



**THE CORPORATION OF THE  
TOWN OF MIDLAND**

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**PLANNING AND DEVELOPMENT COMMITTEE OF COUNCIL  
REPORT 2016-5**

**Report of the Planning and Development Committee of Council Meeting held  
Wednesday, May 4, 2016, at 7:00 p.m. in the Municipal Office Council Chambers.**

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**Present:** Chair Councillor G. Canning  
Vice Chair Councillor G. MacDonald  
Mayor G. McKay  
Councillor J. Main  
Councillor J. Contin  
Councillor P. File  
Councillor S. Strathearn

**Also Present:** Director of Planning and Building Services, W. Crown  
Senior Planner, J. Lewis  
Interim CAO, G. Wood  
Executive Assistant, S. Edgar

**Regrets:** Deputy Mayor M. Ross  
Councillor C. Oschefski

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**1. CALL TO ORDER**

The Chair called the meeting to Order at 7:00 p.m.

The Chair read the introductory remarks respecting safety matters and respectful communication policies.

**2. DECLARATIONS OF PECUNIARY INTEREST**

The Chair asked if there were any declarations of pecuniary interest.

- i) Councillor Contin declared a pecuniary interest with respect to item 4.D) Zoning By-law Amendment Application ZBA-07-15, Tiffin Harbour Development Corporation, 711 Aberdeen Boulevard, as he is the owner of a unit at 699 Aberdeen Boulevard.

**3. PUBLIC MEETING**

The Chair, on a Motion Moved by Mayor McKay and Seconded by Councillor Main, adjourned the regular Planning and Development Committee Meeting to Open a Public Meeting pursuant to the *Planning Act* and pursuant to the Town of Midland By-law 2011-3 to consider proposed Amendments to the Town's Official Plan and Zoning By-law. Vice Chair Councillor George MacDonald assumed the role of Chair for the Public Meeting portion.

The Chair explained the purpose of the Public Meeting and outlined the procedures that would be followed. The Chair also advised that in accordance with the *Planning Act*, if a person does not make an oral submission at the Public Meeting in respect of the planning applications or make written submissions before the By-law is passed or an approval given, they may not be entitled to appeal the decision to the Ontario Municipal Board, and they may not be added as a party to a hearing on an appeal to the OMB unless, in the opinion of the Board, there are reasonable grounds to do so.

**A) Zoning By-law Amendment ZBA-06-15  
Home Occupation and Home Industry**

The Chair requested confirmation of notification of the Public Meeting including any correspondence received to which the Director of Planning and Building Services confirmed that the Notice of Public Meeting for the proposed Zoning By-law Amendment was mailed out on Thursday, April 14, 2016 to the required agencies. Notice of the Public Meeting was e-mailed to ratepayers who had provided their e-mail address to the Town as part of the larger consultation process the Town undertook. The Notice was posted on the Town's website and on the Town's Notice Monitor at the Municipal Office. The Notice was also advertised in the Midland Mirror on Thursday, April 14, 2016. The Notice was also posted on the Town's Facebook page and Twitter accounts. Notice requirements of the *Planning Act* have been satisfied.

At the request of the Chair, the Senior Planner provided a brief overview of the proposed Zoning By-law Amendment.

The Chair then asked for comments from the Public and the following people spoke to Committee:

Lois Lipton, 303 Champlain Road - Penetanguishene  
Kevin Cowie – Par Four Drive

The Chair thanked everyone for their attendance and participation and advised that the Committee will consider the Amendment and the results of the public consultation later tonight in the Regular Meeting portion of the Planning and Development Committee.

Being that there were no more questions, on a Motion Moved by Mayor McKay and Seconded by Councillor Strathearn the Chair declared the Public Meeting portion of the meeting closed and that the Amendments and results of the Public Meeting be directed to the regular Planning and Development Committee of Council for consideration and recommendation to Council.

**4. ITEMS FOR REVIEW/DISCUSSION**

**A) Zoning By-law Amendment ZBA-06-15  
Home Occupation and Home Industry**

The Committee had before it for consideration the results of the Public Meeting and Staff Report PL-2016-19 dated April 22, 2016 regarding a Zoning By-law Amendment with respect to Home Occupations and Home Industries.

Following the review of the Report, the Committee recommended:

That the Planning and Development Committee refer the results of the Statutory Public Meeting held on May 4, 2016, with respect to amending the regulations for Home Occupation and Home Industry (File No. ZBA-06-15) to Staff for a further Report on the proposed amendment and the results of the Public Meeting and that Staff be directed to revise the proposed Zoning By-law Amendment to remove the requirement for one (1) additional parking space for each non-resident employee who works on-site and review the provisions respecting direct sales companies.

