

**PLANNING AND DEVELOPMENT COMMITTEE OF COUNCIL
REPORT NO. 2014-4**

**Report of the Planning and Development Committee meeting held at 7:00 p.m. on
Wednesday, April 2, 2014 in the Council Chambers of the Municipal Office.**

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

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

Regrets: Chair, Councillor J. Attwood
Councillor G. Canning

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 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) Official Plan Amendment – OPA-03-13
Waterfront Master Plan Implementation
Planning Justification Report and Municipal Comprehensive Review**

Present: Ron Palmer, The Planning Partnership

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 was mailed out on Tuesday, March 11, 2014 to ratepayers within a 120 metre radius of the property 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, emailed to the Unimin Waterfront Project List as well as on Twitter. The Notice was also advertised in the Midland Mirror on Thursday, March 13, 2014.

The following correspondence was received and provided to Committee:

March 24, 2014 – Scott Snider of Turkstra Mazza – Solicitors for ADM Milling.

The Chair then asked for a brief overview of the Town-Initiated proposed Official Plan Amendment. Ron Palmer of the Planning Partnership reviewed the background, policies and regulations impacting the Amendment. A power point presentation was provided. It was noted that a Public Open House was held on March 5, 2014.

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

Scott Campbell – 343 First Street – requested that it be clearly stated in the Plan that this Amendment would work with the Downtown Master Plan.

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

Larry Halliday – 487 Aberdeen Boulevard – supported the Amendment and noted that the public waterfront is variable in width depending on the location within the site. The Director noted that approximately 27% of the site is public realm.

Stewart Strathearn - 431 Mundy's Bay Road – supported the Amendment. He noted that within the documents there were five criteria used however the same five criteria were not accepted by Employment Area Review. Staff advised that there are not specific criteria from the Province and therefore, the criteria would not set a precedent.

George McKibbin – Land Use Planner for ADM Milling – advised that correspondence dated March 24, 2014 was forwarded to the Clerk, from Scott Snider of Turkstra Mazza, outlining ADM's concerns. It is anticipated that a meeting will be held with Town Staff and the representatives from ADM. They are not opposed to the Amendment and noted they

are representing ADM for constructive engagement regarding Land Use Compatibility. He noted that Robert Cash (Canadian Environmental Manager for ADM), Frank Corbett, Kevin Klugston were also in attendance.

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 consultation later tonight in the Regular Meeting.

B) Zoning By-law Amendment Application – ZBA-01-14
175421 Canada Ltd., Owner
The Guesthouse Shelter, Applicant
522 Elizabeth Street

Present: Brian Goodreid, Goodreid Planning Group

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 Zoning By-law Amendment was mailed out on Tuesday, March 11, 2014 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 Notice was also advertised in the Midland Mirror on Thursday, March 13, 2013 and on Twitter.

The following correspondence was received and provided to Committee:

March 16, 2014 – J. Norton – 339 King Street

March 19, 2014 – N. Green/J. Dawson – 518/520 Elizabeth Street

March 31, 2014 – K. Kowalsky – 351 First Street (copy provided on-desk)

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

Brian Goodreid, Goodreid Planning Group, Planner for Guesthouse Shelter. provided a copy of correspondence from Midland Police Services, that although was not specifically related to the rezoning, was in relation to the Partners in Community Safety. B Goodreid reviewed the Zoning regulations and Official Plan policies, described the building and noted that accessibility will be provided via the Easy Street entrance. There will be no changes to the exterior of the building only to the interior. He advised that the Midland Out of the Cold program has been in operation for 6 years, from November to April, at Knox Presbyterian Church. The rezoning for the Guesthouse Shelter will result in a 12 month operation and will

allow accommodations for a greater number of people to meet the needs of the North Simcoe area.

Robert Reimers – Architect for Guesthouse Shelter – advised that he had been working with Guesthouse Shelter for a year and a half. He also provided a description of the building and noted that there will be eight spaces in the basement for sleeping, an area for cooking and area for administration.

Robert Sykes - 577 Johnson Street – noted that the former proposal presented to Council was not feasible due to high costs for engineering and lack of space. This location is the preferred location.

