

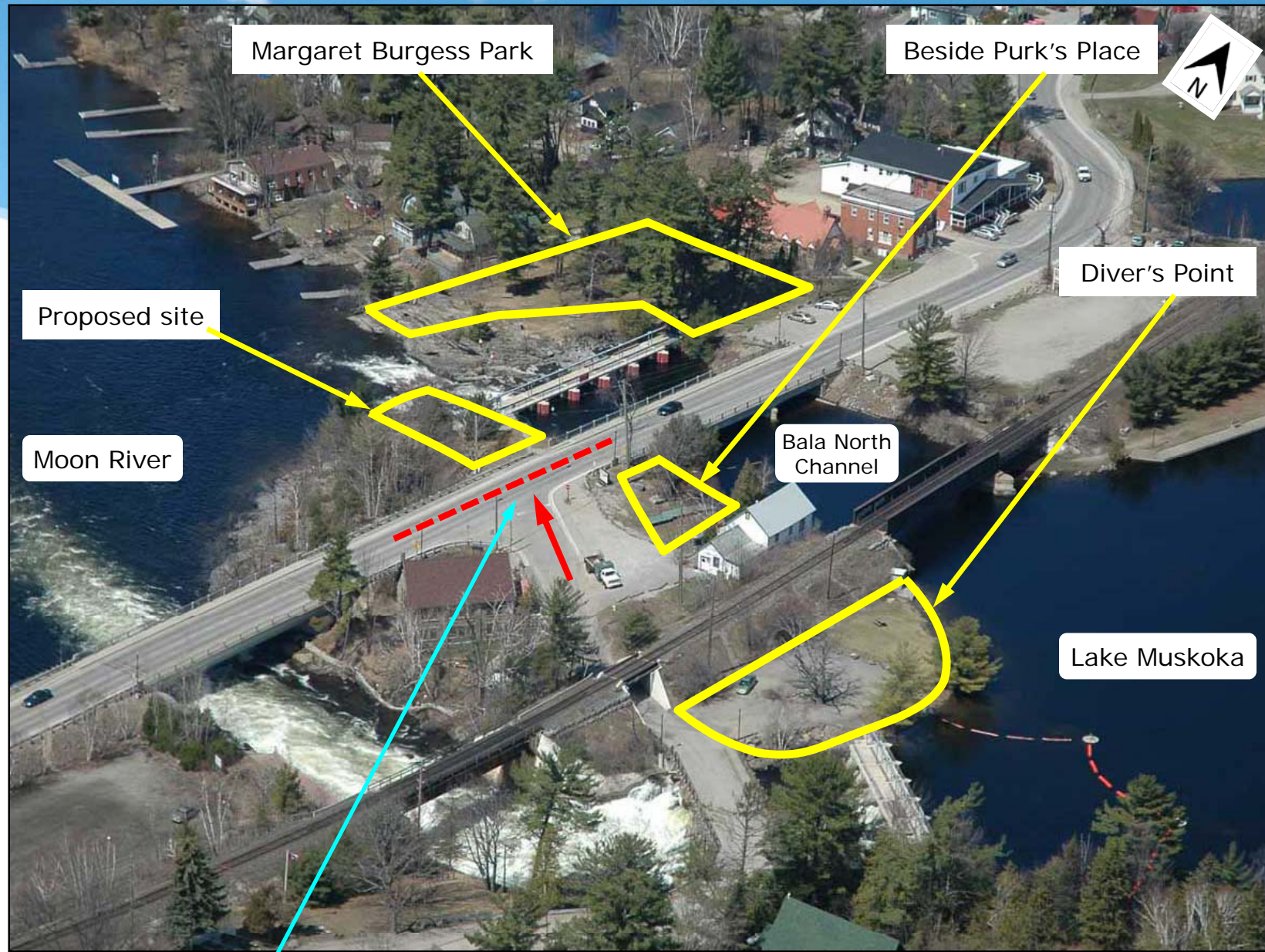


Driveway Entrance and Roadway Occupancy Permit Applications in Bala  
should be  
**Complete and Correct**

# Permit Applications

- We appreciate the Engineering and Public Works Department's consideration and response to the many concerns
  - We understand such applications should be judged on traffic management and the functioning of the road
- However, the District's October 14, 2008 Resolution showed that the proponent should first have all applicable approvals
  - And the Township's 2008 Resolutions have an obligation to ensure the proponent has all environmental approvals and heritage impact assessments
- Also, the proponent has submitted information that has errors, oversights, and omissions

