

**PLANNING AND DEVELOPMENT COMMITTEE OF COUNCIL
REPORT NO. 2014-3**

**Report of the Planning and Development Committee meeting held at 7:00 p.m. on
Wednesday, March 5, 2014 in the Council Chambers of the Municipal Office.**

Present: Chair, Councillor J. Attwood
Vice Chair Councillor J. Charlebois
Mayor G. McKay
Deputy Mayor S. Kramp
Councillor B. Jeffery
Councillor G. Canning
Councillor P. File
Councillor Z. Pendlebury
Councillor M. Ross

Also Present: Director of Planning and Building Services, W. Crown
Executive Assistant, S. Edgar
B. Peter, Director of Parks and Recreation (Item 2.A))

Regrets:

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

1. DECLARATIONS OF PECUNIARY INTEREST

There were none declared.

2. DEVELOPMENT REVIEW/APPLICATIONS

**A) Town Surplus Lands – Highest and Best Use Planning Options
1037 & 1041 Ingram Crescent, 349 Lakewood Drive and 347 Estate Court**

The Committee had before it for consideration Staff Report PL-2014-13 dated February 26, 2014 with respect to the Highest and Best Use Planning Options for Town Surplus Lands. The Director provided an overview. Various correspondence and comments received from residents were also provided for the Committee's review.

Committee had discussion on the following matters:

- Clarification as to where the funds would be deposited. B. Peter confirmed that because the lands are designated parkland, any proceeds of the sale of the lots would go into the dedicated Parkland Reserve and not General Reserve. The Parkland Reserve is used for park purposes only.
- Various uses of the vacant land on Ingram Crescent and Lakewood Drive. Several residents have submitted concerns regarding these three lots.
- There are no formal plans for development of the two Open Space lots on Ingram Crescent.
- Question regarding the location of the walking trail that leads to MSS and its proximity

to the Open Space lots on Ingram Crescent.

- With respect to the Lakewood Drive lot, it was queried if the Parks and Recreation Department could consider creating a small parking lot. B. Peter advised that a smaller parking area for at the most three to four vehicles could be created. Sunrise Estates does have a larger parking lot.
- Possibility of landowners purchasing the lots as Open Space.
- Next steps to be taken should Committee not support the Staff Recommendation. The Director noted that Council did declare the land surplus and directed staff to proceed with the Planning process. Committee may choose to not proceed but it should provide a recommendation that the lands not be declared surplus.

As a result of a discussion, Committee concurred that residents who were in attendance may address the Committee.

Tim O'Halloran - 324 Lakewood Drive, concerned regarding the loss of access to the Bay if the lot at 349 Lakewood Drive is sold. They have also maintained the lot for years.

Marilyn Kitay - 1028 Ingram Crescent – submitted written comments dated February 17, 2014 and expressed concern regarding the loss of trees and devaluation of their properties if the lots on Ingram Crescent are sold. She noted Ingram Crescent borders on the Heritage area of Penetanguishene Road and requested that Committee reconsider the redesignation and rezoning. They will be making a deputation at Council.

There was considerable discussion amongst the Committee members as to how to proceed. Committee considered the Staff Recommendation, as set out in Staff Report PL-2014-13, on the four surplus properties and voted to defeat moving that Recommendation to Council. Upon further discussion, Committee concurred that the Recommendation to Council would be to rescind all Motions that had declared the four properties surplus.

Recommendation

The Committee recommends the following:

1. **That Resolution No. 2014-8, dated January 27, 2014, to declare the lands at 1037 Ingram Crescent surplus to the needs of the Town, be rescinded.**
2. **That Resolution No. 2014-9, dated January 27, 2014, to declare the lands at 349 Lakewood Drive surplus to the needs of the Town, be rescinded.**
3. **That Resolution No. 2014-10, dated January 27, 2014, to declare the lands at 1041 Ingram Crescent surplus to the needs of the Town, be rescinded.**
4. **That Resolution No. 2014-11, dated January 27, 2014, to declare the lands at 347 Estate Court surplus to the needs of the Town, be rescinded.**

B) Zoning By-law Amendment Application – ZBA-01-04
175421Canada Ltd., Owner
The Guesthouse Shelter, Applicant
522 Elizabeth Street

The Committee had before it for consideration Staff Report PL-2014-16 dated February 26, 2014 with respect to the Zoning By-law Amendment Application for the lands at 522 Elizabeth Street. The Director provided an overview of the Application.

