



**THE CORPORATION OF THE  
TOWN OF MIDLAND**

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**PLANNING AND DEVELOPMENT COMMITTEE OF COUNCIL  
REPORT 2018-4**

**Report of the Planning and Development Committee of Council Meeting held  
Wednesday, April 4, 2018 at 7:00 p.m. in the Municipal Office Council Chambers.**

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

**Also Present:** W. Crown, Director of Planning and Building Services  
A. Zhao, Planner  
S. Edgar, Deputy Clerk/Committee Coordinator

**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. There were no declarations brought forward at this point.

**3. PUBLIC MEETING**

The Chair, on a Motion Moved by Councillor Strathearn and Seconded by Councillor MacDonald, 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 an Application to amend the Town's Zoning By-law. Vice Chair Councillor Jonathan Main 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 Tribunal, and they may not be added as a party to a hearing on an appeal to the Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**A) Zoning By-law Amendment Application ZBA-01-18  
2428568 Ontario Ltd. (Kaitlin Group) – 640 Bayport Boulevard**

**Present: Jamie Robinson, MHBC  
Kory Chisolm, MHBC Planning  
Enzo Bertucci, Development Manager – Kaitlin Group**

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 Tuesday, March 13, 2018 to ratepayers whose properties would be affected by the Zoning By-law Amendment as well as to the required agencies. 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, March 15, 2018. A Notice Sign was posted on the subject property. The Notice was also posted on the Town's Facebook page and Twitter accounts. The Director confirmed that the Notice requirements of the *Planning Act* had been satisfied.

The following written comments were received:

Petition Hand delivered March 5 and 6 with 21 Resident signatures respecting the COA application

County of Simcoe - Email April 3, 2018

Diane Ashton, 603 Bayport Boulevard – Email April 3, 2018

Nick Lalani, 405 Bayport Boulevard – Email April 4, 2018

Dean Nichols, 503 Bayport Boulevard – Email April 4, 2018

Email April 4, 2018 from Nick Lanali

Committee was also provided with a copy of the Comments Summary from MHBC.

At the request of the Chair, the Director of Planning and Building Services provided a description of the Application together with a PowerPoint presentation.

Mr. Jamie Robinson and Kory Chisolm of MHBC, addressed Committee and provided the reasons and rationale for the Zoning By-law Amendment.

Committee had several questions for the Agents and Applicant.

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

1. Dean Nicholls of 503 Bayport Boulevard provided written comments via email dated April 4, 2018 and expressed concerns with the Application including the number of townhouses proposed, the delay of road construction, traffic and congestion, lack of parking and space for snow removal and overall density.
2. Gary Joyce of 507 Bayport Boulevard expressed concerns with the Application including snow removal and snow storage.
3. Dorene Trunk of 396 Bayport Boulevard expressed concerns with the Application including snow removal, parking and driveway setbacks for the proposed Townhouse development as well as access to the waterfront. Ms. Trunk also requested another Parkette.
4. John Lenahan of 527 Bayport Boulevard expressed concerns with the Application including parking and the size of the rear yards.
5. Dave Harris of 531 Bayport Boulevard expressed concerns with the Application including the speed of traffic and requested traffic calming
6. Mike Hamelin of 587 Bayport Boulevard expressed concerns with the Application including the reasoning for change of ownership from Condominium Townhouses to freehold Townhouses and location of driveways.
7. Peter Johannes of 409 Bayport Boulevard expressed concerns with the Application including the timing for assumption of Bayport Boulevard, visitor parking and snow removal.

The Chair then asked Committee if they required clarification on the comments and the Members had questions regarding the parking and traffic within the development.

The Chair thanked everyone for their attendance and participation and advised that the Committee will consider the Zoning By-law Amendment Application 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 Councillor MacDonald and Seconded by Councillor Strathearn the Chair declared the Public Meeting portion of the meeting closed and that the Zoning By-law Amendment Application 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 Application ZBA-01-18 2428568 Ontario Ltd. (Kaitlin Group) – 640 Bayport Boulevard**

**Present: Jamie Robinson, MHBC  
Kory Chisolm, MHBC Planning  
Enzo Bertucci, Development Manager – Kaitlin Group**

The Committee had before it for consideration the results of the Public Meeting and Staff Report PL-2018-29 dated March 19, 2018 with respect to a Zoning By-law Amendment application for the property at 640 Bayport Boulevard.

Following the review of the Report and discussion, it was then,

**Moved by: Councillor Strathearn**  
**Seconded by: Councillor Canning**

That the Planning and Development Committee of Council refer the results of the Statutory Public Meeting with respect to Application No. ZBA-01-18 Bayport Village Subdivision submitted by 2428568 Ontario Ltd (Kaitlin Group) to Staff for further report on the Application, the results of the Public Meeting, and a planning opinion and recommendation from Staff including but not limited to the application's consistency with the Provincial Policy Statement, conformity to Provincial and County Plans, and conformity with the Town of Midland Official.

**CARRIED.**

**B) Site Plan Control Application No. SPA-02-18  
2489757 Ontario Inc. - 281 Midland Avenue**

Present: Louie DeSantis, Owner/Applicant  
David Lalonde, Quantum Engineering

The Committee had before it for consideration Staff Report PL-2018-22 dated March 8, 2018 with respect to a Site Plan Control Application for the property at 281 Midland Avenue.

