

**PLANNING AND DEVELOPMENT COMMITTEE OF COUNCIL
REPORT NO. 2013-10**

**Report of the Planning and Development Committee meeting held at 7:15 p.m. on
Wednesday, November 6, 2013 in the Council Chambers of the Municipal Office.**

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

Also Present: Director of Planning and Building Services, W. Crown
Director Parks and Recreation, B. Peter
(for Public Meeting and items 3 A) & B))
Town Engineer, J. Galloway
Planner, J. Krushnisky
Executive Assistant, S. Edgar

Regrets: Chair, Councillor J. Attwood

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

1. DECLARATIONS OF PECUNIARY INTEREST

There were none declared.

2. PUBLIC MEETING

The Chair 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 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 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-03-13
Surplus Town Lands – 340 Lakewood Drive

The Chair requested confirmation of notification of the meeting including any correspondence received to which the Planner confirmed that the Notice of Public Meeting for the Zoning By-law Amendment was mailed out on Tuesday, October 22, 2013 to ratepayers within a 120 metre radius of the property as well as to the required agencies. The Notice was posted on the subject property, the Town's website and on the Town's Notice Monitor at the Municipal Office.

The following correspondence has been received:

October 29, 2013 email – Alan Horst – 300 Lakewood Drive

The Chair then asked for a brief overview of the Zoning By-law Amendment. The Planner reviewed the background, policies and regulations impacting the Amendments. A power point presentation was provided.

The Chair then asked for comments from the Public in opposition to the Amendment,

David Corbett – 322 Lakewood Drive – submitted written comments advising he is opposed to the Amendment due to the wildlife interruption as well as potential loss of forested land they have enjoyed.

Mrs. Meredith – 348 Lakewood Drive – opposed to the Amendment as residents currently use this property to access the Bay and also she has been maintaining this property for many years therefore she would like to see the lot remain vacant.

The Chair then asked for comments from the Public in support of the Amendment.

Stewart Strathearn - 431 Mundy's Bay Road – advised that he is in support of the Amendment as it is an asset to the Town to dispose of the land since it cannot be used as parkland and was identified as surplus land.

There were no other comments or concerns.

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.

B) Zoning By-law Amendment – ZBA-04-13
Surplus Town Lands – 808 Birchwood Drive

The Chair requested confirmation of notification of the meeting including any correspondence received to which the Planner confirmed that the Notice of Public Meeting for the Zoning By-law Amendment was mailed out on Tuesday, October 22, 2013 to

ratepayers within a 120 metre radius of the property as well as to the required agencies. The Notice was posted on the subject property, the Town's website and on the Town's Notice Monitor at the Municipal Office. There has been no correspondence received to date.

The Chair then asked for a brief overview of the Zoning By-law Amendment. The Planner reviewed the background, policies and regulations impacting the Amendments. A power point presentation was provided.

The Chair then asked for comments from the Public in support of the Amendment, to which there were none.

The Chair then asked for comments from the Public in opposition to the Amendment, to which there were none.

Committee questioned if the Lot was consistent with surrounding neighbours to which Planner Krushnisky advised that it was. B. Peter confirmed that the lot was once owned by a law firm and obtained by the Town for a future connection to the trail system. The property behind the lot is not a developed trail and accordingly, the Town will not use the lot for access.

Mandy Branham - 806 Birchwood Drive – confirmed that there is no access to the trail at the rear of this lot.

Wayne Melrose – 800 Birchwood Drive – inquired if the proceeds of the sale of the lot would be used towards finishing the trail, as he was opposed to a multi-use trail that would include snowmobiles. B. Peter advised that there had been a Public Meeting a few years ago regarding a proposed trail and there was not a positive reception. Also there are no funds in the Parks and Recreation Budget to complete the trail.

There were no other comments or concerns.

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.

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

3. **DEVELOPMENT REVIEW/APPLICATIONS**

A) **Zoning By-law Amendment – ZBA-03-13**
Surplus Town Lands – 340 Lakewood Drive

The Committee had before it for consideration the results of the Public Meeting and Staff Report PL-2013-60 dated October 22, 2013 with respect to Zoning By-law Amendment Application ZBA-03-13 for the property at 340 Lakewood Drive.

