



**THE CORPORATION OF THE  
TOWN OF MIDLAND**

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**PLANNING AND DEVELOPMENT COMMITTEE OF COUNCIL  
REPORT 2017-3**

**Report of the Planning and Development Committee of Council Meeting held  
Wednesday, March 1, 2017 at 7:00 p.m. in the Municipal Office Council Chambers.**

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

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

**Regrets:** Chair Councillor J. Contin  
Councillor G. Canning  
Councillor C. Oschefski  
Deputy Mayor M. Ross

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**1. CALL TO ORDER**

In the absence of Chair Councillor J. Contin, the Vice Chair Councillor J. Main assumed the role of Chair for the Public Meeting portion as well as the Regular Portion of the meeting. 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 two proposed Amendments to the Town's Zoning By-law.

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 Application ZBA-03-16  
Highway 93 (Midland) Investments Inc. (Plaza Retail REIT)  
9220 & 9226 County Road 93 – Mountainview Mall**

**Present: Don Amadio, MHBC Planning  
Sterling White and Kim Strange, Plaza Retail REIT**

The Chair requested confirmation of notification of the Public Meeting including any correspondence received to which the Senior Planner confirmed that the Notice of Public Meeting for the proposed Zoning By-law Amendment was mailed out on Thursday, February 2, 2017 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, February 9, 2017. A Notice Sign was posted on the subject property. 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 Application.

Dan Amadio, MHBC Planning, described the purpose of the Application. He also confirmed that the Applicant has no intention to transition to a Warehouse facility, it is simply providing an option to maximize the efficiency of the building and keep the principal use and focus of the building as retail. Outside storage will not be permitted.

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

1. Mr. Glenn Walker, 175 Luckport Crescent.

The Chair then asked Committee if they required clarification on the comments received to which there were none.

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

**B) Zoning By-law Amendment ZBA-04-16  
Derrick & Laura Lea Vogel, Owners  
Brady McDonald, Agent  
438 Hugel Avenue**

**Present: Brady McDonald, Agent**

The Chair requested confirmation of notification of the Public Meeting including any correspondence received to which the Senior Planner confirmed that the Notice of Public Meeting for the proposed Zoning By-law Amendment was mailed out on Friday, February 3, 2017 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, February 9, 2017. A Notice Sign was posted on the subject property. 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 Draft Plan of Subdivision and Zoning By-law Amendment Application.

The Chair then asked for comments from the Public to which there were none.

The Chair thanked everyone for their attendance and participation and advised that the Committee will consider the proposed Zoning By-law 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 Councillor Strathearn and Seconded by Councillor MacDonald the Chair declared the Public Meeting portion of the meeting closed and that the Zoning By-law Amendment Applications and results of the Public Meeting be directed to the regular Planning and Development Committee of Council for consideration and recommendation to Council.

### **3. ITEMS FOR REVIEW/DISCUSSION**

#### **A) Zoning By-law Amendment Application ZBA-03-16 Highway 93 (Midland) Investments Inc. (Plaza Retail REIT) 9220 & 9226 County Road 93 – Mountainview Mall**

**Present: Don Amadio, MHBC Planning  
Sterling White and Kim Strange, Plaza Retail REIT**

The Committee had before it for consideration the results of the Public Meeting and Staff Report PL-2017-12 dated February 17, 2017 with respect to a Zoning By-law Amendment application 9220 and 9226 County Road 93.

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

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

That the Planning and Development Committee of Council refer the results of the Statutory Public Meeting with respect to Application No. ZBA-03-16 (Highway 93 (Midland) Investments Inc. – 9220 and 9226 County Road 93) to Staff for a further Report on the Application, the results of the Public Meeting and request a planning opinion and recommendation from Staff.

**CARRIED.**

**B) Zoning By-law Amendment ZBA-04-16  
Derrick & Laura Lea Vogel, Owners  
Brady McDonald, Agent  
438 Hugel Avenue**

**Present: Brady McDonald, Agent**

The Committee had before it for consideration the results of the Public Meeting and Staff Report PL-2017-10 dated February 10, 2017 with respect to a Zoning By-law Amendment Application at 438 Hugel Avenue.

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

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

**That Zoning By-law Amendment Application ZBA-04-16 respecting the lands at 438 Hugel Avenue be approved and the implementing Zoning By-law be passed to rezone the property from Residential – R2 to Residential Exception – R4-2.**

**CARRIED**

**C) Official Plan Amendment No. 9  
Zoning By-law Amendments 2016-28 and 2016-29  
Implementation of Bill 140 (Second Units)**

The Committee had before it for consideration Staff Report PL-2017-11 dated February 10, 2017 with respect to Official Plan Amendment No. 9 and Zoning By-law amendments 2016-28 and 2016-29 regarding the implementation of Bill 140 (Second Units). Committee was also provided with a copy of Resolution 2017-28 dated January 23, 2017 as the incorrect Resolution was quoted in Staff Report PL-2017-11. A hard copy of the following email correspondence was also provided to Committee:

George Dixon dated February 28, 2017  
Paul Wismer dated March 1, 2017  
John McHardy dated March 1, 2017  
Allan Arlett dated March 1, 2017

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

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

That the matter be deferred to the April Planning and Development Committee of Council meeting.

**CARRIED.**

**D) Joint OBC Services – Penetanguishene and Midland**

The Committee had before it for consideration Staff Report PL-2017-14 dated February 23, 2017 with respect to Joint OBC Services between the Towns of Penetanguishene and Midland.

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

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

**That the Town of Midland agrees to the provision of Ontario Building Code enforcement services under a Joint Agreement Service Delivery Model with the Town of Penetanguishene as set out in Staff Report PL-2017-14 dated February 23, 2017.**

**That Staff be directed to bring the applicable By-law and Agreement to the next appropriate Council meeting for passing.**

**CARRIED**

**4. OTHER BUSINESS**

- i) Councillor Main advised that he had received information regarding a Webinar from Tracy Roxborough of the Sustainable Severn Sound.

**5. ADJOURNMENT**

On a Motion by Mayor McKay the meeting was adjourned at 8:05 p.m.



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