Committee expressed no comments or concerns.

Recommendation

The Committee recommends the following:

1. That Planning and Development Committee support, for the purpose of scheduling the public meeting, Application No. ZBA-01-14 for an amendment to Zoning By-law 2004-90, as amended to rezone 522 Elizabeth Street from the DOWNTOWN CORE COMMERCIAL ZONE – DC-F2 to the DOWNTOWN CORE COMMERCIAL EXCEPTION ZONE – DC-F2-X.
2. That Notice of Public Meeting under the *Planning Act* is provided in accordance with the regulations pursuant to the *Planning Act*.
3. That staff be directed to prepare the draft amending Zoning By-law.

C) Official Plan Amendment Application OPA-02-13
Watters – 990 Sumac Lane (Private Road)

The Committee had before it for consideration Staff Report PL-2014-18 dated February 27, 2014 with respect to the Official Plan Amendment Application OPA-02-13 for the property at 990 Sumac Lane. Committee also had for consideration comments from Gray Watters dated January 20, 2014.

As a result of a request from Gray Watters, Committee had discussion and concurred that the request be granted and that Gray Watters could address the Committee.

Gray Watters, Applicant, advised that he does not agree with the Staff Recommendation. He expressed concern that this decision was made as a result of the objection of his neighbours. In his opinion, the Application should be supported and provided his reasons for same. He respectfully requests approval of the Application.

Ian Lawson, 1000 Sumac Lane, owns adjacent property that could also be severed and if the application is supported, it would create precedence for the area.

Committee had discussion on the following matters:

- Councillor File noted that although an email sent by her was attached to Mr. Watters' written submission, she wanted to clarify that it in no way confirmed her support of the Application.

- Clarification regarding the Conclusions outlined in the Staff Report. It was the Director's professional opinion that there was no planning reason to change the policy of the Official Plan.
- Committee discussed the matter at length and concurred their support of the Staff Recommendation to deny the Application.

Recommendation

The Committee recommends the following:

1. **That Official Plan Amendment Application No. OPA-02-13 respecting 990 Sumac Lane (G. Watters) be denied.**

D) Draft Plan of Condominium – CD-T-01-13 Hugel Lofts Ltd. (Marina Park) 151 Marina Park Avenue

The Committee had before it for consideration Staff Report PL-2014-14 dated February 10, 2014 with respect to the Draft Plan of Condominium for the Hugel Lofts Ltd. project at 151 Marina Park Avenue. The Director provided an overview of the request.

Committee had discussion on the following matters:

- Whether other financial tools have been explored with respect to financial aid. The Director noted that there are other tools that were identified in the Staff Report. It was noted that none of these tools were used to assist in a single development. There is no benefit to the Public if the Town did assist the developer.
- Possibility that Committee consider the Local Improvement By-law or Fees By-law to assist the developer.
- Rationale regarding the costs quoted by the Owner. Director advised that the Town does not have any background information regarding the \$850,000.00 quoted by the Owner at his deputation to Council in November.

Michael Mucciaccio, Agent for the Owner, advised that in his opinion Town assistance would be of benefit to Public as the building has been an eyesore for the Town for many years. The owner has a vision for the property and would appreciate support from Town.

Further discussion occurred and the Committee concurred that a further detailed report from the Director of Finance be prepared and presented at General Committee.

