



**THE CORPORATION OF THE  
TOWN OF MIDLAND**

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**PLANNING AND DEVELOPMENT COMMITTEE OF COUNCIL  
REPORT 2017-5**

**Report of the Planning and Development Committee of Council Meeting held  
Wednesday, May 3, 2017 at 7:00 p.m. in the Municipal Office Council Chambers.**

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**Present:** Chair Councillor J. Contin  
Councillor G. MacDonald  
Councillor G. Canning  
Councillor C. Oschefski  
Councillor S. Strathearn

**Also Present:** W. Crown, Director of Planning and Building Services  
S. Edgar, Executive Assistant  
E. Galloway, Planning Student

**Regrets:** Mayor G. McKay  
Vice Chair Councillor J. Main  
Deputy Mayor M. Ross  
Councillor P. File

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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 Strathearn declared a pecuniary interest with respect to Item 3. A) and 4. A) Official Plan Amendment OPA-01-17, Zoning By-law Amendment Application ZBA-01-17, 447 Mundy's Bay Road as the Applicant is a neighbor.

**3. PUBLIC MEETING**

The Chair, on a Motion Moved by Councillor Strathearn and Seconded by Councillor Oschefski 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 a proposed Official Plan Amendment and two (2) 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.

**Having declared a pecuniary interest Councillor Strathearn vacated his seat.**

**A) Official Plan Amendment OPA-01-17  
Zoning By-law Amendment Application ZBA-01-17  
447 Mundy's Bay Road**

**Present: Cameron Sellers, Innovative Planning Solutions**

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 Official Plan Amendment and Zoning By-law Amendment was mailed out on Friday, April 7, 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, April 13, 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.

Committee was provided with an "on-desk" copy of correspondence dated April 28, 2017 from the County of Simcoe.

At the request of the Chair, the Director of Planning and Building Services provided a description of the proposed Official Plan Amendment and Zoning By-law Amendment Applications.

Cameron Sellers, Innovative Planning Solutions, Agent, provided a power point presentation that detailed the Applications and land development proposal.

The Chair then asked for comments from the Public to which there were no comments made.

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 Official Plan Amendment and Zoning By-law Amendment applications and the results of the public consultation later tonight in the Regular Meeting portion of the Planning and Development Committee.

**Councillor Strathearn returned to his seat.**

**B) Zoning By-law Amendment ZBA-04-17**  
**Lisa and Steve Warwick (Brady McDonald – Agent)**  
**226 and 230 Queen Street**  
**Present: Brady McDonald, Agent**

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 Friday, April 7, 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, April 13, 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.

Committee was provided with an "on-desk" copy of correspondence dated May 2, 2017 from Brady McDonald to Kurt Noack and an email dated May 3, 2017 to the Planning Department from Kurt Noack.

At the request of the Chair, the Director of Planning and Building Services provided a description of the proposed Zoning By-law Amendment Application.

Brady McDonald addressed Committee and confirmed that the amended Site Plan that was provided includes a board on board fence which will alleviate trespassing concerns.

The Chair then asked for comments from the Public.

Robert Isaacs - 226 Queen Street addressed Committee with his concerns.  
Paul Noack – 222 Queen Street addressed Committee with his concerns.

The Chair thanked everyone for their attendance and participation and advised that the Committee will consider the proposed 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 Applications 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) Official Plan Amendment OPA-01-17**  
**Zoning By-law Amendment Application ZBA-01-17**  
**447 Mundy's Bay Road**

**Having declared a pecuniary interest Councillor Strathearn vacated his seat.**

The Committee had before it for consideration the results of the Public Meeting and Staff Report PL-2017-29 dated April 24, 2017 with respect to an Official Plan Amendment and Zoning By-law Amendment application for the property at 447 Mundy's Bay Road.

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

**Moved by: Councillor Oschefski**  
**Seconded by: Councillor MacDonald**

That the Planning and Development Committee of Council refer the results of the Statutory Public Meeting with respect to Application Nos OPA-01-17 and ZBA-01-17 respecting 447 Mundy's Bay Road, to Staff for a further Report on the Applications, the results of the Public Meeting and request a planning opinion and recommendation from Staff.

**CARRIED.**

**Councillor Strathearn returned to his seat.**

**B) Zoning By-law Amendment ZBA-04-17**  
**Lisa and Steve Warwick (Brady McDonald – Agent)**  
**226 and 230 Queen Street**

The Committee had before it for consideration the results of the Public Meeting and Staff Report PL-2017-25 dated April 20, 2017 with respect to a Zoning By-law Amendment Application respecting 226 and 230 Hugel Avenue.

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

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

That the Planning and Development Committee of Council refer the results of the Statutory Public Meeting with respect to Application No. ZBA-04-17 respecting 226 and 230 Queen Street, 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**

**C) 297 Penetanguishene Road – Second Driveway**

The Committee had before it for consideration Staff Report PL-2017-24 dated April 20, 2017 with respect to an Appeal of the decision to deny a request for a second driveway at 297 Penetanguishene Road.

With the concurrence of the Committee, Chair Contin provided Mr. Jozef Stepien, owner of 297 Penetanguishene Road, an opportunity to speak to the item.

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

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

That, as recommended in Planning Report PL-2017-24 dated April 20, 2017, the application for a Second Driveway at 297 Penetanguishene Road be denied.

CARRIED.

5. **OTHER BUSINESS**

There was no other business

6. **ADJOURNMENT**

On a Motion by Councillor Oschefski the meeting was adjourned at 8:45 p.m.



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