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

Scott Campbell – BIA Member and representative – confirmed that the BIA did not support the rezoning and suggested another location be chosen. He expressed concern regarding the renaissance occurring in the Downtown Core.

Bill Molesworth – Chief Librarian and resident at 358 Fourth Street – stated that he was not fully opposed to the rezoning as there is a need for this type of service and commended the work of the volunteers. Although he had met informally with Mr. Sykes, he continued to have concerns regarding the operation of the Shelter with respect to accommodations, staffing and general rules. He is concerned regarding the potential for loitering in the parking lot Easy Street and the perception that the group could be seen as intimidating to the patrons of the Library. He is also concerned with the effect the Shelter will have on the neighbourhood and concerned with the business model for the funding of the Shelter and the potential for ongoing financial support from the County.

Committee noted that they were not aware of any concerns regarding loitering or harassing behaviour from the clients at the Out of the Cold Program. It was also pointed out that everyone must keep the Human Rights Commission in mind and discrimination against the residents is not acceptable. The rezoning deals with the use of the land and not the residents.

R. Hackstetter – 256 Sixth Street – not opposed but not supportive of the application. He noted that it was his understanding that each application received by the Town is reviewed on its own merit. Council will ultimately decide if the rezoning is sufficient and whether or not the Official Plan policies are supported.

Karianne Copeland – 239 King Street – opposed to the rezoning and is concerned regarding the perception and intimidation issues that may arise from clients gathering outside of the building, loss of prime office space and loss of street front retail/office space, and how that will affect the Downtown.

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

Ute Schmidt-Jones - 463 Irwin Street – supports the rezoning and advised that she is a volunteer for the Shelter and has never felt unsafe and confirmed that there should be not stigma attached to the residents.

Karen Ptolemy-Stam – Minister at St. Paul’s United Church and resident at 63 Jane Street, Penetanguishene – supportive of the Zoning By-law Amendment. St. Paul’s has a drop in centre and there have been very few conflicts. In her opinion, the proposed rezoning speaks to a larger problem that the Town needs to be addressed.

Elaine Martin – owner of Lady Bug Cafe 342 King Street - supportive of the Zoning By-law Amendment and noted that it will allow for pride of ownership for the clients of the Shelter.

Brian Goodreid advised that the Downtown location is most appropriate as it is central to public transportation and other service providers. The Guesthouse Shelter will be offering programs to help the clients integrate into the Community. He noted that the rezoning is for the land use not “people use” and discrimination is not acceptable.

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 Amendments 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) Official Plan Amendment – OPA-03-13 Waterfront Master Plan Implementation Planning Justification Report and Municipal Comprehensive Review

The Committee had before it for consideration the results of the Public Meeting and Staff Report PL-2014-19 dated March 24, 2014 with respect to the revised Official Plan Amendment Application OPA-03-13 for the Unimin Waterfront Lands.

The Committee had further comments and discussions on the following matters:

- The Director noted that a meeting will be scheduled with ADM regarding compatibility land
- Whether the OPA would bind the Town with the block structure presented. The Director noted that the objective of the OPA is to ensure that there is a policy document in place that took the Vision exercise into consideration. There will be significant flexibility within the framework of the OPA.
- Lengthy discussion regarding the conversion of Employment lands and the five principles used. The Director provided clarification.
- Concern regarding the waterfront being used as a tourist and destination area. It was noted that the site will be used for tourists and residents and that the OPA will establish the framework to allow for future festivals to be held on site. The residential and tourist uses will be compatible.

Recommendation

The Committee recommends the following:

1. That the input and results of the 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-2014-19, and that said Report be directed to the Planning and Development Committee of Council for consideration and recommendation to Council.

B) Zoning By-law Amendment Application – ZBA-01-14 175421 Canada Ltd., Owner The Guesthouse Shelter, Applicant 522 Elizabeth Street

The Committee had before it for consideration the results of the Public Meeting and Staff Report PL-2014-20 dated March 27, 2014 with respect to Zoning By-law Amendment Application ZBA-01-14 for the property at 522 Elizabeth Street.