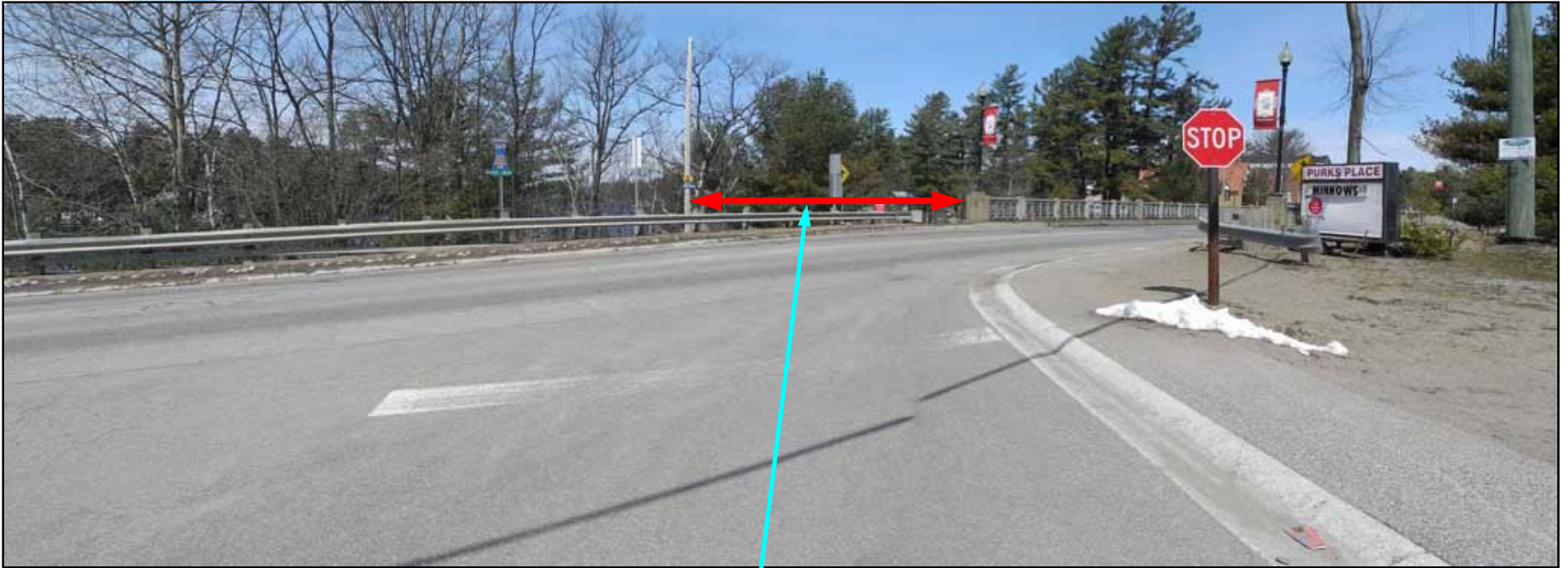




Bala Falls Road meets Muskoka Road 169 in a "T" intersection



# “T” intersection at Bala Falls Road

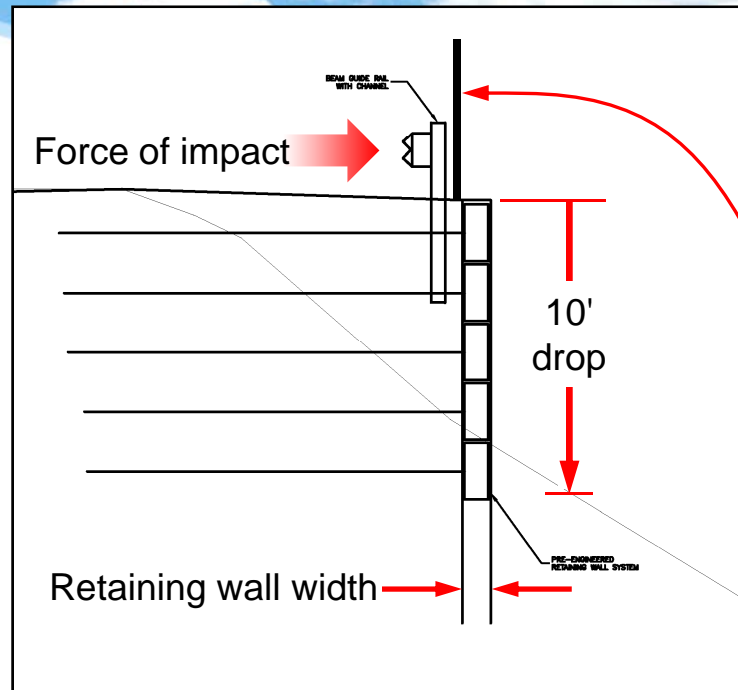


32' of guardrail would be removed in-line with this intersection



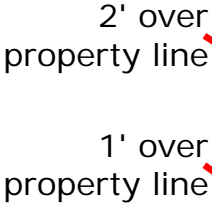


# Shoulder widening requires retaining wall



- Adequately strong guardrail likely requires wider retaining wall