Recommendation

The Committee recommends the following:

1. That the Director of Finance arrange a meeting with the owner of Hugel Lofts Ltd. and prepare a further report as it relates to the issue of risk and cost to the Municipality in providing funding to a private developer and that this Report be presented to General Committee of Council.

E) Heritage Property Tax Relief Program

The Committee had before it for consideration Staff Report PL-2014-15 dated February 12, 2014 with respect to the Heritage Property Tax Relief Program. The Director noted that the item was directed to this Committee by Council at the Regular Meeting of February 18, 2014.

Committee had discussion on the following matters:

- Clarification of reduction of taxes and when it would apply.
- Confirmation of the number of Heritage designated properties in Midland. The Director noted that there are currently two private properties in the Town.
- Suggestion that a program be established through the Heritage Committee on a smaller scale, and perhaps allocating \$500 or \$1000 per year for distribution by the Committee to homeowners of designated properties who apply for relief.
- Concern regarding workload put on existing Staff in order to implement this Program.

Jack Wilford, Heritage Committee Member, advised that it is the Committee's hope that there will be more Heritage Designated properties. The Heritage Committee is a very proactive Committee and it continues to preserve and promote Heritage within the Town of Midland.

Recommendation

The Committee recommends the following:

1. **That the Town of Midland establish a Heritage Property Tax Relief Program in accordance with Section 365.2 of the *Municipal Act* and as set out in the Staff Report PL-2014-15.**
2. **That Council's approval of the establishment of a Heritage Property Tax Relief Program be referred to the 2015 Budget process.**
3. **That Staff be directed to finalize the Heritage Property Tax Relief Program By-law for Council adoption.**
4. **That the Town of Midland recommend to the County of Simcoe the passing of a Heritage Property Tax Relief Program By-law for a reduction or refund of taxes levied for upper-tier purposes.**

**F) Sign By-law Amendment
Incidental Signs**

The Committee had before it for consideration Staff Report PL-2014-12 dated February 8, 2014 with respect to an Amendment to the Sign By-law regarding Incidental Signs.

Committee had discussion on the following matters:

- If the Amendment would affect banner signs, put up by MPUC for the Town. The Director advised it would not.
- The Director noted the error in the Draft By-law in Section B.3 and the incorrect reference to Variance fees and confirmed this will be corrected prior to Council

consideration.

Recommendation

The Committee recommends the following:

1. **That the By-law to amend Sign By-law 2011-79 and Composite Fees By-law 2011-7 in respect of Incidental Signs, as amended and attached to Staff Report PL-2014-12, be presented to Council for consideration and adoption.**

G) Economic Development

The Director of Planning and Building Services provided updates on the following:

- First round of reviewing documents for the Huronia Economic Development Corporation. HEA is actively pursuing the notion of capitalizing on the funds made available by the County and investigate other areas where funding may be available.
- Health Care Innovators are continuing to meet. A Senior Health Team is going to be established in the area
- A business group will be established regarding Manufacturing.
- Mayor continues to visit local manufacturers and advised that all of them will be hiring this year.

4. FOR INFORMATION

- A) Building Department Year End Report 2013 – **Noted and Filed.**
- B) Building Department Report – January 2014 – **Noted and Filed.**
- C) County of Simcoe Transportation Master Plan Update – Draft Interim Report #2 – Executive Summary – **Noted and Filed.**
- D) February 7, 2014 correspondence – Ontario Municipal Board re: Meredith Appeal – **Noted and Filed.**
- E) Provincial Policy Statement 2014 and Key Changes – **Noted and Filed.**
- F) Technical Review Committee Report 2014-2 – **Noted and Filed.**

5. OTHER BUSINESS

There was no other business.

6. ADJOURNMENT

The meeting was adjourned at 10:45 p.m.

A handwritten signature in black ink, consisting of a stylized 'W' followed by a long, sweeping horizontal line that tapers to the right.

Wesley R. Crown, BES, MCIP, RPP
Director of Planning and Building Services
A/Clerk