The Committee had discussion on the following matters:

- There is no analysis with respect to wildlife corridors and no need as the lands are not designated environmental protection.
- There are no Municipal services available to this lot, but the lot can be serviced with private on-site well and septic in accordance with all provincial regulations.
- The rezoning will facilitate the sale and development of this lot.

The Committee had no further comments or discussions on the matter.

Recommendation

The Committee recommends the following:

1. **THAT ZONING BY-LAW AMENDMENT FILE NO. ZBA-03-13, RESPECTING THE LANDS AT 340 LAKEWOOD DRIVE BE APPROVED AND THE IMPLEMENTING ZONING BY-LAW BE PASSED TO REZONE THE LANDS FROM THE OPEN SPACE ZONE – OS TO THE RESIDENTIAL EXCEPTION ZONE – R5-5.**

B) **Zoning By-law Amendment – ZBA-04-13**
Surplus Town Lands – 808 Birchwood Drive

The Committee had before it for consideration the results of the Public Meeting and Staff Report PL-2013-61 dated October 23, 2013 with respect to Zoning By-law Amendment Application ZBA-04-13 for the property at 880 Birchwood Drive.

The Committee had no further comments or discussions on the matter.

Recommendation

The Committee recommends the following:

1. **THAT ZONING BY-LAW AMENDMENT FILE NO. ZBA-04-13, RESPECTING THE LANDS AT 808 BIRCHWOOD DRIVE BE APPROVED AND THE IMPLEMENTING ZONING BY-LAW BE PASSED TO REZONE THE LANDS FROM THE OPEN SPACE ZONE – OS TO THE RESIDENTIAL ZONE – R2.**

**C) Official Plan Amendment Application OPA-01-12
Zoning By-law Amendment – ZBA-08-12
Estate of S. Moranis – 422 King Street**

The Committee had before it for consideration Staff Report PL-2013-64 dated November 6, 2013 with respect to a revised Official Plan Amendment Application OPA-01-12 and Zoning By-law Amendment Application ZBA-08-12 the property at 422 King Street.

The Committee had considerable discussion on the following matters:

- Committee advised that they were pleased that the Applicant took the comments made at the Public Meeting and implemented them within the revised plan.
- Concern regarding the lack of tools provided to the Municipality regarding the protection of the Heritage of the building. Staff will include policies within the Official Plan Amendment document with respect to Heritage preservation.
- Concern regarding the uniqueness of the Home and the proposed Amendment as it would take away from the streetscape of King Street and the grand homes located thereon.
- It was noted that the property is not designated at this point. There have not been any other owners of the “grand homes” who have come forward to state they would like to have their home designated. The Heritage Committee is becoming more proactive with designations and has started to communicate with some homeowners explaining the process but they have not taken the step of designating without approval of the home owner.
- Committee questioned if and when the Public would have another say on the revised application. The Director noted that when a revision is made to the proposed amendments and proposed development after the public meeting, it is Committee and Council’s decision on whether a further Public Meeting is necessary. The Director outlined the process recommended by Staff in the Staff Report.
- Discussion regarding the fact that a second Public Meeting is in order to have those who attended and commented at the last Public Meeting another opportunity to comment on the revised plans.

Recommendation

The Committee recommends the following:

1. **THAT FURTHER NOTIFICATION AND AN ADDITIONAL PUBLIC MEETING BE SCHEDULED WITH RESPECT TO THE REVISED APPLICATIONS OPA-01-12 AND ZBA-08-12 AND REVISED DEVELOPMENT CONCEPT FOR 422 KING STREET.**

**D) Zoning By-law Amendment ZBA-05-13
Harbour Edge Mortgage Investment Corporation
845 Yonge Street**

The Committee had before it for consideration Staff Report PL-2013-63 dated October 24, 2013 with respect to Zoning By-law Amendment Application ZBA-05-13 for the lands at 845 Yonge Street.

Committee had discussion on the following matters:

- Committee questioned the location of the residential units.

Recommendation

The Committee recommends the following:

1. That the Planning and Development Committee of Council support, for the purpose of scheduling the Public Meeting, Application No. ZBA-05-13 for an amendment to Zoning By-law 2004-90, as amended to rezone 845 Yonge Street from the Highway Commercial Zone with Exception – HC-8 to the Institutional Zone with Exception – I-X.
2. That Notice of Public Meeting under the *Planning Act* be provided in accordance with the regulations pursuant to the *Planning Act*.
3. That staff be directed to prepare the draft Amending Zoning By-law.

