



Media Release

FOR IMMEDIATE RELEASE

Town of South Bruce Peninsula Reviews Ontario Court of Appeal Decision Regarding Sauble Beach Land Claim

January 10, 2025, South Bruce Peninsula, ON – With the recent release of the Ontario Court of Appeal’s decision regarding the Sauble Beach Land Claim, the Town of South Bruce Peninsula has been reviewing the 121-page document in detail.

The Town recognizes that there are some encouraging statements in the decision, as it pertains to the Reserve’s eastern boundary. The Court’s finding that the trial Judge did not intend lands east of the sand beach to form part of the Reserve is positive for the Town. This would suggest that Lakeshore Blvd N. and properties to the east, should remain within South Bruce Peninsula.

Although the Court of Appeal’s findings regarding Lakeshore Blvd N. and properties lying to the east provide some optimism for the Town, the Federal Government still needs to conduct a legal survey that confirms the precise location of the Reserve’s eastern boundary. We do not expect that a legal survey could be completed until the spring/summer of 2025. In addition to the survey issue, Saugeen First Nation has not agreed to restrict it’s claim to the lands west of Lakeshore Blvd N. The Court of Appeal’s decision raises a number of significant legal issues that Council continues to digest.

Because outstanding issues remain, we are not in a position to drop our right to seek leave to appeal to the Supreme Court of Canada. The Town’s Leave to Appeal documents will be filed prior to the February 7, 2025, deadline.

It’s important to note that if the Town was to drop our rights to appeal at this time, and the survey, when completed, does not align with the Court’s written description of the Reserve boundaries, the Town would have to commence legal proceedings.

The Town’s legal team at Lax O’Sullivan Lisus Gottlieb LLP (LOLG) appreciates and understands the significance of the costs borne by South Bruce Peninsula to date, and as such is offering to undertake the entire appeal process at no cost to the Town, should the appeal be unsuccessful.

Pending the Supreme Court of Canada decision on our prospective appeal (which, if heard, will not be decided until 2026 at the earliest), the Town will continue to dialogue with Saugeen First Nation, with the intention of resolving outstanding issues/concerns to the satisfaction of both parties. Discussions/negotiations would include at a minimum:

- Legal Survey confirming new Reserve boundaries
- Drain maintenance (Sauble Beach’s drainage outlets on new Reserve lands)
- Long term feasible public access to the beach.
- Beach related operations and partnership opportunities

Even once all appeals have been resolved, it is important to note that the Land Claim Trial is only in “Phase One”. “Phase Two” of the Land Claim Trial primarily deals with compensation to impacted parties and it won’t likely be resolved until sometime in 2026 at the earliest.

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