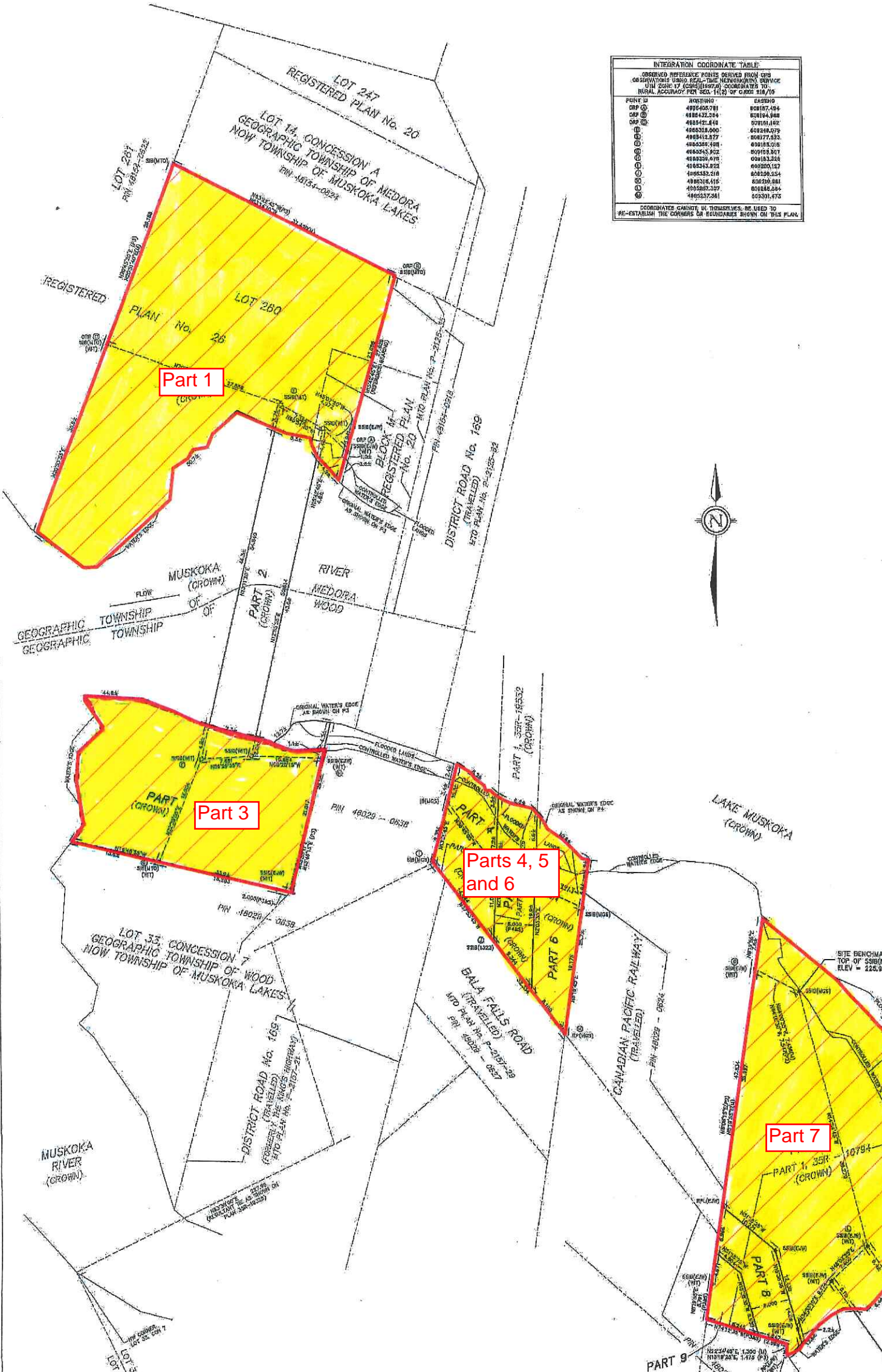
**LEGEND:**  
M DENOTES FOUND MONUMENT  
C DENOTES PLANNED MONUMENT  
S DENOTES STANDARD BRON BARS 600x30x122  
SB DENOTES BUREAU STANDARD BRON BARS 300x30x122  
RP DENOTES ROCK POST  
RPL DENOTES ROCK PLUG  
P DENOTES PLASTER  
MCS DENOTES MINISTRY OF MUNICIPALITY SERVICES  
C.A.S DENOTES C.A. WILLIAMS SURVEYING LTD., O.L.S.  
L DENOTES LAND SURVEYOR LIMITED O.L.S.  
M DENOTES METRE  
F DENOTES FEET  
C DENOTES CHAINS  
OBP DENOTES OBSERVED POINT  
P DENOTES PLANNED POINT  
P1 DENOTES PLAN 348-3023  
P2 DENOTES PLAN 305-10784  
P3 DENOTES UNREPORTED REFERENCE PLAN BY E. J. WILLIAMS, O.L.S. DATED 2007, FILES 173707, 232712, AND 2416-3  
PA DENOTES PLAN 12-228  
O.L.S., DENOTES ONTARIO LAND SURVEYOR OF CANADA

**SURVEYOR'S CERTIFICATE**

(1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS REGULATION, THE LAND SURVEY ACT AND THE REGULATIONS MADE UNDER THEM.

