

**PLANNING AND DEVELOPMENT COMMITTEE OF COUNCIL  
REPORT NO. 2014-9**

**Report of the Planning and Development Committee meeting held at 7:00 p.m. on Wednesday, October 1, 2014 in the Council Chambers of the Municipal Office.**

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**Present:** Chair, Councillor J. Attwood  
Vice Chair Councillor J. Charlebois  
Councillor B. Jeffery \*\* left meeting at 10:30 p.m.  
Mayor G. McKay  
Councillor P. File  
Councillor Z. Pendlebury  
Councillor G. Canning \*\* left meeting at 9:30 p.m.  
Deputy Mayor S. Kramp \*\* arrived at 7:45 p.m.

**Also Present:** Deputy CAO/Director of Planning and Building Services, W. Crown  
Executive Assistant, S. Edgar

**Regrets:** Councillor M. Ross

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

**1. CALL TO ORDER**

The Chair called the meeting to Order.

**2. DECLARATIONS OF PECUNIARY INTEREST**

There were none declared.

**3. 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 a proposed Amendment to the Town's Official Plan and a proposed Amendment 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) Source Protection Plan Implementation Study**  
**Draft Official Plan Amendment and Draft Zoning By-law Amendment**  
**Present: Jamie Robinson, MHBC Planning**

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 Wednesday, September 10, 2014 to ratepayers whose properties would be affected by the Amendments 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 and was also sent via Twitter. The Notice was also advertised in the Midland Mirror on Thursday, September 11, 2014. A Public Open House was held on September 23, 2014.

The following correspondence was received and provided to Committee:

September 25, 2014 – Comments from the County of Simcoe.

The Chair then asked for a brief overview of the proposed Official Plan Amendment and Zoning By-law Amendment. Jamie Robinson of MHBC Planning reviewed the background, policies and regulations impacting the Amendments. A power point presentation was provided. Mr. Robinson noted that the comments from the County of Simcoe have been received but not been reviewed or considered as of yet. A draft of the Official Plan Amendment document will be provided for Committee review and input at the regular meeting in November. The amendments can be adopted prior to the Source Protection Plan being adopted.

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

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

Stewart Strathearn - 431 Mundy's Bay Road – noted that the maps to the Amendment were very difficult to read and there was no indication of costs to the individuals who will be required to comply.

Stu Leggett - 372 Midland Avenue - expressed concern that the *Safe Water Drinking Act* and environmental issues are being addressed together and treated as one issue. In his opinion, what Council is proposing is beyond their duties and responsibilities and suggested that Council should not approve the Amendments while the overall Plan is not approved. He questioned if there was a demonstrable risk to our water source.

Mr. Robinson advised that the requirement to comply with the Source Protection Plan flows out of the *Clean Water Act* and there is a requirement that Source Protection be applied.

Once the Plans before Province are approved, municipal documents will be required to comply. He advised that the Town is doing the minimum requirement. It is expected that the plan will be approved late 2014 or early 2015.

Randy Lalonde – 591 Bay Street - concerned that the policies will prohibit development and questioned if all Commercial properties be required to develop some sort of plan regarding snow storage and the salt runoff. W. Crown noted that only those with a high vulnerability score will be required to comply.

J Robinson noted that the policies were developed by a varied group of individuals and will only apply to a high vulnerability property. There are 42 properties identified in Midland and this policy will apply Province- wide.

Bill Smith – 17111 Highway 12 – noted that he could not identify his property on the well head protection area mapping and requested clarification as to how this policy would affect his property should he be required to drill a new well.

W, Crown advised that the Source Protection Plan has no impact on Mr. Smith's ability to drill a new well. There are restrictions depending on what area the property is in. It would appear Mr. Smith's property is WHPA C1 and potentially WHPA D and W. Crown offered to meet with Mr. Smith to discuss his individual concerns subsequent to the Public Meeting.

There were no other comments or concerns.

The Chair thanked everyone for their attendance and participation and advised that the Committee will consider the Amendments and the results of the public meeting later tonight in the Regular Meeting.

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

#### **4. COMMUNITY INFORMATION MEETING**

##### **A) Public Information Meeting**

##### **Hanson Development Group – Draft Plan of Subdivision 43T-95021**

**Consultants for Hanson Development Group:**

**Rob Spanier, LWLP**

**Andrew McNeill, LWLP**

**Chad John-Baptiste, MMM Group**

The Planning and Development Committee of Council had scheduled this Community

Information Meeting to provide general information regarding the proposed changes to the approved 2012 Hanson Draft Plan of Subdivision and allow residents to ask questions of the owner's consulting team and Town Staff with regard to the proposed changes to the approved draft plan.

This was a non-statutory consultation meeting and is not required pursuant to the *Planning Act*. As such, there is no right to appeal the decision of the Town to the Ontario Municipal Board. Planning and Development Committee of Council wishes to provide the community an opportunity to be informed of the proposed changes and provide comment to Committee prior to final decision on the request.

The Director of Planning and Building Services advised that a Public Open House was held earlier in the evening from 5:30 to 6:30. He provided a Background of the Application.

Rob Spanier, Live Work Learn Play, provided a power point presentation to Committee outlining the status of the Hanson Development with the proposed new vision for the site. The site will be developed in Phases and a proposed development concept was provided.

Mr. Spanier noted that the Hanson development concept leverages the inherent advantages of living in Midland such as connections to nature, community and an active lifestyle. The development concept proposed very efficiently designed and affordable homes for the target market. In his opinion, the proposed development concept will complement – not compete with the Town's waterfront Vision and the Downtown. Their fundamental approach is to give Little Lake back to the Town and transfer the waterfront to the Town.