**E) Official Plan Amendment – OPA -02-13
Watters – 990 Sumac Lane (Pvt)**

The Committee had before it for consideration Staff Report PL-2013-62 dated October 24, 2013 with respect to Official Plan Amendment Application OPA-02-13 for the lands at 990 Sumac Lane

Committee had discussion on the following matters:

- There was some discussion regarding the private road, services and access.

Recommendation

The Committee recommends the following:

1. That the Planning and Development Committee of Council supports the scheduling of a Public Meeting under the *Planning Act*, in respect of Application No. OPA-02-13 (Watters) for an amendment to the Town's Official Plan, respecting the lands at 990 Sumac Lane (Pvt) to amend Policies 3.3.7.3, 3.3.7.7. and 8.14.2 on a site specific basis to permit the creation of one new residential lot on a private road.
2. That Notice of the Public Meeting under the *Planning Act* be provided in accordance with the regulations pursuant to the *Planning Act*.
3. That staff be directed to prepare a draft Official Plan Amendment in accordance with Staff Report No. PL-2013-62, to be considered at the Public Meeting under the *Planning Act*.

**F) Workplan – Unimin Waterfront Lands Master Plan
Municipal Comprehensive Review and Official Plan Amendment**

The Committee had before it for consideration Staff Report PL-2013-57 dated October 15, 2013 with respect to the Work Plan regarding the Unimin Waterfront Lands Master Plan Municipal Comprehensive Review and Official Plan Amendment.

Committee had discussion on the following matters:

- Scope of the MCR and OPA will be limited to the Unimin lands.

Recommendation

The Committee recommends the following:

1. That the Planning and Development Committee of Council endorse the Work Plan and Public Consultation Plan for the Municipal Comprehensive Review (MCR) and Official Plan Amendment (OPA) to implement the Unimin Waterfront Lands Master Plan into the Town of Midland Official Plan as set out in Staff Report PL-2013-57.

G) 2013 Budget – Economic Development Surplus

The Committee had before it for consideration Staff Report PL-2013-58 dated October 18, 2013 with respect to the Economic Development Surplus Budget for 2013.

Committee had discussion on the following matters:

- Concern regarding transferring of Economic Development Funds to the Planning Operating Reserve. The Director provided an overview and explanation that the funds will still be used for economic development initiatives such as the Downtown Master Plan and subject to additional reports and decision of Council.

Recommendation

The Committee recommends the following:

1. **THAT THE FORECAST SURPLUS IN THE ECONOMIC DEVELOPMENT (811-8181) BUDGET FOR 2013 BE TRANSFERRED TO THE PLANNING OPERATING RESERVE AT YEAR END.**
2. **THAT, SUBJECT TO YEAR END AND A DECISION BY THE PROVINCE ON THE TOWN'S RED PROGRAM GRANT APPLICATION, COUNCIL CONSIDER FUNDING THE DOWNTOWN MASTER PLAN FROM THE PLANNING OPERATING RESERVE IN 2014.**

H) Economic Development

The Committee was provided a copy of the HEA Record of Meeting dated October 3, 2013 and for their review.

The Mayor and Director of Planning and Building Services provided updates on various Economic Development items and developments such as:

- Committee reviewed a copy of the Local Economic Development Fund Program – Joint Application. The intent is a recommendation will go to County Council meeting Jan 8 or Jan 17. The joint application was deemed complete as of 2013.
- First Draft of Huronia Economic Strategic Action Plan has been received and circulated.
- Working with Home Cooked Solutions regarding the HEA website
- Healthcare Committee will be seeking members and will be advertising.
- Incubator discussions are proceeding.
- Tourism Strategy meeting was held in Tay and was well attended.
- Mayor has been visiting local businesses.

4. **FOR INFORMATION**

- A) Building Report - September 2013 – Noted and Filed.
- B) Status of Decision – OPA No. 3 – Enhanced Public Consultation and Complete Applications – **Noted and Filed.**
- C) Technical Review Committee Report 2013-9 – Noted and Filed.

5. **OTHER BUSINESS**

- A) Councillor File provided an update regarding the Forum hosted by the Town Planning and Building Services Department and CMHC regarding Affordable Housing for Seniors. Staff will obtain copies of the power point presentations and circulate them to Committee members.

6. **ADJOURNMENT**

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



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