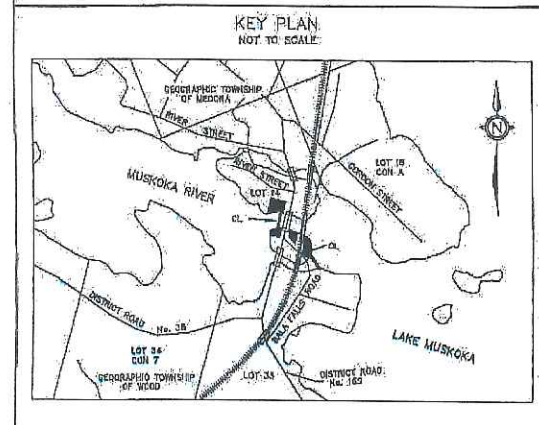
(2) THIS SURVEY WAS COMPLETED ON THE 30th DAY OF JULY, 2016.

AUGUST 1, 2016:  
PAUL F. FORTH  
PARRY SOUND, ONTARIO  
PAUL F. FORTH  
ONTARIO LAND SURVEYOR



FEATURE COORDINATE TABLE FOR WATER BOUNDARIES

CONTROLLED WATER'S EDGE (ON FRONT OF PART 1)		ORIGINAL WATER'S EDGE AS SHOWN ON P3 (ON FRONT OF PART 2)		ORIGINAL WATER'S EDGE AS SHOWN ON P3 (ON FRONT OF PART 3)	
NORTHING	EASTING	NORTHING	EASTING	NORTHING	EASTING
498228.000	808228.000	498228.000	808228.000	498228.000	808228.000
498228.000	808228.000	498228.000	808228.000	498228.000	808228.000
498228.000	808228.000	498228.000	808228.000	498228.000	808228.000
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498228.000	808228.000	498228.000	808228.000	498228.000	808228.000
498228.000	808228.000	498228.000	808228.000	498228.000	808228.000
498228.000	808228.000	498228.000	808228.000	498228.000	808228.000



TULLOCH GEOMATICS INC.  
4 SCHOOL ST., PARRY SOUND, ONT. L4M 2S8  
TEL: 705 746 7885  
FAX: 705 746 7883

DRAWN BY: D.L.L. FILE: 14-2534

[REDACTED]

**From:** Mitchell Shnier <[Mitchell@SaveTheBalaFalls.com](mailto:Mitchell@SaveTheBalaFalls.com)>

[REDACTED]

**Subject:** Save The Bala Falls e-Newsletter - June 27, 2015 (final update)

[REDACTED]

**Our next FUNdraiser – Saturday July 4, 2015**

Come out to support the Bala falls, on Saturday July 4, 2015 anytime from 8:00 am to 2:00 pm, in and around Margaret Burgess Park in Bala. Learn more about what is happening, and get your T-shirts, buttons, posters, postcards, lawn signs and car decals. All proceeds go to our Legal Challenge Fund. A flyer is [here](#).

**Big news – charitable donation tax receipts**

And now in addition to the support of the Muskoka Lakes Association, Moon River Property Owners Association, and the Wahta Mohawks First Nation, we now have increased support from the Architectural Conservancy of Ontario. You can now receive a charitable donation tax receipt for donations to [SaveTheBalaFalls.com](http://SaveTheBalaFalls.com). Donations will be applied to our Legal Challenge Fund.

- Depending on your tax situation, this reduces your after-tax cost of donating by 30% to 40%.
- Donations can be made on-line, and you immediately get your official tax receipt.
- Details are [here](#), or just go to [SaveTheBalaFalls.com](http://SaveTheBalaFalls.com), where there's a **Click to Donate** icon.

**Current status**

1. As for the last ten years, the proponent still **does not have all approvals needed to proceed**.
2. In fact, the proponent has made environmentally-significant changes to their previously approved plans and this appears to invalidate some of the approvals they do have. Either the proponent should be required to provide environmental assessment of their current plans, or this confirms the environmental assessment process has been a farce all along.