  - Would it fit on District property
- Ontario Building Code requires fence at top

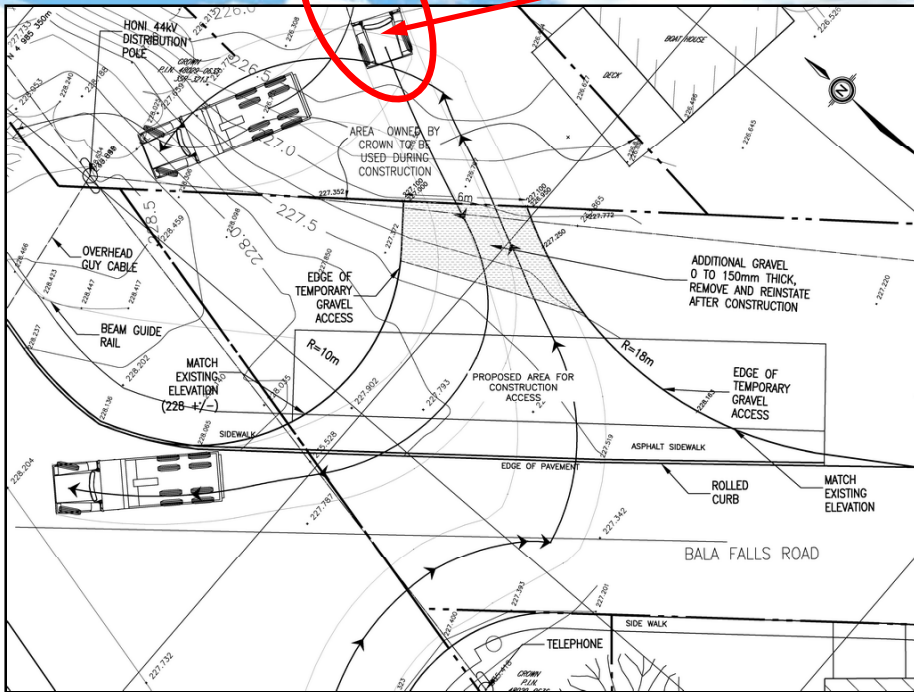
# Infringement on District property



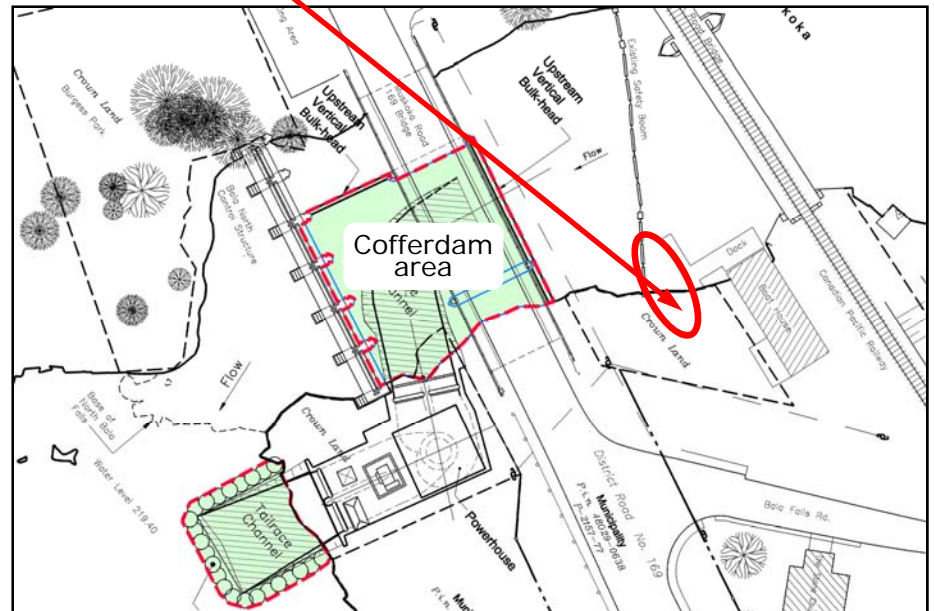
Parts of proposed generating station are shown as  
built on District property

# Cofferdam in Bala North Channel

Truck backing into north channel !?