Frieda Baldwin, 200 Bayfield Avenue – questioned the types of trails that were being considered within the development. Currently there is snowmobile trail on the property. R. Spanier advised that the types of trails being considered will be less invasive and more pedestrian-friendly to provide a safer environment.

Armand Campagnoni 948 Sumac Lane – expressed concerned regarding schooling allocation for the prospective residents as well as traffic concerns given the location of the development and its proximity to Highway 12, the lack of space between buildings and if the development will be condominium tenure. R. Spanier advised that they are considering Condo corporations with Agreements in place with respect to style and maintenance of the development. C. John-Baptiste noted that originally there was a school site proposed on site in 1995, however, the School Boards determined that they currently had capacity to accommodate students. With respect to traffic on Highway, he noted that the Commercial property along Highway 12 had been removed and it is anticipated that there will be a signalized intersection at Highway 12 and Beamish Road.

Stewart Strathearn, 431 Mundy's Bay Road – questioned the anticipated start date of the development. R. Spanier advised that although they are currently in the approval process,

they are hoping to be in a position to commence marketing in the Summer of 2015 with construction possible at the end of 2015 or early 2016.

Committee questioned if Development charges and the potential increase would have an effect on their ability for marketability. R. Spanier advised that Development Charges may be in hindrance if improperly or unfairly increased. Committee questioned if any clear cutting of the whole site was anticipated and also where Phase 1 would be in the development. R. Spanier advised they do not anticipate clear cutting of the whole site as it will be phased. They are considering Phase 1 to be that portion of the site which fronts onto Highway 12 where service connections can be made.

Committee noted that the housing prices as shown, did not fall under Affordable Housing for Midland. R. Spanier advised that they are not relying solely on Midland residents to purchase properties; they will be marketing to residents who would also be willing to relocate to Midland. He also noted that prices are based on demand and supply

Issues such as snow removal, water features, and retention ponds will be addressed at the Site Plan Approval stage.

Mr. Spanier requested that Committee consider the matter at the Regular Meeting of Council on October 20, 2014 rather than PDCC in November. The Chair advised that Committee will have that discussion in the regular portion of their meeting.

The Chair thanked Mr. Spanier and Mr. John-Baptiste for their presentation.

## **5. DEVELOPMENT REVIEW/APPLICATIONS**

### **A) Source Protection Plan Implementation Study Draft Official Plan Amendment and Draft Zoning By-law Amendment**

The Committee had before it for consideration the results of the Public Meeting and Staff Report PL-2014-72 dated September 24, 2014 with respect to the proposed Official Plan Amendment and Zoning By-law Amendment with respect to the Source Protection Plan Implementation.

Committee had discussion on the following matters:

- If regulations were necessary regarding water usage.
- The protocol and process that would be required for a commercial application with a significant threat on the property.
- Transportation channels created by private residential wells.
- Potential contamination from a private well within a Well Head Protection Area.

**Recommendation**

The Committee recommends the following:

1. That the input and results of the Open House and Public Meeting under the *Planning Act* be referred to staff and consultant for a further report and recommendations and also addressing those issues identified in Staff Report PL-2014-72, and that said report be directed to the Planning and Development Committee of Council for consideration and recommendation to Council.

**B) Community Information Meeting  
Hanson Development Group – Draft Plan of Subdivision 43T-95021**

The Committee had before it for consideration the results of the Public Meeting and Staff Report PL-2014-67 dated September 26, 2014 with respect to Hanson Subdivision Request for Redline Revisions, File No. 43T-95021.

The Director noted that the Consultants had requested that this matter be forwarded to Council at its Regular Meeting on October 20, 2014. Although this does not give Staff a lot of time for report preparation, the Consultants did offer their resources in assisting Staff in preparing the Report. If Committee is comfortable with this suggestion, the matter may move ahead however it was noted that Council would have less opportunity to have a detailed discussion regarding the changes should it proceed directly to the October 20<sup>th</sup> Regular Meeting of Council as opposed to the November Planning and Development Committee of Council.

Committee had discussion and it was then,

**Moved by: Councillor Charlebois**  
**Seconded by: Councillor Jeffery**

That all comments and input received through the Community Information Meeting be directed to Staff for review and preparation of a Recommendation Report respecting the Hanson Subdivision Request for Redline Revisions to Draft Plan File No. 43T-95021 to be presented at the October 20, 2014 Regular Meeting of Council.

**CARRIED**

**Recommendation**

The Committee recommends the following:

1. That all comments and input received through the Community Information Meeting be directed to Staff for review and preparation of a Recommendation Report respecting the Hanson Subdivision Request for Redline Revisions to Draft Plan File No. 43T-95021 to be presented at the October 20, 2014 Regular Meeting of Council.

**C) Update on 509 Bay Street (Imperial Oil property)**

The Director of Planning and Building Services provided a power presentation regarding the possibilities and opportunities for the property at 509 Bay Street.

Local service clubs will be approached regarding potential contribution to assist with the opportunities of this site. This matter will be discussed further at a later date.

**E) Economic Development**

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

- HEA is no longer in existence – has been replaced by EDCNS

**6. FOR INFORMATION**

A) Building Report – August 2014 - **Noted and Filed.**

**7. OTHER BUSINESS**

There was no other business.

**8. ADJOURNMENT**

The meeting was adjourned at 11:05 p.m.



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