Following the review of the Report and discussion, it was then,

**Moved by: Councillor File**  
**Seconded by: Councillor Strathearn**

**That Site Plan Application SPA-02-18 be hereby approved as set out in Staff Report PL-2018-17 dated March 8, 2018.**

**That the required drawings and/or reports be submitted and approved by the appropriate Municipal Staff in accordance with approved Site Plan Application SPA-02-18 and in accordance with the proposed revisions as set out in Staff Report No. PL-2018-22 dated March 8, 2018.**

**That the Site Plan Agreement for Site Plan Application SPA-02-18, be brought forward to Council for final approval and that the applicable authorizing By-law be presented at a future meeting.**

**CARRIED**

**C) Building Permit Fee Harmonization**

**Present: T. Paquette, CBO**

The Committee had before it for consideration Staff Report PL-2018-28 dated March 16, 2018 with respect to the Harmonization of Building Permit Fees with the Town of Penetanguishene.

Following the review of the Report and discussion, it was then,

**Moved by: Mayor McKay**  
**Seconded by: Councillor Main**

**That Staff Report PL-2018-28 dated March 16, 2018 with respect to Building Permit Fee Harmonization with the Town of Penetanguishene be received for information.**

**That Town Administration be directed to undertake the public notice and consultation process as required pursuant to Section 7.6 of the *Building Code Act* as set out in Staff Report PL-2018-28 dated March 16, 2018.**

**That Town Administration be directed to prepare the required draft Amendments to Building By-law 2005-51 (as amended) in accordance with the recommended fee structure as set out in Staff Report PL-2018-28 dated March 16, 2018 in support of the public notice and consultation process.**

**D) Acknowledgement Agreement  
Minor Variance Application A.16/2017  
650 and 656 Taylor Drive**

**Present: Stanley Danks, Owner**

The Committee had before it for consideration Staff Report PL-2018-25 dated March 22, 2018 with respect to an Acknowledgement Agreement for the property at 650 and 656 Taylor Drive.

Following the review of the Report and discussion, it was then,

**Moved by: Councillor Canning**  
**Seconded by: Councillor MacDonald**

**That, as recommended in Staff Report PL-2018-25 dated March 22, 2018, be received for information.**

**That the Mayor and Clerk be authorized to enter into an Acknowledgement Agreement with Stanley Danks on behalf of the Corporation of the Town of Midland.**

**That the applicable Execution By-law be presented to Council at the next available meeting.**

**E) Zoning By-law Amendment Application No. ZBA-02-18  
786 William Street Inc. – 786 William Street**

The Committee had before it for consideration Staff Report PL-2018-23 dated March 15, 2018 with respect to a Zoning By-law Amendment application for the property at 786 William Street.

Following the review of the Report and discussion, it was then,

**Moved by: Mayor McKay**  
**Seconded by: Councillor Strathearn**

That the Planning and Development Committee of Council support, for the purpose of scheduling that Public Meeting, Application ZBA-02-18 for an Amendment to Zoning By-law 204-90, as amended, to rezone 786 William Street from the Residential Townhouse Exception Zone – RT-19 to Residential Apartment Exception Zone – RA-xx

That Notice of Public Meeting under the *Planning Act* be provided in accordance with the regulations issued pursuant to the *Planning Act*.

That Staff be directed to prepare the draft amending Zoning By-law.

**CARRIED.**

**F) Severance Agreement - Consent Application B.2/2017**  
**Campbell – 344 Fuller Avenue**

The Committee had before it for consideration Staff Report PL-2018-24 dated March 14, 2018 with respect to a Severance Agreement for the property at 344 Fuller Avenue.

Following the review of the Report and discussion, it was then,

**Moved by: Councillor MacDonald**  
**Seconded by: Councillor File**

**That, as recommended in Staff Report PL-2018-24 dated March 14, 2018, Council hereby authorizes the Mayor and Clerk to enter into a Severance Agreement with Douglas Campbell on behalf of the Corporation of the Town of Midland and that the Execution By-law be presented to Council at the next available meeting.**

**CARRIED.**

**G) Appeal of Committee of Adjustment Decision**  
**Minor Variance Application A.2/2018 – 399 Midland Point Road**

The Committee had before it for consideration Staff Report PL-2018-33 dated March 26, 2018 with respect to an Appeal of a Committee of Adjustment Decision of Minor Variance Application A.2/2018 for the property at 399 Midland Point Road.

Following the review of the Report and discussion, it was then,

**Moved by: Councillor MacDonald**  
**Seconded by: Councillor Strathearn**

That Option #1, as outlined in Staff Report PL-2018-33 dated March 26, 2018 respecting an Appeal of the Committee of Adjustment Decision on Application A.2/2018 (399 Midland Point Road), be recommended to Council for its consideration in response to the appeal to the Ontario Municipal Board.

**CARRIED.**

**H) Sign By-law Review**

The Committee had before it for consideration Staff Report PL-2018-35 dated March 27, 2018 with respect to a Review of the Town's Sign By-law.

Following the review of the Report and discussion, it was then,

**Moved by: Councillor Strathearn**  
**Seconded by: Councillor Canning**

**That Staff Report PL-2018-35 dated March 27, 2018 respecting the proposed Sign By-law Housekeeping Review be received for information.**

**That the Planning and Building Services Department be directed to commence the Sign By-Law Housekeeping Review in accordance with the proposed work-plan as outlined in Staff Report PL-2018-35, including the issuance of the appropriate notices and public consultations.**

**CARRIED.**

**I) Bill 139 Changes and Midland Response**

The Committee had before it for consideration Staff Report PL-2018-32 dated March 21, 2018 with respect to Bill 139 Changes and Midland response.

Following the review of the Report and discussion, it was then,

**Moved by: Councillor Strathearn**  
**Seconded by: Councillor Canning**

**That Staff Report PL-2018-32 dated March 21, 2018 be received for information.**

**CARRIED**

**5. OTHER BUSINESS**

There was no other business.

**6. ADJOURNMENT**

On a Motion by Councillor Strathearn the meeting was adjourned at 10:55 p.m.



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Sherri Edgar, Deputy Clerk/Committee Coordinator