SPECIAL COUNCIL MEETING

DATE: May 2, 2014

RESOLUTION NUMBER: SC-02/05/14

MOVED BY:

SECONDED BY:

Whereas Swift River Energy Limited applied to the District of Muskoka for a temporary access on the west side of Muskoka Road 169, north of the north dam (at Margaret Burgess Park) for the purposes of the North Bala Falls Small Hydro Project;

AND Whereas the proposed project falls under the Green Energy Act and is therefore not subject to the site plan control process for either the Township of Muskoka Lakes or the District of Muskoka;

AND Whereas this matter was not subject to the usual consultation process between the Township of Muskoka Lakes and the District of Muskoka that would normally occur with site plan control;

AND Whereas the subject application is abnormally complex and includes such features as a proposed road widening and a possible conflict with a pedestrian crossover;

AND Whereas the District of Muskoka agreed to a request by the Township of Muskoka Lakes to comment on the subject applications;

AND Whereas the Township of Muskoka Lakes retained CC Tatham and Associates Ltd. to assist in the review of the application;

AND Whereas CC Tatham and Associates Ltd. provided a report dated April 29, 2014 that resulted in a requirement of more information;

And Whereas the Township of Muskoka Lakes has brought forward a Notice of Appeal to the Court of Appeal with respect to the subject Crown Lands

NOW Therefore Be It Resolved that the Township of Muskoka Lakes request the additional information identified in the CC Tatham and Associates Ltd. report dated April 29, 2014 and input provided by Township Council on May 2, 2014, to be summarized and forwarded by the Township to the District,

And Further, that any consideration of approvals be deferred until the Judicial Review Appeal has been considered by the Superior Court of Ontario, and confirmation has been received of all required approvals from Transport Canada.

RECORDED VOTE:

COUNCILLOR BARANIK
COUNCILLOR BRENT
COUNCILLOR BURGESS
COUNCILLOR EDWARDS (Deputy Mayor)
COUNCILLOR FURNISS
COUNCILLOR HARDING
COUNCILLOR KRUCKEL
COUNCILLOR MCTAGGART
COUNCILLOR NISHIKAWA (Acting Deputy)
MAYOR MURPHY

NAYS
YEAS

MOTION DEFEATED
MOTION CARRIED

TOTALS

Councillor Brent requested a recorded vote.
SPECIAL COUNCIL MEETING

DATE: May 2, 2014

MOVED BY: [Signature]

SECOND BY: [Signature]

Whereas Swift River Energy Limited applied to the District of Muskoka for a permanent access on the west side of Muskoka Road 169, south of the north dam for the purposes of the North Baia Falls Small Hydro Project;

AND Whereas the proposed project falls under the Green Energy Act and is therefore not subject to the site plan control process for either the Township of Muskoka Lakes or the District of Muskoka;

AND Whereas this matter was not subject to the usual consultation process between the Township of Muskoka Lakes and the District of Muskoka that would normally occur with site plan control;

AND Whereas the subject application is abnormally complex and includes such features as a proposed road widening and a possible conflict with a pedestrian crossover;

AND Whereas the District of Muskoka agreed to a request by the Township of Muskoka Lakes to comment on the subject applications;

AND Whereas the Township of Muskoka Lakes retained CC Tatham and Associates Ltd. to assist in the review of the application;

AND Whereas CC Tatham and Associates Ltd. provided a report dated April 29, 2014 that resulted in a requirement of more information;

And Whereas the Township of Muskoka Lakes has brought forward a Notice of Appeal to the Court of Appeal with respect to the subject Crown Lands

NOW Therefore Be It Resolved that the Township of Muskoka Lakes request the additional information identified in the CC Tatham and Associates Ltd. report dated April 29, 2014 and input provided by Township Council on May 2, 2014, to be summarized and forwarded by the Township to the District,

And Further, that any consideration of approvals be deferred until the Judicial Review Appeal has been considered by the Superior Court of Ontario and confirmation has been received of all required approvals from Transport Canada.

RECORDED VOTE:

<table>
<thead>
<tr>
<th>COUNCILLOR BARANIK</th>
<th>NAYS</th>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>COUNCILLOR BRENT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILLOR BURGESS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disclosure</td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILLOR EDWARDS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Deputy Mayor)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILLOR FURNISS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILLOR HARDING</td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILLOR KRUCKEL</td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILLOR McTAGGART</td>
<td></td>
<td></td>
</tr>
<tr>
<td>COUNCILLOR NISHIKAWA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Acting Deputy)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAYOR MURPHY</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TOTALS

NAYS: 3
YEAS: 6

MOTION DEFEATED
MOTION CARRIED

[Councilor Furniss requested a recorded vote.]