**B) Official Plan Amendment OPA-03-15  
Zoning By-law Amendment ZBA-05-15  
Implementation of Bill 140 (Second Units)**

The Committee had before it for consideration Staff Report PL-2016-21 dated April 22, 2016 with respect to the Implementation of Bill 140 (Second Units) within residential properties in the Town of Midland.

The following correspondence was provided “on-desk” to Committee:

May 2, 2016 – E-mail from George Dixon

With the concurrence of the Committee, Chair Canning provided Mr. Juris Jankevics of Tiffin Homeowners Association, an opportunity to speak to the item.

Following the review of the Report, the Committee recommended:

**That Official Plan Amendment OPA-03-15 and Zoning By-law Amendment ZBA-05-15 respecting Second Units be approved, in accordance with Staff Report PL-2016-21 dated April 22, 2016.**

**That Staff be directed to finalize the required implementing By-law for the Amendment to the Town of Midland Official Plan and Amendment to the Town’s Zoning By-law 2004-90, as amended, in accordance with Staff Report PL-2016-21, dated April 22, 2016, for adoption and passing by Council.**

**Pursuant to Section 34(17) of the *Planning Act*, Council determines that no further Notice of the proposed By-law is required as the changes to the proposed By-law are minor in nature.**

**C) Second Driveway Request – 825 Birchwood Drive**

The Committee had before it for consideration Staff Report PL-2016-24 dated April 22, 2016 regarding an appeal of a refusal of an entrance permit for a second driveway at 825

Birchwood Drive.

With the concurrence of the Committee, Chair Canning provided Ms. Sandra Blake, agent on behalf of Andrew Brennan, owner of 825 Birchwood Drive, an opportunity to speak to the item.

Following the review of the Report, the Committee recommended:

**That as recommended in Staff Report PL-2016-24 dated April 22, 2016, the application for a second driveway at 825 Birchwood Drive be denied.**

**D) Zoning By-law Amendment ZBA-07-15  
Tiffin Harbour Development Corporation  
711 Aberdeen Boulevard**

**Having previously declared a pecuniary interest Councillor Contin vacated his seat**

The Committee had before it for consideration Staff Report PL-2016-23 dated April 20, 2016 regarding a Zoning By-law Amendment with respect to the proposed residential condominium building at 711 Aberdeen Boulevard.

The following correspondence was provided “on-desk” to Committee:

May 2, 2016 – email from Sean Ainley of HGRGP, agent on behalf of the Applicant

Following the review of the Report, the Committee recommended:

**That Zoning By-law Amendment Application No. ZBA-07-15 respecting 711 Aberdeen Boulevard (Tiffin Harbour Development Corporation) be approved and that the required implementing Zoning By-law Amendment be passed in accordance with Staff Report PL-2016-23 dated April 20, 2016.**

**Councillor Contin returned to his seat.**

**E) Official Plan Amendment OPA-03-13  
Waterfront Master Plan Implementation  
Midland Bay Landing (Unimin Lands)**

The Committee had before it for consideration Staff Report PL-2016-22 dated April 22, 2016 with respect to the Waterfront Master Plan Implementation Official Plan Amendment for the Midland Bay Landing property.

Following the review of the Report, the Committee recommended:

**That, as set out in Staff Report PL-2016-22 dated April 22, 2016, Official Plan Amendment OPA-03-13 respecting the implementation of the Waterfront Master Plan for the Midland Bay Landing site (Unimin Lands) be recommended to Council for adoption by By-law and submission to the County of Simcoe for approval.**

5. **FOR INFORMATION**

- A) March 30, 2016 correspondence from BILD re: 2016 Provincial Long Term Affordable Housing Strategy and Inclusionary Zoning – **Noted and Filed**
- B) Building Report – March 2016 – **Noted and Filed**
- C) April 22, 2016 correspondence from New Tecumseth re: Ontario Municipal Board – **Noted and Filed**

6. **OTHER BUSINESS**

- A) County of Simcoe – Notice of Requested Allocation

Committee was provided with “on-desk” copies of a Notice of Requested Allocation from the County of Simcoe along with a copy of By-law 6544 which was enacted on April 26, 2016.

The Director of Planning and Building Services provided an overview of the process and in his professional opinion, advised that it would not be necessary for the Town to engage in this exercise.

7. **ADJOURNMENT**

On a Motion by Mayor McKay the meeting was adjourned at 8:55 p.m.



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W. Crown, Director of Planning and Building Services  
A/Clerk

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