

**SUBMISSIONS TO CKL COUNCIL FOR BLACK BEAR ESTATES INC. (JAMES WEBSTER) FROM
DAVID JOHNSTON FOR COUNCIL MEETING FEBRUARY 18, 2025**

1. In the interests of fairness and transparency and Mr. Webster's concerns about what appears on the face of it to be prejudicial and unequal treatment (particularly removal in 2017 of his Secondary Plan designation which remains unexplained), Mr. Webster will be forwarding his own submissions for your consideration.
2. Both Mr. Webster and I are well aware of the volume of materials that you are asked to review and consider, however, neither Mr. Webster nor I in our approximately 50 years (each) of municipal involvement have seen what, in this case, appears to be unfair and prejudicial treatment.
3. We therefore seek the requested detailed answers and explanations.
4. Hopefully those answers and explanations will alleviate our concerns and enable us to proceed with peaceful minds and a spirit of cooperation."
5. Unfortunately, I will not be able to attend the February 18 Council meeting but wish Council to consider the following:
6. When Mr. Baksh made his presentation at the February Committee of the Whole meeting, he emphasized that Fenelon Trails had a formal application pending. At the same time, a few moments earlier in speaking to the selected properties in Bobcaygeon, he referred to a property that was south of the channel as an area that "maybe 20 years ago had draft plan approval for a plan of subdivision". He also added that the draft approval may have lapsed but was worthy of inclusion in the report. The report also indicated, in speaking to Bobcaygeon, that there was a need to ensure competition in the marketplace.
7. It would seem that Mr. Baksh used different criteria in evaluating the lands in the Fenelon Falls area. Black Bear has had an OPA and Plan of Subdivision application pending since 2006 and 2007. If a 20-year-old, possibly lapsed plan subdivision application can be justified for inclusion in the study, then how can a property that was included in a County adopted Secondary Plan and which has an open Plan of Subdivision and Official Plan Amendment applications be totally ignored? There is a gross difference in the criteria used in evaluating sites between Fenelon Falls and Bobcaygeon.
8. Given the procedures followed at Committee meetings, we had no opportunity to bring this inconsistency to the Committee's attention. Mr. Webster stood at the podium and tried to get the Mayor's attention but was not allowed to speak given the City's rules of procedure.
9. In mid 2024, we met with senior staff to discuss the status of the Black Bear's applications and were advised not to ask for a Pre-Consultation session on a revised subdivision application and Official Plan Amendment until after the GMS had been adopted by Council.

10. While we appreciate the language used in the GMS document, and the explanations offered by both Director Barrie and Mr. Baksh, we remain unconvinced that the wording of the report does not give Fenelon Trails first option on all of the 38 hectares that can be allocated. Should there be any disagreement in the allocation of areas, you can be sure that Fenelon Trails will cite the GMS as reasons to give them the allocation they have requested.
11. I should also note that if all of the Consultant's recommendations are incorporated into the Official Plan, there will be an additional 13.8 hectares added to the amount of land to be allocated to meet the 2051 requirements for Fenelon Falls. (Please refer to the top of page 128 of the report.)
12. In speaking to delineating the new boundary, the report suggests that the City should sit down with the applicant and sort things out. While some may say the City has not allocated any of the 38 hectares, it is clear from the content of the report that Fenelon Trails will have the first opportunity to have the allocation given to their property.
13. It is for the above noted reasons and Mr. Webster's submission that we urge Council to send the report back to the Consultants so that the intent of the originally adopted 2015 Fenelon Falls Secondary Plan as it applies to the Black Bear property can be reflected in the GMS when it is formally adopted.