

Ministry of the  
Attorney General

Ministère du  
Procureur général

Legal Services Branch  
Ministry of  
Municipal Affairs and Housing

Direction des services juridiques  
Ministère des Affaires  
municipales et du Logement

16th Floor, 777 Bay Street  
Toronto, Ontario M5G 2E5

16<sup>e</sup> étage, 777, rue Bay  
Toronto, Ontario M5G 2E5

Tel: (416) 585-6514  
Fax: (416) 585-4003  
Writer's Direct Line: (416) 585-6543

Tél: (416) 585-6514  
Télé: (416) 585-4003  
Ligne directe du rédacteur: (416) 585-6543



October 28, 2011

Brenda Clark, Clerk  
County of Simcoe  
Administration Centre  
1110 Highway 26  
Midhurst, ON, L0L 1X0

Sent via Fax: 1-705-726-3991

Dear Ms. Clark:

**Re: Appeal to the Ontario Municipal Board  
County of Simcoe approval of Official Plan Amendment No. 38  
for the Township of Springwater**

Pursuant to subsection 17(36) of the *Planning Act*, the Minister of Municipal Affairs and Housing (MAH) hereby appeals the decision of the Council of the County of Simcoe (County) made on October 12, 2011 to modify and approve Official Plan Amendment 38 (OPA 38) for the Township of Springwater, also known as the Midhurst Secondary Plan.

The purpose of OPA 38 is to provide a land use plan and policies for the regulation of land use and development in the Midhurst Secondary Plan Area. OPA 38 redesignates agricultural and rural land to residential uses and from open space and natural heritage to employment and administration/government uses including the provision of 10,000 dwelling units on a phased basis within the Midhurst Secondary Plan area.

The reasons for this appeal are that County Council's decision: is not consistent with the policies of the Provincial Policy Statement, 2005 (PPS); does not conform to the policies of the Growth Plan for the Greater Golden Horseshoe (Growth Plan); does not conform to the County of Simcoe Official Plan, and is premature.

Without limiting such other reasons for this appeal, the reasons in support of this appeal are as follows:

- 1) The decision to modify and approve OPA 38 does not conform to the policies of the Growth Plan, including policies relating to: meeting population forecasts; directing a significant portion of new growth to built up areas; directing major growth to settlement areas that offer municipal water and wastewater systems; meeting intensification requirements, and meeting designated greenfield area density targets.

October 28, 2011  
Ms. Brenda Clark  
County of Simcoe

Page 2 of 2

- 2) The decision to modify and approve OPA 38 is premature until such time as the County of Simcoe Growth Plan conformity exercise, which allocates population and employment for the Township of Springwater, has been approved by the Ontario Municipal Board.
- 3) The decision to modify and approve OPA 38 is not consistent with PPS policies relating to municipal coordination, the management of growth, and the provision of infrastructure and public service facilities.
- 4) The decision to modify and approve OPA 38 does not conform to the County of Simcoe Official Plan as OPA 38 provides for a population that is beyond that which is permitted in the County of Simcoe Official Plan.

While the principal reasons for this appeal are set out above, nothing contained in this notice of appeal shall be deemed to restrict subsequent or more detailed objections.

Attached is a Credit Memo for \$125.00, which confirms payment from the Ministry of Municipal Affairs and Housing to the Ontario Municipal Board. This represents the appeal fee as prescribed under the *Ontario Municipal Board Act*.

Questions regarding this matter should be directed to Tim Haldenby, Team Lead, Municipal Services Office, Central Ontario, at (416) 585-6559.

Yours truly,



Irvin M. Shachter  
Senior Counsel

Encl:

cc: Bryan MacKell, Director of Planning and Development, County of Simcoe  
Tim Haldenby, Ministry of Municipal Affairs and Housing

CREDIT MEMO - DUPLICATE COPY

MEMORANDUM TO: Ali Arlani  
Chief Executive Officer  
Ontario Municipal Board

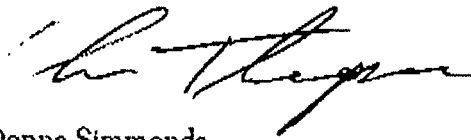
Re: NOTICE OF APPEAL  
County of Simcoe approval of Official Plan Amendment No.  
38 for the Township of Springwater  
Credit Memo No.: 11-012

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Please accept this Credit Memo as payment of the fee prescribed under the Ontario Municipal Board Act in the amount of \$125.00.

This Memo authorizes payment from the responsibility centre for the Municipal Programs and Education Branch. By copy of this Credit Memo the General Accounting Unit (Ontario Shared Services) is directed to transfer the above noted amount to the responsibility centre of the Ontario Municipal Board.

If you have any questions, please contact Scott Morrison, Senior OMB and Information Co-ordinator at (416) 585-6059.



*acting for:* Donna Simmonds  
Director

Municipal Programs and Education Branch  
cc. General Accounting Unit, Ontario Shared Services  
Doris Li, Environment and Land Tribunals Ontario