[Mayor's signature]

[Date]
SPECIAL COUNCIL MEETING

DATE: May 2, 2014

RESOLUTION NUMBER: SC-4 02/05/14

MOVED BY: [Signature]

SECONDED BY: [Signature]

Whereas Swift River Energy Limited applied to the Township of Muskoka Lakes for a temporary access on the north side of Bala Falls Road, immediately east of Muskoka Road 169 for the purposes of the North Bala Falls Small Hydro Project;

AND Whereas access to the property exists without the need to construct an actual entrance, and therefore an entrance permit is not required under Township of Muskoka Lakes Bylaw 98-34 which regulates access and openings on highways;

AND Whereas the subject application is abnormally complex and required that CC Tatham and Associates Ltd. assist in the review of the application;

AND Whereas CC Tatham and Associates Ltd. provided a report dated April 29, 2014 that resulted in a requirement of more information;

And Whereas the Township of Muskoka Lakes has brought forward a Notice of Appeal to the Court of Appeal with respect to the subject Crown Lands

NOW Therefore Be It Resolved that the Township of Muskoka Lakes request the additional information identified in the CC Tatham and Associates Ltd. report dated April 29, 2014 and input provided by Township Council on May 2, 2014, to be summarized and forwarded by the Township to the District,

And Further, that any consideration of approvals be deferred until the Judicial Review Appeal has been considered by the Superior Court of Ontario, and confirmation has been received of all required approvals from Transport Canada.

RECORDED VOTE: [Signature] NAYS YEAS

COUNCILLOR BARANIK
COUNCILLOR BRENT
COUNCILLOR BURGESS
COUNCILLOR EDWARDS (Deputy Mayor)
COUNCILLOR FURNISS
COUNCILLOR HARDING
COUNCILLOR KRUCKEL
COUNCILLOR McTAGGART
COUNCILLOR NISHIKAWA (Acting Deputy)
MAYOR MURPHY

3 6

MOTION DEFEATED
MOTION CARRIED

[Signature]
SPECIAL COUNCIL MEETING

DATE: May 2, 2014
RESOLUTION NUMBER: SC-5 02/05/14

MOVED BY: [Signature]
SECONDED BY: [Signature]

Whereas Swift River Energy Limited applied to the Township of Muskoka Lakes for a temporary access on the north side of Bala Falls Road, between the CPR over pass and the Bala Falls Road Bridge for the purposes of the North Bala Falls Small Hydro Project;

AND Whereas access to the property exists without the need to construct an actual entrance, and therefore an entrance permit is not required under Township of Muskoka Lakes By-law 98-34 which regulates culverts and expansions on highways;

AND Whereas the subject application is abnormally complex and required that CC Tatham and Associates Ltd. assist in the review of the application;

AND Whereas CC Tatham and Associates Ltd. provided a report dated April 29, 2014 that resulted in a requirement of more information;

AND Whereas the Township of Muskoka Lakes has brought forward a Notice of Appeal to the Court of Appeal with respect to the subject Crown Lands;

NOW Therefore Be It Resolved that the Township of Muskoka Lakes request the additional information identified in the CC Tatham and Associates Ltd. report dated April 29, 2014 and input provided by Township Council on May 2, 2014, to be summarized and forwarded by the Township to the District,

And Further, that any consideration of approvals be deferred until the Judicial Review Appeal has been considered by the Superior Court of Ontario, and confirmation has been received of all required approvals from Transport Canada.

RECORDED VOTE:

COUNCILLOR BARANIK
COUNCILLOR BRENT
COUNCILLOR BURGESS
COUNCILLOR EDWARDS (Deputy Mayor)
COUNCILLOR FURNISS
COUNCILLOR HARDING
COUNCILLOR KRUCKEL
COUNCILLOR McTAGGART
COUNCILLOR NISHIKAWA (Acting Deputy)
MAYOR MURPHY

NAYS YEAS

3 7

MOTION CARRIED

MAYOR [Signature]

Councillor Harding requested a recorded vote.