The Committee had further comments and discussions on the following matters:

- If the rezoning would be precedent setting.
- Whether the rezoning of the building will change the purposes for payment to the BIA and if the Building was located within the BIA area. The Director advised he will investigate and the results will be included in the Staff Report.
- If any thought was given to outdoor amenities.
- The issue of overnight parking for staff is being discussed and it is anticipated that spots will be donated by surrounding property owners.

Recommendation

The Committee recommends the following:

1. That the input and results of the Public Meeting under the *Planning Act*, be referred to staff for a further report to the Planning and Development Committee of Council at a

future meeting. That Staff be directed to work with the Applicant to address the concerns raised at the Public Meeting.

C) Downtown Master Plan Study – Terms of Reference/RFP

The Committee had before it for consideration Staff Report PL-2014-18 dated March 26, 2014 with respect to the Terms of Reference and Request for Proposals for the Downtown Master Plan Study.

Committee had discussion on the following matters:

- The Director noted that a Policy issue required in determining the Study Area. Upon review of the Staff Report, Committee concurred that Map 3 be supported as the Study Area.
- RFP and engagement of the public appears to be limited to only one Public Meeting and it was suggested that there be additional public input. The Director noted that the Town will be looking to consultants regarding the best way to creatively deal with Public Input.
- Need more information regarding expectation surrounding any festivals.

Recommendation

The Committee recommends the following:

1. **That Council hereby approves the Municipal funding for the Downtown Master Plan Study as set out in Staff Report PL-2014-18, upon confirmation that RED funding from OMAFRA has been secured.**
2. **That Council hereby approves the Draft Terms of Reference and Request for Proposals for the Downtown Master Plan Study (subject to additions and changes determined by the Committee) and same to be released upon confirmation that RED funding has been secured.**
3. **That Council hereby approves the composition of the Steering Committee for the Downtown Master Plan Study and upon confirmation that RED funding from OMAFRA has been secured, that the Steering Committee be struck.**

D) County of Simcoe – Transportation Master Plan Update

Committee had before it for consideration the County of Simcoe Transportation Master Plan Update – Interim Report #2, dated March 25, 2014, for their review. The Director of Planning and Building Services noted that the Town had not prepared a formal response to the Study as of yet.

Considerable discussion ensued and Committee concurred that Staff prepare formal comments with respect to the Transportation Master Plan. A joint report led by the Engineering and Public Works Department will address issues specific to the Town of Midland. It was noted that Active Transportation as well as car park areas, be included in the Report.

Recommendation

The committee recommends the following:

1. That Staff prepare formal comments with respect to the Transportation Master Plan update that outline issues that are specific to the Town of Midland, for submission to the County of Simcoe.

E) Economic Development

The Committee was provided with on-desk copies of the HEA Record of Meeting dated February 27, 2014 for their review.

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

- The Town Received \$50,000 from the County which will be transferred to NSCFDC. HEA is actively working on an Economic Development Corporation, yet to be named. By-laws are being prepared by a local law firm. The HEA website has been improved and finalized.
- HATS has been approved by all four local municipalities.
- Council approved the Cultural Plan.
- There is support of the four municipalities to participate in the International Plowing Match in partnership with the County of Simcoe and details regarding the sharing of booth space will be discussed at an upcoming meeting.
- The Huronia Incubator initiative has been deferred.
- The Mayor noted that there are several new shops opening up Downtown which is good for Midland.
- Visits to local manufacturing companies are ongoing.

4. FOR INFORMATION

A) Building Report – February 2014 - Noted and Filed.

B) Technical Review Committee Report 2014-3 – Noted and Filed.

5. OTHER BUSINESS

Updates:

- A Tax Status Report from the Treasurer, regarding a property in Town, will be forwarded to General Committee or a closed session.
- A request for financial assistance has been made by the developer of the former Marina Park development. A report will be forwarded to General Committee once a meeting between the developer and staff has taken place.
- Updates regarding County of Simcoe activities, were provided.

6. ADJOURNMENT

The meeting was adjourned at 10:55 p.m.



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