

Ministry of the  
Attorney General  
  
Legal Services Branch  
Ministry of  
Municipal Affairs and Housing

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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.

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- 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