

From: Ted Farley [<mailto:ted@farleylaw.net>]

Sent: March 3, 2015 12:55 PM

Subject: Response to Mayor Furniss re my letter: Important Consideration

Hello Mayor Furniss. I appreciate you taking the time to read my letter three times to take it all in and I am sorry that your information does not agree with mine. I also appreciate your asking Phil Harding to follow up on this regarding my concerns and thanks Phil for the letter. I certainly wish you were taking your constituent's best interests to heart and representing your township as effectively as the interests of the Proponent on this project.

I have taken the time with some much appreciated assistance to provide a complete and as accurate as possible a response to defend my claims and to insure that every councillor in the town and the district is working with an informed point of view. Once again I ask all of you to take a look at the current proposal and realize that it cannot possibly be the outcome any of you envisioned and must be deemed totally unacceptable to all of Muskoka and therefore must be stopped by any means possible now! Thank you.

Below I respond to each of your three points.

1. I have attached a page ([Plan view](#)) from the proponent's December 16, 2014 presentation to the Township of Muskoka Lakes Committee of the Whole, and this confirms that the proponent's proposed building would indeed fill it all up with concrete. I have added the blue text to point out that the dashed lines are the Crown land property boundaries, and the lines within that are the extent of the proposed building. This shows that the building's concrete would extend to:
 - Within inches of the southern property boundary (which borders the Township's Portage Landing land).
 - The northern property boundary, right to the Bala north dam, and extending past that into the Bala north channel.
 - Within a foot or two of the eastern property boundary.
 - Within a few feet of the shoreline.

While this diagram clearly shows concrete would cover the entire site, the SaveTheBalaFalls.com group has scale drawings of the proponent's proposal and has measured the footprint of the proposed building to be 6,930 ft², which would confirm that the "only 7000 sq ft" site would indeed be all concrete.

2. The "conceptual drawings" shown by the proponent's architect Karl Stevens were apparently done without any feedback from the proponent's design engineers. For example, he assumed the building could have a lower roof not realizing that an overhead crane is required inside the proposed building to service the equipment.

I have attached a scale drawing ([NWPA](#)) from the proponent's engineering design company WSP Canada Inc., which shows that the roof would be 8.55 m (28') above the driveway. Houses often have an 8' ceiling and allowing 16" for the floor, therefore have a 9'-4" floor-to-floor height, so the proponent's proposed building would be exactly the height of a three-storey building.

Renderings provided by the proponent have always been more deceptive than helpful. For example the second image at <http://savethebalafalls.com/?p=6107> is one of the renderings provided by Mr. Stevens. You'll note that it has trees growing out of the concrete, and that the massive steel intake and tailrace gates are shown to look more like see-through window blinds, the reality would be more like the WSP Canada Inc. drawing farther down that page.

You referred to the proponent's rendering for their previously proposed Option 2. This too was not credible as it omitted so much, such as the; intake, entrance door, ventilation openings, and hoist mechanism for the tailrace gate (more detail is at <http://savethebalafalls.com/?p=618>). The point is, the proponent has a history of not being open and honest with the public.

So if you have any confirmation from WSP Canada Inc. that this building would not have an overhead crane, please let me know, otherwise, the proponent's fanciful and deceptive renderings should not be taken to be authoritative.

3. To show you that the quotes I provided do not refer to the proponent's now-abandoned Option 2, I have attached [selected pages from the proponent's 2005 proposal](#) (let me know if you would like the rest of what was made public) – which was for what is now referred to as "Option 1". Please note:

- a) Page 21 (the second page in the attachment) states (yellow highlighting added): *“The entire development would be on Crown land.”* – that is, this Option 1 is the most appropriate to compare to the proponent’s current “Alternative 1A” plan as the proponent’s original Option 1 plan and current Alternative 1A plan are the only two proposed plans which were said could be built solely on Crown land.
- b) The following page notes the proponent claimed they would be:
- *“Creating opportunities for recreation”*, which would not be true as they would be making boating at the Town Docks on the Moon River dangerous.
 - *“Preserving our scenic legacy”* but they would not as the generating station previously on the site had a footprint of only 16’ x 16’ (so allowed the Bala Portage to continue to be used), but the proponent’s proposed building would be 70’ x 100’ of poured concrete, completely filling the site, permanently obstructing the Bala Portage, and insulting the scenic legacy.
 - *“Respecting our cultural heritage”*, they would not, as to facilitate the construction of this proposed monstrosity, the proponent is currently attempting to get permission from the Township to cut down 100 trees on the Township’s adjacent Portage Landing site and fill it 15’ high with blasted rock – even though in 2013 Portage Landing was designated as a heritage site.

The proponent is not keeping any of their commitments, even though this 2005 proposal was to be built solely on Crown land just as is the proponent’s current proposal.

- c) On the following page (labelled 35) they state they would be: *“... installing a low-profile power house built mostly underground (bunker-type). Its roof will be below road level and only some 5 ft above ground level, creating an excellent vantage point for visitors ...”*. Indeed, the following page shows such a proposed station. But the proponent’s own current WSP drawings show this 2005 proposal rendering was completely wrong and misleading.

Mayor Furniss, I have provided written confirmation, using the proponent’s own statements and drawings, to show that all my statements were correct, and not “some vision that exists among certain residents in the Bala area” or “selective misinformation”.

Please respond with any errors or more up-to-date information you may have and I trust that with this additional proof of my statements, that the rest of my previous letter will “carry more weight” with you and help you to understand that by getting most of your information from the proponent may have its shortcomings.

Otherwise, I look forward to your comments on my letter and more importantly, that you take the lead on stopping this project in the best interest of your Township and all its residents.

Respectfully,
Ted Farley

From: Furniss, Don [<mailto:don.furniss@districtcouncil.ca>]

Sent: March 1, 2015 10:54 PM

To: Ted Farley; Allen Edwards; Donelda Kruckel; Furniss, Donald; Gault McTaggart; Jean-Ann Baranik; Linda Barrick-Spearn; Phil Harding; Ruth Nishikawa; Sandy Currie; Terry Ledger

Subject: RE: Important Consideration

Dear Ted,

Have just finished reading your letter for the third time, because I was unsure if you were talking about the current SREL project or perhaps some vision that exists among certain residents in the Bala area.

Let me just give you my understanding on a few of your comments.

1. The 70’ x 100’ concrete building - The total size of the property is only 7000 sq ft. It needs to have intake channels and tail races, so it is highly unlikely to be a building of the dimensions you describe.
2. The conceptual drawings I have seen, (at Council) show a part of the building being 18 ft above the street level not 3 stories and it will be constructed to blend with the slope of the land to reduce visual impact
3. Your comments about SREL being dishonest in describing a low building being build underground, refer to the building that they proposed in Option 2, which the prior council refused to consider, even though it was approved by Council in 2008. This denial of the use of Township land forced SREL back to the least preferred site adjacent to the Falls.

I am not going to comment on the remainder of your letter, other than to say, your request would carry much more weight with me, if it contained current factual information rather than selective misinformation.

Sincerely
Don

From: Ted Farley [<mailto:ted@farleylaw.net>]

Sent: February-27-15 10:27 AM

To: Allen Edwards; Donelda Kruckel; Furniss, Donald; Gault McTaggart; Jean-Ann Baranik; Linda Barrick-Spearn; Phil Harding; Ruth Nishikawa; Sandy Currie; Terry Ledger

Subject: Important Consideration

Please read the attached letter and just think about it without the politics.

Respectfully,
Ted Farley