Present:
Mayor Linda Collins, Chair
Deputy Mayor Dan McLean
Councillor Dan Clement
Councillor Perry Ritchie
Councillor Rick Webster
Councillor Sandy McConkey
Councillor Jack Hanna

Also Present:
Robert Brindley, CAO
John Daly, Director of Corporate Services & Clerk
Tony Van Dam, Director of Fire & Emergency Services
Brad Sokach, Director of Planning & Public Works
Ron Belcourt, Director of Recreation, Parks & Properties

Also present:
Barnet Kuzner, Weir Foulds, Legal Counsel

Regrets: None noted.

1. CALL TO ORDER

RESOLUTION C 287 2013
Moved by: Ritchie
Seconded by: McConkey

THAT the meeting of the Council of the Township of Springwater of September 17, 2013 come to order at 5:34 p.m.

CARRIED

2. DISCLOSURE OF PECUNIARY INTEREST

None noted.

A procedural matter was dealt with.

Addition of Question Period to the September 17, 2013 Special Meeting of Council
Moved by: Hanna  
Seconded by: McLean  
That the rules of procedure be waived to permit for a Question Period.  

CARRIED  

3. STAFF PRESENTATION  

3.1. A presentation by WeirFoulds LLP, Township Solicitor providing an overview of issues for Council's consideration in the context of Midhurst Secondary Plan (MSP) questions raised by residents at the Public Information Meeting that took place on May 14, 2013.  

Bill French, 3612 Grenfel Road appeared before Council to ask a question regarding existing allocated development lands to meet targets of 6,800. The CAO answered the question by advising that reference should be made to Schedule 7 and that it does not include subdivision plans that are already in place. The delegation asked a second question regarding the Special Rule Regulation and how it came to fruition. The Deputy Mayor answered the question by advising that a meeting with the Provincial arbitrator was held; concerns about the allocation was expressed; there was a concern at the high end of the 30,000.  

David Strachan, 47 Finlay Mill Road appeared before Council and reflected on the population numbers cited in Schedule 7, being 24,000.  

Elizabeth Brashausen, Chimniissing First Nation appeared before Council reflecting on water quality and asked what are people going to do when they don't have water to drink.  

Kevin Newman, Midhurst, appeared before Council to ask a question about the number of people who would move to Midhurst and risks. Mayor Collins advised that the developer is not going to take a risk of not selling within a development. The delegation further reflected on the governance model and the role of the OMB in making land use decisions. Mayor Collins suggested that there should be some assurance that the last five councils have followed the rules.  

Gerald Duerr, 34 Finlay Mill Road appeared before Council and reflected on Point 78 and the damages resulting from not canceling the plan.
Dave Prophet, 11 Willow Landing Road appeared before Council reflecting on the cost of hooking up to sanitary sewers, and asked a question regarding the number of signatures were on a petition asking for higher taxes, sidewalks, sewers, and polluted water? Mayor Collins answered the question by advising that a petition of that nature was not received.

Sandy Buxton, 3 Silverwood Crescent appeared before Council reflecting on site 41 and asked a question regarding the role of the OMB in changing course with regard to development. Mayor Collins directed the question to the Township Solicitor. The Solicitor advised that the MSP planning framework has already been adopted and approved, 300 hectares may proceed to development; beyond the first 300 hectares Council cannot make any decisions as the matter is before the OMB. Development may proceed within the 300 hectares provided the criteria is met under the Planning Act and under the environmental requirements including the Master Environmental Servicing Plan and the environmental assessment process.

Anne Ritchie-Nahuis, Simcoe County, Federation of Agriculture appeared before Council and reflected on Site 41 and asked a question regarding consultation of First Nations. Mayor Collins asked the Manager of Planning to comment on the question. Staff spoke to the question suggesting that to the best of his knowledge, prescribed consultations were held.

RESOLUTION C 288 2013
Moved by: Clement
Seconded by: McLean

WHEREAS the Provincial Regulations governing the application of the Growth Plan were unilaterally amended by the Province in 2012 by incorporating a “Special Rule” which effectively permits development applications for up to 300 hectares of land within the Midhurst Secondary Plan to proceed forward, provided that the list of criteria stipulated in the Special Rule are met; and

WHEREAS subsequent to the partial withdrawal of the Ministry of Municipal Affairs and Housing’s appeal of the Midhurst Secondary Plan, the Growth Plan Regulations were further amended in 2013 by (a) expressly recognizing the “Midhurst Settlement Area” as set out in the Midhurst Secondary Plan which partially came into effect on November 28, 2012, and (b) prescribing a specific protocol for considering development applications within the Midhurst Settlement Area; and

WHEREAS any decision to consider rescinding the Midhurst Secondary Plan would involve a proposed Official Plan amendment which would have to follow the process set out under the Planning Act and the Township’s Official Plan,
including the notice, public consultation, and public meeting requirements, together with the required planning and other consulting reports setting out the planning rationale to support the proposed change in policy direction prior to making any such decision; and

WHEREAS the Township’s professional staff are not in a position to provide independent opinions to support a planning rationale for such a change in policy direction, and therefore the Township is unable to satisfy the requirements envisioned by the planning process for an Official Plan amendment of this nature and magnitude; and

WHEREAS Council received advice from the Township’s solicitor regarding the potential legal implications for the Township resulting from initiating actions to rescind the Midhurst Secondary Plan, including potential claims for damages against the Township and members of Council exceeding $100,000,000 (100 million) and a summary of the legal opinion regarding the MSP is to be summarized and made public; and

WHEREAS Council recognizes that Township staff time and resources are finite and limited and that priority must be given to implementing the adopted and approved policies of the Township, the County and the Province, in what Council considers to be in the best interests of the Township as a whole; and

NOW THEREFORE BE IT RESOLVED THAT this Council shall not further reconsider any previous decision relating to the approval of Midhurst Secondary Plan.

Councillor Hanna requested that a recorded vote be taken.

<table>
<thead>
<tr>
<th>Councillor</th>
<th>Vote</th>
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<tbody>
<tr>
<td>Councillor Hanna</td>
<td>No</td>
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<tr>
<td>Councillor McConkey</td>
<td>Yes</td>
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<tr>
<td>Councillor Webster</td>
<td>Yes</td>
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<tr>
<td>Councillor Ritchie</td>
<td>No</td>
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<tr>
<td>Councillor Clement</td>
<td>Yes</td>
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<tr>
<td>Deputy Mayor McLean</td>
<td>Yes</td>
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<tr>
<td>Mayor Collins</td>
<td>Yes</td>
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<td><strong>Total</strong></td>
<td><strong>5</strong></td>
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CARRIED

4. **BY-LAWS**
   4.1. By-law 2013 Confirmatory

**RESOLUTION C 289 2013**
Moved by: Clement
Seconded by: Ritchie

THAT By-law 2013 to confirm and adopt the proceedings of Council at the Regular meeting held on September 17, 2013 be introduced, numbered and read a First, Second and Third time and finally passed, signed and sealed by the Mayor and Clerk.

CARRIED

5. ADJOURNMENT

RESOLUTION C 290 2013
Moved by: McLean

THAT the Special Council meeting of the Township of Springwater does now adjourn at 7:23 p.m. to meet again in Regular Session on October 21, 2013 at 5:30 p.m. in the Council Chamber, Administration Centre, Minesing.

CARRIED

__________________________________________  _______________________________________
Linda Collins, Mayor                           John Daly, Clerk