### Proponent's application drawing NBC-03



Proponent's 2012 Environmental  
Assessment, Figure 5.1

- Blasted rock loaded into dump trucks at Bala north channel
  - Requires a much larger cofferdam area than in either 2009 or 2012 Environmental Assessments and approvals
  - Drawing attempts to hide this inconvenient truth

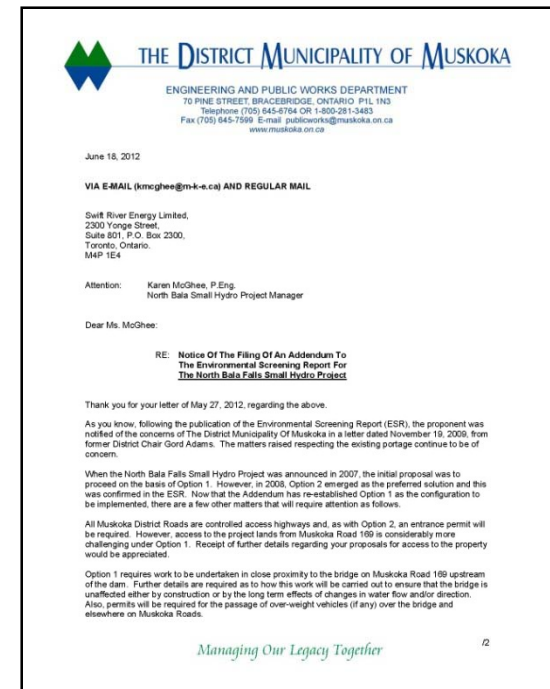


# Letter from District to proponent


23 months ago

- June 18, 2012 letter from District to proponent asks ...

“Option 1 requires work to be undertaken in close proximity to the bridge on Muskoka Road 169 upstream of the dam. Further details are required as to how this work will be carried out to ensure that the bridge is unaffected either by construction or by the long term effects of changes in water flow and/or direction.”



# Township Resolutions

 Agenda Reference 9 a.7.

COUNCIL MEETING  
 DATE: 8 July 2008 RESOLUTION NUMBER: C-29-08/07/08  
 MOVED BY: Councillor Patricia Arney  
 SECONDED BY: Councillor Elizabeth Denvar

BE IT RESOLVED THAT the Council of the Township of Muskoka Lakes, concurs 'in principle', that the Municipality of Muskoka consider the use of the District owned lands, located on the south side of the Bala Falls North Dam, by Swift River Energy, as part of a new hydroelectric generating facility, all subject to further public input and successful completion of the required Environmental Screening.

RECORDED VOTE:	NAYS	YEAS	
COUNCILLOR ARNEY	_____	_____	
COUNCILLOR DAVIDSON	_____	_____	
COUNCILLOR DENVAR	_____	_____	
COUNCILLOR ELLIS	_____	_____	
COUNCILLOR GRADY	_____	_____	
COUNCILLOR HARE	_____	_____	
COUNCILLOR MARTIN	_____	_____	
COUNCILLOR THOMPSON	_____	_____	
COUNCILLOR WALLACE	_____	_____	
MAYOR PRYKE	_____	_____	
TOTALS	_____	_____	

MOTION DEFEATED [ ]  
 MOTION CARRIED [✓]  
 SUSAN PRYKE  
 MAYOR

 Agenda Reference 10b.

COUNCIL MEETING  
 DATE: 21 Oct 2008 RESOLUTION NUMBER: C-14-21/10/08  
 MOVED BY: Mary Grady  
 SECONDED BY: Brian Hare

BE IT RESOLVED THAT: the Council of the Township of Muskoka Lakes recommends to the Ministry of Natural Resources, and Swift River Energy that the environmental screening for the hydro project at the North Bala Falls include:

- 1) the heritage value of the North Bala Falls and any related heritage impact the hydro generation station may have on the falls, and that
- 2) the environmental screening process take into consideration the potential impact that the proposed construction may have on Bala's economy, including its important winter economy by addressing safe snowmobile movement around the construction site, by investigating alternative water crossings of Bala Bay.

