

May 4, 2022

District Municipality of Muskoka  
Community & Planning Services Committee  
70 Pine Street  
Bracebridge, ON  
P1L 1N3

Dear Chair Alcock,

**Re: Timing of Purchase of the Minett Property**

The Muskoka Lakes Association (MLA) and Friends of Muskoka (FOM) would like to clarify a statement that was included in the presentation by Mr. Nick McDonald of Meridian Planning Consultants (Meridian) to the Community and Planning Services Committee on April 28th regarding the Minett Official Plan Amendment 49. One of the presentation slides stated:

“In response to the sale of the Resort Village and a re-zoning application made by the new owners - Township passed Interim Control By-law (ICBL) 2018-66 on May 18, 2018”

At the time the ICBL was passed on May 18, 2018, the Minett property was owned by Ken Fowler Enterprises (KFE). On January 10, 2019, KFE sold the property to 2666940 Ontario Inc, a corporate entity used by Mr. Goldhar’s company for the purchase.

FOM received a legal opinion from Borden Ladner Gervais (BLG) dated May 5, 2021 (attached), confirming that Mr. Goldhar’s company purchased the property on January 10, 2019, over seven months after the ICBL was adopted:

“2. ICBL was in Effect when Owner Purchased: The Owner [2666940 Ontario Inc.] acquired the lands on January 10, 2019, which is during the period that Interim Control By-law 2018-66 was in effect for lands in Minett.”

As a result, **it is not correct for Meridian’s presentation to state that the ICBL was passed “in response to the sale of the Resort Village and a re-zoning application made by the new owners.”**

It may be of interest to you that Freed Developments (Freed) never purchased the Minett property. Freed had an agreement with KFE to purchase the property and issued an investor package dated July 2018 (attached) to raise funds to finance the purchase and cover rezoning and development costs (as described under the Executive Summary). However, Freed never purchased the property, since Mr. Goldhar’s entity purchased the property instead.

BLG also confirmed that the new Minett policies would be considered, even if they had not yet been adopted, if a challenge was made to LPAT (see page 2 of the attached letter). **This confirms that there is no 'as of right entitlement' to build 4,000 units in Minett**, as some have suggested.

We hope this information is helpful, and would be happy to discuss it with you.

Sincerely,



Deborah Martin-Downs  
President, Muskoka Lakes Association



Laurie Thomson  
President, Friends of Muskoka

cc: Nick McDonald, Meridian Planning Consultants

Samantha Hastings, Commissioner of Community and Planning Services, District of Muskoka

David Pink, Director of Development Services and Environmental Sustainability, Township of Muskoka Lakes

Phil Harding, District Councillor and Township of Muskoka Lakes Mayor

Frank Jaglowitz, District Councillor

Ruth Nishikawa, District Councillor

Alan Edwards, District Councillor

Barb Bridgeman, Township of Muskoka Lakes Councillor

Amy Back, Clerk, District of Muskoka

Lauren Tarasuk, Director of Legislative Services, Clerk, Township of Muskoka Lakes