RECORDED VOTE:	NAYS	YEAS	
COUNCILLOR ARNEY	_____	_____	
COUNCILLOR DAVIDSON	_____	_____	
COUNCILLOR DENVAR	_____	_____	
COUNCILLOR ELLIS	_____	_____	
COUNCILLOR GRADY	_____	_____	
COUNCILLOR HARE	_____	_____	
COUNCILLOR MARTIN	_____	_____	
COUNCILLOR THOMPSON	_____	_____	
COUNCILLOR WALLACE	_____	_____	
MAYOR PRYKE	_____	_____	
TOTALS	_____	_____	

MOTION DEFEATED [ ]  
 MOTION CARRIED [X]  
 SUSAN PRYKE  
 MAYOR

- Considering use of Municipal land for Option 2
  - July 8, 2008: *"Township ... concurs 'in principle' ... subject to ... successful completion of the required Environmental Screening"*
  - October 21, 2008: *"Township ... recommends ... that the environmental screening ... include ... the heritage value of the North Bala Falls and any related heritage impact the hydro ... station may have on the falls"*



# District Resolution, October 14, 2008

- 4 -

site will be considered by Muskoka District Council, subject to the conditions in section 2 of this resolution.

2) The consideration in section 1 is conditional upon:

(i) the Muskoka District site being identified in the ongoing environmental approval process as a preferred alternative to the presently selected Crown Land site;

(ii) compliance with all applicable approvals by the proponent, and

(iii) on completion of 2 (i) and (ii), an agreement satisfactory to Muskoka.

Members	Yea	Nay
B. Bovin	X	
L. Braid		X
M. Casey	X	
M. Clamont		X
S. Clement	X	
F. Coleman	X	
D. Coates	X	
B. Colhoun	X	
C. Doughty	X	
M. Grady	X	
J. Kinck	X	X
S. Martin	X	
S. Phyle	X	
J. Peake		ABSENT
T. Pilger	X	ABSENT
G. Smith	X	
G. Sutcliffe	X	
B. Thompson	X	
I. Wallace	X	
J. Walden	X	
G. Young	X	
S. Young	X	
	<u>17</u>	<u>3</u>

Carried.

DECLARATION OF PECUNIARY INTERESTS

Councillor B. Thompson declared a pecuniary interest with respect to the recommendations to award tender Nos. 08-315-106, 08-315-312 and 08-400-100-3.

4

- Resolution to consider providing Municipal land for Option 2 ...
  - “... is conditional upon ... compliance with all applicable approvals by the proponent”

# Proponent needs other approvals first

## ■ Proponent still needs

- Plans and Specifications approval from the Ministry of Natural Resources, under the Lakes and Rivers Improvement Act
- Environmental approval for cofferdam in Bala north channel
- Approval from Transport Canada under the Navigation Protection Act for impacts on marine navigation
- Given trucks turning, construction of bridge over Bala north falls, trees removed, all disturbing the soil in Margaret Burgess Park, an Archaeological and Heritage Impact Assessment is required



# Applications are incomplete

- This is an unusual situation
  - Green Energy Act does not permit most planning processes
  - Proponent has **not been forthcoming** with requested information
  - Little recourse if major problems are later encountered (proponent has **no** assets, **no** operations, **no** employees, and **no** income)
  - This application is **one of the few opportunities** District has to ensure proposed project is well-planned
- 2008 Resolutions require proponent have all approvals
- District should require same quality of work as other important approvals – such as for building permits
  - Submitted information must be **complete and correct**

# Errors, oversights, and omissions

- Guardrail opening dangerous
- Required retaining wall may not fit
- Retaining wall needs a fence
- Infringement on District property
- North channel Environmental Assessment approval
- Report to District on work at bridge

A complete and correct application is required so public can know in advance what the impact of this very disruptive proposal would be



# Review of applications should be deferred

- Until proponent has all other required approvals
  - As required by District's and Township's 2008 Resolutions
- Until proponent submits complete and correct information
  - Proponent has had ample time to get this right
  - There's no reason to accept such incomplete work
  - Public deserves to know this private developer's plans for this public property